

## **MINUTES**

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

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By REP. TOM ZOOK, on March 9, 1993, at 7:30 A.M.

#### **ROLL CALL**

##### **Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Ed Grady, Vice Chairman (R)  
Rep. Francis Bardanouve (D)  
Rep. Ernest Bergsagel (R)  
Rep. John Cobb (R)  
Rep. Roger DeBruycker (R)  
Rep. Marj Fisher (R)  
Rep. John Johnson (D)  
Rep. Royal Johnson (R)  
Rep. Mike Kadas (D)  
Rep. Betty Lou Kasten (R)  
Rep. Red Menahan (D)  
Rep. Linda Nelson (D)  
Rep. Ray Peck (D)  
Rep. Mary Lou Peterson (R)  
Rep. Joe Quilici (D)  
Rep. Dave Wanzenried (D)  
Rep. Bill Wiseman (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Terry Cohea, Legislative Fiscal Analyst  
Mary Lou Schmitz, Committee Secretary

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

##### **Committee Business Summary:**

Hearing: HB 2  
Executive Action: HB 2

#### **GENERAL GOVERNMENT AND TRANSPORTATION - cont.**

**Motion:** REP. GRADY moved to remove the language on page A-58 "If HB xx is not passed and approved, the general fund appropriation in item 1 (Legal Services Division) is increased by \$24,000 in FY 1994 and \$24,000 in FY 1995. FTE will also increase by 0.75 FTE each fiscal year".

**Discussion:** Ms. Cohea said in Justice there are four places in which language is included in the bill. All of these are negatives. If the bill does not pass, money is added. If your wish is to strike the contingency language, you just need to strike the language. The money is already out of the bill.

**Vote:** Motion carried unanimously.

**Motion:** REP. GRADY moved to strike the language on page A-62, "if House Bill xx is not passed and approved, the general fund appropriation in item 4 (Motor Vehicle Division) is increased \$467,000 in FY 1994 and \$467,000 in FY 1995. FTE will also increase by 18.30 FTE in each fiscal year".

**Discussion:** Ms. Cohea said this was a contingency dealing with the 42 counties drivers' licensing and since you have reinstated those, but funded it with another funding source, language is not necessary. Striking it is certainly appropriate.

**Vote:** Motion carried unanimously.

REP. GRADY referred to language on page A-64 and asked Clayton Schenck, LFA to comment. Mr. Schenck said the language regarding SB 382 refers to the Coal Board grant funds. The Eastern Counties drug enforcement task force has been funded from the Coal Board fund for several bienniums and due to an executive policy initiative that might eliminate these, SB 382 is attempting to continue the local impact funding. This particular language would change the current funding from the local impact funds to general fund. Ms. Cohea said that bill has been heard in Senate Taxation but not acted upon.

REP. KADAS said this is an area where there are federal funds that are being put into the budget that are going to require FTE and a couple places where federal funds have been backed out from a previous grant and now we are backfilling with general fund. This was a federal program with a 25-75 match. They slowly reduced the match and now we will pick it up with general fund. Mr. Mazurek said the Eastern Coal Counties Task Force did not begin with federal money. It has always been a coal board grant. This is the principle drug enforcement effort in eastern Montana and ties in closely with the entire statewide effort. The subcommittee had considered the issue of whether to fund with general fund or it ought to be completely funded by Coal Board grant which it has for the past ten years. There has been some discussion in recent years about doing the money directly or taking it out of the general fund. This issue actually came up in subcommittee and the feeling of the majority was it ought to be continued to be funded with Coal Board money so they did not take it out of general fund which was the executive branch' recommendation.

In answer to a question from REP. BARDANOUVE, Mr. Mazurek said they have drug task forces in 11 different locations. The

Western Drug Task Force, which is headquartered in Missoula, is funded largely by federal grants and other combinations of matching funds. This is the principle coordinating Task Force for eastern Montana which extends to northeastern Montana as well. The agents, who are principally headquartered in Billings, also are available to help in other parts of the state. It is a cross service area enforcement effort.

**REP. DeBRUYCKER** said the automated fingerprints is funded by federal grants and drug forfeiture funds. He thought the courts ruled they couldn't use drug forfeiture money anymore. **Mr.**

**Mazurek** said that is a different program.

**REP. MENAHAN** said in the Institutions subcommittee, one of the discussions concerned releasing inmates from Montana State Prison to community based services. People caught with small amounts of drugs are considered over those who commit violent crimes. He asked why all the law enforcement if they plan to let them out.

**Mr. Mazurek** said the principle concern communities have is for public safety. The Task Force convictions are of people who are selling, dealing and transporting drugs in and out of the state.

**REP. QUILICI** said this Eastern Counties Drug Task Force was first implemented using Coal Board funds. This Task Force has coordinated law enforcement and drug efforts all over the state.

**Dave Lewis, Office of Budget and Program Planning**, said the administration's position is that the language is all right. They, in fact, recommended this be changed to general fund. As far as the status of the general fund is concerned, it comes out even because HB 350 has reallocated the Coal Board money so there is more to go back into the general fund.

**REP. GRADY** referred to language on page A-66, second paragraph, "if House Bill xx is not passed and approved, the general fund appropriation in Item 7 (County Attorney Payroll) is increased by \$235,000 in FY 1994 and \$235,000 in FY 1995. FTE will also increase by 3.7 FTE in each fiscal year" and asked **Ms. Cohea** to comment. **Ms. Cohea** said this was language saying that if the bill was not passed to change the statute so the state was not liable for county attorneys' salaries in certain counties, then the general fund was put back. Again, if the bill does not pass, the state does have a statutory responsibility to pay for county attorneys' salaries. The money is already taken out of the bill.

**Motion:** **REP. MENAHAN** moved to reinstate \$235,000 each year to restore the county attorneys' salaries in seven counties and strike language on other issues, page A-66.

**Discussion:** In response to a question from **REP. QUILICI**, **Ms. Cohea** said the effect of the motion would be to add \$470,000 general fund. Under current law, the state is responsible for a portion of the county attorneys' salaries. That would be funded the same as it was before.

**Vote:** Motion to reinstate \$235,000 each year to restore the county attorneys' salaries in seven counties carried 10 to 8 with Reps. Bardanouve, DeBruycker, Fisher, Kadas, Kasten, Peck, Peterson and Wanzenried voting no.

**REP. KADAS** asked for an explanation why the additional 3.0 FTE are needed when federal funding is not available and the state is taking over, page A-64. **Mr. Mazurek** said shortly before the end of then Attorney General **Racicot's** term, the Department unveiled a new automated fingerprint information system, referred to as the AFIS system. This system allows Montana to tie in with other Western states through a law enforcement computer service in Sacramento, California. The 3.0 FTE on page A-64 assist in the operation of that automated fingerprint information system. The result of having this service available has been an increased demand for fingerprint identification services. The \$360,000 is for equipment and operating function. The 3.0 FTE are the people who operate the records bureau and this system so they are tied together. It's an issue of technology.

**REP. KADAS** asked for an explanation of page A-67, Law Enforcement Facility Enhancement and what is the dire need? **Mr. Mazurek** said this is a two-part component modification. The first part, which represents a little less than half of the request, is for some basic needs at the facility, primarily to modify those modular homes and trailer houses used for the academy and to accommodate the increasing number of women going to the academy. The other half is a joint state-local partnership venture and Gallatin County is building a new building. This would fund a shared lease at a very competitive rate with Gallatin County to enhance the training capabilities on site at the Academy.

**REP. BARDANOUE** said properly it should have been before Long Range Building.

**REP. KADAS** referred to page A-71, Firearms and Toolmark Examiner. We have 1.0 FTE and a second is requested. **Mr. Mazurek** said in the Forensics Science Division there is one Firearms and Toolmark examiner. This is basically a human health issue as the examiner is overworked and has been physically ill. An additional examiner has been requested over the years. It is an overload situation.

**REP. BERGSAGEL** said yesterday a conceptual amendment was made on the privatization of the drivers' license examiners. The amendment requested the Department of Justice do a study, present the study to the Audit Committee, then implement the study. He would like to amend out the portion that requires they implement the study and if it is a good idea the legislature will deal with it.

**Motion/Vote:** **REP. BERGSAGEL** moved to amend out the portion of the conceptual amendment that would implement the study to privatize the drivers' license service. Motion carried

unanimously.

**REP. BARDANOUVE** said there will be an ongoing expense of \$5,000 a month rent for the Law Enforcement Academy. How much space are we leasing? **Mr. Mazurek** said it is about half the size of this room (312) with high ceilings that would be suitable for physical training. The rate is about \$6 a square foot.

**REP. KADAS** said the other alternative is to find space available on the MSU campus. Does that cost anything? **Mr. Mazurek** said it does not. However, the objective was to give them room to cater meals, do physical training and not have to schedule around activities. It's an opportunity Gallatin County came to the department with and it seemed to be something that would take the Academy off the burner for a decade.

**REP. WANZENRIED** said the drug prevention coordinator position is federally funded, page A-68, and the proposal is to switch to general fund. In the course of deliberation, did the subcommittee look for other funding sources or is the general fund the only place to identify funding to pick up the \$90,000?

**REP. PETERSON** said the committee did not look for other sources. **Mr. Mazurek** said in the end it is a general fund impact.

**REP. KADAS** asked how much is available in the DARE grant program? Could some of that money be used to fund this? **Mr. Mazurek** said the federal money that comes through the Board of Crime Control for the DARE program is basically "seed" money to local communities to start programs. They are able to use that money on a declining amount basis and ultimately have to become self-sustaining. **REP. KADAS** asked if fines and fees go into this program? **Mr. Mazurek** said not that he is aware of.

**REP. MENAHAN** asked what are we training the DARE officers to do? He thought it was an educational program where they went to schools. **Mr. Mazurek** said the DARE program is a nationally certified program, basically a franchise operation. In order to use DARE materials, officers have to be certified in DARE training as opposed to the normal law enforcement skills.

**REP. PETERSON** presented the **Department of Transportation**, page A-73. Page A-74 is a budget modification listing. Then there is some explanation of how special revenue account and gas tax works. Pages A-75, A-76, A-77 and A-78 are referenced if there are any questions from the committee. On page A-79 is a budget chart. The budget is \$10 million in each year and the funding is state revenue funds and federal revenue funds. The bottom of the page has budget modifications. A great deal of more moneys and more compliance issues and more regulation issues are coming with the Federal Highways Act and they are reflected whether they are more air quality issues tied to highways or water issues etc.

The first budget modification adds 5.0 FTE to the Federal Motor Fuel Compliance Act, and other modifications listed on pages A-79

and A-80, by Highway Special Revenue, all coming on with the added highway work going on in Montana. While the subcommittee was in session, were informed of final approval of \$29 million in excess highway funds that were coming to Montana. This new Act has a lot more components than just building and repairing highways. There are hiking trails, pathways and signs and a lot of things besides energy efficiency and environmental issues.

Page A-81 is referencing both the "Cobb" amendment and "Swysgood" snapshot. There are 21.56 FTE removed and none restored. In answer to a question from **REP. BERGSAGEL** regarding the FTE, **Mr. Schenck** referred to page A-73, the table for the entire agency, there is a total reduction of 50.87 FTE from the LFA current level. **REP. BERGSAGEL** asked how many would be put back? **Mr. Schenck** said the 50.87 FTE is the net reduction and that includes the reduction for the general operation program. There were 22 FTE added back in budget modifications, primarily for the implementation of the ISTEA.

**REP. PETERSON** referred to page A-82, **Construction Program**, and explained a reduction of FTE and overtime costs, which have increased in this area. Page A-83, last column shows the FTE restored to the program. (94.20 were reduced and 46.99 were restored). On page A-84 142.20 FTE were removed through the snapshot of agencies, 94.99 were returned. Most of that construction goes on during the summer so December, 1992, these people weren't working. Page A-85 references the **Maintenance Program**. One of the things driving this program is greater and different requirements in maintenance. The budget modification for the striping of highways addresses a deficiency noted by the Federal Highway Administration. The same with the ice control material. The hazardous waste material the Highway Department uses has to be monitored very carefully and have compliance regulations in place. Pages A-86 and A-87 show FTE.

Page A-88 is the **State Motor Pool**, no modifications. There is some difference in expenditures.

Page A-89, **Equipment Program** had a current level difference concerning a 28% increase for gasoline consumption and an 8.5% increase for diesel fuel consumption. The rationale for the increase is the Department is doing more new construction and activity and the increase is not due to inefficiency.

Page A-90 lists the FTE.

Page A-91 is the **Interfund Transfer Program**.

Page A-92 is the **Stores Inventory**. The three budget modifications, Roadway Striping: Stores, Ice Control Materials: Stores and Pavement Preservation: Stores are companions to Maintenance program modifications discussed on Page 7. They provide purchase authority in the Stores Inventory program to use \$17.7 million highways special revenue funds for the materials.

Page A-93 is the G.V.W. Program and page A-94 lists the FTE for the program.

**REP. GRADY** asked what portion of the engineering work on construction is contracted out and what portion is done by our own engineers and the cost difference? **Tom Barnard, Administrator, Highways Division** said on contract administration during the construction period, a very small amount is contracted out, less than 5% and it does cost more. During the design process, 20% is contracted out and it costs considerably more to do that. **REP. GRADY** asked how much is "considerably more"? **Mr. Barnard** said from 50% to 100% more.

**REP. QUILICI** referred the committee to the last biennium when this question was asked. The problem was trying to attract engineers and retain them because of the pay scale.

**REP. WANZENRIED** referred to the Maintenance Program, page A-85. Hazardous Waste, \$1 million each fiscal year for hiring a consultant. How much is the plan going to cost and how much of a change in policy is the Department going to be required to achieve? **REP. PETERSON** said the hazardous waste issue is a big issue for the Highway Department because of the nature of their work. **Mr. Barnard** said the wording may be misleading. Only a small percentage of the \$1 million each year goes to the consultant. They have found nearly every one of their sites around the state have some hazardous waste material. The Department elected to go out and identify what they have throughout the state instead of doing it piecemeal. The \$1 million per year is primarily for cleanup. 5% or less is for a consultant. **REP. WANZENRIED** asked if the 5% entered as an inventory of the kinds of waste or the way it is being handled currently? **Mr. Barnard** said the 5% is to assist the Department in finding the proper disposal or storage process. The inventory is complete. The balance of the funds is to acquire storage tanks. **Mr. Schenck** said the EPT writeup presented in the budget process, designated the entire amount toward the consultant to do the studies.

**REP. WANZENRIED** asked for an explanation of the 10 new rest areas. **Mr. Barnard** said the intent is to have a rest area approximately every 70 miles along the primary system.

**REP. BERGSAGEL** said in Long Range Planning, the Department came in with the request to clean up areas around fuel tanks. The committee authorized this expenditure. How does this correlate with the \$1 million funding each year. **Mr. Barnard** said the underground storage tanks issue is a separate item to continue on with the program to replace leaking tanks. The \$1 million is for items beyond cleaning underground storage tanks.

**REP. COBB** asked how much money is the Department of Highways spending on weed control and with the new money coming in, is there an increase in weed control by the Department? **Mr. Barnard**

said the Department had proposed an increase for noxious weed control but it was not approved by the subcommittee. Generally, the amount of weed control they do is contingent upon the request of the county weed control district. **REP. PETERSON** said \$600,000 each year of the biennium has been set aside and that is the contract the Department made with the individual county weed boards.

**REP. BERGSAGEL** said he is interested in knowing the total number of FTE that were removed by the "Cobb" amendment and the "Swysgood snapshot". **Ms. Cohea** referred to page 11 of the Overview: 136.25 FTE were removed by the 5% motion, 110.28 FTE by being vacant for a total 246.53 FTE. The subcommittee restored 173.66 FTE.

**Motion:** **REP. QUILICI** moved the amendment, **EXHIBIT 1**,

**Discussion:** **REP. QUILICI** said this amendment **EXHIBIT 1** goes into the equipment program of the Department of Transportation, page A-89 and fits into the Gray Bill on page A-14, line 12. The amendment adds \$1 million into the equipment category for new sweepers. This \$1 million was already built into the maintenance budget to fund these sweepers. This amendment gives the equipment program the authorization to utilize this \$1 million to buy new sweepers. The EPA has come before the DOT telling them that, under the clean air act, they have to sweep the highways or anywhere the sand has accumulated which has created a problem in urban areas. **Bill Salisbury, Department of Transportation** said this is the proprietary fund to purchase the sweepers and the concept has already been approved in the maintenance program. **REP. COBB** asked if there is a \$1 million expenditure per year? **Mr. Salisbury** said the second \$1 million is the cost of maintaining them over the years.

**REP. GRADY** asked for more elaboration on the statement that the new equipment required by the EPA is going to cost 40% more. **Mr. Salisbury** said between 1985 and next year's purchase of trucks, the prices will have gone up about 60% which is a combination of two things: 1) normal inflation and 2) clean air standards.

**REP. COBB** said he would like to divide the amendment.

**Motion/Vote:** **REP. QUILICI** moved 1/2 of the amendment (second paragraph) an additional \$1 million in FY 94 to purchase an additional ten sweepers. **EXHIBIT 1**. Motion carried unanimously.

**Motion/Vote:** **REP. QUILICI** moved the second half of the amendment (third paragraph) **EXHIBIT 1**, an additional \$1 million in FY 95 to offset the loss of purchasing power the program has experienced in its Equipment category over the past decade. Motion failed 7 - 11.

**REP. BERGSAGEL** said the Swysgood and Cobb amendments were supposed to take out 246 employees and when the committee gets



done with this section, all they have taken out are 50 employees. That was not their intent at the beginning of the Session.

**Motion:** REP. BERGSAGEL moved to eliminate 100, Grade 16 or above positions in the Department of Transportation.

**Discussion:** REP. QUILICI said there are various reasons some of the FTE are added back. During the snapshot of December 29, over 100 FTE were vacant positions so were automatically taken out. The problem is, trying to be frugal, the Department of Transportation hired temporary people during the construction period. When construction went down in the winter, these people were laid off. These temporary employees were vacant during the snapshot and the Department was penalized. All the subcommittee did was give DOT the authority to hire these FTE.

REP. GRADY said with the additional federal funds coming in will we have enough matching funds? Ms. Cohea referred to page A-77 which shows the cash flow with the 4 and 3. Page A-75 shows it without. Mr. Schenck explained Table 2 on page A-77. It explains what is going in to the fuel tax account in terms of revenue and the different sources of those revenues by fiscal year. The expenditures are listed on the bottom. In terms of matching the federal funds, the paragraph at the bottom of page A-73, shows there are existing, within the 1995 biennium, with no fuel tax increase at all, sufficient funds to continue matching the projected federal aid construction funds as projected by the Department of Transportation. The increased fuel tax would be necessary to continue one current level issue and that is the \$20 million RTF program. An additional \$10.5 million of the fuel tax increase would have to go toward the budget modifications that have been approved by the subcommittee action and that amounts to about 2 cents of the fuel tax increase.

**Motion:** REP. DeBRUYCKER made a substitute motion to remove all the FTE that don't start with 9, pages A-83 and A-84.

**Discussion:** REP. KADAS asked REP. DeBRUYCKER if he is limiting his motion to the positions removed by the Cobb 5% reduction and the Swysgood vacant reduction that don't start with 9 in the Department of Highways. Ms. Cohea said those that would be removed by this motion are only those shown in the restored column. It would only be those that are not 9 that are shown in the restored columns and those would be on pages A-96, A-94, A-90, A-87, A-86, A-84, A-83 and A-81.

REP. QUILICI said he would like to know how many employees are involved. Also the Highway Department has a lot of temporary employees that have worked 3, 4, and 5 years and are still classified as temporary employees.

REP. GRADY asked how many are engineers?

Mr. Schenck said the motion, as it stands, would eliminate 92.19

FTE, non-seasonal positions. Regarding engineers there are 29 FTE. In consulting with the Department, the number that are directly related to the engineering process would be 43.

**REP. MENAHAN** asked **Marvin Dye** to explain to the committee what they are doing. **Mr. Dye** said the action that has been taken so far are 70 positions with a net of 50. The 5% has been enacted and on top of that they are taking additional positions. There is no doubt that to remove that level of employees from the Department would seriously effect their ability to respond to maintenance and accept further federal funds.

**CHAIRMAN ZOOK** asked **Mr. Dye** for clarification. Are 43 of these positions engineers or closely associated with engineers? **Mr. Dye** said there is probably a good cross section of employees.

Vote: Substitute motion failed 6 - 11.

Vote: Original motion carried 9 - 8 with Reps. Grady, Bardanouve, John Johnson, Royal Johnson, Menahan, Nelson, Peterson and Quillici voting no.

**Ms. Cohea** said her staff will need to know which programs and which FTE are affected. The committee could leave it that the Department would specify and tell the staff.

Motion: **REP. MENAHAN** moved to transfer the MCSAP program to the GVW program and then eliminate the budget modification for the additional 1.5 FTE, \$36,377 for FY 1994 and \$36,422 for FY 1995.

**REP. WANZENRIED** said if this is done, from a budget standpoint, we must draft a committee bill.

**Dave Galt, Administrator, Motor Carrier Services Division** said the MCSAP program is responsible for doing the safety inspections on motor vehicles at roadside inspection sites throughout the state. There are 8 inspectors and they set the policy how Montana will do these inspections based on what the federal guidelines dictate. They also provide training for the Motor Carrier Services Division and assist those. Out of the 80 uniformed officers in the field, about 53 are trained up to the current standards to do those inspections. As they do the inspections, the Highway Patrol turns over vouchers to the federal government and is reimbursed for the time they spend doing those inspections, both ours and theirs. **CHAIRMAN ZOOK** asked how many people are in the field. **Mr. Galt** said there are 92, 80 of them are officers, 10 are supervisors in the field, 1 is the scale technician and 1 is the chief in Helena.

**Ms. Cohea** said the intent of this motion is to transfer the entire program to GVW, not just the additional FTE. In response to a question from **REP. BARDANOUVE, Mr. Schenck** said the original program has 10 FTE. The MCSAP program conducts inspections with federal funds and a partial match provided through the Highway

Patrol Officers salaries. The inspections are done at the GVW stations. **REP. WANZENRIED** said there are two different kinds of inspections performed on trucks. One is equipment inspection which is like a safety inspection. The MCSAP program does a more comprehensive type of inspection beyond what the GVW people do.

**Vote:** Motion to transfer MCSAP program to the GVW program carried 16 - 2 with Reps. Fisher and Royal Johnson voting no.

**Motion/Vote:** **REP. MENAHAN** moved to draft a Committee Bill. Motion carried 17 - 1 with Rep. Royal Johnson voting no.

**REP. PETERSON** referred to the next program, **Aeronautics Program**, page A-95. The subcommittee worked on an executive budget revision that included state airport roof repairs, airport grant funds, search and rescue training, and directional radio beacons. That amounted to \$32,000 each year.

**CHAIRMAN ZOOK** said a bill was passed on the floor giving airports a method to raise some funds. **REP. ROYAL JOHNSON** said all the bill did was transfer back to them the authority they have had for a long time, that was taken away in error on a bill in the last legislative session. It has no effect on this situation.

**REP. PETERSON** said page A-96 reflects the FTE levels. There were vacancies that were reinstated, 2.9 FTE.

The next program is the **Rail and Transit Program**. There is considerable activity in some grants. The top reference is the elimination of 1.1 FTE as part of the 5% reduction. The next is the 3.0 FTE in the general fund positions that were vacant December 11. There are a number of grants in budget modifications. Page A-98 shows language and FTE issues.

**REP. BARDANOUE** asked how much money has the state put into the McCarty Farms litigation? **Mr. Dye** said to date the Department has spent approximately \$1.3 million.

**REP. WANZENRIED** asked what is the status of the negotiations. **Mr. Dye** said there was a judgement in favor of the shippers and that has recently been overturned because of the method of calculating the rates. That is on the way back to ICC for a determination of the proper way to calculate rates. There is some movement toward a settlement, however, if they need expert witnesses in the area of rate structures, these funds will provide that assistance.

**REP. PETERSON** referred back to page A-97 and said 3.1 FTE removed from the Rail and Transit program. Some people were thinking maybe the McCarty Farms litigation funds were in that so the subcommittee double checked.

**REP. NELSON** expressed concern for the 3.0 FTE that were taken out

because it is the rail division, page A-98. When the change was made to the Department of Transportation, it was to protect the Aeronautics Division and the Rail Division. This basically takes out the rail division. **Mr. Dye** said within the Rail and Transit Division, they are able to respond to part of that program of planning and how it interfaces with highways, work areas etc. Those are federally funded and matched with the Highway Trust. Part of the program that has been eliminated is their ability to respond to shippers and their needs, and should probably be general fund. This is in the area of ICC practitioners and rate specialists. **REP. NELSON** said this wipes out the program when the 3.0 FTE are taken out. Who is going to watch out for the rails? **Mr. Dye** said that is correct. They would not be able to respond to rate issues or ICC practitioners with the current funding they have.

**Motion:** **REP. NELSON** moved to reinstate the 3.0 FTE, page A-98.

**Discussion:** **Mr. Salisbury** said they have moved a certain amount of people from the Rail Transit Division to the Department of Commerce to take advantage of intermodes. The FTE are the remaining people in the unit that do work on just rail issues. **CHAIRMAN ZOOK** asked how it happened these positions were vacant in December. **Mr. Salisbury** said, at that time, the Department was still undergoing reorganization.

**REP. GRADY** asked if the Department requested these FTE be replaced in the subcommittee? **REP. PETERSON** said they were discussed and the subcommittee wanted to make some positive motion on the FTE list. Since that time, they have heard a number of people comment on spur lines and the times of the year when those lines are very busy. That was not brought up in committee discussion.

**REP. COBB** asked how long were these positions vacant or were they always vacant? **Mr. Salisbury** said they were vacant for at least the 6 months. They were in Transportation and some of those positions have been filled since then. The Department will continue to work at getting these positions funded with federal funds.

**Vote:** Motion failed on a tie vote 9 - 9.

**Motion:** **REP. NELSON** moved to reinstate 2.0 FTE back in the Rail Transit Division, page A-98, the Planning Manager I and the Railroad Operations Officer.

**Discussion:** **REP. KADAS** asked **Mr. Salisbury** which 2 positions he was sure of that had been filled? **Mr. Salisbury** said the attorney position was moved over on the 5% reduction and the planning manager was filled. **REP. NELSON** asked if the salaries are about the same? **Ms. Cohea** referred the committee to page A-98. The top of the chart will show the positions that are under discussion. There are 3 all or partial general fund positions.

There is total personal services which is the salary plus the benefits.

**REP. GRADY** referred to **Dave Lewis, Director, OBPP** saying it appears this program was not supported by the past administration but is going to be supported by the present administration and would like **Mr. Lewis'** view. **Mr. Lewis** turned to **Marvin Dye, Director** for his policy decision. **Mr. Dye** said that is true. There was some stalling on filling those positions but there was also movement under way to say the general fund would not be needed for those positions and they could be funded out of federal funds. Under closer scrutiny it was determined that was not possible. That was an error in judgement on their part.

**Vote:** Motion to reinstate 2.0 FTE in the Rail Transit Division failed 9 - 9.

**REP. GRADY** said Montana will receive about \$28.6 million in Highway Funds. This will require \$3.5 million state funds. Does the committee have appropriation authority to match this additional money? **Mr. Schenck** said those additional funds may become available, the state matching funds are not currently appropriated specifically for that purpose. There has not been a supplemental request, a budget amendment or anything submitted for that additional funding. To be expended they would have to adjust the current construction program but could not do some other projects. The other option they would have is reduce the RTF program and instead of using that for 100% state funds, could use for that. **REP. GRADY** said if they did get the additional federal money they would not have the matching fund appropriation authority. **Mr. Schenck** said it is not specifically appropriated. If the department has language that allows them to adjust appropriations between different funding sources, they could use the RTF fund. They can do it within existing funds but it is not specifically appropriated. It would require an adjustment in the current construction program.

**Motion:** **REP. NELSON** moved to reinstate the Attorney Specialist, class III, Rail and Transit Program, page A-98.

**Discussion:** **Mr. Salisbury** said that position has been moved into the construction program, the attorneys' pool for the Department. It is 80% federally funded and 20% state funded. **REP. NELSON** asked if that position is still there? **Mr. Salisbury** said that position is there through this fiscal year but has been taken out as one of the vacant positions.

**REP. KASTEN** said when the Attorney General's office was discussed, wasn't there some discussion about having a staff there to help the other agencies? **Jan Dee May, Department of Justice** said the Department of Justice administers a program called Agency Legal Services, legal assistance to other state agencies, at a cost of \$53 per hour.

**REP. ROYAL JOHNSON** referred to **EXHIBIT 3**. It is the 20% state funds in the numbers included, \$33,994 FY 1994 and \$34,043 FY 1995, or is that the total of the whole position. **Mr. Salisbury**

said that is 80% under federal special and 20% would be under the state special.

**Vote:** Motion to reinstate the Attorney Specialist class III, Rail and Transit program carried 12 - 6 with Reps. Cobb, DeBruycker, Fisher, Kasten, Peterson and Wiseman voting no.

**Motion:** **REP. PETERSON** moved to correct some funding for the Supreme Court, **EXHIBIT 4**. The personal services reduction for the Judiciary is reduced by \$167,108 general fund in FY 1994 and \$167,651 general fund in FY 1995 to provide full funding for all elected officials in the Judiciary

**Discussion:** **Ms. Cohea** said the personal service reduction efficiency line, at the bottom of each agency, will show as a positive in the bill but there will be language saying it is a negative and that the agency can allocate. It was about \$246,460 reduction per year previously. This will reduce it in the area of \$80,000. **Jon Moe, Associate Fiscal Analyst**, said with the adoption of this amendment, the amount would be about \$79,300.

**REP. KADAS** asked how does this effect the money that was given back to Judiciary to alleviate their reductions? **Ms. Cohea** said previously with the \$246,000 rounded reduction, under the motion that was passed yesterday, the Judiciary would have had 10% of that to add back so their reduction in 1994 would have been approximately \$246,000 offset by \$24,600 positive. Under this motion, their reduction will be roughly \$80,000 and they will have \$8,000 as their contingency.

**REP. KADAS** asked **REP. PETERSON** how she figured this reduction, what is the rationale? **REP. PETERSON** said she was looking for numbers that would make whole all the judges in the system.

**Vote:** Motion to correct some funding for the Supreme Court carried 13 - 4 with Reps. Bardanouve, DeBruycker, Peck and Wanzenried voting no.

**REP. PETERSON** referred to page A-99, Department of Revenue. Pages A-100 and A-101 are FTE reductions and snapshots. One total is in the middle of page A-101. Below the black line are the non-general fund positions. For the general fund, 63 FTE positions were removed, 54.49 FTE were returned. For the non-general fund 72.6 FTE were removed and 64.09 FTE were restored. The **Director's Office** is on page A-102 and the reduction of FTE there, 3.5. The **Central Services Division** is on page A-103 and shows a reduction of 3.5 FTE. The **Liquor Division**, page A-105 has some language issues. The **Income Tax Division** is on page A-106. There are several reductions but only 1.0 FTE reduction. A budget modification is on the bottom of the page for a cigarette

stamp. The **Corporation Tax** is on page A-108 and there is some reduction in FTE. The next division is the **Property Valuation**, page A-109 shows a big reduction in FTE. There is some language consideration at the bottom of the page.

**REP. PETERSON** concluded the overview of the **Department of Revenue**.

**REP. MENAHAN** asked if there is any consideration given to liquor stores operating six days a week or any effort to push forward their merchandising? **REP. PETERSON** said the subcommittee did not talk about those kinds of efficiencies or expanding that kind of program for the Liquor Store Division. Her one request of the Liquor Store Division was when a change is made, they have to close down for 90 days while they advertise, etc. but nothing was resolved in that discussion.

**REP. WANZENRIED** said on page A-106, **Income Tax**, he noted the toll-free telephone system is being eliminated. Is the reason for that the \$17,000 of general fund or is it a service the public isn't using? **REP. PETERSON** said she understands the service is being used by the public. The elimination was one of their cost cutting measures. **Mick Robinson, Director, Department of Revenue**, said this particular service was one of the reductions put in place for this particular fiscal year. Prior to this fiscal year, that toll-free service was used extensively by the taxpayers and at this point, they are missing significant calls. It is a decrease in service negatively affecting the public. **REP. WANZENRIED** asked if this is general fund. **Mr. Robinson** said yes.

**Motion:** **REP. QUILICI** moved an amendment, **EXHIBIT 5**, to restore the deputy county assessors and restore the state share of assessors' salaries from 50% to 70%.

**Discussion:** **REP. QUILICI** said he has argued this point in the subcommittee, that once again they are laying these costs back on the local government.

**REP. KASTEN** asked **REP. QUILICI** if the deputy assessor is eliminated, can the counties still hire someone during rush periods to assist the assessor? **REP. QUILICI** said yes, they could hire someone. The department told the subcommittee they would try to find a place for some of the deputy assessors. **REP. KASTEN** said in small counties, sometimes the assessment clerk or the appraisers clerk will help in the assessor's office. Is that going to be eliminated? **REP. QUILICI** said he did not know. She would have to talk to the assessor.

**REP. PETERSON** detailed some of the subcommittee's discussion with the department. Because of automation, the deputy assessor could not be there for some of the work done by him. There could be regional people to fill in on vacation time, sick leave, etc. **Mr. Robinson** said this particular proposal was very difficult for

the department to come forth with. The reason for this proposal was the automation of the personal property tax. The original intent of the department and the assessors regarding automation was basically to free up the assessors, deputy assessors, and the personal property tax function at the county level to allow those individuals to move out into the county and do a better job of auditing, getting personal tax on the tax rolls and get personal tax that is not recorded properly, up to the appropriate level. As a result of that, they thought there would be some increase in taxable valuation in the personal property tax area.

**REP. KASTEN** asked **Mr. Robinson** whether the appraisal staff, who are also state employees, are in any way barred from helping out the assessor? **Mr. Robinson** said this particular proposal also has a regional component and there are FTE reductions, not just the deputy assessors positions or the decrease in funding for the elected assessors. It also includes a reduction in appraisal staff.

**REP. DeBRUYCKER** asked **Mr. Robinson** how many counties have assessment clerks now? **Mr. Robinson** said 34 or 36 counties presently have assessment clerks that are located in that county office. **REP. DeBRUYCKER** asked if we get rid of these deputy assessors that are partially paid by the county, will the department put in some more assessment clerks who do the same type of work, at a full fund from the state, which will end up costing more than it does now? **Mr. Robinson** said the proposal the department has presented and as it would implement it, would have a net savings of dollars at the county level. One of the aspects of that may take place, if the workload necessitates that particular county requires a staffing of 2.0 FTE, the department would make sure that staffing is there. What that would do would be to move from a deputy assessor to a state employee. From the standpoint of the total dollars impact, statewide, in terms of the analysis they have done, there is going to be a net savings to each county as they move away from a deputy assessor position. **REP. DeBRUYCKER** said in his county there is an assessor, a deputy assessor, and an assessment clerk. If the deputy assessor is removed, will the Department replace that position with another assessment clerk which will cost the state more than it does now? **Mr. Robinson** said he could not respond directly to that situation with **REP. DeBRUYCKER's** particular county. From the standpoint of costing more than it does now, there may be situations where the staffing for a particular county, in terms of the dollar amount that the state pays, could increase state funding. There could be a significant decline in state funding in other counties for FTEs related to that county. On a state-wide basis, the department's proposal does not increase state funding, but basically decreases the county funding by \$143,000 a year and decreases state funding by \$1.173,000 million.

**Mr. Robinson** said the workload analysis the department has done, from a statewide perspective, indicates that as they automate the personal property tax area there is a workload reduction at the



assessor's staff level. There are some counties that will require that state-funded FTE replace the deputy assessor, because the workload would necessitate that. There are many other counties within the state that do not have a workload sufficient to justify 2.0 FTE. For those counties where the workload is not sufficient, they would not replace the deputy assessor with a state paid FTE. **REP. DeBRUYCKER** said with the reappraisal that is going on, how will the department determine the workload that will be necessary that they won't need these people? **Mr. Robinson** said they have already put in place the workings of a committee that is composed of representatives from the Assessors' Association, appraisal staff, management staff, all of the participants the Department thinks are necessary to evaluate the structuring and the staffing statewide.

**REP. BERGSAGEL** said there are roughly 20 to 22 counties that only have a deputy assessor and an assessor. There are 36 counties that have an assessor, deputy assessor, and a clerk. Because they have a clerk, it is based on the amount of volume done in that office. **Mr. Robinson** said they have 34 to 36 counties that have the additional staff other than the assessor and deputy assessor. There are 8 counties within the state that are combined counties where the state handles all the appraisal and assessment functions. There are 48 counties that have the deputy assessor and the elected assessor that function within that property assessment appraisal area.

**REP. DeBRUYCKER** said he was told that when information was put on the computer and sent to Helena, if the county wants it back they have to pay for it. If this is true, how much do they have to pay? **Mr. Robinson** said that within the budget of the property assessment division there is a significant expenditure to cover the line charges and the computer processing. That funding would cover the total cost of the computer processing for that BEVS system. He does not believe they are charging the counties for information that they are interested in.

**Vote:** Motion on amendment to restore the deputy assessors and restore the state share of assessors salaries from 50% to 70% failed 5 - 13.

**Motion:** **REP. FISHER** moved an amendment, EXHIBIT 6, to add the BEVS computer processing expenses of \$135,000 in the Property Valuation program of the Department of Revenue.

**Discussion:** **REP. WANZENRIED** asked **REP. FISHER** if this is general fund. She answered yes.

**REP. QUILICI** asked **Mr. Robinson** how much is in the budget for that system now? **Mr. Robinson** said in their current biennium budget there is no funding for the BEVS system. The computer system was developed internally by the department's data processing staff. The total cost paid for that development amounted to \$6,000. They are going to have to absorb some of the

cost of the processing charge in this year's budget to begin the computerization of the BEVS system. **REP. QUILICI** asked if the department has any FTE working on this project? **Mr. Robinson** said there is 1.0 FTE within the property assessment division that is basically providing the service to all the field offices regarding the training, questions, and trouble shooting.

**REP. QUILICI** asked what are these expenses for? **Mr. Robinson** said they are the ISD processing charge for the computer processing of this particular personal property tax data base. **REP. QUILICI** asked why is it put in as an amendment at this time? **Mr. Robinson** said a vote taken on this amendment by the subcommittee. When the deliberations were finished, there was some confusion between the legislative fiscal analyst's office, the budget office, and the secretary whether or not it had been approved, taken out, and then put back in. This amendment is trying to make sure the action taken by the subcommittee in terms of the original approval is documented.

**Ms. Cohea** said you can reduce the cost of this by half just by a stroke of the pen. This was in the original executive request as \$45,000 general fund for the first year, \$90,000 for the second year, so a total of \$135,000 for the biennium, not \$135,000 per year as shown on the amendment.

**Motion/Vote:** **REP. KADAS** made a substitute motion that the amendment be lowered to \$45,000 the first year and \$90,000 the second. Motion carried 12 - 6 with Reps. Grady, Bardanoue, DeBruycker, Peck, Quilici and Wanzenried voting no.

**REP. KADAS** asked **Mr. Robinson** if the reductions in this budget are going to cause any reduction in the revenue estimate? **Mr. Robinson** said, in terms of the short-term revenue projection, no. There is nothing that is going to directly impact the revenue estimation in connection with the Department of Revenue's income tax processing. There is one reduction that had a negative revenue impact. It was connected with the staffing of the central services. In the past a temporary staff have been put on during tax season to handle the mail in central services that comes in. For this particular fiscal year, and also as part of a proposal in the next biennium, they are proposing that not be maintained. That does present a significant problem in terms of their ability to get the mail opened and get the moneys to the bank. **REP. KADAS** said then the 2.1 FTE is the department's authority and it can hire 5 or 6 clerks on a temporary basis. **Mr. Robinson** said yes, they hire between 20 to 30 part-time individuals to help between March 15 and the completion of that process. **REP. KADAS** asked if the \$400,000 is an annual or biennial appropriation. **Mr. Robinson** said that is a biennial figure.

**REP. KADAS** said, considering his current budget as is, in what areas does **Mr. Robinson** see potential supplementals for the next biennium? **Mr. Robinson** said the only possible one he is aware of

is when they deal with the elected assessors' situation. Obviously, the elected assessors' salaries and salary increases are not set by the Department of Revenue or the legislature, but set by the county government. Also, the 5% vacancy savings amendment that was approved by this committee has an impact on that assessor area. The Department has no control over the staffing or the salary levels of those particular positions. If there is no pay plan money to accommodate the increases for the assessors that are granted by local governments, the department cannot absorb that increase within the rest of the agency. He does not anticipate that there would be any other supplementals brought to the legislature in 1995.

**REP. KADAS** asked about the requirements to meet the reappraisal cycle. **Mr. Robinson** said that becomes a difficult question. There is a reappraisal cycle that will be going to a four-year cycle and will be half way through in 1995. The department will channel its resources to those areas most needed: the agriculture area and the forest land revaluation. As the department moves further along in this four-year reappraisal cycle, it would come to the legislature in 1995 and try to communicate where it is. Then the legislature can make the decision regarding the extension of that cycle or additional staffing needs to complete it within that four-year time period.

**REP. KADAS** said the subcommittee apparently recognized the cuts in large functions were not cost effective in terms of general fund. He asked why the subcommittee took the cut in the mail clerks when it appears not to be cost effective either? **REP. PETERSON** said the subcommittee reviewed a chart that indicated about 8 or 9 auditors would be a cost reduction of \$250,000 but they would lose revenue collections of about \$4 million. It looked very damaging to not have those auditors in the field. The mail distribution was discussed in the subcommittee but **REP. PETERSON** does not remember the numbers.

**Motion:** **REP. KADAS** moved the authority to reinstate 2.0 FTE for mail clerks, \$34,751 for FY 1994 and \$34,880 FY 1995 with a \$400,000 impact.

**Discussion:** **REP. KADAS** said that is a 6 or 7 to 1 return and seems worthwhile. The department will get that much interest revenue. **Mr. Robinson** said the department has a significant increase in mail tax returns that takes place between April 1 and April 17. With the present staffing it will probably take until July 1 before the workload is taken care of.

**REP. COBB** asked if the department had eliminated the out-of-state travel, except for audits? **Mr. Robinson** said that, with the exception of the director's office, all of the out-of-state travel has been eliminated in past years.

**Vote:** Motion failed on tie vote 9 - 9.

The Committee adjourned for lunch at 12:00 and reconvened at 1:00

P.M.

REP. WANZENRIED asked the department to comment on the positions that were vacant or removed by virtue of the 5%. Mr. Robinson said some would be seasonal and some the department chose not to fill because of the spending reductions for this fiscal year.

REP. PETERSON closed on the Department of Revenue and went on to the Department of Administration.

The agency budget summary and budget modifications are on page A-111.

Page A-112 shows the FTE. The subtotal of general fund positions is directly above the black line in the middle of the page. The reductions were 6.7 FTE and the subcommittee reinstated 0.50 FTE. At the bottom of the page are the non-general fund positions, 15.1 removed and 3.0 reinstated for a total of 21.8 removed and 3.5 reinstated.

In the Director's Office, page A-113, there are no outstanding changes. The total budget is general fund and proprietary and the subcommittee reduced some general fund in personal services.

In the Accounting Program, page A-114, there are some FTE reductions and a budget modification concerning the Cash Management Improvement Act (CMIA). The legislature included this budget modification for this Act and added 0.5 FTE and \$30,000 of federal revenue funds for each year of the biennium. This is to improve systems of cash management.

In the Architecture and Engineering Program, page A-115, there is some reduction in the level the subcommittee accepted, or \$720,000 each year of the biennium.

The next page, A-116, references the Procurement and Printing Division and there are a number of things to consider. First of all, there are 4.33 FTE reductions in personal services. Then there is a large increase in the printing because the legislature includes additional spending authority for pass-through printing costs. These are proprietary funds but the department is expecting more printing and this is to reflect that. Budget modifications reflect the excess property program, \$200,000 each year of the biennium. Surplus property acquired by the state is sold to other state and local agencies.

The next program is on page, A-117, Information Services Division, and is all proprietary funds. There are language issues on page A-118.

The next program is General Services, page A-119, and shows 1.0 FTE reduction and some budget modifications.

The Mail & Distribution Bureau is on page A-120 and there is some

slight reduction in FTE, 0.98.

The **State Personnel Division** is on page A-121 and shows a reduction of 2.28 FTE.

The next page A-122, **Risk Management and Tort Defense** shows a slight reduction in FTE. This is the division that protects the state in legal matters and represents it in lawsuits.

The **State Tax Appeal Board**, page A-123, is in this division. The miles per diem for county tax appeal board members was omitted when the budget was prepared so the subcommittee corrected that.

**REP. PETERSON** said that completes the **Department of Administration** division.

**REP. GRADY** referred to page A-118, the contingency on HB 99. **Ms. Cohea** said this does not involve general fund. This is proprietary fund. HB 99 is a bill recommended at the request of the Legislative Finance Committee dealing with computer control in state government. The name of the **REP. BARDANOUVE's** bill is Revising data processing responsibilities for the state. This language would add proprietary funds or spending authority for the division if this bill is passed. At this point, it has been signed by the Governor.

**Motion/Vote:** **REP. ZOOK** moved to strike the language in HB 99 (page A-118) since it has been signed by the Governor. Motion carried unanimously.

**Ms. Cohea** said to make sure what the committee wants, her staff will do what the language says, put this proprietary in, and then strike the language.

**REP. DeBRUYCKER** referred to page A-117, the Interactive Voice Response modification and asked **REP. PETERSON** why do we need another FTE if we're just listening to a recording? **REP. FISHER** said she "campaigned" for this because one of her goals was to cut FTE. There was a demonstration in the Unemployment Division of a system being used in Oregon. Once the system is set up, 1.0 FTE is needed to run the system and get it in place. The key to this is the information goes directly into a computer. **REP. PETERSON** referred the committee to page A-183, Budget Analysis, 1995 Biennium, Vol. I for further explanation. **REP. DeBRUYCKER** said then, the 1.0 FTE is just temporary until this is set up. **Tony Herbert, Information Services Division** said this position is needed in order to be able to latch this new equipment up with all the computer systems in the state agencies. This position will be doing detailed programming work which today is not being done. It is not a temporary position. It would be a full-time position that would stay with the division in order to continue with this program. There will be savings of FTE in various agencies as they take advantage of this centralized system that his department will need to support.

**Motion:** REP. DeBRUYCKER moved to strike the Interactive Voice Response technology, page A-117.

**Discussion:** REP. ROYAL JOHNSON asked Mr. Herbert what would happen if the above motion passes. Mr. Herbert said Montana does not have an Interactive Voice capability today. Most states have already implemented this technology. There are not only people involved in the savings, but also some tax dollars that go out in postage. If his department is not funded to continue this program, he understands the Department of SRS will probably try to implement one on their own because they will have enough savings in their own instance. The Department of Labor would attempt to implement one on their own because they have some separate moneys that come through the Unemployment Insurance Program. His department will consolidate all the agencies' needs into a needed technology. If his department is not funded to implement the Interactive Voice technology, it will spring up in several different agencies in several different agencies over time. REP. DeBRUYCKER said he would withdraw his motion if the Department of Labor and the Department of SRS would take revenue from their budgets to fund this. REP. PETERSON said from what she is reading, the purchase of equipment to implement the Interactive Voice Response technology is proprietary funds which means those departments that were mentioned, and others, would be paying. CHAIRMAN ZOOK asked what is the source of the proprietary funds? REP. PETERSON said it would change from department to department. Fish, Wildlife and Parks' sources of funds would be mostly hunting and fishing licenses. SRS has federal money in their budget.

REP. WANZENRIED said the way this works, then, the committee would provide the funding in those departments' budgets and they would be charged by the Department of Administration to fund the proprietary account. Ms. Cohea said that is correct. REP. WANZENRIED said if this program is not authorized here, and the departments decide to take it by themselves, they would have an authorization but probably not enough moneys to fund a program. Ms. Cohea said there probably are economies of scale doing it centrally through the Department of Administration, rather than each department doing it themselves.

**Vote:** Motion to strike the Interactive Voice Response technology failed 8 - 9.

REP. KASTEN asked what is the total budget for Metnet? Mr. Herbert said for FY 1993, the Department of Administration has appropriated \$300,000 general fund for equipment investments in Metnet initiatives. It also had appropriated \$150,000 of federal and private match moneys for the program. The Office of Public Instruction was appropriated approximately \$150,000 of moneys out of the school equalization account based on its \$1 per ANB that was funded in 1991 in HB 30. The Commissioner of Higher Education's office has an appropriation of approximately \$30,000 for it to collect fees from students for purposes of Metnet. In

addition, in this proprietary account, the Department of Administration had approximately \$55,000 for a position to be able to implement the current program as passed by the 1991 legislature and for operating expenses for that position. **REP. KASTEN** asked if the program has been implemented. **Mr. Herbert** said the program is in the process of being implemented. His department has 1.0 FTE working in this program in FY 1992 and FY 1993 in addition to the support work that he and other staff have implemented and integrated video which is much of what Metnet is pushing towards into the voice data systems they already have. **Ms. Cohea** said her staff did an analysis of where they stood with Metnet coming into this committee because as **Mr. Herbert** noted, last biennium, the biennium they are in now, three agencies had appropriations for that. At this point, in HB 2, there is only the proprietary funding in DofA. There are no funds in OPI or the Commissioner's office. However, still in this committee is HB 11, which as amended by the Education subcommittee, includes \$600,000 of general fund, \$614,000 of SEA money and \$1 million of other authority in the bill that is tuition and other funds.

**REP. PETERSON** said the next program is the **State Compensation Mutual Insurance Fund**, page A-125. These are employer paid proprietary funds. There is some reduction in FTE. The fund explanation goes on to page A-126 with budget modifications. Page A-127 shows the FTE.

**Motion:** **REP. ROYAL JOHNSON** moved an amendment to the Gray bill, **EXHIBIT 7**, which authorizes the State Fund to pay the Workers' Compensation Assessment to the Department of Labor.

**Discussion:** **REP. JOHNSON** referred to page A-20, line 17 of the Gray bill, saying this is a technical amendment that has to do with some numbers, \$165,415,290 should be \$165,685,290.

**Vote:** Motion carried unanimously.

**REP. DeBRUYCKER** asked **REP. PETERSON** why, in Workers' Comp. are there so many vacancies? Are they seasonal workers? **Carla Smith** from the department said both of the positions are temporary. Two of the positions that had been targeted were positions the department had made offers on and the employees had accepted. Because they are dealing with 27,000 employers every quarter, they have a heavy workload in a short period of time, they decided it was much more beneficial to bring in temporary people.

**REP. PETERSON** said the next program, the **Public Employees' Retirement Board**, page A-129, has some computer processing and a revised estimate of service. They have one language issue and the bottom of the page shows what has happened to the FTE. It is a rather small department.

Next is the **Teachers' Retirement Program**, page A-131 and it has no significant differences. It also has a language continuation.

**Military Affairs** is on page A-133. There is an agency summary on page A-133 and the budget modifications are at the bottom of the page. Page A-134 shows the FTE reductions. The **Operations Support** is shown on page A-135. The **Army National Guard Program** is on pages A-136 and A-137. The budget modifications are all federal funds except \$2,974. The **Air National Guard Program** is on page A-138.

**CHAIRMAN ZOOK** said he is interested in what is involved in the tank security for the Army National Guard program. **Col. Ken Cottrill** said the Army National Guard is required to maintain security for the M-1 tanks. That basically entails a contract with a private firm to look at the tanks once every two hours to make sure nobody has been near them. The contract is in nine communities throughout the state and federally funded.

The **Disaster Coordination Response** is on page A-139.

The next program is **Emergency Management Development**, page A-140. There are no significant changes.

**Local Civil Defense Reimbursement** is shown on page A-141. The **Veterans Affairs Program** is on page A-142.

**REP. WISEMAN** asked why is the funding for the Army National Guard more than the Air National Guard? **Col. Cottrill** said the difference between the Army and Air National Guard is basically the Air National Guard is funded entirely 75% federal and 25% state because all of its facilities and all of its operations are on property licensed to the federal government. The Army National Guard has a different circumstance because all the National Guard Armories are state-owned buildings and are operated with 100% state funds.

**Motion:** **REP. WANZENRIED** moved an amendment to reinstate state special revenue, \$45,000 in each fiscal year for the Flathead Basin Commission. Page A-25.

**Discussion:** **REP. PETERSON** asked **REP. WANZENRIED** to reference where the money is coming from. **Clayton Schenck, Senior Fiscal Analyst** said the \$45,000 each year of state special revenue comes from private sources, donations, gifts, grants, and other money necessary to fulfill its duties. This is primarily used for projects by the Flathead Basin Commission, the coordinator salary and administrative costs. The Commission is required to coordinate development of an annual monitoring plan on conditions of natural resources in the basin.

**Vote:** Motion to reinstate state special revenue, \$45,000 in each fiscal year for the Flathead Basin Commission carried unanimously.

**Motion/Vote:** **REP. QUILICI** moved to reconsider the committee's action on the appropriation for the deputy county assessors.



Motion carried 11 - 7 with Reps. Bardanouve, Cobb, John Johnson, Kadas, Peck, Peterson and Wanzenried voting no.

Motion/Vote: REP. QUILICI moved the amendment reversing the negative and restoring funding for the assessors and deputy assessors that adds \$1.173 million general fund per year for a total of \$2.346 million and 43.2 FTE. Page A-109. Motion carried 10 - 8 with Reps. Bardanouve, Cobb, Fisher, John Johnson, Kadas, Peck, Peterson and Wanzenried voting no.

Motion: REP. FISHER moved an amendment - whenever an incumbent deputy assessor leaves a position, the position, if later filled, must be supported entirely with county funds.

Discussion: REP. WANZENRIED said the way the language reads, if a woman took a maternity leave and came back after a period of time, would that be regarded as vacating the position? Ms. Cohea said it would still be incumbent. REP. PETERSON said the position "if later filled" would indicate a new employee.

Vote: Motion carried 12 - 6 with Reps. Bergsagel, DeBruycker, John Johnson, Menahan, Nelson and Wanzenried voting no.

Motion: REP. MENAHAN moved some wording on the Gray Bill, Page A-12, line 19, EXHIBIT 8. The amendment will streamline operations for the Gambling Control Division, page A-60.

Discussion: Jan Dee May, Justice Department, explained a chart, EXHIBIT 9, showing the number of video gambling machines reporting income from FY 1988 through FY 1992.

Vote: Motion carried 10 - 8 with Reps. Bardanouve, Bergsagel, Fisher, Royal Johnson, Kadas, Wanzenried, Wiseman and Zook voting no.

Motion/Vote: REP. FISHER moved to draft a committee bill to deal with the incumbent deputy assessors' amendment. Motion carried 14 - 4 with Reps. Bergsagel, DeBruycker, Royal Johnson and Wanzenried voting no.

Motion/Vote: REP. COBB moved an amendment stating the legislature is not pleased with the past administration of this fund (State Compensation Mutual Insurance Fund) page A-125. Motion carried unanimously.

Motion/Vote: REP. PETERSON moved Section A, General Government and Transportation be closed. Motion carried unanimously.

CHAIRMAN ZOOK announced Section B, Human Services, will be presented at the end.

#### NATURAL RESOURCES AND COMMERCE

REP. ROGER DeBRUYCKER, Chairman, Subcommittee on Natural

**Resources** introduced his committee. **SEN. CECIL WEEDING** was Vice Chairman, **SEN. GREG JERGESON** and **SEN. GERRY DEVLIN** from the Senate. From the House there were **REP. JOHN JOHNSON** and **REP. WISEMAN**. The legislative fiscal analysts were **Roger Lloyd** and **Terri Perrigo**. The secretary was **Theda Rossberg**. **REP. DeBRUYCKER** thanked the department for their cooperation. The different departments are Public Service Commission, Department of Fish, Wildlife and Parks, Department of State Lands, Department of Livestock, DNRC, the Department of Commerce and the Department of Agriculture. The largest amount of their funding is proprietary funds and special funds. To meet their goal, they tried to cut general fund. Regardless of where the money comes from, it is a tax on the consumer.

#### **PUBLIC SERVICE COMMISSION**

**REP. DeBRUYCKER** said the Public Service Commission controls the rates that public utilities or monopolies impose on the public. Page C-2 shows 4 FTE eliminated and budget modifications. **Bob Anderson, Chairman, Public Service Commission** presented testimony from **EXHIBIT 1**. **Mr. Anderson** requested the 4 FTE removed by the subcommittee be restored, page 2 of the attachment.

**REP. KADAS** asked what has been the staff level over the last biennia. **Mr. Anderson** said they had one person added in the last legislature when log haulers was added to their responsibilities. An attorney was added to the staff in 1985 after the Transit and Montana Telecommunications Act.

**REP. FISHER** asked **Mr. Anderson** what do you do with the log haulers? **Mr. Anderson** said the last legislature added log haulers to be regulated by the department as common carriers. They regulate the entry of log haulers into the industry. The department does not regulate the rates.

**REP. JOHN JOHNSON** asked what would the effect of dropping the analysts? **Mr. Anderson** said the rate analysts are the nucleus of the organization. The cases are extremely complicated.

**CHAIRMAN ZOOK** recessed until 4:00 P.M.

**Motion:** **REP. WANZENRIED** moved to reinstate the 4 positions for the operation of the Public Service Commission.

**Discussion:** **REP. WANZENRIED** asked someone from the department to comment on the motion. **Dan Elliott** said for the Utilities Division that it would allow the Commission to process the cases at the same speed, the same detail and quality that they have done in the past 10 years. The cut, as it stands now, will cut the utility rate and staff by 25%.

**Motion:** **REP. QUILICI** made a substitute motion that 1 rate analyst be replaced within the Public Service Commission.

**EXHIBIT 2.**

**Ms. Cohea** referred the committee to page C-2. In HJR 3, what is included in the revenue estimate is the LFA current level expenditures for this program: \$2,181,463 for 1994 and \$2,163,649 for 1995. When the legislature adopts a budget for this agency it is spent from the general fund and it does count against the HR 2 targets. So if the committee adopts the subcommittee recommendation, it will be adopting funding levels that are above what is currently in the revenue estimate. If the committee cuts expenditures in this program, the general fund revenue is not affected unless the committee cuts below \$2.2 million for 1994 and the 2.163 million for 1995.

**REP. ROYAL JOHNSON** asked if the committee adds any above that then they have affected the general fund too. **Ms. Cohea** said whatever the committee appropriates is ultimately the tax that is collected so what will happen is, there is about a 1/4 lag as is laid out in the analysis. If the committee does not approve the budget modifications, that does not reduce general fund revenue that is already included in the revenue estimates. What is included in the revenue estimates is the LFA 1994 and 1995 numbers.

**REP. KADAS** said then, what is going to happen to the revenue estimate is, no matter where we finally settle on the budget for PSC, the revenue estimate is going to change to match that number. **Ms. Cohea** said that will take a motion in the Senate Tax Committee or in a Conference Committee. The tax rate is set sufficient to produce the revenue to match the appropriation.

**Vote:** Motion failed 8 - 9.

**REP. WANZENRIED** withdrew the original motion.

**Motion/Vote:** **REP. BARDANOUVE** moved to put the 4 positions in place within the Public Service Commission. Motion failed 8 - 9.

**Motion:** **REP. DeBRUYCKER** moved an amendment, **EXHIBIT 3**, to eliminate 5 budget modifications, Department of Public Service Regulation that were approved in the subcommittee.

**Discussion:** **REP. DeBRUYCKER** said what this amendment will do is remove the budget modifications. They are a long way from meeting the target with this department and this will put them fairly close.

**REP. QUILICI** asked what this amendment will do to the agency's operations. **Mr. Anderson** said the first one is Consultant Funds, \$100,000 for FY 1994 and is an increase of \$50,000 over the previous appropriation. This year the agency asked for an additional \$50,000 for the processing of least-cost plans. After a 4-year process the agency adopted rules in December, 1992 to require the utilities to submit least-cost plans.

The second item is Local Area Network. The agency has an antiquated computer and needs to be replaced because the maintenance costs are getting high. The agency has considered a minicomputer and the local area network. If the agency does not get the money, will continue with the equipment they have.

The Data Network Services pays for additional network fees associated with computer equipment purchased in the 1993 biennium.

Travel is \$15,000 over and above the regular travel budget. In the previous biennium the agency had \$25,000 for that purpose.

Pay Increase for Exempt Staff provides funding for salary and benefit increases for the department's 10 exempt staff, \$30,000 each year of the biennium.

**CHAIRMAN ZOOK** referred to the exempt staff pay plan. Funding for these people in the Public Service Commission is in the regular pay plan. **Mr. Anderson** said except for the exempt people. **Ms. Cohea** said in HB 509 all exempt staff got the 60 cents an hour and the 45 cents an hour and the money for the health insurance. What was not funded for exempt staff were the progression increases. If this were approved this agency would have pay plan funding above other agencies. If **REP. COCCHIARELLA's** bill is approved, that does provide a market progression for employees on the classified plan but does not provide it for exempt staff.

**REP. JOHN JOHNSON** asked if least-cost planning is an advantage to consumers. **Mr. Anderson** said that is the goal. **REP. JOHNSON** asked if this appropriation is reduced, how would you meet that need for least-cost planning? **Mr. Anderson** said the utilities will still be required to submit their plans. The PSC would be unable to review those plans for compliance in the way it should. That would result in an increased risk for a rate case.

**REP. PECK** asked **REP. DeBRUYCKER** if all of these budget modifications were put in on one motion? **REP. DeBRUYCKER** said yes, they were. **REP. PECK** said he would like to divide the motion. He thinks there are very different issues in these and would request an individual vote.

**Motion:** **REP. PECK** moved to divide the amendment and strike #1, Consultant Funds, \$100,000 for the biennium, page C-2.

**Discussion:** **REP. KADAS** said he would like to speak in a general way to all the modifications. There are two different philosophies in what they are trying to do. One philosophy is to balance the general fund budget in as effective a way as they can. The other philosophy is to cut government anyplace they can. He agrees with the first one but he is concerned that when they offer the second one, if they are not careful in the way they do it, they will end up doing more damage. This is a case in point. If the committee impedes the ability of this

department to work effectively, a department that deals with so much money that belongs to Montanans, it will end up costing Montanans more. The amount of dollars this department regulates is phenomenal.

**REP. QUILICI** said the Montana Consumer Council Committee represents the consumers in Montana but along with that, the Public Service Commission has to be able to evaluate the decisions and the data submitted by both the Consumer Council Committee and the utility industry. Without the adequate staff and the consultant funds, they won't be able to do their job.

**Vote:** Motion to strike Item #1, Consultant Funds, failed 7 - 11.

**Motion/Vote:** **REP. PECK** moved to strike Item #2, Local Area Network, page C-2. Motion failed on a tie vote, 9 - 9.

**Motion:** **REP. PECK** moved to strike Item #3, Data Network Services, page C-2.

**Discussion:** **REP. BERGSAGEL** said the modification pays for additional network fees associated with computer equipment purchased in the 1993 biennium. On the motion just acted on, the committee replaced the department's present computer system. If it is replaced, why are they fixing the old one? **Roger Lloyd, Associate Fiscal Analyst**, said discussion in the subcommittee indicated that computers will be replaced by personal PCs and the department is getting rid of a mini-mainframe.

**REP. FISHER** asked how old is the equipment the department is replacing. **Mr. Anderson** said the mini-computer is of a 1985 vintage. The action on the previous motion the department will be replacing it with a local area network.

**Vote:** Motion failed 5 - 13 with Reps. Grady, Bardanoue, Fisher, John Johnson, Royal Johnson, Kadas, Menahan, Nelson, Peck, Peterson, Wanzenried, Wiseman and Zook voting no.

**Motion/Vote:** **REP. PECK** moved to strike Item #4, Travel, page C-2. Motion carried 11 - 7 with Reps. Bardanoue, John Johnson, Kadas, Menahan, Nelson, Quilici and Wanzenried voting no.

**Motion/Vote:** **REP. PECK** moved to strike Item #5, Pay Increase for Exempt staff, page C-2. Motion carried 12 - 6 with Reps. Bardanoue, John Johnson, Kadas, Menahan, Quilici and Wanzenried voting no.

In response to a question from **REP. BARDANOUVE** concerning the last motion, **Ms. Cohea** said in the current biennium the Public Service Commission received \$83,396 for a pay plan increase in 1992 and \$134,570 in 1993 in the pay plan bill. That paid for the cents-per-hour pay increase and for the insurance increase. It did not pay for a progression increase. However, the agency got an additional budget modification for \$14,400 in 1992 and

\$14,400 in 1993 for pay increases. When the current level funding was built, it picked up the salaries for existing staff as they stood in 1993 and adjusted for the additional 20 cents that was added in the second half of the year. So, the current level takes the salary at the end of 1993 and annualizes it for 1994 and 1995. If **REP. PETERSON's** bill passes, the Commission would receive \$20 per month, per year for an employee for the insurance but there would be no pay increase because there is no pay increase in the bill. If **REP. COCCHIARELLA's** bill passes then there would be funding for the Public Service Commission for everything but pay progression increases. Under **REP. PETERSON's** bill all state employees, whether they are exempt or non-exempt would receive exactly the same thing.

**REP. KADAS** said these employees will not have built into the base the progression increase that was built into the current biennium. **Ms. Cohea** said not in HB 509, but they did approve a budget modification in HB 2 that provided \$14,400 in 1992 and \$14,400 in HB 1993. **REP. KADAS** said that was equivalent to the average progression increase for state employees. **Ms. Cohea** said it was to provide funding above what was in HB 509.

#### DEPARTMENT OF FISH, WILDLIFE AND PARKS

**REP. DeBRUYCKER** said most of the department is funded by federal or proprietary funds. There is very little general fund in the budget, mainly the Parks Division. Page C-6 references the **Administration and Finance Division**. The budget modifications are self-explanatory. 1.0 FTE was given to the **Field Services**, page C-8.

**Fisheries Division**, page C-10 was referenced.

Page C-12 showed the 12.21 FTE removed and 8.30 FTE restored.

**Law Enforcement Division**, page C-13 was referenced.

**Wildlife Division**, page C-15 was referenced.

**Parks Division**, pages C-17, C-18 and C-19 has some general fund.

**Conservation Education Division**, Page C-20 is one of the smaller divisions of the department.

**Department Management**, page C-21 was referenced.

**REP. MENAHAN** referred to page C-6, drawings for moose, sheep and goats have been moved up to two months and why does it cost \$98,000? **REP. DeBRUYCKER** said the way it was explained in the subcommittee, there has to be two drawings. **Pat Graham, Fish Wildlife and Parks**, said there is a deadline for June 1 for those licenses and when the drawing happens, there are about 100,000 applications. It takes about 8 or 10 weeks to process them and they have the drawings around August 15. Unfortunately, the

moose, sheep and goat season starts September 1. That gives the people who are lucky enough to get one of the licenses, only a couple of weeks to plan for their vacations to plan for these hunts. What they have proposed to do to solve that problem is to break out the moose, sheep and goat licenses earlier, have that deadline before June 1, process those applications and then have a June 1 or June 15 drawing for antelope, deer and elk. The same people usually apply for both so the added cost comes in for handling the same paper twice. The cost to do this will be covered by the \$3 drawing fee for processing the applications.

**REP. COBB** said in some cases, law enforcement, when inspecting game, brings 8 or 9 people out from the department to assist. The past administration was concerned there were too many people going out to check the game farms. He asked **Mr. Graham** to address that. **Mr. Graham** said it is not their intention to do that again. The department will be conducting annual inspections.

**REP. PETERSON** referred to the discussion concerning drawings at different times, if many of the same people apply for both licenses. **Mr. Graham** said they evaluated that for the number of animals to be harvested. The surveys have not been completed on deer and elk in time to hold those drawings earlier so it necessitates having two different drawings.

**REP. WANZENRIED** referred to page C-6, additional vehicle funding. As he understands, this is a catch-all to modify the fund if all the modifieds require travel, purchasing of car or gas, and expenses. Is this a lump sum authorized to accompany the modified for the department's budget? **Mr. Graham** said yes. **Mr. Lloyd** said the department's funds in the proprietary account will pay for the vehicle and gasoline. When budget modifications requiring travel are approved in other divisions, they also have to be appropriated.

**REP. WANZENRIED** referred to page C-13, current level contracted services and asked for an explanation what work loads are and psychological testing of new warden applicants. **Mr. Graham** said primarily, the peak load times for wardens is during the hunting season. The psychological testing cost is about \$800 of that account.

**REP. WANZENRIED** said if we contract with former employees to perform a function while employed with the state, aren't they employees with the same type of supervision? **Ms. Cohea** said there are two issues there. Under current state law, a state employee may not contract with the agency they formerly worked for 6 months. The second issue, under federal and state law you are not a contractee if you do not meet a very strict test. If you are under any level of supervision, if you are on the premises, if you are using equipment owned by the department, you are not generally considered a contract employee. **REP. WANZENRIED** asked the department to comment on that. Aren't they

really employees and shouldn't they be counted as FTE? **Mr. Graham** said the way this has been handled in the past, they did a review of the test, had been audited and they were determined to be contracted employees. In some cases it's off duty county sheriffs, deputy sheriffs and other enforcement officers. It depends on who is in the area.

**REP. WANZENRIED** referred to page C-18, under State Parks Deficit, and asked for an explanation. **Mr. Lloyd** said, as submitted, under the Stephens' budget, this modification was as is, except for general fund. During subcommittee, the executive did not support this modification. The subcommittee approved the budget modification but funded it with state special revenue and put language contingent upon passage of any legislation that will provide sufficient revenue. **REP. WANZENRIED** asked if there is legislation pending that would equate all that general fund revenue? **Mr. Lloyd** said yes, although at the time the subcommittee heard this, the bills were not very far along in the process. **REP. WANZENRIED** said is it safe to say that if all those bills pass, they would replace all this general fund support or a big percentage of it? **Ms. Cohea** said at this point, this modification is not general fund. It is state special revenue. That was one of the actions of the subcommittee to change it to state special revenue.

**REP. FISHER** referred to page C-15 and asked what the \$426,000 is for in the upland game bird program? **Mr. Graham** said the upland game bird program has been in place for several biennia. It's a program that provides funding to allow people to purchase birds for stocking property.

**Motion:** **REP. FISHER** moved to remove 20 FTE, grade 14 and above department-wide, page C-19.

**REP. FISHER** addressed why she is doing this. She knows it is not general fund. If she was an employee in the state government, she would certainly want to be in a department that is not general fund, but if the legislature is downsizing government, this includes everyone.

**REP. JOHN JOHNSON** asked **REP. FISHER** if she would intend, then, to return license fees because that is where the money comes from. **REP. FISHER** said it would not be returned. The committee may want to take some other programs out and it would take some of the fees to replace that.

**Vote:** Motion to remove 20 FTE, Grade 14 and above department-wide carried 9 - 6 with Reps. Grady, John Johnson, Royal Johnson, Menahan, Peterson and Quillici voting no. Reps. Bardanouve, Kadas and Nelson passed.

**Ms. Cohea** said the LFA staff will need direction from the committee, like they got for the Department of Transportation, to



have the department identify which Grade 14 and above employees would be reduced.

**REP. QUILICI** asked if the department can break out for the committee how much of these FTE are paid by fees and how the FTE are actually paid for.

**REP. WANZENRIED** handed out some language amendments that have no fiscal impact in the department. The first two issues deal with particular situations surrounding the management of lakes in Montana and the development of fisheries that provide useful fishing opportunities for skilled fishermen but not always for home owners who live adjacent to lakes. The last two issues deal with the continued survival of the bull trout and the department to continue working under the cooperative agreement with the U.S. Fish and Wildlife Service at Creston.

**Motion:** **REP. WANZENRIED** moved the four amendments, **EXHIBIT 4**.

**Discussion:** **REP. MENAHAN** asked **Mr. Graham** how he can do these programs, now that the committee has cut his staff? **Mr. Graham** said one of the staff positions that was cut before the committee cut the 20 FTE was one of the other 9 positions from Region I, northwest Montana. He can't provide any other information concerning the 20 positions eliminated this afternoon.

**REP. PETERSON** asked **REP. WANZENRIED** to expand on what kind of concept he has for fishing experiences around the lakes that are appropriate. **REP. WANZENRIED** said, regarding Echo Lake, it is very clear the department intends to do a survey and to develop that lake, Bass fishing requires a particular type of expertise the property owners don't have.

**Vote:** Motion carried 14 - 3 with Reps. DeBruycker, Kasten and Peck voting no. Rep. Menahan passed.

**REP. BARDANOUVE** referred to page C-5, budget modification #6, Clark Fork River Investigation and asked if the committee is duplicating the research on this river? **Mr. Graham** said this was carried forward from a position that was created during the last legislative session. This position continues to gather data on the court case that is before the federal courts dealing with the Clark Fork River. This is feeding information into that investigation. It is not a duplication.

**REP. BARDANOUVE** referred to page C-5, budget modification #10, Board of Outfitters Grant and asked why is money given to a private organization like this? **Mr. Graham** said that is not a grant to the Board of Outfitters, but a grant from the Board of Outfitters to the Department of Fish, Wildlife and Parks.

**CHAIRMAN ZOOK** said along with that there is an item on page C-11 that has to do with the Clark Fork also. The figure is \$50,915 in FY 1994 and \$50,946 in fiscal 1995. Are those tied back to

the budget modification just talked about? **Mr. Graham** said on the first page is a biennial total and the language is \$50,000 per fiscal year. It's the same dollars.

**REP. WANZENRIED** referred to page C-18, Item State Parks Deficit and said those totals are the difference between what the parks' program can generate in revenue and the actual expenditure level the committee will discuss. **Ms. Cohea** said this modification originally came in as a general fund budget modification. Then the subcommittee changed it to state special and provided language saying "if bills" and did not specify which ones, "passed providing state special revenue for parks" then it could be spent up to this amount. At this point, there is no funding source for the budget modification. There would only be funding if bills are passed that provide it. There are currently two bills in front of this committee, one is **REP. RANEY's** primitive parks one. Even though it is not targeted for this purpose under this relatively broad language that is currently in HB 2, she believes that would trigger this appropriation. The other bill is **REP. RANEY's** reallocating a portion of the bed tax from the Department of Commerce to the Department of Fish, Wildlife and Parks. If that one passes, under the current language, this appropriation would be triggered.

**Motion:** **REP. WANZENRIED** moved to reference in the language on the approval and passage of HB 642, the bed tax bill.

**Discussion:** **REP. WANZENRIED** said if HB 642 passes, there won't be any question about the funding source to offset that unfunded expenditure under the State Parks Deficit, page C-18.

**REP. GRADY** said the bill is only \$500,000 per year and this adds up to more than that.

**REP. BARDANOUVE** asked what the deficit is? **Mr. Lloyd** said in the budget submitted by the department, current level operations and personnel were cut, then requested it back as this modification. The reason the current level was cut in both the LFA and the department's budget was because the funding was not available.

**REP. KADAS** asked what was the reason for current level reduction in funding? What funds dried up that were there before? **Mr. Lloyd** said primarily in the state special revenue that the department has to fund state parks miscellaneous account, in which a lot of fee revenues are put. That account, when it included appropriations in the Long Range Building committee, did not have the fund balance for this. **REP. KADAS** asked was the previous appropriation based more on a fund balance than on continuing revenues? **Dave Mott, Department of Fish, Wildlife and Parks** said there are a couple of factors why the parks accounts are in trouble. First of all, the interest from the coal tax trust, which we spend in the operating budget, declines because of declining interest rates. The money coming in is less than it was in the past so the department is dealing with lower interest

rates.

The department has spent down the cash balances in its reserves in the various parks accounts. In addition, the Department of Revenue inadvertently deposited some of the gas tax dollars for the Department of Fish, Wildlife and Parks, in another account. The bottom line is the department has had more dollars going out of the accounts than they projected coming in.

**REP. DeBRUYCKER** said, in answer to **REP. GRADY's** concern, if the bed tax bill does pass and it brings in \$500,000 per year, it would more than cover the amount of \$294,000 in fiscal 1994 and \$303,000 in fiscal 1995.

**REP. GRADY** asked if the modification should be the amount, otherwise there would have to be a budget amendment to spend the remainder after the bill passes.

**CHAIRMAN ZOOK** asked **Ms. Cohea** what happens if the committee does not tie in the same amount of money that is in HB 642? **Ms. Cohea** said HB 642 reads \$500,000 per year is transferred to an account for use by the Montana Conservation Corps, primarily for the maintenance of state parks and it is not a statutory appropriation so the legislature appropriates the funds. If this were the only appropriation, this is all the department could expend from the account. Also, this would be one of the bills, if passed, that the conference committee could amend the appropriation up to match.

In answer to a question from **REP. BARDANOUVE**, **Ms. Cohea** said HB 642 is the one that creates the account and puts the money in. In HB 2, today, you are considering appropriating those funds.

**REP. WANZENRIED** said if the committee does not change the totals where the State Park Deficit is listed, does the department have the authority to spend the total amount we generated by that bill if we amend the \$500,000 as well? **Ms. Cohea** said the HB 642, as it stands, does not create a statutory appropriation. It simply puts the money in the account. An appropriation is necessary elsewhere to spend it.

**REP. GRADY** said it is his understanding the Conservation Corps has been taken out of that bill so the money will go directly to parks.

**Vote:** Motion to reference the language in HB 642, bed tax, carried unanimously.

**Motion:** **REP. DeBRUYCKER** moved an amendment, EXHIBIT 5, to add language to the Gray Bill, page C-5.

**Discussion:** **Mr. Lloyd** said this is language the subcommittee approved relative to legislative contract authority and also

approved in the budgets.

**REP. KASTEN** asked how does this amendment vary or change the amendment that was passed at the beginning of this full appropriation committee? **Ms. Cohea** said if **REP. KASTEN** was referring to yesterday's discussed legislative contract authority and the motion that was made to have no legislative contract authority in the bill. The resolution was to leave it as the subcommittee had approved it. It was an omission in every other agency in which LCA is provided in the bill and there are ten of them. There are conditions placed on its use. Inadvertently, in this agency the conditions were left out. All this does is leave the amount of LCA in this agency the same as the subcommittee approved, it simply puts limits on its use.

**REP. KADAS** asked why do we need #2 of the amendment? **Mr. Graham** said what that is dealing with is when the department gets private donations. The only thing legislative contract authority can have is from private funds and federal funds. The state special revenues in #2 are referring to private funds and are allocated in separate accounts. It simply allows the allocation of authority between the federal and private account. It doesn't create any authority to spend state dollars. **REP. KADAS** said then, the state special referred in #2 does not refer to fees. **Mr. Graham** said absolutely not. #1 is the major operative there. **REP. KADAS** asked what the amounts are for the legislative contract authority. Do you have authority under federal and additional authority under private? **Mr. Graham** said his understanding is, when the department allocates that authority, making its best estimate how the money might come in between those two accounts, this gives the department the authority to adjust those accounts.

**REP. MENAHAN** said in the efforts of the subcommittee, have we taken advantage of all the federal funds from the Dingell-Johnson and Pittman-Robertson moneys? **Mr. Graham** said the department feels the program they have put out maximizes the amount based on current projected income. This does not refer to those moneys. The federal dollars referred here are those coming in on contract from agencies like the Bonneville Power Administration, the U.S. Forest Service, the BLM and the Montana Power Company.

**REP. PECK** said there is a complete discussion of this in Volume II of the LFA manual, pages 13 - 15. It will point out the LCA authorization for this agency is over 9%.

**REP. DeBRUYCKER** referred to page 8, table 8 of the HB 2 overview.

**Vote:** Motion to adopt an amendment, EXHIBIT 5, carried 16 - 2 with Reps. Bardanouve and Wanzenried voting no.

**Motion/Vote:** **REP. BERGSAGEL** moved to open Section A. Motion carried 10 - 8 with Reps. Bardanouve, Cobb, John Johnson, Kadas, Menahan, Nelson, Peck and Wanzenried voting no.

**Motion/Vote:** REP. BERGSAGEL moved to rescind the motion taking out 100 FTE, Grade 16 or above, Department of Transportation. Motion carried 10 - 8 with Reps. Bardanouve, Cobb, DeBruycker, John Johnson, Kadas, Menahan, Peck and Wanzenried voting no.

**Motion/Vote:** REP. BERGSAGEL moved to close Section A. Motion carried 15 - 3 with Reps. Cobb, Peck and Wanzenried voting no.

#### DEPARTMENT OF STATE LANDS

REP. DeBRUYCKER referred to page C-23 showing 12 FTE taken by the subcommittee.

The Central Management Program was referenced on page C-24.

The Reclamation Program is on page C-26.

Page C-28 is the Land Administration Program.

The Forestry Division, Page C-30 had 9.9 FTE taken.

REP. PETERSON asked how many FTE were removed and did they do the Cobb amendment? Ms. Cohea referred to page 11, Table 11 of the overview. 36.56 FTE were removed through the Cobb and Swysgood amendments. The subcommittee restored 25.17 of those. In relation to the targets, the subcommittee action was \$143,179 over the target, however, they had contingency language saying if REP. BERGSAGEL's bill, HB 608 passes, general fund is reduced by \$601,028. With that contingency language they would be under the target.

REP. FISHER asked how many were added on. Ms. Cohea said 36.56 FTE were removed as a result of the Cobb and Swysgood amendments. The subcommittee restored 25.17 FTE. In addition to that there are 3.85 FTE added in budget modifications. Page C-23 shows a net 12.01 FTE reduced.

REP. MENAHAN asked for another clarification on the FTE that were reduced. Mr. Lloyd referred to page C-25, the FTE table. There were 3.0 FTE removed by the two amendment actions, 2.5 FTE restored, so there was 0.50 FTE removed as a result of that action. In addition, in Central Management, there was a total of 1.85 FTE added in a budget amendment. Page C-27 shows a total 4.57 FTE removed by 5% and being vacant. 1.0 FTE was restored for a total elimination of 3.56 FTE. In the Reclamation Division there were 2.0 FTE added through budget modifications. Page C-29 shows 2.87 FTE were removed and 1.0 FTE restored for a reduction of 1.87 FTE. Page C-32 there were 26.12 FTE removed and 20.67 FTE restored for a reduction of 5.45 FTE. Budget modifications did not add any.

REP. KADAS said REP. LARSON has a bill that takes receipts from forest logging sales on state lands and defines those receipts as an agricultural receipt. It makes the money go into the School

Equalization Account (SEA) instead of going into the State Trust. As part of that, when you define those moneys as agricultural, you have to take 2-1/2% off the top that goes back into resource conservation which would have to happen in this budget. He wondered if the subcommittee had considered that at all. It seems there needs to be some contingency language and appropriation to deal with that appropriation if **REP. LARSON's** bill passes. **Mr. Lloyd** said the two bills strike a termination date that was enacted during the special session. The special session action specifically excluded the amount of 2-1/2% that would go to the reclamation and development account to be used by State Lands. **REP. KADAS** said he put the amendment on to exclude the money from the conservation account in the one year because it was just going to be a one-year appropriation and he didn't want the department to gear up the program for one year and then have to eliminate it. It is appropriate that if we are going to be treating these resources as agricultural resources, they ought to abide by all the other rules.

**REP. FISHER** referred to page C-26 and asked for an explanation of what \$2.3 million will be used for in the environmental analysis. **Gary Amestoy, State Lands**, said the \$2.3 million is directly offset by fees that the agency receives from the various mining companies in the preparation of environmental impact statements they are mandated to do. Specific language enables the agency to charge those fees back to them.

**Motion:** **REP. GRADY** moved to strike the language and the amount, page C-27 in reference to HB 608.

**Discussion:** **Ms. Cohea** said HB 608 has passed out of this committee. There would be two actions. The committee could strike the language or have the LFA take the general fund out so there is general fund in HB 2 and then strike the contingency language.

**REP. QUILICI** said in the event that HB 608 doesn't pass, either the language or the appropriation will have to be reinserted.

**Vote:** Motion carried unanimously.

#### DEPARTMENT OF LIVESTOCK

**REP. DeBRUYCKER** referenced page C-34, the Centralized Services Program. The Diagnostic Laboratory Program was referenced on page C-36. The Disease Control Program is on page C-38. The Milk and Egg Program is on page C-39. Inspection and Control Program, page C-40. Predatory Animal Control Program, page C-41. Rabies Control, page C-42. Meat Inspection Program, page C-43 is funded half through federal and half through general fund.

**REP. KADAS** asked what is the fund balance in those two big accounts? **John Skufca, Administrator, Central Services** said they have estimated that at the end of this fiscal year there will be

about \$4.6 million between those two funds. By the end of the 1995 biennium, if the current budget holds up, there will be \$2 million which is very close to the estimated amount the department feels comfortable with going into the following biennium, given how their revenue is assessed and collected. That would be a reduction, overall for the biennium, of that fund balance of about \$2.6 million.

**REP. FISHER** asked why the Meat Inspection Program is adding 2 more people. **Mr. Mortensen** said the state meat inspection program is virtually the same as the federal meat inspection program. The federal meat inspection program was available when the 1987 session passed legislation establishing the state meat inspection program. The federal meat inspection act requires that state meat inspection programs be equal to the federal program. They utilize the federal inspection regulations as do all state programs. The state program is reviewed by the USDA federal inspection service to see that they are maintaining an equal program. The additional 2.0 FTE occurred during 1992 and 1993 in the last regular session. There was a budget amendment that was removed for 4.0 FTE. A supplemental approved the 2.0 FTE and they are existing staff.

In answer to a question from **REP. KADAS** concerning general fund versus state special, **Mr. Skufca** said in the July special session, general fund was replaced with state special revenue. When the fiscal analysts prepared their budget analysis for the next biennium, they left those funding levels for state special versus general fund at the level the legislature did for FY 1993. The agency discussed that situation with the budget subcommittee and they made a motion and agreed to restore it to the previous level which is about 41% general fund and 59% state special.

**REP. KADAS** asked what is wrong with having the level the legislature set in the special session of state special to general fund? **Mr. Skufca** said the agency brought up the issue regarding what type of money should pay for what type services and the Board was willing to go along with the legislature and make a one-time funding switch. The problem is with state special dollars, which are collected for certain purposes, pay for public health issues.

**REP. GRADY** referred to page C-36 and asked how many mice are stored at MSU for a cost of \$4,000? **Mr. Skufca** said the agency figured it down to mice-per-day cost. Mice were stored in the laboratory facility until a year ago and the Lab Animal Care Committee said they no longer had a proper facility for storing mice, plus it could have been a safety hazard there because the mice are inoculated with the rabies serum. They are stored at MSU now. Originally they didn't charge them, now they do.

**Motion:** **REP. KADAS** moved to reduce the general fund to the LFA current level amount of general fund in the diagnostic lab program, page C-36, and backfill the difference with state special.

**Discussion:** REP. KADAS said that will save about \$140,000 general fund in the first year and \$167,000 general fund the second year, or \$310,000 difference.

Dr. William Quinn, Administrator, Diagnostic Laboratory, said the diagnostic laboratory runs the only rabies diagnostic program in the state of Montana. During the past year they have investigated 501 bites involving possible rabid animals. During the past year they have had investigations into two instances of plague which involved wildlife and human health. In areas where animal disease overlaps with human disease, they are probably the main agency to detect and find those. It is estimated that the national cost for rabies treatment is about \$1,400 per person. An average bite or exposure involves about 6 individuals. The Department of Livestock's responsibility with earmarked revenue primarily deals with animal diseases to promote the livestock industry. Another public health program is the Grade A, FDA required milk program.

**Vote:** Motion to reduce general fund to the LFA current level in the Diagnostic Lab, page C-36, carried 10 - 7 with Reps. Bergsagel, DeBruycker, John Johnson, Kasten, Nelson, Wiseman and Zook voting no.

**Motion:** REP. GRADY moved to strike the contingency language on page C-37, Item 2 to reduce general fund and increase state special revenue.

**Discussion:** Ms. Cohea said this is Item #2, page C-37, that said if HB 516 is passed and approved the general fund appropriation is reduced and state revenue appropriation increased. If the committee would like the LFA staff to remove the general fund and strike the contingency language, the general fund would be reduced by that amount and state special increased by that amount.

**Vote:** Motion carried unanimously.

**Motion:** REP. COBB moved to give the Department of Livestock contract authority of \$50,000 each year of the biennium of special revenue funds to the Department of Health for retail meat inspection.

**Discussion:** REP. COBB said what this does is it gives contract authority out of the special revenue funds to inspect for health or disease. The Department of Health inspects food and does safety inspections but not meat inspections. The meat inspections are done at the wholesale level but he questions the retail level. This gives authority for the Department of Livestock to assign their Board more retail inspections. If they don't want to, they don't have to but it would tie in with the Health Department. This gives contract authority to the Department of Livestock allowing them to contract with the



Department of Health to do meat inspections with their regular food and safety inspections.

**REP. KADAS** asked **REP. COBB** if he will also have to extend the expenditure authority to the Department of Health? **REP. COBB** yes, but he has not gotten to that yet. **Mr. Mortensen** said he believes it could cause some problems with the federal matching funding since that type of inspection at the retail level is not provided for in the Federal Meat Inspection Act. The agency has to do it with their state employees that are 50% funded with federal monies. **REP. COBB** said this would be your fund balances and is not touching any of the federal moneys. If you can't legally do it, that is one thing, but if it is related to health inspection, it should be done. **Mr. Skufca** said he believes they can do what the motion is requesting. It would give the agency an opportunity to look into whether they can, in fact, spend the state special for that purpose or whether or not there has to be a matching amount. **CHAIRMAN ZOOK** said as he understands it, it is just contract authority and it would not be mandatory that the agency go ahead with this, but it would be at the agency's discretion.

**Vote:** Motion to give the Department of Livestock contract authority carried 17 - 1 with Rep. Bardanoue voting no.

**Motion:** **REP. DeBRUYCKER** moved to eliminate the funding for the Meat Inspection Board, EXHIBIT 6.

**Discussion:** **REP. DeBRUYCKER** said he realizes these people do a good job and are probably needed. He also knows if the program is eliminated, the federal inspectors are obliged to come in and take over. This is a duplicate service to a certain extent.

**REP. MENAHAN** said it would behoove the committee to talk to the federal people to see if this program can be funded with federal funds.

**REP. GRADY** said before the program was reinstated, there were plants in Montana that were closing because they could not live with the federal meat inspection. At that time there was a real need for the state to get back into meat inspection.

**REP. KADAS** asked **REP. DeBRUYCKER** if he could use some of that fee money to fund this, the same ones used to fund the diagnostic lab? **REP. DeBRUYCKER** said he supposes it could be done but would have to ask the department. **Mr. Mortensen** said this issue, relative to using the Department of Revenue has come up before and he has made inquiries about it. The Federal Meat Inspection Act, as it is written now, will not permit use of state special revenues that come into the Department of Livestock. He referred to **EXHIBIT 7** which explains it.

**CHAIRMAN ZOOK** said the people he has discussed this issue with who have small plants, say the problem is some of the hassles and

regulations they run into.

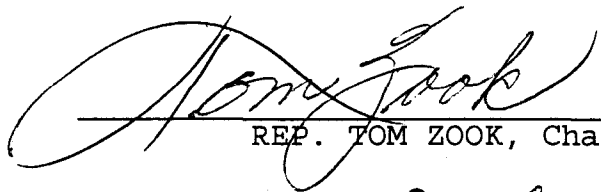
**REP. GRADY** said the fees that build the special revenue account, are fees that are derived from other things and for other uses. Maybe it's a legislature's option to divert these fees but he thinks it is a mistake to fund every other account.

**REP. DeBRUYCKER** referred to page C-63, Budget Analysis, Vol. II to answer **REP. KADAS's** question. "Under Montana's constitution, special levies can be levied on livestock and agricultural commodities for livestock and commodity inspection purposes. The Meat and Poultry Inspection Program is funded one-half with general fund and one-half federal funds. There is no federal prohibition on use of a per capita tax levy on livestock to finance the state's share of this program". **Ms. Cohea** said that was based on an analysis that **Greg Petesch** did for the staff in November. At that point, the letter, **EXHIBIT 7**, had not been received dated January, 1993. **REP. KADAS** has asked the staff to show that letter to **Mr. Petesch** for further review of the issue.

**Vote:** Motion to eliminate meat and poultry inspection program failed 2 - 15.

**ADJOURNMENT**

**Adjournment:** 7:00 P.M.



**REP. TOM ZOOK, Chairman**



**MARY LOU SCHMITZ, Secretary**

TZ/mls

a-m

**HOUSE OF REPRESENTATIVES**

APPROPRIATIONS

COMMITTEE

**ROLL CALL**

**DATE**

3/9/93

NAME	PRESENT	ABSENT	EXCUSED
REP. ED GRADY, V. CHAIR	✓		
REP. FRANCIS BARDANOUE	✓		
REP. ERNEST BERGSAGEL	✓		
REP. JOHN COBB	✓		
REP. ROGER DEBRUYKER	✓		
REP. MARJ. FISHER	✓		
REP. JOHN JOHNSON	✓		
REP. ROYAL JOHNSON	✓		
REP. MIKE KADAS	✓		
REP. BETTY LOU KASTEN	✓		
REP. WM. "RED" MENEHAN	✓		
REP. LINDA NELSON	✓		
REP. RAY PECK	✓		
REP. MARY LOU PETERSON	✓		
REP. JOE QUILICI	✓		
REP. DAVE WANZENREID	✓		
REP. BILL WISEMAN	✓		
REP. TOM ZOOK, CHAIR	✓		

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

## COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 7

**MOTION:** Rep. Grady moved to remove the language on page A-58; "if

House Bill xx is not passed and approved, the general fund appropriation i  
item 1 (Legal Services Division) is increased by \$24,000 in FY 1994  
and \$24,000 in FY 1995. FTE will also increase by 0.75 FTE each  
fiscal year.

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 2

**MOTION:** Rep. Grady moved to strike language on Page A-62 "If House Bill is not passed and approved, the general fund appropriation in item 4 (Motor Vehicle Division) is increased \$467,000 in fiscal 1994 and \$467,000 in FY 1995. FTE will also increase by 18.30 FTE in each fiscal year."

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS

## COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 3

MOTION: Rep. Menahan moved to reinstate \$235,000 each year to restore the county attorneys' salaries in 7 counties and strike the other language on page A-66.

Motion carried 10 - 8

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	x	
REP. FRANCIS BARDANOUVE		x
REP. ERNEST BERGSAGEI	x	
REP. JOHN COBB	x	
REP. ROGER DEBRUYKER		x
REP. MARJ. FISHER		x
REP. JOHN JOHNSON	x	
REP. ROYAL JOHNSON	x	
REP. MIKE KADAS		x
REP. BETTY LOU KASTEN		x
REP. WM. RED MENAHAN	x	
REP. LINDA NELSON	x	
REP. RAY PECK		x
REP. MARY LOU PETERSON		x
REP. JOE QUILICI	x	
REP. DAVE WANZENREID		x
REP. BILL WISEMAN	x	
REP. TOM ZOOK, CHAIR	x	
	10	8

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 4

MOTION: Rep. Bergsagel moved to amend out the portion of the conceptual amendment passed yesterday to implement the study to privatize the drivers' license service.

Motion carried unanimously

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	x	
REP. FRANCIS BARDANOUVE	x	
REP. ERNEST BERGSAGEL	x	
REP. JOHN COBB	x	
REP. ROGER DEBRUYKER	x	
REP. MARJ. FISHER	x	
REP. JOHN JOHNSON	x	
REP. ROYAL JOHNSON	x	
REP. MIKE KADAS	x	
REP. BETTY LOU KASTEN	x	
REP. WM. RED MENAHAN	x	
REP. LINDA NELSON	x	
REP. RAY PECK	x	
REP. MARY LOU PETERSON	x	
REP. JOE QUILICI	x	
REP. DAVE WANZENREID	x	
REP. BILL WISEMAN	x	
REP. TOM ZOOK, CHAIR	x	
	18	0

DEPARTMENT OF TRANSPORTATION  
EQUIPMENT PROGRAM  
PROPOSED AMENDMENT  
HOUSE BILL 2, GRAY COPY

EXHIBIT 1  
DATE 3/9/93  
HB 2

Page A-14, After Line 12: Under FY94 Proprietary, Insert 1,000,000;  
Under FY95 Proprietary, Insert 1,000,000. Adjust totals.

The purpose of this budget amendment is to include an additional \$1 million in FY94 and \$1 million in FY95 in the Equipment category of this program.

The department requested an additional \$1 million in FY94 to purchase an additional ten sweepers. These sweepers are vital to the department's plan to meet the Environmental Protection Agency's stringent air quality guidelines in communities that have been designated as non-attainment areas due to the level of particulates in the air. The addition of these sweepers will enable the department to increase the frequency of sweeping in those areas, and reduce the amount of dust and particulate matter generated by vehicles driving on the accumulated sanding material used for winter maintenance.

The department requested an additional \$1 million in FY95 to offset the loss of purchasing power the program has experienced in its Equipment category over the past decade. The Equipment category in this program has been virtually budgeted at the same level since July, 1985. During that time, equipment replacement costs have continued to increase, while the purchasing power of the program has continued to diminish. For example, medium and heavy duty plow trucks and loaders have increase in price by 60% since 1985. Due to the erosion of purchasing power resulting from inflation, the department is no longer able to replace its equipment fleet as it wears out.



# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 5

MOTION: Rep. Quilici moved 1/2 of amendment (EXHIBIT 1) (second paragraph) for an additional \$1 million in FY 94 to purchase an additional 10 sweepers.

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	x	
REP. FRANCIS BARDANOUVE	x	
REP. ERNEST BERGSAGEI	x	
REP. JOHN COBB	x	
REP. ROGER DEBRUYKER	x	
REP. MARJ. FISHER	x	
REP. JOHN JOHNSON	x	
REP. ROYAL JOHNSON	x	
REP. MIKE KADAS	x	
REP. BETTY LOU KASTEN	x	
REP. WM. RED MENAHAN	x	
REP. LINDA NELSON	x	
REP. RAY PECK	x	
REP. MARY LOU PETERSON	x	
REP. JOE QUILICI	x	
REP. DAVE WANZENREID	x	
REP. BILL WISEMAN	x	
REP. TOM ZOOK, CHAIR	x	
	18	0

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 6

MOTION: Rep. Quilici moved the second half of the amendment

(third paragraph) EXHIBIT 1, an additional \$1 million in FY 95 to  
offset the loss of purchasing power the program has experienced in  
its Equipment category over the past decade. Motion failed 7 - 11

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON		X
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	7	11

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 8MOTION: Rep. Bergsagel moved to eliminate 100 Grade 16 or above positions in the Department of Transportation.

Motion carried 9 - 8

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK	X	
REP. MARY LOU PETERSON		X
REP. JOE QUILICI		X
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	9	8

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 7

MOTION: Rep. DeBruycker made a substitute motion to remove all  
FTE that don't start with 9, Pages A-83 and A-84

Motion failed 6 - 11

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER		X
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK	X	
REP. MARY LOU PETERSON		X
REP. JOE QUILICI		X
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	6	11

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 9

MOTION: Rep. Menahan moved to transfer the MCSAP program to the  
GWV program and then eliminate the budget modification for the  
additional 1.5 FTE, \$36,377 FY 94 and \$36,422 FY 95.

Motion carried 16 - 2

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	16	2

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 10

MOTION: Rep. Menahan moved to draft a Committee Bill for past  
motion. Motion carried 17 - 1 with Rep. Royal Johnson voting no.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	x	
REP. FRANCIS BARDANOUVE	x	
REP. ERNEST BERGSAGEI	x	
REP. JOHN COBB	x	
REP. ROGER DEBRUYKER	x	
REP. MARJ. FISHER	x	
REP. JOHN JOHNSON	x	
REP. ROYAL JOHNSON		x
REP. MIKE KADAS	x	
REP. BETTY LOU KASTEN	x	
REP. WM. RED MENAHAN	x	
REP. LINDA NELSON	x	
REP. RAY PECK	x	
REP. MARY LOU PETERSON	x	
REP. JOE QUILICI	x	
REP. DAVE WANZENREID	x	
REP. BILL WISEMAN	x	
REP. TOM ZOOK, CHAIR	x	
	17	1

EXHIBIT 2  
DATE 3/9/93  
HB 2

DEPARTMENT OF TRANSPORTATION  
RAIL AND TRANSIT PROGRAM  
PROPOSED AMENDMENT  
HOUSE BILL 2, GRAY COPY

Page A-15, Line 3: Under FY94 General Fund, Strike 32,288, Insert 135,494, Under FY95 General Fund, Strike 32,416, Insert 136,059. Adjust Totals.

The purpose of this amendment is to reinstate 3.00 FTE and \$103,206 in FY94 and 3.00 FTE and \$103,643 in FY95 which were deleted from the current level program.

These positions, which were vacant in December, provide services and support directly to agricultural producers who depend on the railroad to move their commodities to market. As the Rail Section only contains 4.00 FTE, the deletion of these positions virtually eliminated the section as a functional unit. It is vital that the state remain involved in ensuring agricultural producers continue to have access to economical means of transportation to move their commodities to markets in the future.

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 11

MOTION: Rep. Nelson moved to re-instate 3.0 FTE in the rail section  
page A-98. Exhibit 2 Motion failed on tie vote.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI		X
REP. JOHN COBB		X
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	9	9



# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 12

MOTION: Rep. Nelson moved to reinstate 2.0 FTE back in the

Rail Transit Division, Page A-98

Motion failed on a tie vote 9 - 9

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI		X
REP. JOHN COBB		X
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	9	9

DEPARTMENT OF TRANSPORTATION  
RAIL AND TRANSIT PROGRAM  
PROPOSED AMENDMENT  
HOUSE BILL 2, GRAY COPY

EXHIBIT  
DATE 3/9/93  
HB

Page A-15, Line 3: Under FY94 State Special Revenue, Strike 306,726, Insert 315,224; Under FY94 Federal Special Revenue, Strike 1,530,796, Insert 1,564,790; Under FY95 State Special Revenue, Strike 306,231, Insert 314,742; Under FY95 Federal Special Revenue, Strike 1,510,696, Insert 1,544,739. Adjust totals.

The purpose of this amendment is to reinstate 1.00 FTE and \$33,994 in FY94 and 1.00 FTE and \$34,043 in FY95 which were deleted from the current level program.

The position is an Attorney Specialist III which provided legal support to the Rail and Transit Program. The position was included in the 5% personal services reduction as it was vacant at the time, however has since been filled, and consolidated with the legal section, where it continues to provide legal support for the Rail and Transit Program.

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 13

MOTION: Rep. Nelson moved to reinstate 1 position, Attorney Specialist III, Rail and Transit Division

Motion carried 12 - 6

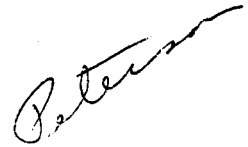
NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON		X
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR	X	
	12	6

Amendments to House Bill No. 2  
Gray Copy

Requested by Representative Peterson  
For the Committee on House Appropriations

Prepared by Jon Moe  
March 9, 1993

EXHIBIT 4  
DATE 3/9/93  
HB 2



The personal services reduction for the Judiciary is reduced by \$167,108 general fund in fiscal 1994 and \$167,651 general fund in fiscal 1995 to provide full funding for all elected officials in the Judiciary.

{Office of Legislative Fiscal Analyst

444-2986}

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 14

MOTION: Rep. Peterson moved amendment, Exhibit 4, to correct some funding, personal services reduction for the Judiciary.

Motion carried 13 - 4 with Reps. Bardanouve, DeBruycker,

Peck and Wanzenried voting no.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	13	4

Amendments to House Bill No. 2  
Gray Copy

Requested by Representative Quilici  
For the Committee on House Appropriations

Prepared by Jon Moe  
March 8, 1993

*Quilici*  
EXHIBIT  
DATE 3/9/93  
HB 2

1. Page A-17, line 3.

Strike: "11,869,450" 11,895,772"

Insert: "13,042,450" 13,068,772"

2. Page A-17, lines 12 through 14.

Strike lines 12 through 14 in their entirety.

LFA will amend totals.

This amendment would restore the deputy assessors and restore the state share of assessors salaries from 50% to approximately 70%.

{Office of Legislative Fiscal Analyst

444-2986}

# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 15

MOTION: Rep. Quilici moved an amendment to restore the state share  
deputy county assessors salaries from 50% to 70% EXHIBIT 5

Motion failed 5 - 13

NAME	AYE	NO
REP. ED GRADY, V. CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON		X
REP. JOE QUILICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR	X	
	5	13

Amendments to House Bill No. 2  
Gray Copy

Requested by Representative Fisher  
For the Committee on House Appropriations

Prepared by Jon Moe  
March 8, 1993

EXHIBIT  
DATE 3/9/93  
HB 2

1. Page A-17, line 3.

Strike: "11,869,450

11,895,772"

Insert: "12,004,450

12,030,772"

2  
J

LFA will amend totals.

This amendment will add the BEVS computer processing expenses of \$135,000 each year in the Property Valuation program of the Department of Revenue.

{Office of Legislative Fiscal Analyst

444-2986}



# HOUSE OF REPRESENTATIVES

## APPROPRIATIONS COMMITTEE

### ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 16

MOTION: Rep. Fisher moved an amendment, Exhibit 6, to add  
the BEVS computer processing expenses of \$135,000 in the property  
Valuation program of the Department of Revenue.

There was no vote.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR		
REP. FRANCIS BARDANOUVE		
REP. ERNEST BERGSAGEI		
REP. JOHN COBB		
REP. ROGER DEBRUYKER		
REP. MARJ. FISHER		
REP. JOHN JOHNSON		
REP. ROYAL JOHNSON		
REP. MIKE KADAS		
REP. BETTY LOU KASTEN		
REP. WM. RED MENAHAN		
REP. LINDA NELSON		
REP. RAY PECK		
REP. MARY LOU PETERSON		
REP. JOE QUILICI		
REP. DAVE WANZENREID		
REP. BILL WISEMAN		
REP. TOM ZOOK, CHAIR		

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 17

MOTION: Rep. Kadas made a substitute motion to lower the amount to \$45,000 for the first year and \$90,000 for the second year.

Motion carried 12 - 6

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI		X
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	12	6

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 18

MOTION: Rep. Kadas moved the authority to reinstate 2.0 FTE  
for mail clerks, \$34,751 for FY 1994 and \$34,880 FY 1995.

Motion failed on tie vote 9 - 9

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI		X
REP. JOHN COBB		X
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	9	9

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 19

MOTION: Rep. Zook moved to strike the language in HB 99, (page A-118) since it has been signed by the Governor.

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 20

MOTION: Rep. DeBruycker moved to strike the Interactive Voice Response technology in the Department of Administration.

Motion failed 8 - 9

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE		Pass
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI		X
REP. DAVE WANZENREID		X
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR	X	
	8	9

Amendment to Gray copy of HB -2

House Appropriations  
Requested by Rep. Royal Johnson  
March 9, 1993

EXHIBIT 7  
DATE 3/9/93  
HB 2

1. Page A-20, line 17.  
Strike: "165,415,290"  
Insert: "165,685,290"  
Strike: "180,043,821"  
Insert: "180,453,821"

This authorizes the State Fund to pay the Workers' Compensation Assessment to the Department of Labor.

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 21

MOTION: Rep. Royal Johnson moved an amendment, Exhibit 7

Gray bill page A-20, line 17, authorizing the State Fund to pay  
the Workers' Comp. Assessment to the Department of Labor.

Motion passed unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 22

MOTION: Rep. Wanzenried moved to reinstate state special  
to  
revenue/appropriate \$45,000 each year for the Flathead Basin Commission

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGER	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0



# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 23

MOTION: Rep. Quilici moved to reconsider action on the  
appropriation for the deputy county assessors.

Motion carried 11 - 7

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON		X
REP. JOE QUILICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	11	7

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 24

MOTION: Rep. Quilici moved the amendment reversing the negative and restoring funds for the assessors and deputy assessors that add \$1.173 million general fund per year for a total of \$2.346 million and 43.2 FTE (page A-109) Motion carried 10 - 8

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER		X
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON		X
REP. JOE QUILICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	10	8

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 25

MOTION: Rep. Fisher moved an amendment whenever an incumbent deputy assessor leaves a position, the position, if later filled must be supported by county funds.

Motion carried 12 - 6

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGE		X
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	12	6

**Amendment to House Bill No. 2  
Gray Bill**

**Requested by Representative Menahan  
For the Committee on House Appropriations**

**March 9, 1993**

EXHIBIT 8  
DATE 3/9/93  
HB 2

**1. Page A-12, following line 19.**

**Insert: "The department is to develop a plan for streamlining operations, improving efficiencies, and better coordination of services for the Gambling Control Division. The plan is to be submitted to the Legislative Finance Committee before June 1, 1994. In addition, the current funding level budget request for the 1997 biennium submitted by the department for the Gambling Control Division must include a reduction in personal services equivalent to 10% of the personal services amount specified in the division's approved operating plan submitted under 17-7-138 for fiscal 1994. Authorized FTEs and the budget of the positions must be reduced to equal the percentage reduction in personal services. The job title, grade, and budget for each position reduced must be the same as shown in the division's fiscal 1996 and fiscal 1997 budget request package provided by the office of budget and program planning."**

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93

BILL NO. HB 2

NUMBER

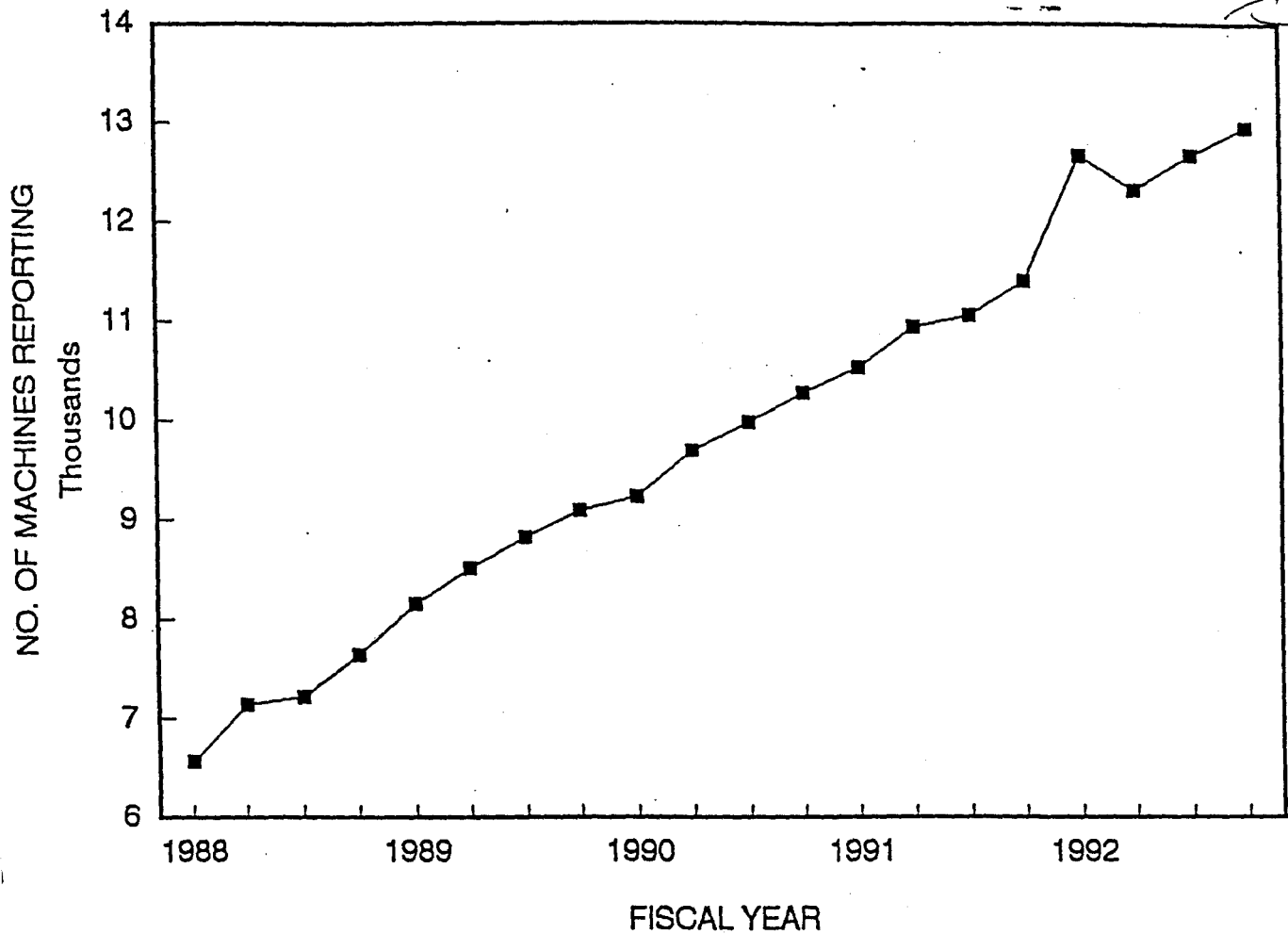
26

MOTION: Rep. Menahan moved an amendment to streamline and  
organize the Gambling Control Division, page A-60 EXHIBIT 8

Motion carried 10 - 8

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI		X
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	10	8

NUMBER OF VIDEO GAMBLING MACHINES REPORTING INCOME  
FISCAL YEARS 1988 THROUGH 1992



An operator may place up to 20 video gambling machines of any legal type (i.e., poker, bingo, or keno) on his or her premises. The table on the following page provides data on the number of premises with a specific number of machines as of June 30, 1992.

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HR 2 NUMBER 27

MOTION: Rep. Fisher moved to draft a committee bill to deal  
with the amendment for incumbent deputy assessors.

Motion carried 14 - 4

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI		X
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WENZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	14	4

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HR 2 NUMBER 28MOTION: Rep. Cobb moved an amendment stating the legislature  
is not pleased with the past administration of this fund.

(State Compensation Mutual Insurance Fund) Page A-125

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0



## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 29

MOTION: Rep. Peterson moved Section A, General Government  
and Transportation be closed.

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WENZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

*afternoon*

ROLL CALL

DATE

3/9/93

NAME	PRESENT	ABSENT	EXCUSED
REP. ED GRADY, V. CHAIR	✓		
REP. FRANCIS BARDANOUVE	✓		
REP. ERNEST BERGSAGEL	✓		
REP. JOHN COBB	✓		
REP. ROGER DEBRUYKER	✓		
REP. MARJ. FISHER	✓		
REP. JOHN JOHNSON	✓		
REP. ROYAL JOHNSON	✓		
REP. MIKE KADAS	✓		
REP. BETTY LOU KASTEN	✓		
REP. WM. "RED" MENEHAN	✓		
REP. LINDA NELSON	✓		
REP. RAY PECK	✓		
REP. MARY LOU PETERSON	✓		
REP. JOE QUILICI	✓		
REP. DAVE WANZENREID	✓		
REP. BILL WISEMAN	✓		
REP. TOM ZOOK, CHAIR	✓		



## PUBLIC SERVICE COMMISSION

1701 Prospect Avenue • PO Box 202601

Helena, Montana 59620-2601

Telephone: (406) 444-6199

FAX #: (406) 444-7618

EXHIBIT 1  
DATE 4-3 P.M.  
HB 3-9-2

Bob Anderson, Chairman  
Bob Rowe, Vice Chairman  
Dave Fisher  
Nancy McCaffree  
Danny Oberg

March 8, 1993

### MEMORANDUM

To: Rep. Tom Zook, Chairman  
House Appropriations Committee

From: Public Service Commission  
Bob Anderson, Chairman *Bob Anderson*

Re: PSC budget and staff cuts

The PSC is legally charged with regulating electricity, natural gas, telecommunications, water and sewer, and transportation. Montanans pay about \$1 billion per year in utility bills to companies regulated by the PSC. The utility tax that supports the PSC costs each household about \$3.40 per year. Responsible supervision of Montana utility and transportation companies requires an effective and efficient PSC.

- Because the PSC is funded dollar for dollar by a tax on utilities, reducing the PSC budget does not reduce the general fund deficit.
- The PSC transportation division earns about \$1.5 million each year which is paid directly to the general fund. This in addition to the utility tax which supports the agency.
- The PSC staff levels have been stable for more than a decade. While other state agencies may have grown, the PSC staff has not.
- Industries regulated by the PSC have become more and more complex due to technological advances and federal regulatory changes (see Attachment 2, a list of duties under the 1992 National Energy Policy Act). This complexity has increased the challenge of providing effective and efficient regulation.
- The budget approved by the joint subcommittee cuts our staff by about 10% (including 25% of our rate analysts). These cuts were arbitrary (either across the board or based on vacancies on a certain date) and will impair the efficiency and effectiveness of the agency.

By law, the PSC strives for the delicate balance between the interests of utilities and their customers. A competent staff is vital for maintaining that balance. At stake are millions of dollars in rate payers' money and the financial health of the utilities.

We respectfully request that the legislature restore the four positions cut by the joint subcommittee. Attachment 1 explains the functions of these positions. The cost to rate payers will be \$235,554 for the 1994-95 biennium (about 1.5 cents per month for each household). There would be no effect on the general fund.

cc: OBPP, LFA

EXHIBIT 1  
DATE 3/9/93 p.m.  
HB 2

## Attachment 1

### PSC positions cut from the LFA recommendation

These positions were cut by the joint budget subcommittee from the LFA recommendation, due to either the 5% across-the-board cuts by the special session or because they were vacant on a certain date in December, 1992.

#### Rate analysts

The PSC's staff of utility analysts consists of eight people, when all positions are filled. The last position was added in 1981. A cut of two analysts (positions #26 & #50) will effectively diminish the PSC's capability to analyze utility rate cases and utility public policy matters by 25%.

The PSC's utility analysts are primarily responsible for:

- advising the PSC on the financial, pricing, operational and public policy aspects of filings made by the electric, gas, telephone, water and sewer utilities.
- auditing the utilities.
- providing information to the PSC about general and specific factors which affect the public utility industry in Montana.

Typical Montana households spend five to ten per cent of their after-tax budgets on public utility services. Public utilities are the largest businesses in Montana. They are complex business entities with national and international operations. The PSC has the statutory responsibility for supervising these utilities. Even at eight analysts, the staff is very small, considering its responsibilities and effects on the pocketbooks of Montanans.

The public utility business is becoming more and more complex due to technological changes (especially in telecommunications) and regulatory changes (e.g. the Public Utility Regulatory Policy Act of 1978, the breakup of the Bell system in 1984, the Safe Drinking Water Act, the restructuring of the natural gas and electricity industries, and the 1992 National Energy Policy Act).

Each year, utility analysts advise the PSC on about 65 formal utility dockets, about 85 less formal utility filings and numerous utility policy matters. During 1994-95, the PSC expects to receive numerous filings from Montana Power, Montana-Dakota Utilities, PacifiCorp, US West, and others.

#### Commission secretary

The PSC secretary (position #5) has duties specified by statute (69-1-108 MCA). They include:

- maintaining a docket of all proceedings pending before the PSC.
- taking minutes of business meetings and work sessions.

- attesting signatures on orders, certificates and other official forms.
- arranging conferences and meetings.
- researching and preparing information for letters, reports and presentations.
- transmitting, interpreting and answering questions about executive decisions, rules, guidelines, policies and procedures.
- assisting in monitoring legislation.
- composing and typing correspondence and reports.

The PSC secretary is the only clerical support the commissioners have. Eliminating half of this position would impair the PSC's capability to perform its statutory responsibilities. Individual commissioners would do all of their own typing, printing and filing, reducing the time available to prepare for cases. No other full-time elected state officials lack clerical support.

## Transportation division positions

The word processor operator (position #27) assists staff in computer entry and word processing. She also performs general clerical duties such as maintaining files, handling telephone inquiries, sorting mail, and preparing mailings.

The half-time compliance specialist (position #42) reviews motor carrier financial statements (annual reports), conducts motor carrier compliance audits in the field, reviews complaints on freight charges and rates to assure compliance with approved tariffs.

Summary table: Positions removed by joint committee action

Position #	Position description	Total personal Services		FTE		Total FTE removed
		FY 1994	FY 1995	5%	vacant	
50	Utility Rate Analyst	37,494	37,533		1.0	1.0
5	Administrative Secretary	10,976	10,990	0.5		0.5
26	Utility Rate Analyst	36,304	36,350	1.0		1.0
27	Word Processor Operator	19,507	19,531	1.0		1.0
42	Compliance Specialist	13,427	13,442	0.5		0.5
Total		117,708	117,846	3.0	1.0	4.0

EXHIBIT 1 p.m.  
DATE 3/9/93  
HB 2

## Attachment 2

### PSC duties under the 1992 National Energy Policy Act

Passed October 24, 1992, the National Energy Policy Act imposes responsibilities on the PSC with respect to two parallel trends in the electric utility industry: integrated resource planning (with emphasis on conservation) and increased competition in electricity generation. These federal responsibilities will require the PSC to conduct formal proceedings.

#### Integrated resource planning

By October, 1995, the PSC must consider:

- whether to adopt integrated resource planning requirements for utilities, including a requirement that the plans be implemented.
- whether utility investments in conservation and demand-side resources are at least as profitable as investments in supply-side resources.
- whether utilities can improve the efficiency of their power generation, transmission and distribution equipment.
- the effect that demand-side resource programs have on small businesses, including whether or not utilities will have an unfair competitive advantage in such programs.

#### Competition in electricity generation

By October, 1993, the PSC must:

- consider the potential for changes in the cost of capital for utilities with wholesale power purchases.
- consider the effect that more highly leveraged capital structures used by independent power producers will have on utility reliability.
- consider whether to implement procedures to approve in advance purchases from wholesale power producers.
- consider whether to require as a condition in a wholesale power transaction that there be reasonable assurances of fuel supply adequacy.

By October, 1995, the PSC must:

- consider whether customers and the public interest will be benefited if a utility wants a rate-based generating plant to become an independent wholesale power supplying facility.

Page two

Attachment 2

PSC duties under the 1992 Energy Policy Act

---

- consider whether the PSC has sufficient authority and resources to prevent abusive transactions, whether customers and the public interest are benefited and whether unfair competition results if a utility wants to purchase power from an affiliated independent power supplying facility.
- certify to the Securities and Exchange Commission that the PSC has sufficient authority and resources to protect rate payers if a utility wants to acquire any part of a foreign utility.

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 1

MOTION: Rep. Wanzenried moved to reinstate the 4 positions for  
the operation of Public Service Commission.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		
REP. FRANCIS BARDANOUVE		
REP. ERNEST BERGSAGE		
REP. JOHN COBB		
REP. ROGER DEBRUYKER		
REP. MARJ. FISHER		
REP. JOHN JOHNSON		
REP. ROYAL JOHNSON		
REP. MIKE KADAS		
REP. BETTY LOU KASTEN		
REP. WM. RED MENAHAN		
REP. LINDA NELSON		
REP. RAY PECK		
REP. MARY LOU PETERSON		
REP. JOE QUILICI		
REP. DAVE WANZENREID		
REP. BILL WISEMAN		
REP. TOM ZOOK, CHAIR		



Amendments to House Bill No. 2  
Gray Bill

Requested by Representative Quilici  
For the House Appropriations Committee

Prepared by Roger Lloyd  
March 9, 1993

EXHIBIT 2  
DATE 3/9/93 PM  
HB 2

1. Page C-1, line 4.

Strike: "2,055,360

2,053,664"

[general fund]

Insert: "2,091,664

2,090,014"

[general fund]

LFA will amend totals.

This amendments adds funding for 1.00 FTE utility rate analyst.

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 2

MOTION: Rep. Quilici made a substitute motion that one  
rate analyst be replaced within the Public Service Commission

Motion failed 8 - 9

NAME	AYE	NO
REP. ED GRADY, V. CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGE		
REP. JOHN COBB		X
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARV LOU PETERSON		X
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR	X	
	8	9

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 3

MOTION: Rep. Bardanoue moved to put the 4 positions within  
the Public Service Commission.

Motion failed 8 - 9

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGE		
REP. JOHN COBB		X
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON		X
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	8	9

Amendments to House Bill No. 2  
Gray Bill

Requested by Representative DeBruycker  
For the House Appropriations Committee

Prepared by Roger Lloyd  
March 8, 1993

EXHIBIT 3 P.M.  
DATE 3/9/93  
HB 2

1. Page C-1.  
Strike lines 9 through 20 in their entirety.

2. Page C-2.  
Strike line 1 in its entirety.

LFA will amend totals.

This amendment eliminates funding for the five budget modifications approved by subcommittee for the Department of Public Service Regulation.

# HOUSE OF REPRESENTATIVES

ADDITIONAL INFORMATION

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 4

MOTION: Rep. DeBruycker moved an amendment, Exhibit 3, to  
eliminate 5 budget modifications for the PSC Regulation.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		
REP. FRANCIS BARDANOUVE		
REP. ERNEST BERGSAGEI		
REP. JOHN COBB		
REP. ROGER DEBRUYKER		
REP. MARJ. FISHER		
REP. JOHN JOHNSON		
REP. ROYAL JOHNSON		
REP. MIKE KADAS		
REP. BETTY LOU KASTEN		
REP. WM. RED MENAHAN		
REP. LINDA NELSON		
REP. RAY PECK		
REP. MARY LOU PETERSON		
REP. JOE QUILLICI		
REP. DAVE WANZENREID		
REP. BILL WISEMAN		
REP. TOM ZOOK, CHAIR		

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93

BILL NO. HB 2

NUMBER 5

MOTION: Rep. Peck moved to divide the amendment and strike #1,

Consultant Funds \$100,000 for the biennium. Page C-2

Motion failed 7 - 11

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK		X
REP. MARY LOU PETERSON		X
REP. JOE QUILLICI		X
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	7	11

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 6

MOTION: Rep. Peck moved to strike #2, Local Area Network, page C-2

Motion failed on a tie vote.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER		X
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI		X
REP. DAVE WENZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	9	9

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HR 2 NUMBER 7MOTION: Rep. Peck moved to strike #3, Data Network Services,Page C-2.Motion failed 5 - 13

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGER	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER		X
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK		X
REP. MARY LOU PETERSON		X
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	5	13



# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93

BILL NO.

HB 2

NUMBER

8

MOTION: Rep. Peck moved to strike Item #4, Travel, Page C-2

Motion carried

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK	X	
REP. MARV LOU PETERSON	X	
REP. JOE QUILLICI		X
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	11	7

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 9MOTION: Rep. Peck moved to strike Item #5, Pay Increase for  
exempt staff, Page C-2.

Motion carried

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI		X
REP. DAVE WENZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	12	6

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 10MOTION: Rep. Fisher moved to remove 20 FTE, Grade 14 and above  
department wide, page C-19, Department of Fish, Wildlife and Parks

Motion carried 9 - 6

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		PASS
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		PASS
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		PASS
REP. RAY PECK	X	
REP. MARY LOU PETERSON		X
REP. JOE QUILLICI		X
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	9	6

Amendments to House Bill No. 2  
Gray Bill

Requested by Representative Wanzenried  
For the House Appropriations Committee

Prepared by Roger Lloyd  
March 9, 1993

EXHIBIT \_\_\_\_\_  
DATE 3/9/93 4 P.m.  
HB 2

1. Page C-5.

Following line 6.

Insert: "The legislature encourages the department to work with property and homeowner groups around the lakes in Montana in managing and restoring fisheries to better ensure that state's lake fisheries provide a fishing experience which is appropriate for those residing around the lakes as well as the overall public."

"The department shall review historic fish planting data for Echo Lake and seek to increase fish plants to a number more appropriate to the lake's size."

"The department shall expend reasonable effort to ensure the continued survival of the bull trout at levels sufficient to prevent it from being "listed" on the endangered species list."

"The legislature encourages the department to continue working under the cooperative agreement with the U.S. Fish and Wildlife Service at Creston."

This amendment inserts language concerning the Department of Fish, Wildlife and Parks.

# HOUSE OF REPRESENTATIVES

ADDITIONAL COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 11

MOTION: Rep. Wanzenried moved the four amendments, Exhibit 4.

Motion carried 14 - 3

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN		PASS
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARV LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	14	3

## HOUSE OF REPRESENTATIVES

ADDITIONAL COMMITTEES

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 1 AMOTION: Rep. Wanzenried moved to reference the language on approval  
passage of HB 642, the bed tax bill.

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

Amendments to House Bill No. 2  
Gray Bill

Requested by Representative DeBruycker  
For the House Appropriations Committee

Prepared by Roger Lloyd  
March 5, 1993

EXHIBIT  
DATE 3/5 p.m.  
HB 2/53

1. Page C-5.

Following line 6.

Insert: "The appropriations for legislative contract authority is subject to the following provisions:

- (1) Legislative contract authority applies only to federal and private funds.
- (2) The department may transfer appropriation authority between state special revenue and federal special revenue. Transfers may not change the total appropriated to the department for legislative contract authority.
- (3) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.
- (4) A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project."

This amendment adds language approved by the subcommittee.

## HOUSE OF REPRESENTATIVES

ADDOPDIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 13MOTION: Rep. DeBruycker moved to adopt an amendment to add  
language, Gray Bill, page C-5, Exhibit 5.

Motion carried 16 - 2

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANTZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	16	2



# HOUSE OF REPRESENTATIVES

ADDOPPTIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 14

MOTION: Rep. Bergsagel moved to open Section A.

Motion carried 10 - 8

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	10	8

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 15

MOTION: Rep. Bergsagel moved to rescind the motion taking out  
100 FTE, Grade 16 <sup>or</sup> and above from the Department of Transportation.

Motion carried 10 - 8

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	x	
REP. FRANCIS BARDANOUVE		x
REP. ERNEST BERGSAGEL	x	
REP. JOHN COBB		x
REP. ROGER DEBRUYKER		x
REP. MARJ. FISHER	x	
REP. JOHN JOHNSON		x
REP. ROYAL JOHNSON	x	
REP. MIKE KADAS		x
REP. BETTY LOU KASTEN	x	
REP. WM. RED MENAHAN		x
REP. LINDA NELSON	x	
REP. RAY PECK		x
REP. MARV LOU PETERSON	x	
REP. JOE QUILLICI	x	
REP. DAVE WANZENREID		x
REP. BILL WISEMAN	x	
REP. TOM ZOOK, CHAIR	x	
	10	8

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 16

MOTION: Rep. Bergsage moved to close Section A.

Motion carried 15 - 3

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGE	X	
REP. JOHN COBB		X
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	15	3

## HOUSE OF REPRESENTATIVES

ADDITIONAL

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 17

MOTION: Rep. Grady moved to strike the language and amount  
on Page C-27 in reference to HB 608.

Motion carried unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 18

MOTION: Rep. Kadas moved to reduce general fund back to the LFA current level in the diagnostic lab, page C-36.

Motion carried 10 - 7

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGE		X
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER		X
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON		X
REP. RAY PECK		
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	10	7

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 19

MOTION: Rep. Grady moved to strike the contingency language  
on Page C-37, Item 2 to reduce general fund and increase state  
special revenue.

Motion passed unanimously.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGER	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK		
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	17	0

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93

BILL NO. HB 2

NUMBER 20

MOTION: Rep. Cobb moved to give the Department of Livestock contract authority of \$50,000 each year of the biennium of special revenue funds to the Department of Health for retail meat inspection. Motion carried 17 - 1

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGER	X	
REP. JOHN COBB	X	
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. RED MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	17	1

Amendments to House Bill No. 2  
Gray Bill

Requested by Representative DeBruycker  
For the House Appropriations Committee

Prepared by Roger Lloyd  
March 8, 1993

EXHIBIT 6  
DATE 3/9/93 P.M.  
HB 2

1. Page C-9.  
Strike lines 10 through 13 in their entirety.

This amendment eliminates funding for the meat and poultry inspection program and budget modification in the Department of Livestock.



# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/9/93 BILL NO. HB 2 NUMBER 21

MOTION: Rep. DeBruycker moved to eliminate the meat and poultry inspection program, Exhibit 6.

Motion failed 2 - 15

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGE		X
REP. JOHN COBB		X
REP. ROGER DEBRUYKER	X	
REP. MARJ. FISHER		X
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN		X
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK		
REP. MARY LOU PETERSON		X
REP. JOE QUILICI		X
REP. DAVE WENZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR		X
	2	15

# DEPARTMENT OF LIVESTOCK



MARC RACICOT, GOVERNOR

PO BOX 202001

## STATE OF MONTANA

BRANDS ENFORCEMENT DIV. 406-444-2045  
ANIMAL HEALTH DIV. 406-444-2043  
BOARD OF LIVESTOCK - CENTRALIZED SERVICES 406-444-2023  
MEAT, MILK & EGG INSPECTION DIV. 406-444-5202

HELENA, MONTANA 59620-2001

January 22, 1993

Dr. Les Nordyke, U.S.D.A./F.S.I.S. Director  
Federal/State Relations - Room 4438, South Building  
14th & Independence Avenue  
Washington, D.C. 20250

EXHIBIT 7  
DATE 3/9/93  
HB

Dear Dr. Nordyke:

As you are aware the State of Montana, Meat and Poultry Inspection Program is funded one-half with general fund money from the state and one-half with federal funds.

Article XII, Section I, subsection (2) of the Constitution of Montana states "special levies may be made on livestock and on agricultural commodities for disease control and indemnification, predator control and livestock and commodity inspection, protection, research, and promotion. Revenue derived shall be used solely for the purposes of the levies".

Section 81-1-104, MCA provides that "the board may direct the board of investments to invest funds from State Special Revenue accounts of the department pursuant to the provisions of the unified investment program for state funds. The income from such investments shall be credited to the state special revenue account of the department from which the investment is made".

Recently, a statement was made that "There is no federal prohibition on use of a per capita levy on livestock to finance the state's share of this program".

We need a definitive response to this statement by your office as soon as is humanly possible, because the state legislature is in session and theoretically that statement may be perceived as accurate. Legislation may be enacted which would eliminate all general fund participation in the Meat and Poultry Inspection Program.

Your prompt attention and cooperation in this matter would be most appreciated.

Sincerely,

E.E. "Cork" Mortensen, Executive Secretary  
To the Board of Livestock

Call Montana Livestock Crimestoppers 800-647-7464



United States  
Department of  
Agriculture

Food Safety  
and Inspection  
Service

Washington, D.C.  
20250

EXHIBIT 7 P. ✓  
DATE 3/9/93  
HB 2

JAN 25 1993

E. E. "Cork" Mortensen  
Executive Secretary  
to the Board of Livestock  
MT Department of Livestock  
P. O. Box 202001  
Helena, MT 59620-2001

Dear Mr. Mortensen:

Thank you for your correspondence of January 22, 1993, in which you have asked for our interpretation of a proposed per capita levy on livestock to finance the state's share of the meat and poultry inspection program. In our opinion, such a levy would still be considered a user fee, and would not meet the provisions of the "equal to" requirements of the Federal Meat Inspection Act (FMIA) and the Poultry Products Inspection Act (PPIA), as referenced in my letter, dated July 13, 1992 (copy enclosed.) Our Office of General Counsel (OGC), concurs in this opinion.

I hope this information will be useful in discussions with the Montana Legislature. If we can be of additional assistance, let us know.

Sincerely,



Lester D. Nordyke, D.V.M.  
Federal-State Relations Staff

enclosure

6

JUL 13 1992

EXHIBIT . 7 p. 2  
DATE 3/9/92  
HB 2

Mr. E. E. Mortensen, Chief  
Meat Inspection Bureau  
MT Department of Livestock  
Capitol Station  
Helena, MT 59620

Dear Mr. Mortensen:

This is in response to your recent inquiry concerning the Department of Agriculture's position on the imposition by the State of Montana of user fees for recovering the costs of State meat and poultry inspection.

As you know, the Federal Meat Inspection Act (FMIA) and Poultry Products Inspection Act (PPIA) provide for the establishment and effective enforcement of State inspection programs that are "at least equal" to the programs operated by the Federal Government under the FMIA and PPIA. Any State not having and enforcing an "at least equal" program is required to be designated by the Secretary of Agriculture and, 30 days after the publication of the designation, the requirements of the FMIA and PPIA become applicable to wholly intrastate operations in the State (21 U.S.C. 454, 661).

The provisions of Federal law applicable to meat and poultry inspection provide that the cost of inspection under the FMIA and PPIA shall be borne by the United States except for overtime and holiday work (21 U.S.C. 466, 469, 680, 695). Also, the legislative history of the FMIA and PPIA clearly shows the intent of Congress that Federal and State programs under these acts are not to be financed by direct or indirect user fees or taxes. Both the FMIA and the PPIA intend that the Federal share of funds used to finance the programs shall come from appropriations out of general revenue funds. The States also must provide for the cost of their share through appropriations out of general revenue funds, although it was not the intent "to preclude cooperation with State programs having as a part thereof a licensing system where there is imposed a nominal license fee..." (See Congressional Record, December 6, 1967, pages 18041, H. 16346; House Report No. 1333 on H.R. 16363, 90th Congress, 2d. Session, page 11.)

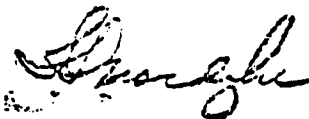
If the FMIA and PPIA were amended to permit the Federal Government to charge user fees for meat and poultry inspection, the States would be able to enact similar provisions for their inspection programs.

Mr. E. E. Mortensen

EXHIBIT 7 p  
DATE 3/9/92  
HB 2

We hope this information is useful. If we can be of further assistance, please let us know.

Sincerely,



Dr. Lester D. Nordyke  
Director  
Federal-State Relations Staff

cc:

P. Thompson, DRD/WRO  
W. Horne, DA/IO  
K. McDougall, ADA/IO  
J. Harbottle, ADA/IMP

FSIS:IO:IMP:FSRS:LDNordyke:dmb:720-6313:07/13/92  
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HOUSE OF REPRESENTATIVES  
VISITOR REGISTER

a.m

Appropriations

COMMITTEE

BILL NO. HB-2

DATE 3/9/93

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Trish Tothill	Foster care		
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HOUSE OF REPRESENTATIVES  
VISITOR REGISTER

Appropriations COMMITTEE BILL NO. 2  
DATE 3/9/93 SPONSOR(S) \_\_\_\_\_

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
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Jon Noel	Commerce		
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<del>John Smith</del>	<del>MT</del>		

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