

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By REP. TOM ZOOK, on March 10, 1993, at 7:45 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, HB 46 DO PASS AS AMENDED

CHAIRMAN ZOOK asked **Ms. Cohea** to bring the committee up to date on House Appropriations committee action taken through 7:00 P.M., March 9, 1993, **EXHIBIT 1**. **Ms. Cohea** said this reflects all of the actions this committee has taken through last night. In Section A and Section C, it reflects all the motions made. In the remaining Sections there are changes from subcommittee action as a result of **REP. GRADY's** motion of March 8, 1993 that applied the 5% personal services reduction efficiencies. Working with

the budget office, the LFA staff has now allocated that among the agencies and allocated the contingency amounts to the legislative agencies and to the judiciary to reflect the amendment adopted yesterday. For executive branch agencies, the committee will see a positive amount in the Department of Administration of \$1.3 million general fund and \$4.3 million other funds to assist agencies who do not experience the full 5% during the biennium.

The back page shows that the committee has added 42.45 FTE over the subcommittee recommendations. However, the committee has reduced general fund by \$13.7 million and other funds by \$11.3 million for a total reduction of \$25.1 million. In comparison to the targets, as you began committee work, counting the reduction for HB 427, you were approximately \$16.8 million general fund over the targets in HB 2. With the \$13.7 million of reductions, at this point, you are \$3.1 million general fund over the target.

REP. KADAS asked **Ms. Cohea** if the only contingent revenue she included in that calculation was HB 427? **Ms. Cohea** said yes. She referred the number of actions where the committee struck contingency language. The only large remaining contingency language in the bill is in HB 427, although there is some in DNRC which will be addressed soon. **REP. KADAS** asked how is HB 608, the RIT bill, calculated? **Ms. Cohea** referred Section C, **EXHIBIT 1**, and noted in State Lands the HB 608 funding switch is included in the \$13.7 million committee cuts. Today the committee will be considering DNRC and included in DNRC is approximately \$1.6 million. That contingency would reduce the \$3.1 million by an additional \$1.6 million. **REP. KADAS** asked if there are any other substantial contingency bills still out there. **Ms. Cohea** referred to page 6 of the HB 2 Narrative overview that lists all contingencies and the following are the ones the committee has struck.

In **General Government**, the only contingency that remains is SB 382. If that bill passes, this amount must be added to HB 2. Everything else has been struck.

Section B, Human Services, has not been worked yet.

In **Natural Resources**, the committee has struck the contingency language in Livestock and State Lands.

Section D, Institutions, will be worked on today and the \$2.05 million cigarette tax money has been taken out of the bill.

REP. KASTEN said it was her intent to offer an amendment to State Lands to remove an attorney. We were advised a bureau was established within the Attorney General's office to help other agencies. Because of the 5% reduction, she will not offer that amendment at this time, hoping this will be an area the committee seriously looks at when considering how to streamline the departments.

REP. DeBRUYCKER said when a motion was made by **REP. FISHER** yesterday to strike 20 employees from Fish Wildlife and Parks, he should have given the department the courtesy to explain what affect this would have. He apologized to the committee and to the department and asked **Pat Graham, Administrator, Department of Fish, Wildlife and Parks** to explain. **Mr. Graham** said his staff is in the process of trying to put together specifically what the impact will be. Basically, they will be eliminating people in a cross-section of divisions. The LFA estimates are about \$1.1 million for the 20 positions eliminated.

REP. WISEMAN said, as he voted for this, one of the things he was hoping would happen is that some of those people would take advantage of an early retirement. **Mr. Graham** said it was difficult for him to anticipate who those people would be because it is up to each individual to make those decisions.

REP. GRADY said his motion covered the retirement situation and asked **REP. FISHER** if her motion would be over and above that? **REP. FISHER** said yes, it was. The reason for her motion is that she had noticed the agency was adding positions and had not done the 5% cut that was called for.

REP. GRADY asked **Mr. Graham** if these cuts were made to savings, what would the department do with the license fee money? **Mr. Graham** said those dollars are primarily state special revenue or federal funds. Those dollars not appropriated stay in those accounts for allocation by future legislatures. The department has no authority to spend those funds.

REP. FISHER said when she made her motion it was for FTE and not to take the money and contracting it out is a very good idea.

REP. KADAS said under **REP. FISHER's** motion to eliminate the FTE, it was his understanding that it took out the funding as well. In order to use those dollars in operating, there would have to be another motion to put the money back in. **Mr. Graham** said that is correct.

Motion: **REP. FISHER** moved that the money be reinstated and to be used for contracting services only.

Discussion: **REP. QUILICI** said most of the budgets show "grounds maintenance" and that is done by Fish, Wildlife and Parks. The legislature has checked out contracting these types of services and found it is more efficient and cheaper to have Fish, Wildlife and Parks do it so he opposes the motion.

Vote: Motion failed 7 - 11 with Reps. Grady, Bardanouve, Bergsagel, Cobb, DeBruycker, John Johnson, Kasten, Nelson, Peck, Quilici and Wanzenried voting no.

REP. DeBRUYCKER said he was informed by **Mr. Graham** that the department would have specifics on this later this morning and

the committee can go back then and see who it affects and where.

DEPARTMENT OF NATURAL RESOURCE/CONSERVATION

REP. DeBRUYCKER referred to page C-45, Budget Modifications. Page C-46 explained **Centralized Services**. Page C-48 explained **Oil and Gas Regulation**. Page C-50 is **Conservation/Resource Development Division**. Page C-52 is **Water Resources Division**. Pages C-53 and C-54 explain some language issues. Page C-55 shows **Reserved Water Rights Compact Commission**. The **Energy Division** is referenced on page C-56.

REP. GRADY referred to page C-47, contingency language, and asked **Ms. Cohea** to explain. **Ms. Cohea** said this contingency language deals with HB 608. If the committee desires she can take the general fund out of the bill and strike the contingency language, \$422,000 of general fund to be replaced by RIT funds each year of the biennium.

Motion: **REP. GRADY** moved to strike the contingency language, HB 608, to take \$422,000 of general fund and replace it with RIT funds each year of the biennium. Page C-47.

Discussion: **REP. KADAS** said, so if the bill fails, then you would have to come to the bill and backfill with general fund. **Terri Perrigo, Associate Fiscal Analyst**, said if this motion passed and the general fund was replaced by RIT, if the bill would fail there is money available from RIT. However, it is used for grants in the Long Range Building program. **REP. KADAS** said the problem is, if the bill passes, they will have to back out general fund and insert RIT. **Ms. Perrigo** said as she understood the motion, that is what would happen. The RIT would be put in instead of the general fund.

REP. WANZENRIED asked **REP. GRADY** if the reason we want to take the contingency language out is so we can count this as a general fund savings now? **REP. GRADY** said if we take it out then we have some funding use where it would count, cut the general fund. **REP. WANZENRIED** said it will count the same amount at the end of the session. We won't have a difference in total, are we? **Ms. Cohea** said **CHAIRMAN ZOOK's** question was; "under HR 2, as passed, does a general fund reduction offset by a funding switch count toward the HR 2 target?" As she understands HR2, the only funding switches that do not count toward the target, are ones in which fees are increased to fund the funding switch. In this case, it is not a fee increase, it is taking RIT money that would have been going into the trust and using it to support current state agency operations. **REP. WANZENRIED** said it is clear there is a lot of concern, even among members of this committee, about using the RIT money through the bill before you now. It is a little premature for this committee to take the money out of this budget, at this point, when the full House hasn't even acted on that bill. It's clear the votes are there and there won't be any big problem at the end taking this money out. **REP. GRADY** said

what they are trying to do in this committee is meet the target and this is part of the mechanism to meet that target and in order to do that they should take the action now.

REP. KADAS said according to page C-45, they have already put in almost \$600,000 of RIT that is in the budgets. Regarding the \$1.7 million, assuming that is what the contingency language deals with, if we take the contingency language out, is the \$1.7 million covered with RIT or with general fund in the budget as it exists now? **Ms. Perrigo** said as it exists now, it is general fund. **REP. KADAS** said, so if you take the language out, you haven't backfilled with general fund. **Ms. Perrigo** said if you take the language out by itself and not do anything else, then that \$1.7 million is general fund. **REP. KADAS** said then the motion is to take the language and backfill the general fund with RIT.

Ms. Cohea referred the committee to **EXHIBIT 1**, the green sheet, Section C, State Lands. Last night the committee passed a motion exactly like this. The affect of the motion was to reduce general fund of \$601,028 in state lands and increase state special revenue by a like amount. So from the agency's point of view, the net effect was zero. It is tracked in the bill. If HB 608 does pass, there is sufficient revenue in the account. The agency does have, as an affect of the motion **REP. GRADY** made yesterday, spending authority that is unchanged. It is simply a funding switch between general fund and state special.

REP. QUILICI said in the event HB 608 does not pass, there wouldn't be enough in the RIT account and they would have to come back and readjust that. **Ms. Cohea** said in the total RIT there would be enough but it would reduce the grants.

Vote: Motion carried 11 - 7 with Reps. Bardanouve, John Johnson, Kadas, Menahan, Peck, Quilici and Wanzenried voting no.

Ms. Cohea said the next one of similar language is on page C-51, Item 7. This one is a little different because it does not deal with general fund. It says "if HB 608 is passed, then the state special revenue is increased." It is not a funding switch. The next one is on page C-54, Item 9. This is a funding switch. General fund would be reduced, state special increased and the language struck under **REP. GRADY's** motion.

Motion/Vote: **REP. GRADY** moved the language and dollar amount, \$250,000 per year from Water Resources Division, page C-54, Item 9, HB 608. Motion carried 10 - 8 with Reps. Bardanouve, John Johnson, Kadas, Menahan, Nelson, Peck, Quilici and Wanzenried voting no.

Ms. Cohea referred the committee to page C-55, Language #1. Under this amendment all general fund for the Reserved Water Rights Compact Commission would be eliminated and replaced with RIT funds. The motion would make that funding switch and strike

the language.

Motion: REP. GRADY moved to strike the language #1, page C-55, Reserved Water Rights Compact Commission and make the funding switch with a like amount of RIT funds.

Discussion: REP. WANZENRIED noted this is a very small program compared to the others. If for any reason HB 608 doesn't pass, this program would, basically, be out of business. Susan Cottingham, Program Manager for the Compact Commission said she is unclear on the nature of the above amendment. It was her understanding that under the State Lands' amendment passed last night, if HB 608 were to fail, the general fund that would have been replaced would still be removed from the budget. If that was the case, the Compact Commission would lose one-third of their funding.

REP. GRADY said there is over \$300,000 involved and it is not his intention to destroy this program. The intent is, if HB 608 would fail, these figures would probably be replaced with general fund money. The motion is to help meet the target.

Vote: Motion carried 10 - 8 with Reps. Bardanouve, John Johnson, Kadas, Menahan, Nelson, Peck, Quilici and Wanzenried voting no.

Van Jamison, Administrator, Energy Division, Department of Natural Resources and Conservation said as he understands, the legislative compact authority is a new way of doing something with the budget amendment process. He is aware there are some federal moneys that may come to the department. If the LCA doesn't pass, he wants the legislature to acknowledge that he can come before the legislative finance committee for a budget amendment.

REP. KADAS said, unless there is some extenuating circumstance that required the expenditure of these funds quickly, the department ought to be using the budget amendment process. He does not see the requirement in this case.

REP. QUILICI said he noticed in some of the language that some federal funds could be received under the national economic stimulation plan. If these funds were there, the agency would have to develop a plan quickly this spring so they could retrofit this summer. Could this be done quickly enough by budget amendment to utilize these funds or would the agency need the legislative contract authority? Mr. Jamison said, in the event that the economic stimulus package passed soon, then he could go through the normal budget amendment process. If, on the other hand, it doesn't pass until after June 1, it may very well be that the finance committee will not meet soon enough for him to go before them, given that the money that is in the economic stimulus package is for this federal fiscal year which ends September 30.

REP. PECK asked **Mr. Jamison** to give an example where any money has been lost because the finance committee did not meet in time to act on a budget amendment. **Mr. Jamison** said he has never lost any money. He has, however, been faced with a difficult situation in terms of timing in not being able to start work early. He submitted a budget amendment in October prior to the legislative session. They wanted to start work in December and he did not have spending authority. **REP. PECK** said **Mr. Jamison** was talking about a budget amendment during session, not between sessions. **Mr. Jamison** said that is correct.

Motion: **REP. KADAS** moved the amendment at \$200,000 for fiscal 1994 and zero for fiscal 1995.

Discussion: **CHAIRMAN ZOOK** asked **Mr. Jamison** if he ever gets complaints from the private sector about the slowness of government in moving and the bureaucracy and the red tape? **Mr. Jamison** said yes, we all have heard that.

REP. KADAS said **Ms. Cohea** pointed out there is already \$200,000 in the budget so he withdrew his motion.

Ms. Perrigo said it is true there is \$200,000 of legislative contract authority language in this budget but it is for water quality related grants of the Environmental Protection Agency.

Motion: **REP. WISEMAN** moved the amendment as submitted.

Discussion: **REP. KADAS** asked **REP. WISEMAN** if his amendment is for \$1,000,000? **REP. WISEMAN** said that is right.

Motion: **REP. KADAS** made a substitute motion for \$200,000 FY 1994 and zero in FY 1995.

Discussion: **REP. DeBRUYCKER** asked **Mr. Jamison** to explain what that will do. **Mr. Jamison** said that would eliminate any risk they might have of not being able to spend the money made available through the economic stimulus package and it would mean he would come before the legislative finance committee when these other moneys are made available.

Vote: Motion carried 16 - 2 with Reps. Bardanouve and Wiseman voting no.

DEPARTMENT OF AGRICULTURE

REP. DeBRUYCKER went on to the Department of Agriculture, starting on page C-59. The budget modifications appear on the bottom of that page. This department is divided up into **Central Management Division**, page C-60. Language appears on pages C-60 and C-61. The **State Grain Laboratory** is on page C-62 and is funded by fees. There is no state money or general fund in that program. **Agricultural & Biological Sciences Division** is on page C-64. Budget modifications and language are on page C-65. Page C-66 is the **Plant Industry Division**. A lot of the **Department of**

Agriculture will be funded by bills that are in the process now. Page C-69 is **Agricultural Development**. Page C-70 clarifies some of the language.

Leo Giacometto, Director, Department of Agriculture thanked the subcommittee members for their support.

REP. COBB asked where the Growth for Agriculture is being spent. He heard it was for an office in Japan. **Mr. Giacometto** said the Growth for Agriculture has a board, which is appointed, of five members outside of government, the Director of the Department of Commerce, and himself. The board met last month and took all the funding away from any trade offices at this time except for \$1,000 a year because the way the law is written. The Growth for Agriculture funds support the foreign international trade offices. **REP. COBB** asked what do they do with the rest of the money? **Mr. Giacometto** said approximately \$150,000 has been used for grants and loans to market agricultural related products. The remaining \$149,000 is in the fund now and there are numerous grants and loans coming in for review later this year.

REP. KADAS referred to page C-66, and asked for an explanation of the budget modification for additional potato inspections. **REP. DeBRUYCKER** said this is for seed potato inspectors. The seed potatoes have to be inspected before they leave the state. Montana is one of the leading seed potato producers. There is an inspection bill going through the process that will place a higher fee on the producers. **REP. KADAS** asked if the fee will cover the cost of the inspection program. **REP. DeBRUYCKER** said no, it does not cover. **REP. KADAS** asked why there is a general fund obligation here? **Mr. Giacometto** said because the money is going into the general fund. **REP. KADAS** referred to the same page, C-66, and asked for an explanation of the agricultural inspectors reclassification. **Mr. Giacometto** said it is his understanding that, through that market base pay plan, the Department of Administration came to the department and said those positions had to be updated. It was not a department decision.

REP. KADAS asked **Ms. Cohea** to explain the inspections. **Ms. Cohea** referred to the target sheet in the overview section just before the Gray Bill for the Natural Resource subcommittee action relative to the target. There are three bills in Agriculture which the committee will be discussing and considering contingency language. In each case the subcommittee adopted contingency language saying "if this bill passed, there would be a reduction in general fund and an increase in state special". The state special funds that are in question, are the fees paid by the producers. Since currently those fees go into the general fund, as the asterisk shows, there is a reduction in general fund revenue of approximately \$190,000 if these bills pass. **REP. KADAS** said the reduction in general fund is because the fees are going to be put in state special. **Ms. Cohea** said yes. **REP. KADAS** said if that all happens then we are not going to be

spending any general fund to support these programs. **Ms. Cohea** said just to clarify, under current law the fees go into general fund and the appropriation is from the general fund. Under these proposed bills, the fees will go into a state special revenue account and a portion of the program will be supported out of the state special revenue account. **REP, KADAS** said what he wanted to be clear on, are the programs going to be totally supported by state special or are we going to be picking up part in the general fund? **Ms. Cohea** said a portion of the programs will be supported with the general fund and **Roger Lloyd** can give those figures.

CHAIRMAN ZOOK said first he would like to know how many dollars of general fund are being supplanted by fees? **REP. KADAS** said there are two questions; 1) there is an increase in the program so the total cost of the program is going up. Is that increase covered by the fees? 2) what is the current level of general fund support for this program? **CHAIRMAN ZOOK** said it is much higher than what it will be after these fees have gone through. These are fees that individual organizations came in and requested to replace general fund.

Ms. Cohea said this committee amended HB 193 so the fees go into the general fund and the appropriation is from the general fund, but there are three additional bills: HB 564 which generally revises the agricultural warehouse act, **REP. BERGSAGEL's** bill, HB 167 which generally revises the nursery laws; and SB 98 which is labeling the sale of agricultural seeds. As the subcommittee put contingency language in the bill, if these three bills pass, the general fund will be reduced by \$348,304, and state special increased by that amount, and as shown on the status sheet, the revenue loss from passage of those bills has been included in the bottom line.

Mr. Giacometto said the increase in potato inspectors is because there is more acreage this year.

Motion/Vote: **REP. DeBRUYCKER** moved an amendment to remove 1.0 FTE in statistical recording and lower the mailing and the printing costs. **EXHIBIT 2.** Motion carried unanimously.

REP. GRADY has some language amendments and referred to **Ms. Cohea** for explanations. **Ms. Cohea** said there is quite a bit of language in this department and if all the amendments are adopted the total would be \$348,304 of general fund that is reduced and replaced with a like amount of state special revenue. The first is on page C-60, Item #1. The next are on page C-61, Items 2 through 4, and on page C-67, Items 1 through 9. Included in these is Item 5 on page C-67. In this case anything dealing with HB 193 would simply be striking the language. That bill has been amended so the fees remain in the general fund. At this point, in HB 2, the program is appropriated out of the general fund so anything dealing with HB 193, you simply strike the language. The remaining ones, you would reduce general fund and increase state special by a like amount and strike the language.

Motion/Vote: REP. GRADY moved to strike all the language dealing with HB 193. Motion carried unanimously.

Motion: REP. DeBRUYCKER moved an amendment, EXHIBIT 3, to strike language.

Discussion: Roger Lloyd, LFA said this amendment will strike language in the bill referencing SB 85 which has been passed.

Vote: Motion carried unanimously.

Department of Commerce

REP. DeBRUYCKER referenced page C-71, the Department of Commerce. The budget modifications appear at the bottom of that page. Page C-72 is the Public Safety Division. Weights and Measures Bureau is on page C-73. The Financial Division is on pages C-74 and C-75. Milk Control Bureau is on page C-76. The POL Bureau is on pages C-77 and C-78. Business Development Division is on pages C-79 and C-80. Montana Promotion Division is on pages C-81 and C-82. The Community Development Bureau is on pages C-83 and C-84. Office of Research and Information Services is on pages C-85 and C-86. Page C-87 is Local Government Services-Audit. Page C-89 is Local Government Services-Systems. Local Government Assistance Administration is on page C-90. Building Codes Bureau is on page C-91. Indian Affairs Coordinator is on pages C-93 and C-94. Health Facilities Authority is on page C-95. Montana Science and Tech Alliance is on page C-96. Board of Housing is on page C-97. The Investment Division is on page C-98. Montana State Lottery is on pages C-99 and C-100. Board of Horse Racing is on page C-101. Director/Management Services is on page C-102.

REP. FISHER referred to page C-91, 5.0 FTE additional building inspectors and asked what they will be doing. Andy Poole, Deputy Director, Department of Commerce said in the state of Montana the way the law reads for building inspections is "local governments, cities and counties have the ability to adopt their own building codes". If they do that, they are responsible for providing inspections for all of the things under their jurisdiction. For those jurisdictions that do not adopt building codes for their areas, the state of Montana supplies building inspections.

REP. QUILICI referred to the budget modification #8, page C-71, to provide federal spending authority for the Housing Assistance Program for \$10,000,000 with 6.0 FTE built into that. In 1992 there was 1.25 FTE added for this program and now another five. Why the additional five? Mr. Poole said the state of Montana, as well as nationally, is in the housing crisis that is going on. The state of Montana has been provided \$5,000,000 a year. This is a pilot program started last year and is intended to take us through the next several years. The only contingency on that is up to the new administration. These moneys are intended to provide low-income multi-family housing in communities across

Montana. This program has never existed before and essentially we have money this current fiscal year and are in the process of distributing it throughout the state. The 6.0 FTE will run the program.

REP. FISHER asked **Mr. Poole** if his department took their 5% cuts? **Mr. Poole** said their 5% cuts, as well as the positions that were vacant on 12/29/92, represent about 26.0 FTE in the Department of Commerce. The department requested of the subcommittee about 7.50 FTE back which they allowed. The department, with the 5% cut and the 12/29/92 vacant positions, has met its target.

REP. ROYAL JOHNSON referred to the Treasure State Endowment. This budget has a substantial amount for administration. The Department of Natural Resources also had \$96,000 in their budget. He asked for an explanation. **Mr. Poole** said the Treasure State Endowment program, passed in the last legislative session, is now in the process of getting started. The department provided a list to the legislature which outlines 25 or 30 projects which would be funded over time by the Treasure State Endowment program. Essentially what they do is take applications from communities and local governments who want to provide public works and infrastructure projects in their communities. The department goes through a process where they judge and evaluate those projects and then determine whether the funding is available. A number of criteria are outlined in the legislation. This is a Department of Commerce program and he does not know exactly the extent the DNRC is involved in the process.

REP. ROYAL JOHNSON said that is a good explanation of the program and he understands that but he is curious why the Department of Commerce has almost \$900,000 in its budget and page C-50 shows \$96,000 for DNRC. Who is administering this program? **Newell Anderson, Department of Commerce** said the Department of Commerce is the principal lead agency for the administration of the Treasure State Endowment Program. The legislation that created the program, that guides the operation of the program, does specify that the Department of Natural Resources, with their Water Development Program, is a co-operator of the program. It has been administratively dealt with in this first year of the existence of the program. The Department of Natural Resources has done a tremendous amount of the footwork with engineering reviews and program application reviews. It is the intent in the future, because the Department of Natural Resources has the loan activity in the existing water development program, that they will, as the legislature approves these projects in the future, do the loan management for those projects that come out of the legislature as loans. The separation is administrative. The Department of Commerce does the grants, does the solicitation of applications, does the coordination with the review and the presentation to the legislature in cooperation with DNRC and the Department of Natural Resources does the management of the loan portfolio portion of those projects.

REP. ROYAL JOHNSON asked how many other departments are also part of this program that might be taking money out. **Mr. Anderson** said there are lots of departments involved in the program and it is his understanding, from a financial standpoint, there are only two that deal with a cost and those are the Department of Commerce and the Department of Natural Resources.

REP. ROYAL JOHNSON referred to page C-97, Board of Housing and noticed there were some consultant services substantially increased this year and the Health Facility Authority, page C-95 is asking for money for bonding and financial advice. The department seemed to have some reluctance to support the bill that was put in to consolidate these kinds of activities. Why would we not try to centralize that? **Mr. Poole** said that particular bill, which was sponsored by **REP. KADAS**, originally happened last summer when the Board of Housing had some difficulty moving \$500,000 to the general fund. At that time the legislative finance committee and the legislative audit committee asked the legislative auditor to draft legislation to sponsor a bill to reorganize bonding activities in the Department of Commerce. The administration, during the hearings that took place in November, indicated that they were favorable to the consolidation of the three board bonding activities, those being the Board of Investments, the Health Facility Authority and the Board of Housing. The bill, in its existing form, does not include the bonding program of the Board of Investments.

CHAIRMAN ZOOK announced a break at 9:30 A.M. and reconvened at 9:55 A.M.

Motion: **REP. DeBRUYCKER** moved an amendment, **EXHIBIT 4**, to eliminate the Banking Code Revision budget modification in the Financial Division, Department of Commerce.

Discussion: **REP. DeBRUYCKER** referred the committee to page C-74. What this amendment does is eliminate the budget modification in the Financial Division. He has talked to several banks across the state and they don't think this is necessary.

REP. WANZENRIED asked for someone to respond to that. **Jon Noel, Director, Department of Commerce** said we have a unique situation in the banking industry today. It comes about for several reasons. Everyone is aware of the savings and loan crisis. The federal regulations for bank examinations become more complex. He referred to **EXHIBITS 5 and 6**, which demonstrate that the assets the bank examiners are looking at have grown dramatically over the last few years. The number of audits they have been able to perform are decreasing because of the complexity of the office themselves. In addition, banks are changing from a federal charter to a state charter because of the cost of the federal charter compared to the state charter. So there is increasing complexity, a larger number of banks to audit, and an environment in which the federal government is looking at it more closely. He proposed leaving the auditors in the budget.

REP. DeBRUYCKER said he understood **Mr. Noel** to say if the state bank examiners do this, the federal inspectors don't bother them. The bankers he talked to said the FDIC audits them whether the state comes in or not. **Mr. Noel** said he believes **REP. DeBRUYCKER** was misinformed. There is activity in Washington now that the department is vigorously opposing that would have the federal audit, despite the fact there was a state audit, but that is not the case today. If a bank is audited by the state, it is not audited by the federal government. It is audited by the federal government if the state is not able to perform the audit.

Don Hutchinson, Commissioner, Financial Institutions said they have formed a cooperative agreement with the FDIC and are working on one with the Federal Reserve Bank. The cooperative agreement says that one agency will go in one year, such as the state, and the FDIC or the federal inspectors will do the examination the following year. If the bank is having problems, there will be examiners as often as necessary. The examinations are taking longer because they are more complicated. There is more federal legislation coming down. **REP. DeBRUYCKER** asked, after the state finishes auditing, can't the federal auditors get the results off a computer without going into the bank and couldn't the state get the same information from the federal audits? **Mr. Hutchinson** said yes. When the state completes an examination, a copy is sent to the federal examiners or the FDIC, whichever agency was involved in the situation. The state also receives a copy of their examinations. **REP. DeBRUYCKER** said if this happens within one week why couldn't the state pick up all the information, unless there was trouble, and in the banks he visited was told there wasn't. Then the state would not have to send in six people to sit around for two weeks. **Mr. Hutchinson** said to address that question he would have to know the circumstances. He would be glad to furnish the information if he knew which of banks were in question. He has not heard of any problems since the cooperative agreement was enacted last fall. **REP. DeBRUYCKER** said maybe that explains it because this happened over a period of the last two years.

REP. QUILICI asked how often does the state have to do these audits? **Mr. Hutchinson** said the state is required to be in a bank every other year in a normal situation. For example, if they are working with an FDIC state bank, they will be in a bank in one year and the FDIC will be in the following year.

REP. DeBRUYCKER said he understands the First Interstate has a bank in Missoula, Great Falls and Cut Bank. The only place the state has to audit them is in Billings at their main office. Is that true? **Mr. Hutchinson** said it will be true. However, First Interstate-Missoula and First Interstate-Billings are the only two. The First Interstates in Cut Bank, Kalispell, and Great Falls are still national banks and the state does not regulate those banks. The state will be able to regulate the First Interstate out of the bank in Billings. However, they do send examiners out in the field to spot check the branch banks, if

they feel that is necessary.

REP. ROYAL JOHNSON said he would like to speak against this motion and this proposal. The reason we are having more state bank examiners is because more people object to the federal examiners' approach to banks.

REP. PETERSON asked how many examiners do we have in the state examining pool now? **Mr. Hutchinson** said the state is authorized 15 examiners and there is a vacancy that was deleted so they are operating with 14 now.

REP. PECK said he is a member of the Board of Directors of a financial institution and that board came across an activity the CEO was involved in and they needed an auditor quickly, got the service, got the thing straightened out and thanked **Mr. Hutchinson** and his people for that. When a problem is going on, you don't know the degree of it until you get an audit and the taxpayer is not paying for it out of general fund, it is paid out of fees. He opposed the motion.

Vote: Motion failed 5 - 11. Reps. Grady, Bergsagel, Cobb, John Johnson, Royal Johnson, Menahan, Nelson, Peck, Peterson, Quillici and Wanzenried voted no. Reps. Bardanouve and Kadas passed.

Motion: **REP. DeBRUYCKER** moved an amendment, EXHIBIT 7, to reduce the amount appropriated for coal board grants to the level estimated as a result of HB 350 and place it in a separate line item.

Discussion: **Dave Lewis**, Director, Office of Budget and Program Planning said the amendment acknowledges the fact that HB 350, which amends the coal board statutes, has passed the House and is in the Senate at the present time. HB 350 changed the scope of the coal board so they continue to do grants for new mines and new development, plus 10% of the total flow of funds through the board is set aside to be available for grants in impacted southeastern Montana areas. The extra money flows into the School Equalization Aid Account. What this amendment does is reflect the fact that will happen and it reduces the grant appropriation line in HB 2.

Vote: Motion carried unanimously.

Motion/Vote: **REP. GRADY** moved to strike amounts and language, Item #2 page C-73. Motion carried unanimously.

Ms. Cohea said there are two language issues and referred the committee to page C-73. Items 1 and 2 have an impact of approximately \$900,000. This program will not have any general fund under this motion and will be entirely supported with fee revenue.

Ms. Cohea said the second one is on page C-96, the Montana

Science and Technology Alliance. Language on #1 will eliminate the general fund support for this program and fund it with state special revenue. The motion would be to reduce the general fund, increase the state special by a like amount and strike the language.

Motion: REP. GRADY moved to strike the language in #1, page C-96, to reduce the general fund, increase the state special by a like amount.

Discussion: REP. WANZENRIED referred to the language in HB 394. The intent of this motion is to reduce the general fund appropriation and substitute fees and payback revenue. He asked Ms. Cohea to explain the status of the bill and what happens if we run short. Ms. Cohea said HB 394, which is revising the Montana Science and Technology Financing Act, has passed the House and has been heard in the Senate but not yet acted upon. Under current law, most of the payback from Science and Technology Alliance investments are allocated 85% to the general fund, 15% to the SEA because the majority of the money that they are investing are permanent coal tax trust funds. Interest goes back to those two accounts. Under this bill, the payback would be put in a state special revenue account to fund the operation of this program so that bill has a negative general fund impact of \$1.15 million. How the bill is structured is if the payback on the projects earned by Science and Technology is not enough to support the program, then they are allowed to take some of the interest flow from the permanent trust. Even though you are reducing general fund it is costing general fund revenue.

Motion: REP. WANZENRIED made a substitute motion that the Science and Technology Alliance program be eliminated entirely.

Discussion: REP. WANZENRIED said this has been an investment program but we are certainly going to see a demand in money on the general fund during the next biennium. The most important paragraph is the lead paragraph on page C-123 of the Budget Analysis, Vol. II. This program has failed a number of ways to render any revenue at all. If this program is not eliminated we have to make sure it doesn't have a drain on the general fund in order for the original motion of REP. GRADY's to make sense.

Dave Desch, Senior Investments Manager, Science and Technology Alliance said he heard a comment from the committee that the program is not working and that they have not received adequate payback from their investments. It is true that the amount of payback the Alliance has generated since its inception has not been large, however, it needs to be pointed out that the type of investing the Alliance does is a risk, investment style. It requires a great deal of patience and they are where they should be with regard to the evaluation of their portfolio, the type of investing they have been doing, and the expectations they have for their investments.

REP. ROYAL JOHNSON said since the payback is relatively slow, what is the return in dollars concerned, in the first 3 - 5 years, and what return might be expected in the next 5 - 7? **Mr. Desch** said since 1989 when the program was restructured and they were allowed to use coal tax money as investment capital, they have invested in 8 different companies. The cash return from these companies is low but the point that needs to be understood is that the valuation of these companies has increased substantially. If you think of these increases as unrealized gains, that's just what they are. **REP. JOHNSON** said he understands the evaluation of the portfolio but how many dollars have they gotten back? **Mr. Desch** said he does not know the exact number but it is not a great deal, a few \$10,000. **Ms. Cohea** referred to page C-123 of the Budget Analysis, Vol. II and this is since 1986 when the program began. The program has received \$20,000 in return but has written off \$90,000 in failed projects for a net return of negative \$69,817.

REP. FISHER asked **Mr. Desch** how many years has the program been operating, how much money has been spent and how many dollars have you received back. **Mr. Desch** said they have been operating since 1985. In the early years they had money from a couple different sources. Between 1985 and 1989 they invested approximately \$415,000. Since 1989, and this would be coal tax money, \$4.7 million has been invested. **Ms. Cohea** has already given the amount of dollar return from those investments. Again, what they are after, when they invest and make loans to these companies in capital appreciation. The Alliance does not invest in these companies with the view toward collecting interest on the debt.

Vote: Motion to eliminate the Montana Science and Technology Alliance carried 11 - 7 with Reps. Bergsagel, Kadas, Menahan, Peterson, Quillici, Wiseman and Zook voting no.

Motion/Vote: **REP. WANZENRIED** moved to draft a committee bill. Motion carried 13 - 5 with Reps. Bergsagel, Menahan, Quillici, Wiseman and Zook voting no.

Ms. Cohea said, to clarify when she submits the request for the committee bill, that would eliminate the program and assign the duties for the existing loans and investments to the Board of Investments.

REP. FISHER said she noticed a trivial amount of money with 6.0 FTE and \$11,000,000 for Comprehensive Housing Affordability Strategy, page C-71 and asked for an explanation. **Mr. Poole** said it has to do with the whole program, the Housing Assistance program and the Comprehensive Housing Affordability Strategy. Both of those programs are intertwined from the standpoint that the federal government provides the state of Montana \$5,000,000 a year for the provision of multi-family loans and housing. This is a program the agency has not previously had. It started during the current fiscal year. The CHAS is a report the state

has to update each year indicating the status of housing in the state. It is all federal money and is extremely necessary in Montana. **REP. FISHER** asked what the 6.0 FTE do, are they loan officers and how many housing loans have you made? **Mr. Poole** said they are not loan officers. In fact, when grants and loans are provided to non-profit corporations around the state to build and provide low-income housing, the 6.0 FTE review applications for the loans.

REP. DeBRUYCKER thanked the committee and all the departments for their cooperation and especially thanked the two LFA staffers who assisted him. The Section will remain open for the Fish, Wildlife and Parks to offer additional information.

REP. GRADY asked to move off HB 2 for a couple of issues. **Dave Lewis, OBPP** said on Monday when he supported the reductions that were assigned to all the departments, he indicated the administration would work very hard to live with those reductions. In discussing this with **Rick Day** from the **Department of Corrections and Human Services**, they looked at what he had already done as far as reorganization of that department and the tremendous reductions he had made in the subcommittee. Frankly, he does not think it is appropriate to hit him for that 5% reduction for the direct care people. When they did that reduction, over \$5.5 million of general fund savings came out of that department. What they are proposing to do is put back \$2.6 million of that, \$1.3 million each year, in order to offset those reductions for direct care. He does not want to build a supplemental situation into the budget. The rest of the \$3,000,000 is the same situation as all the rest of the departments. **Mr. Day** will have to work with the budget office as far as access to the contingency pool they have established.

REP. COBB asked if the original 5% was made up by closing Galen? **Mr. Lewis** said that was part of it. The total 5% reduction that was taken this week, took in excess of \$5.5 million out of that department. This motion will put back, at the request of the department director, \$2.6 million.

Motion: **REP. GRADY** moved the proposed amendments to HB 2, Gray Bill, to the 5% efficiency reductions by \$1,358,640 general fund and \$91,617 other funds in FY 1994 and \$1,384,897 general fund and \$94,867 other funds in FY 1995 to fully fund direct care positions in the Department of Corrections and Human Services, EXHIBIT 8.

Discussion: **REP. GRADY** said the prison guards, prison personnel, employees at Boulder are required for certification. There will be a reduction of prison guards with the capping of the population. **Mr. Day** said there are a total 170 reductions, however, that will not equate to actual number of people eventually. Forty-one of those are at the prison.

Vote: Motion carried unanimously.

REP. GRADY said he would like to bring HB 46 back and open it up for discussion.

REP. KADAS said he was concerned about bringing other bills in because they don't have the books to see the bill.

CHAIRMAN ZOOK gave the committee a break while a copy of the bill was distributed.

Motion: **REP. BERGSAGEL** moved the proposed amendments to HB 46, EXHIBIT 9.

Discussion: **REP. BERGSAGEL** said in there is \$2.6 million in this bill of cigarette tax money and the Institution subcommittee wants to take \$2.0 million of that and use it for the Columbia Falls facility. That would leave a balance of approximately \$600,000. What the amendments would do is take \$300,000 each year and give it to the specialized services division in Institutions. They would set up criteria for the purchase of home health care and nursing home insurance. The proposal would take care of in excess of 150 beds per year.

Bob Anderson, Administrator, Special Services Division, Department of Corrections and Human Services said there would be approximately \$300,000 a year, FY 1994 and FY 1995, to try to develop a pilot program to purchase a stipend or insurance program for veterans. Individuals who apply for the Veterans' Home and are turned away because there are no beds, would automatically be eligible for this program. It would be limited to first come, first served because of the amount of money available.

CHAIRMAN ZOOK asked if these would all be Montana veterans that would be served under this arrangement? **Mr. Anderson** said under this arrangement the legislature could word that. It would be Montana tax dollars to do this. **CHAIRMAN ZOOK** said the reason he asked that question is, a former senator from Billings made the comment last night, that the proposed Veterans' Home to be built in Glendive is not too far from the North Dakota line and that there is no way we could refuse to take veterans from North Dakota in that home in Glendive. **Mr. Anderson** said, based on current admission and criteria for the Veterans' Home in Columbia Falls and the admission criteria the department would utilize for the Veterans' Home in Glendive, they would not be able to discriminate based on their residence because of VA funding. However, the stipend program, if it is the legislative intent to limit it to Montanans, could be done through administrative rules.

REP. JOHN JOHNSON said, in answer to **CHAIRMAN ZOOK's** question, he believes that Montana veterans would be served first in whatever homes they asked for if there is a vacancy. The North Dakota or

Wyoming veterans could be given a place if there is a vacancy but because it is a state-operated home, funded in part for construction by the Veterans' Administration, the Montana veterans have the first choice.

REP. JOHN JOHNSON spoke in opposition to the motion. This type of home health care is available for anyone who wants it. Veterans, as a group, want this home established. For five years they have lobbied for it. He has an amendment for HB 2 that will set the cigarette tax money up so it will not disappear into the general fund and it will provide funding for the home in Glendive starting January 1, 1995.

REP. GRADY asked **REP. BERGSAGEL**, in view of **REP. JOHNSON's** proposed amendment in HB 2 anticipating the veterans' home will be built, where is that issue in Long Range Planning? **REP. BERGSAGEL** said at the present time the veterans' home has been delayed for two years and it would require the legislature to authorize construction of that facility.

REP. WISEMAN asked what will define "need" in the proposed amendment #2, page 2, line 4. Will there be a test? **REP. BERGSAGEL** said there are a couple of tests. One is medical assessment by a doctor and there is one called the ABL test. For example, can you feed yourself; can you take a bath; are you able to walk and those kinds of things. If you are unable to do two of the five criteria, then you are eligible for nursing home care. In answer to **REP. WISEMAN's** question concerning wealthy people meeting those needs requirements, **REP. BERGSAGEL** said the proposal he put forth is private insurance. It has no needs test and money does not have to be spent down to participate in the program.

REP. KASTEN said she, too, opposes this motion. The Human Services subcommittee have put 40 waivers out. Hopefully, they will go to eastern Montana. She feels that this home has been on the drawing board and there is going to be a proposal to downsize the need for finance in this biennium and hopes the revenue will be there in the next biennium.

REP. BERGSAGEL said **REP. KASTEN** indicated they had opened up 40 waivers. This is a state program and doesn't require any waivers and it doesn't require that kind of proposal. If you have a nursing home in your community and they have room, beds can be put in that nursing home as well as a hospital with swing beds. There are 600 beds available in the state of Montana. There are approximately 200 swing beds in the small rural hospitals that are available right now. His proposal will take care of only 150 beds a year. It will take care of the veterans as soon as this goes through the process. It first provides care at home, where there is a quality of life significantly higher than that in a rest home.

Vote: Motion to adopt the proposed amendments to HB 46 carried

11 - 7 with Reps. John Johnson, Kasten, Menahan, Nelson, Peck, Quillici and Wanzenried voting no.

Motion: REP. GRADY moved HB 46 DO PASS AS AMENDED.

Discussion: REP. KADAS said what we are doing is establishing a new program and funding an old program at the expense of the long term structural integrity of the existing buildings. He does not think it is a wise decision.

CHAIRMAN ZOOK said he feels he has to comment because he sits on Long Range and he worked very hard for the veterans' home in the 1989 session. The 2 cents cigarette tax was raised to go to veterans. It wasn't raised to go to Long Range Building. What happened was, the "sunset" was taken off and that money then was diverted into Long Range Building so he has no qualms in sending this money back where it originated. Under the present setup, we are spending it on state buildings, he is a smoker, he pays the tax and he has difficulty finding a decent place to smoke in these same facilities. He has strong feelings about the veterans and their cigarette tax.

REP. WISEMAN said he would like to speak to the bill. For those of you concerned about the money, we just picked up about \$1,000,000 by eliminating Montana Science and Technology and HB 394 indicates there is about \$250,000 in fees coming in each year to Montana Science and Technology so it is not a total loss.

REP. JOHN JOHNSON said they did about \$400,000 yesterday with the MSCAP so they are at \$2,000,000 right now.

REP. BERGSAGEL said as chairman of the Long Range Planning Committee, he has a responsibility to point out to this committee what they are doing. Granted, this \$2.6 million is not going to make a dent in the real needs we have but it does address some of the needs. Our needs are significantly greater than the \$5.7 million they got this year. The state has some real needs in maintenance and we are allowing our facilities to literally fall down. He also has mixed feelings of what they are doing here.

REP. GRADY said this bill and HB 16 addressed the major issue of taking the 2 cents cigarette tax back and giving it to the veterans. Both bills passed out of subcommittees unanimously. That is why we count on this to fund Columbia Falls because the bill's intent was to pick up the cost of veterans' homes in Montana. That is what this bill will do.

Vote: HB 46 DO PASS AS AMENDED. Motion carried 12 - 6 with Reps. Bardanouve, Kadas, Menahan, Peck, Quillici and Wanzenried voting no.

CHAIRMAN ZOOK adjourned for lunch and reconvened at 1:00 P.M.

INSTITUTIONS AND CULTURAL EDUCATION

REP. GRADY said the subcommittee met its target overall which was \$7,000,000. There were some major changes for the state of Montana, but he thinks they are going in the right direction by making them. He started with the three smaller agencies. It was the desire of the subcommittee to not take away too much from the small agency budgets. They were trimmed considerably, but to go down to their targets would have crippled them.

REP. GRADY referred to pages D-1 and D-2, **Montana Arts Council** and the budget modifications. This budget is \$105,775 over target. In order to meet that would have crippled the agency. The only FTE the committee put back in were people hired before the Swysgood amendment and they had letters from the agencies clarifying this.

The **Library Commission** is on page D-3. **State Library Operations** are on page D-4. 1.0 FTE was eliminated in personal services as part of the 5% reduction. Page D-5, **Montana State Library**, shows the positions removed. The **Library Commission** is on page D-6. Page D-7 shows the budget modifications for the **Historical Society**. The **Historical Society Administration Program** is on page D-8. The **Library Program** is on page D-9 and shows the budget modifications. Page D-10 references the **Museum Program**. **Publications** are on page D-11. **Historical Sites Preservation** is referenced on page D-12.

Arlynn Fishbaugh, Executive Director, **Montana Arts Council** said she will answer any questions.

Richard Miller, State Librarian said he is here to answer any questions.

Brian Cockhill, Director, **Montana Historical Society** thanked the subcommittee and will answer any questions.

Motion: **REP. PETERSON** moved the amendment, **EXHIBIT 9**,^A to provide for Department of Transportation (DOT) financial support for the Natural Resource Information System and Natural Heritage Programs (NRIS) of the Montana State Library.

Discussion: **REP. PETERSON** said this amendment is to move \$100,000 each year of the biennium into the Natural Resource Information System.

Vote: Motion to adopt amendment, **EXHIBIT 9**, carried unanimously.

REP. BARDANOUVE referred to page D-7, **Historical Society**, Item #5, Original Governor's Mansion Preservation, \$7,400 each year. What is that for? **Mr. Cockhill** said that is money that has been donated into the donations' box that has been placed in the Original Governor's Mansion.

REP. GRADY moved on to **Corrections**, page D-15 and some major changes appear here. The **Swan River Boot Camp** is a change from the present camp and there was a reduction in FTE by going to the Boot Camp, which is a totally different concept. The **Montana State Prison** reduction came about by capping the population. Major savings were made by doing this. **Women's Correctional Center** reduction came about by not anticipating a new prison. **Probation and Parole** had more added into that because there would be more prisoners going out. **Community Program** increases is due to more people going out and more people not going to the prison but diverted to these types of programs. Page D-16 is **Targeted Case Managers** and shows added funds, and **Corrections Medical** had a reduced budget. The reason for this is to hold down medical costs. There are budget modifications in **Prison Ranch**. The language on page D-16 refers to limiting the number of prisoners at Montana State Prison to 850 inmates.

REP. COBB asked the Department to comment on the community program increases. Is there any federal money that comes with that to reduce the general fund? **Rick Day, Director, Department of Institutions** said those community programs are general funded.

REP. WANZENRIED said the decision to defer construction of the Women's Correctional facility was based, not on any general fund cost associated with construction, but on the cost of operations during this biennium. He asked **Mr. Day** if that is correct? **Mr. Day** said there were operating funds in the executive budget, but without the building of the Women's Correctional Center, those were eliminated. **REP. WANZENRIED** asked how much money would have been involved in this biennium with the operating costs. **REP. GRADY** said for FY 1994 it would have been \$77,864; for FY 1995 it would have been \$1,274,019. Over \$1.3 million would have been budgeted for that proposal. **CHAIRMAN ZOOK** said it wasn't just the operation and maintenance costs that were involved.

REP. WANZENRIED asked what kinds of improvements will have to be made at Warm Springs to make that facility more workable? **Mr. Day** said that was discussed in the Long Range Building Committee. There are some specific areas they intend to look at, but they don't want to invest too much money in that facility either. About \$260,000 in bonding authority was approved last night. **REP. WANZENRIED** asked if there is any funding available in the department's budget for litigation costs because it seems clear the state will be sued. **Mr. Day** said no, there is not a specific line-item. Obviously, the department has staff attorneys. Although there has been a great deal of comment, the department continues to work with the ACLU. **REP. WANZENRIED** asked what will the department do about capping the Women's Correctional population? **Mr. Day** said the cap is at 50 and they are now at 58. The department feels it is practical to meet that cap with community programs. The primary focus, in the pre-release community, is in the Billings area. **REP. WANZENRIED** said the men's facility will be down-sized at the same time. Will you be competing for community-based programs then? What kind of

response will you get from the communities for these pre-release centers? **Mr. Day** said in the community concept they are also talking about day-visiting centers, intensive supervision, along with the community pre-release type facility. What they are doing at this point, is focusing on Billings. **CHAIRMAN ZOOK** said according to the LFA Budget Analysis, the administration had \$1.9 million for operating and the debt service is \$1.303 million.

REP. PECK said **REP. VIVIAN BROOKE** had spoken to him about her concerns for the Women's Correctional Center and he asked if she could be heard at this time. **CHAIRMAN ZOOK** said yes.

REP. BROOKE said there needs to be more information for the committee to make an informed decision about this important matter. She handed out **EXHIBITS 10** and **11**.

REP. QUILICI said he is interested in the Montana State Prison reduction cap of 850. What is the present population of the facility? **Mike Gamble, Corrections Administrator**, said 1171.

REP. QUILICI asked how long will it take the Corrections Department to bring this population down to 850? **Mr. Gamble** said the projection is to complete it by July, 1994.

REP. KADAS asked an ACLU member, considering the point we're at in the session with the proposed women's facility, after last night's hearing and what he has heard so far today, what issues still exist as far as the ACLU is concerned? The gentleman from ACLU said they have been monitoring this as closely as their resources will allow. The last tour of the facility was three weeks ago with a professor of criminology from the Department of Sociology at Montana State University and an attorney from Butte who has gone every six months, since before the last legislature made their commitment to build a prison. While the Institutions' Department is more optimistic than he, there has been some change at the existing facility. However, there are still some very glaring problems there that would cause the his organization considerable problems if they continue with the plan to occupy the facility at Warm Springs. **REP. KADAS** said he wanted to get an idea of what the ACLU organization is going to do legally. The gentleman from ACLU said his organization has still to see the alternative plan so it is very difficult to speculate what the department is going to do.

REP. MENAHAN said they have to consider what crimes have been committed, the length of stay and how much it would cost to build a facility. The women's crimes or criminal attitudes are not the same as the men and he would like to see a program that is successful. A new prison is not the answer.

REP. BERGSAGEL said the Long Range Planning Committee made a motion to allocate \$500,000 as an investment in the correctional program with the emphasis placed in Billings. The committee said it is important enough to authorize the department to develop a plan, an architectural engineering design or whatever, and the

committee would invest \$500,000 in it. Billings has demonstrated a willingness to work with the pre-release center and work with the inmates and rehabilitation training services, and the committee felt they deserved some priority recognition for that. He finds it ironic that the legislature is trying to put together a program to work with rehabilitation and trying to assimilate our inmates back into society, and we are being threatened with a lawsuit because we are not building a building. The legislature has the responsibility to those people to help them, not to incarcerate them and that is the kind of program we need.

REP. GRADY said the subcommittee's decision was made to cut the funding because it was trying to meet a target. The committee also felt it did not have enough flexibility in its budget to put out \$1,300,000 when a decision was made in another committee to not build a women's prison in the next two years.

REP. ROYAL JOHNSON said the discussion they have had on this situation has been going on for the last two months in the hallways. There is a slightly different situation when talking about the women's prison, its current condition and its current location. Two years ago the legislature decided to build a women's prison and that was not because the legislature thought it up but because the department thought it up. Since that time it has been scaled back. He feels they should not classify this kind of project in the same way they do other projects because it's entirely different. That building should be built and we need to take care of those women in a different way than we currently are taking care of them, and we need to follow up on what we have done. **CHAIRMAN ZOOK** said the Long Range Planning Committee hasn't given up on it. They may move in a different direction than expected.

REP. KADAS said he would like to make it clear to the committee that he does not think we should legislate on the basis of threat and litigation but he has been around long enough to understand that if we do not deal with the facts of cases and the possibility of cases and we don't inform ourselves of that, then we are real fools.

REP. GRADY moved on to page D-17, **Mental Health** and said this is another major change in corrections and institutions. The Galen Nursing Home and acute care service will be eliminated. The Galen Chemical Dependency Services will be re-located at St. James Hospital in Butte. There are some language issues on page D-18.

REP. BARDANOUVE said he is not critical of closing Galen but what kinds of costs will we entail at St. James as the private hospital costs are soaring? **Mr. Day** said the concept will still be the state-run program. They have been coordinating with the nursing home that runs the cafeteria. This is a lease relationship so the state would pay a set lease fee which, at this point, would include utilities for that particular

operation.

REP. QUILICI asked if any of the laid-off FTE in the Galen area could be hired in this facility in Butte? Mr. Day said yes. He is trying to focus very carefully on keeping as many of those personnel as possible. There are union restrictions as far as who is rehired and who is not, but there is also legislation pending before this body to support the break-down some of those personnel barriers to allow interchange of positions.

REP. GRADY said a lot of the personnel who work in chemical dependency at Galen live in Butte, so they will have a shorter driving distance to go to work.

REP. GRADY moved on to **Chemical Dependency**, page D-19 which actually refers to the cost of relocating the chemical dependency program. The Budget Modifications reflect the Galen changes.

The **Developmental Disabilities** program is on page D-20. This is the program involving Boulder and Eastmont. There are very few changes here. Cost cannot be reduced much because of certification requirements.

REP. BARDANOUVE asked if Eastmont in Glendive is up to its capacity? Mr. Day said yes, Eastmont is at capacity for the staffing levels. REP. BARDANOUVE asked if the enrollment is at capacity? Mr. Day said no, it is not at capacity in population. The capacity is 55 and the population is now 49. The staff is 105. The ratio is dictated by certification requirements.

REP. GRADY moved on to the **Veteran's Nursing Home**, page D-21. The funding for Columbia Falls does not show here, but action was taken earlier today to take care of that operation.

Motion/Vote: REP. BERGSAGEL moved the amendments, EXHIBIT 12, page D-5 of HB 2, Veterans' Community Services - Pilot Project to address action taken on HB 46. Motion carried 12 - 6 with Rep. John Johnson, Kasten, Menahan, Nelson, Quilici and Wanzenried voting no.

Motion/Vote: REP. GRADY moved to strike language at the bottom of page D-21: if neither HB 16 nor HB 46 are passed and approved, or if HB 16 is passed and approved and Montana State Hospital at Galen is closed, the general fund in item (Veteran's Home) is increased and state special is decreased by \$1,028,516 in FY 1994 and \$1,023,405 in fiscal 1995. Motion carried unanimously.

Motion/Vote: REP. GRADY moved to close Section D. Motion carried 14 - 4 with Reps. John Johnson, Kasten, Nelson and Quilici voting no.

REP. DeBRUYCKER said last night the committee acted on the Fish, Wildlife and Parks reduction without giving the department a chance to explain and asked them to address the committee at this

time. **Pat Graham, Director** said the department has approximately 550 FTE. 80% of those FTE or positions are field positions, 64% of those field positions are grade 14 and higher. The subcommittee reviewed the 5% reduction in FTE as well as the positions that were vacant. They cut 11.06 FTE and 5.5 of those were grade 14 and higher. In addition, in Item II, **EXHIBIT 13**, they presented the effect of the full House Appropriations action 5% personal services reduction which equates to approximately 27.5 FTE. Then they estimated the impact of the full House Appropriation action of 20 FTE eliminated - grade 14 and higher. Presented at the bottom of **EXHIBIT 13** is a spread sheet of how that would be distributed among the various divisions.

REP. FISHER said she noticed about 12 budget modifications were on the chart. Essentially, there isn't a total reduction of 58 because, if her count is right, there are 12 more added back in. **Mr. Graham** said some of those would be included in the 20 FTE. **REP. FISHER** said the net reductions are not 58 positions.

REP. GRADY said the fisheries are going to get hit harder, from the committee's last action. How much reduction will happen to fisheries? Several sports' groups are unhappy because the fish population is going down. How much worse will it get with this type of reduction? **Mr. Graham** said obviously any of these positions that are eliminated will require the personnel to cover a larger area and will reduce services.

REP. KASTEN said she has asked the fiscal analyst to reconcile the numbers **Mr. Graham** has with the numbers showing 5%. **Ms. Cohea** said she is sure all the numbers tie. It is simply a question of going from different bases. **Roger Lloyd, LFA staff** who worked with the department will work through the numbers and report back to the committee.

Motion: **REP. MENAHAN** moved to rescind action of yesterday and reinstate the 20 FTE for Fish, Wildlife and Parks.

Discussion: **REP. GRADY** said he would like to speak in favor of the motion. These are all sportsmen's dollars and the committee did not approve the use of this money any other way this morning.

REP. FISHER said not everyone would agree with **REP. GRADY**. Some of the people in her area won't be unhappy at all because there is nothing being done as far as fisheries.

Vote: Motion failed 8 - 9 with Reps. Bergsagel, Cobb, Fisher, Kasten, Peck, Peterson, Wanzenried, Wiseman and Zook voting no.

Motion/Vote: **REP. DeBRUYCKER** moved to close Section C. Motion carried unanimously.

EDUCATION

REP. ROYAL JOHNSON said he would like to thank a lot of people

for the help they gave him as chairman of this subcommittee: **Taryn Purdy and Skip Culver, LFA staff; Curt Nichols, Amy Carlson and Doug Smith** from the **Budget Office**. The committee had great cooperation from the agencies, OPI, the Commissioner's office and the heads of all the units. He would particularly like to thank the students who were here as lobbyists.

REP. JOHNSON started with page E-1, **Office of Public Instruction**. The budget is about the same as it was before. Page E-2 shows some general fund positions taken out and part of them put back in as were some non-general fund positions. About 30% of those non-general fund positions came out and stayed out. Page E-3 references the current level eliminations. Five positions were eliminated and the 5% reductions were made. Some significant general fund transfers were made.

Under budget modifications, \$47,000 is the additional amount needed for teacher certification fees. This modification is contingent upon passage and approval of HB 106, which increases teachers' license fees and transfers all duties associated with teacher license administration to OPI.

REP. JOHNSON said the school commodity program, page E-4, is a relatively large issue in the Long Range Planning as increased funds are needed for warehousing.

Page E-5 references the **Distribution to Public Schools**. Under current level differences, the subcommittee took out, in its entirety, the gifted and talented program. This situation has been addressed in a bill, LC #1351. That is an act that will transfer the money from the state traffic education account to the secondary vocational education and gifted and talented programs. A Draft Copy of LC #1351, **EXHIBIT 14**, was handed out for the committee to study. A bill is required because the money is in statute. They transfer roughly \$1.6 million per year, each year of the biennium, to the driver's education program. The subcommittee suggested taking \$650,000 a year and putting it into the Vo-Ed program which would give it \$1.3 million. The Vo-Ed program was funded last year for \$1.6 million. This also would give \$150,000 a year for the gifted and talented program for a total of \$300,000. This program has a lot of volunteer help and the subcommittee feels this funding will help keep the program alive.

Page E-5 also references in-state treatment which provides funding for educational costs, not the treatment costs for children placed in in-state psychiatric facilities. There is a question whether this particular money will all be used because if we close down psychiatric facilities in the state or reduce the amount of money we give to them, then this will be reduced by some amount.

Language issues are on pages E-5 and E-6.

Motion/Vote: REP. ROYAL JOHNSON moved the amendments, EXHIBIT 15, to add \$300,000 over the biennium to the gifted and talented program (\$150,000 per year) and \$1.3 million (\$650,000 per year) to the secondary vocational education program. Motion carried 17 - 1 with Rep. DeBruycker voting no.

Motion/Vote: REP. ROYAL JOHNSON moved to introduce Draft Copy LC #1351 as a committee bill. Motion carried unanimously.

Motion: REP. ROYAL JOHNSON moved the amendments, EXHIBIT 16, concerning the state special, federal special and proprietary funds reinstated in the OPI budget.

Discussion: REP. JOHNSON said there is no general fund match. The money, if not appropriated, goes back to the federal government.

REP. GRADY said if we do this, we'll have all the other agencies back wanting to do the same thing.

REP. COBB asked if the reason for doing this is because it is federal money? REP. JOHNSON said that is the reason. The option is to turn it back or take it.

REP. DeBRUYCKER said there is no general fund but what is the proprietary fund? Greg Groepper, OPI, said it is indirect cost, money received from federal programs to pay for a staff attorney, federal reports and required federal accounting. There is no state money.

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

REP. BARDANOUE referred to page E-1, \$110,000 for commodities, and asked for clarification. Skip Culver, LFA said \$55,000 a year are reimbursement funds that schools pay OPI for handling school food. It is a result of increased activity in that area. REP. BARDANOUE asked hasn't this always been done? Mr. Culver said yes, this is just an increase.

Motion: REP. GRADY moved to delete the language and dollar amount on page E-4, first paragraph. "The general fund appropriation for the administration program of the Office of Public Instruction shall be reduced by \$179,169 in FY 1994 and \$179,168 in FY 1995 and state special increased by a like amount upon passage and approval of HB 106".

Discussion: REP. ROYAL JOHNSON asked REP. GRADY what it does? REP. GRADY said this is only on approval of HB 106. It will reduce the budget and help with meeting the target.

REP. QUILICI asked for the status of HB 106. Ms. Cohea said it is Tabled at this point in House Education. REP. QUILICI said if this bill is tabled, and the language is deleted, what happens to the funds? CHAIRMAN ZOOK said he believes they would disappear.

REP. ROYAL JOHNSON said it is one thing to have the bill go through the process, but we can't afford to have it hung up in this kind of situation.

REP. PECK said HB 106 is his bill and it increases the fee for certification of teachers from \$6 to \$20 and generates that much money annually. There are several teachers on that committee so they Tabled it.

Vote: Motion failed 7 - 10 with Reps. Fisher, John Johnson, Royal Johnson, Kadas, Kasten, Menahan, Nelson, Peck, Quilici and Wanzenried voting no. Rep. Bardanouve passed.

Motion: REP. GRADY moved to eliminate language on page E-6, last paragraph. "If HB 656, eliminating state aid to school districts and amending 20-3-106 and 20-9-141 is passed and approved, item (impact aid line item) is stricken".

Discussion: Ms. Cohea said that bill is before this committee and is a committee bill recommended by the subcommittee.

Vote: Motion carried 10 - 8 with Reps. John Johnson, Royal Johnson, Kadas, Menahan, Nelson, Peck, Quilici and Wanzenried voting no.

REP. ROYAL JOHNSON went on to page E-7, Board of Public Education. Page E-8 is Administration and Page E-9 is Advisory Council.

REP. WISEMAN said every time we send funds through the government there is a portion taken off. In looking at the administration costs for 1994, page E-3, OPI administration is 14.5% of the total money that went through that office. 1995 is 18%. That is a 3.5% increase in one year. What has the trend been in the past for costs, percentage-wise, for 1991 and 1992. Gail Gray, Assistant Superintendent, Office of Public Instruction said a lot of things included under administration are total programs and many of them are new federal programs. There has been increased costs in some areas because of legislatively required changes and there were start-up costs.

Motion: REP. WISEMAN moved an amendment that the OPI administration cost be lowered to 14.5% of the total cost of the program for 1995.

Discussion: REP. ROYAL JOHNSON asked for the LFA staff to make a comment on this and the motion. Mr. Culver asked for clarification how the 14.5% was arrived at. REP. WISEMAN said he took the \$10,233,000 that was the cost of OPI administration in 1994 and divided that by \$70,459,000, total cost of the program and applied the same factor to 1995. Mr. Culver said in FY 1994 the distribution to school programs are primarily biennial appropriations, so the second year of the biennium would be less

because the money is shown for the first year of the biennium.

REP. KADAS said there are two things going on here. First of all, the bulk of the money that OPI administers is the foundation program, over \$300,000,000 a year in scheduled payments and guaranteed tax base payments that go out every month to schools.

REP. WISEMAN is not including \$300,000,000 a year in payments in his calculation. The second issue is that a number of the dollars in the distribution program are biennial appropriations meaning that, in the book, they appear as 1994 expenditures but in reality they are spread between the two fiscal years and that is to give the department flexibility to put the money out. In reality they are about half and half between the two fiscal years and referred to Page E-5.

REP. WISEMAN withdrew his motion.

REP. ROYAL JOHNSON moved on to page E-11, **School for the Deaf and Blind** in Great Falls. There is a budget modification that has to do with a copier. They were going to lease a copier that would cost \$25,000 over a five-year period. The subcommittee suggested they buy a copier for \$18,000 and put the money in the second year of the biennium.

This is an important activity in the state of Montana. It is not just a school in Great Falls. They have an outreach program that extends throughout the state and that program gets better, bigger and has more needs. The subcommittee took out the outreach funding with the idea that the program was to come under the entire budget of this school and it would be funded by billing the schools for which they do the work (page E-15). The school does not think they can absorb that and it is a problem for the school. The subcommittee also took out the 5% reduction in FTE for the school.

Another problem is the teachers at the school don't get the same kind of salary schedule as the teachers in the public schools.

Luther Prickett, Superintendent, School for the Deaf and Blind said he would like to express his concern regarding the outreach program and the action taken by the subcommittee reducing their general fund appropriation by \$514,000 and directing the school to recover this money by billing the local public schools. He believes the action of the subcommittee was based on some erroneous information that was contained in the executive budget. He referred to page E-122 of the executive budget where it discusses the outreach program. The executive budget states that MSDB has lost \$800,000 in Chapter I funding each year for the last decade. This is an error. The school has never received \$800,000 in Chapter I funding in any one year. The most they have ever received is \$200,000. The executive budget goes on to say that the \$800,000 they are no longer collecting in Chapter I, has gone to the local school districts in the form of a windfall.

The federal appropriation for Chapter I for residential schools such as the School for the Deaf and Blind is an earmarked appropriation. If MSDB does not capture this money, it doesn't leave Washington, D.C. It does not come into the state. So not one dime of the lost Chapter I funding for MSDB has ever gone to the local schools.

20% of the children served by their outreach program are not enrolled in public schools so they cannot bill schools for them.

Mr. Prickett offered an option to restore the \$514,000 to MSDB. Protect the outreach program, guarantee services to the 204 children and then reduce the appropriation to OPI for local schools by \$514,000. You have accomplished the same net result.

REP. PECK said this program had a good deal of federal funds at one time. There has been a trend in recent years to not replace federal funds. This is one of those situations. He thinks there is a local school responsibility for the service to children. The subcommittee has expressed concern about the MSDB program previously, the quality of the service, the cost of the service, the effectiveness of the service. That is why the subcommittee took the executive recommendation, in his view.

The other thing they have here is the question of medicaid billing on the same page. Two years ago, this subcommittee, and it is under review now, talked to the D & B school about medicaid matching funds and working on that. Nothing happened in that two years.

He thinks it will make a better program by putting it back on local districts.

Motion: **REP. ROYAL JOHNSON** moved an amendment to increase appropriation by \$15,000 for the biennium for the differential in the pay. **EXHIBIT 17.**

Discussion: **Bill Sykes, Business Manager for the School for the Deaf and Blind** said the extra-curricular compensation was in the governor's budget request and inadvertently left out of the LFA education personal services budget. It amounts to \$7,922 per year.

Vote: Motion carried 16 - 2 with Reps. Cobb and Kasten voting no.

REP. ROYAL JOHNSON moved on to **Montana Council on Vo-Ed**, page E-17. There is no general fund. The executive proposal was adopted on this budget.

The **Commissioner of Higher Education** is referenced on page E-19. The budget modifications are a result of more people in the program. None of it is general fund.

REP. MENAHAN asked where are the people located? REP. JOHNSON said they are here in Helena. REP. MENAHAN asked why they aren't on the campuses? REP. PECK said this is the program that loans were serviced in Indiana and the Board of Regents moved this to Helena and the program is growing.

Motion: REP. ZOOK moved the amendments, EXHIBIT 18, that the Commissioner's office receive the same efficiency reductions that the rest of state government has received.

Discussion: REP. ZOOK said they take a net of \$81,265 from the Commissioner's office. The Board of Regents would distribute back \$4,585.

REP. PECK asked the Commissioner to respond to this as to what impact it would have on his operation. John Hutchinson, Commissioner of Higher Education said his office is currently down about 10% through the action of the subcommittee. This would take out another 5% which is going to pinch their operations significantly. At least those general fund reductions will have some severe impacts. The administrative portion of the Commissioner's office is only about 15.05 FTE so it is not that large group that sometimes gets included. It also appears a couple positions will be taken out in federal funds. He assumes those are guaranteed student loan positions and is baffled why that would be necessary. Those moneys are coming in so they can move the whole servicing operation from Indianapolis here to Helena which creates additional Montana jobs, provides better services for those students who are taking out loans and he does not understand the necessity for that.

REP. ZOOK said the FTE have remained the same all across the Commissioner's office and they took the 5% cut like everybody else did. Now we are asking them to take the same 5% efficiency cost that everybody else is taking.

REP. KADAS said he is concerned about the reductions. He understands the rationale for the motion and the equity involved, but you are taking a significant amount of federal funds and the subcommittee did "wrestle" with these additional positions to deal with the additional growth in the guaranteed student loan program. He is afraid what they will do is effect student loans regarding federal funds. The vast bulk of the money in this motion is the federal funds.

Motion: REP. QUILICI made a substitute motion to segregate the general fund from the remainder of the funds and to only apply the personal services reduction efficiencies to the general fund.

Discussion: Ms. Cohea said, as she understands REP. QUILICI's substitute motion, the personal service reduction efficiencies would total a negative \$42,990 in 1994 and \$42,860 in 1995 of general fund. The Board of Regents would be allowed to allocate to the Commissioner's office a positive \$4,299 general fund in

fiscal 1994 and \$4,286 general fund in fiscal 1995.

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

Vote: The original motion carried 10 - 8 with Reps. Bardanouve, John Johnson, Royal Johnson, Kadas, Menahan, Peck, Quilici and Wanzenried voting no.

REP. ROYAL JOHNSON moved to page E-22, **Student Assistance Program**. Page E-23 references the federally funded **Mathematics and Science Education Act**. Page E-24 references the **Community College Assistance** program. Page E-25 references the **Group Insurance Program**, which is all proprietary funds. Page E-26, **Talent Search** is all federal funds. Page E-27, references the **Carl Perkins Administration**. Taryn Purdy, LFA, said the Carl Perkins program is funded with a 50/50 combination of federal Carl Perkins' Administration fund and general fund. A couple of years ago, the federal government changed the way it allocated federal funds for state administration and they actually reduced the amount available to the state of Montana. In this next biennium, the amount of federal funds available was not sufficient to maintain programs at the current level. These funds are shared between CHE and OPI for their secondary Carl Perkins functions. The subcommittee allocated the available federal funds between the two agencies and reduced both agencies. The subcommittee made a slight adjustment to the LFA allocation of those funds where you see the increase, but overall this program decreased from the 1990 to 1993 level because of the reduced federal funds.

REP. JOHNSON referred to the FTE on page E-28.

Page E-29 shows a program summary of the **Guaranteed Student Loan Program**, a relatively large program. That program shows the number of increase in FTE and the reason for this is the program is operating in Montana instead of Ohio. Page E-30 referenced the FTE for this program.

Page E-31 shows relatively small numbers for the **Board of Regents** and their administrative program. Page E-32, **Board of Regents Bond Payments**, explains the bond payments the Board of Regents is responsible for. REP. BARDANOUE referred to the Butte Vo-Tech center and asked how many years are the bonds for? Rod Sundsted, **Commissioner of Higher Education**, said they vary for each of the Vo-Tech centers. At the Butte Vo-Tech center there are six years left on the bond payments.

Motion: REP. PECK moved the amendments, EXHIBIT 19, general obligation bonds for the Butte Vo-Tech Center

Discussion: REP. PECK asked to address the amendments, EXHIBIT 19, referring to the language at the top. "If HB 5 is not passed and approved, resulting in the issuance of general obligation bonds for prepayment of the remaining payment obligations for the

Butte Vo-Tech center, the general fund appropriation in item 10 is increased by \$465,115 in FY 1994 and \$467,275 in FY 1995. When the state assumed the Vo-Tech centers as a system, it also guaranteed their bond and has been making payments on those bonds. Their rate is 9.96%. If we could make them general obligation bonds under HB 5, we anticipate that rate will drop to about 4% so it is a significant savings.

Vote: Motion carried unanimously.

REP. ROYAL JOHNSON moved on to **Vocational Technical Center Administration**, page E-33. Page E-35 explains the Vocational Technical centers program summary. The subcommittee took five definitive actions. The average Vo-Tech salary was in an unbalanced situation so the committee tried to bring them all together and the adjustments are shown on the right hand side. The Butte Vo-Tech center was not included in this because it was done previously. Language on page E-36 has to do with the audit costs attributable to each center. The language below has to do with lump sum funding and language needed in the intent of the bill.

REP. JOHNSON said, after discussing the university system, the subcommittee is suggesting a tuition change and is also suggesting a tuition change for the Vo-Tech centers. It is a 2% increase and an amendment is offered.

Motion: **REP. ROYAL JOHNSON** moved the amendments, **EXHIBIT 20**, 2% increase in incidental fees at the 5 vocational technical centers.

Discussion: **REP. GRADY** asked if the increase can be raised more than the 2% or is this a cap? **REP. JOHNSON** said they can raise their own portion too.

REP. KADAS said that is a sticky issue and the subcommittee has some language to deal with that in the university system among the six units. For the Vo-Techs it is a little bit different because if you were to put a cap on actual tuition, you would essentially be capping enrollment as well. That would be inappropriate for the vocational technical centers. They ought to be open-enrollment institutions.

REP. ROYAL JOHNSON said the Vo-Tech centers, in some cases, have had an enrollment problem. They oftentimes use part-time instructors and have much more flexible schools than the other schools do. If they don't have a cap on enrollment, it allows them to take people in.

REP. KASTEN said, then this increase of \$10,000,000 is more additional enrollment than an increase on those who already enrolled. **REP. JOHNSON** said it allows them to increase the dollar amounts students pay by 2%. It doesn't cap enrollment.

Vote: Motion to adopt amendments, EXHIBIT 20, carried unanimously.

REP. ROYAL JOHNSON moved on to page E-37, **Six University Units**, stating this is the budget where the most money is involved. The subcommittee did something that has never been done before because they could not arrive at a place where the entire committee was comfortable with a starting point. Normally you start with accepting the LFA budget or the executive budget and start cutting from there. After about three days of discussion, the subcommittee decided to start from the other end and it gave them a starting point, to start back in 1992 and 1993. The subcommittee took the amount of money that those schools had spent at that particular time, and when the motion went through, it cut \$15 million out of the budget. There will be a number of amendments on this budget.

REP. MENAHAN said some students are paying super tuition in certain programs. What is going to happen to them regarding increases? **REP. JOHNSON** said there will be no increase in super tuition and those students will continue to pay super tuition.

REP. KADAS said in one case, MSU is trying to phase out the super tuition in architecture. In the other cases, super tuition is paid in pharmacy, U of M; physical therapy, U of M; law, U of M; and one program at MSU. **Ms. Purdy** said all super tuition is being phased out at MSU.

REP. GRADY asked if the \$10,000,000 is for a year or the biennium. **REP. ROYAL JOHNSON** said \$10,000,000 is over the biennium.

REP. JOHNSON referred to page E-38, Enrollment, Table 1; Legislative Action Methodology for the 1995 biennium, by the units, Table 2. Page E-39, Table 3, shows what each school got by the legislature and LFA current level. Table 4 shows we are over the 1993 biennium by \$3.2 million. He referenced the narrative in the paragraphs at the bottom of the page.

Page E-40, Table 5 shows the reductions by the legislature to the increase. The narrative under that starts with the revenue portion.

REP. MENAHAN referred to page E-40, "no increase in tuition rates over the current fiscal 1993 levels is included in legislative action". That will not be a true statement when we are finished here. **REP. JOHNSON** said that is correct.

CHAIRMAN ZOOK referred to **EXHIBIT 21**, Table 1a and asked what were the total operating funds in the 1993 biennium for the university system? **REP. JOHNSON** said \$296,791,454. **CHAIRMAN ZOOK** then asked what are the total operating funds they will have this biennium? **REP. JOHNSON** said \$297,932,970. **CHAIRMAN ZOOK** said that is an increase of over a million in total operating

funds. He said it is important that we understand what is really taking place here. In the last biennium, the same thing happened. After two special sessions the university system actually had about \$600,000 more in total spending authority than they had in the 1991 regular session. With all the innuendos and the swipes that are taken at the legislature over our support of the university system, there is little wonder that there is a fair amount of resentment among the legislators.

REP. JOHNSON explained **EXHIBIT 21**, Table 1a and Table 8, page E-42. **Ms. Purdy** also explained the tables, saying the Plus Grad Differential, Table 1a and the Plus Non-resident summer tuition are two options that the Board of Regents has approved for further study, that they may enact in order to meet some of the budget reduction requirements.

CHAIRMAN ZOOK asked if there is some incentive in this amendment that would keep some scheming university system employee from actually reducing in-state students and inviting out-of-students in because it would lower the student population and at the same time receive increased funding. **REP. JOHNSON** referred the committee to the back of the amendment, **EXHIBIT 22**. This is a way to make it as fair as possible.

He asked the committee to read the bottom paragraph on page 1 of the amendment because there is some disagreement on this with some of the people in the university system.

Motion: **REP. ROYAL JOHNSON** moved the amendments, **EXHIBIT 22**, tuition revenue, six university system units.

Discussion: **REP. KADAS** said the reason the subcommittee broke it out into resident and non-resident is to address the situation **CHAIRMAN ZOOK** raised. It essentially says you have so much tuition authority for residents and if you exceed that, the money reverts to the general fund. You have so much tuition authority for non-residents and if you exceed that, that reverts to the general fund. The numbers for residents are based on a 2% increase over the fees they are currently paying. For non-residents, it is based on taking their total fees to 100% of their cost.

REP. WISEMAN asked if this caps an enrollment effectively? **REP. JOHNSON** said effectively, it might have that effect. The Board of Regents set the enrollment, not the legislature. The Board of Regents and the President will have to work with this should it should become law. The subcommittee requested this.

Vote: Motion carried unanimously.

REP. MENAHAN said what we have done with this motion is cap the enrollment because the university won't get to keep the money. It goes into the general fund. **REP. KADAS** said the motion has the affect of doing two things. It limits the ability to raise

enrollment rates and effectively caps enrollment. That is the financial incentive that is there for the institutions. If you have open enrollment, how do you pay for it. If you don't pay for it with tuition then you have to pay with general fund. **REP. PECK** said it actually backs general fund out. The legislature is not stealing tuition money.

Motion: **REP. PECK** moved to adopt amendments, **EXHIBIT 23**, that incorporate the Board of Regents' proposed allocation of general fund to the six university units each year.

Discussion **REP. PECK** said he would like to thank the members of the subcommittee who worked well together and he would also like to thank the Commissioner of Higher Education whose people were always available to the committee, the Presidents, the Regents, and any others that participated in this. It wasn't an easy task to cut the \$24.0 million out of what was current level or described in that way and this amendment would attest to the persuasiveness of his Democratic colleague from the House, **REP. KADAS**. This deals with general fund dollars that they have appropriated and redistributes them exactly in the manner of the recommendation they received from the Board of Regents.

REP. KADAS said he wanted to acknowledge the fair play exhibited by **REP. PECK** and **REP. ROYAL JOHNSON** and appreciates their work. The initial distribution has been of some concern to him. Even with this, U of M still takes the largest percentage cut in general fund. He really appreciates the willingness of the other members of the subcommittee who worked on this. This is reasonably equitable, considering where they have been.

Vote: Motion carried unanimously.

Motion: **REP. WISEMAN** moved to adopt amendments, **EXHIBIT 24**, "Item 1 (the MSU Combined Operations line item) includes \$39,978 in fiscal 1994 and \$39,979 in fiscal 1995 that must be used to pay rent to the Montana Deaconess Medical Center in Great Falls for space used by the MSU school of nursing".

Discussion: **REP. WISEMAN** said for about the last 20 years, Montana State University has paid rent for the school of nursing space that they use in Eastern and also at the University of Montana. But for the last 25 years, Montana Deaconess Hospital in Great Falls has not collected any rent and they have supplied space for the MSU school of nursing. This amendment requests that MSU reimburse Deaconess Hospital out of their own funds, \$39,978 each year.

REP. KADAS asked **REP. WISEMAN** where the school of nursing had been paying rent? **REP. WISEMAN** said they had been paying rent to Eastern and U of M. **REP. KADAS** said there are also students doing the same thing at St. Patrick Hospital in Missoula and a hospital in Billings as they are doing at Deaconess Hospital in Great Falls. In the past, the students come in to use the

facilities but the hospitals get to use the nursing students too. **Dr. Michael Malone, President, MSU** said there are two factors involved here. What **REP. KADAS** describes as their arrangements with the hospitals in Missoula and the hospitals in Billings is accurate. The difference is, in Great Falls the faculty are housed in a hospital whereas on the campuses at Eastern and the University of Montana, they are paying those rentals directly to the campuses.

REP. BARDANOUVE asked how the figure was arrived at. **REP. WISEMAN** said it is based on the square footage space in comparison with the other two facilities where classrooms are rented.

Vote: Motion carried unanimously.

REP. GRADY referred to page E-42 and asked why is it all taken out of the second year instead of the first year. **Mr. Hutchinson** said the reason for that is they already had contractual obligations for the first year and have some athletes that have already signed, so they felt it would be almost impossible for them to garner much in the first year of the biennium and so they moved into the second year for that reason. **REP. GRADY** asked how much of the athletic program in the university system is paid by taxpayers' dollars. **Mr. Sundsted** said for all six units combined, unrestricted expenditures are \$4,597,813 budgeted in 1993. In addition to that there is about \$1.6 million in fee waivers that are granted. **REP. GRADY** said the sports programs should be paid by parents and individuals who want to be in athletic programs and not by the taxpayer's dollars.

REP. ROYAL JOHNSON said in addition to Table 1a, there is also Table 1, **EXHIBIT 25**, that does compare to what happened to the Board of Regents.

REP. JOHNSON went on to page E-45, **Independent Operations** for the **Montana College of Mineral Science and Technology**, or the Bureau of Mines. They did take the 5% reduction and the big issue is the ground water assessment under budget modifications. He referred to the language issue that relates to the Resource Indemnity Trust Tax (RITT).

Page E-47 is the **Agricultural Experiment Station** and this budget ended up for the dollar amount of total revenues because of an increase in federal moneys. It is very close to the dollar amount this agency had in the last biennium. The director of the department pointed out to him the fact that this is substantially less in general fund. This program has been cut severely. **Organized Research** is referenced on page E-48. On page E-49 is the **U.S. Range Station**. That is primarily federal funds and unrestricted funds. Page E-51 references the **Cooperative Extension Service, Public Service** and there is a lot of general fund money in this program but it has to do with the whole extension service throughout the state of Montana. Page E-53 is

the **Forest and Conservation Experiment Station**. These are general fund dollars, and the primary research unit operates under the University of Montana. They took the 5% reduction also. Page E-55 is the **Fire Services Training School**. They wanted about \$21,000 increase this year because they have some worn-out vehicles and the subcommittee gave them enough funding to replace one of those worn-out vehicles. This agency does some outstanding training work for fire departments around the state. They also took the 5% reduction.

REP. MENAHAN asked if the 4-H programs had been left intact? **Andrea Pagenkopf, MSU Extension Service** said the 4-H program is a vital part of the extension program and makes up about 24% of their total FTE. It will take a 5% cut as the rest of the programs will. **REP. JOHNSON** said that is one of the reasons the subcommittee put the Vo-Ed money back in because they also participate in the 4-H program.

Motion: **REP. BARDANOUVE** moved to adopt amendments, **EXHIBIT 26**, that the administration of the vocational technical centers shall be merged with the administration of the university unit nearest to it.

Discussion: **REP. KADAS** said this issue has been looked into before and asked **Dr. Dennis Lerum, Missoula Vo-Tech Center** to address the committee. **Dr. Lerum** said, since becoming part of the number of units the Regents govern, they have had discussions in Missoula between the Missoula Vo-Tech center and the University of Montana regarding certain cost savings that might be realized with an affiliation, a merger or whatever it might be. They have had those discussions as relates to student services, computing, business and other operations such as motor pool and other support services. In each case they found there are certain things they can do and the concept is embraced somewhat but not from the view they will save a lot of dollars. The center is staffed at a minimum level to support those functions as he understands the University is. **REP. KADAS** asked are the Missoula Vo-Tech and the U of M currently doing any cooperative things in any of these areas? **Dr. Lerum** said as an example, they have used the motor pool, they have used their physical plant folks for assistance with asbestos problems. Students have been involved in the student health services at the University. They have discontinued that although there is discussion of the possibility in doing same again. They have library privileges and use the law school library with their legal program. They have a great deal of discussion on the student services' level in terms of moving people back and forth where they ought to be and maybe where they ought not to be, at least, in terms of the counseling sense.

REP. ROYAL JOHNSON asked **REP. BARDANOUVE** what he would do with the Helena situation. **REP. BARDANOUVE** said there isn't any recommendation for that because there is no nearby college. Carroll College is a private college.

REP. GRADY asked Dr. Alex Capdeville, Director, Helena Vo-Tech if he does any work with the colleges now? Dr. Capdeville said he does not have any formal arrangements with any of the units of the university. They have matriculation arrangements with Northern Montana College that provides for upward mobility of some of the students in some of the technical areas, and some of the other vo-techs have that as well. Through Board action, they are affiliated with a unit in the university system and have worked out some affiliation kinds of agreements with Montana State University. REP. GRADY asked Dr. Capdeville if he feels it would be a burden to consolidate his administration with some other college? Dr. Capdeville said he is open to anything and is flexible. The thing to focus on is what technical education is about. Is it best served in the university system? If you address this with the idea of saving a lot of money, which the report indicates, and eliminate the administration of Helena Vo-Tech center and not be able to provide financial aid to student services, then he thinks you've lost.

REP. GRADY said REP. BARDANOUVE's motion doesn't mention Helena but the first part of it is broad. Is the intent to force Helena to merge too? REP. BARDANOUVE said if the committee wants Helena in there, fine, but the LFA prepared this and they have not put Helena in because Helena has no nearby college.

REP. PECK advised the committee to read the first line of the motion carefully. It says "the administration". Northern Montana College has a component in Great Falls now, 114 miles from Havre. Distance is not a factor here.

REP. WISEMAN addressed the Great Falls center. The people in Great Falls are hopeful of having a higher education center combined; the College of Great Falls, the McLaughlin center, Vo-Tech, and the College of Dental Hygienists. He encourages the motion.

REP. BARDANOUVE said it could save money but when you try to make changes, every bureaucrat involved will come in to protect his turf.

Vote: Motion to merge Vo-Tech centers with university units carried 14 - 4 with Reps. Grady, Kadas, Menahan and Quillici voting no.

Motion/Vote: REP. GRADY moved to reconsider the language and the dollar amount in the first paragraph, page E-4 to move the general fund out of HB 2. Motion failed on a tie vote 9 - 9.

Motion/Vote: REP. ROYAL JOHNSON moved to close Section E. Motion carried 17 - 1 with Rep. DeBruycker voting no.

HUMAN SERVICES

REP. COBB opened the section with Labor and Industry, page B-25

with a brief overview. The department did give up some FTE but 3.0 FTE were transferred to the department from Human Rights. Page B-26 explains how the UI Administrative Tax Revenues and Expenditures are broken up. Page B-27 references the **Job Service Division**. There weren't many issues there, some language authority. Page B-29 references the **Unemployment Insurance** program. Page B-31 references the **Commissioner's Office** and there weren't any major issues there. Page B-32 explains the **Employment Relations** program. On Page B-34 is the **Legal Services Division**. Page B-35 explains the **Research, Safety and Training** program. On page B-37 is the **Human Rights Commission**. Page B-38 is the **Workers Compensation Judge**. Page B-40 is the **Job Training Grants**.

REP. COBB said that is basically the **Department of Labor**. There was UI Administration money left over after funding some of the programs and after the Governor had taken his \$500,000. The subcommittee tried to divide that up.

Motion: REP. COBB moved to adopt the amendments, EXHIBIT 27, to add the unappropriated balance of the UI Admin tax fund to the \$1 million Discretionary Grants appropriated in HB 2 and allocate the dollars as identified in EXHIBIT 27.

Discussion: REP. COBB said this is an amendment to clean up the language on page B-8, line 18 and on page B-9, line 11. REP. SQUIRES has a bill, HB 522, and needed some money from this fund to take care of laid-off state employees. \$500,000 will be placed in reserve for laid-off state employees for FY 1994 and if there is any reserve left at the end of 1994, it will be used for other dislocated workers. They appropriated \$230,000 to provide dislocated worker programs. The amount of \$350,000 is appropriated for economically disadvantaged individuals, such as people who can't read. They allowed \$350,000 for job training for offenders paroled from the prison.

Vote: Motion to adopt the amendments, EXHIBIT 27, was carried unanimously.

Motion: REP. COBB moved to adopt amendments, EXHIBIT 28, that eliminate UI Admin tax funding for Project Work.

Discussion: REP. COBB explained the amendment, saying the UI Admin tax, page B-26, is some money that used to go to Project Work, a work training program for a general assistance program which was eliminated under HB 427. This money was moved into the amendment just passed. This amendment will effectively eliminate the UI money used in Project Work.

REP. WANZENRIED said the bill in question hasn't passed the House yet. Could REP. COBB resist the amendment to tie the elimination of this appropriated amount to the package on approval of HB 427. REP. COBB said he could take that back out if that is the wish of the committee. He doesn't believe Project Work is saving money.

We need to be spending more money on alcohol and chemical dependency. That's a separate issue.

Motion/Vote: REP. WANZENRIED made a substitute motion to tie this change to the passage and approval of HB 427. Motion failed 8 - 10 with Reps. Grady, Bergsagel, Cobb, DeBruycker, Fisher, Royal Johnson, Kasten, Peterson, Wiseman and Zook voting no.

Vote: REP. COBB's original motion carried 15 - 3 with Reps. Kadas, Menahan and Wanzenried voting no.

REP. COBB said that finished the Department of Labor presentation and introduced the Commissioner, Laurie Ekanger.

DEPARTMENT OF HEALTH & ENVIRONMENTAL SCIENCES

REP. COBB said the big issue facing the subcommittee is the enormous growth. There are a lot of federal dollars coming down, there are a lot of mandates, an increase in FTE, and there is a lot of money coming down at different times of the year.

Page B-1 explains the increase in FTE. Page B-2 shows the budget modifications and the FTE.

The Director's Office was referenced on page B-3 and Bob Robinson, Director, was introduced at this time by REP. COBB.

Page B-5 references Central Services. Page B-6 lists the budget modifications. Page B-7 lists the FTE.

Pages B-8 and B-9 reference the Environmental Sciences Program.

Pages B-10 and B-11 explain the Solid/Hazardous Waste. Page B-12 lists the FTE. REP. MENAHAN referred to page B-11, the Clark Fork Basin Manager and asked for an explanation. Mr. Robinson said there is a lot going on in the superfund area of the Clark Fork. The local people in the Butte-Anaconda area have expressed continued frustration of having one focal point that they can go to for coordination efforts and for information. This is an attempt to respond to that and to have one person coordinate all of the ongoing activities in the various operable units of the superfund process.

Pages B-13 and B-14 explain Water Quality.

Pages B-15 and B-16 reference Health Services/Medical Facility.

Pages B-17 and B-18 explain the Family/MCH Bureau.

Pages B-19 and B-20 show the Preventive Health Bureau.

Page B-21 is the Health Facilities Division.

Page B-23 is the Petro Tank Release Comp Board.

REP. COBB said that finishes the DEPARTMENT OF HEALTH & ENVIRONMENTAL SCIENCES presentation.

Motion: REP. WANZENRIED moved to adopt an amendment, EXHIBIT 29, that eliminates \$200,000 of general fund appropriated each year of the biennium for the Rural Physicians' Residency Program.

Discussion: REP. WANZENRIED said the three programs at the top of page B-16 are all good programs. As discussed earlier today in these tough times it requires tough choices. The first program listed is a new program, the Rural Physicians' Residency Program. The policy question is, with all the other cuts that we are being forced to make, whether or not this is the time to start a brand new program.

REP. KASTEN asked REP. WANZENRIED if he intends to also cut the end stage renal program and put all the money into the MIAMI program. In eastern Montana there are MIAMI-like programs. They don't have the magnitude of the problems that western Montana has. Eastern Montana was told that the money for the MIAMI program would extend into their region. What they really need in eastern Montana are doctors. Access is one of their biggest problems. Rather than extending the MIAMI program for \$265,000, she would rather see this residency program go in for the \$200,000 a year and perhaps have doctors in these small communities.

CHAIRMAN ZOOK said that is the only motion on the floor is to deal with the rural residency program.

REP. JOHN JOHNSON asked if there is any federal money that comes in with the \$200,000, a match of any kind? REP. WANZENRIED said, to his knowledge, there is no federal money tied to this. REP. COBB said the \$200,000 is general fund, \$2.0 million in federal that follows. Dr. Frank Michels said the consideration of a Montana Family Practice Residency, EXHIBIT 30, is not entirely a new program. There was a rural satellite program where residents came from other states and did rotations in Montana and that program has been de-funded. The other issue is there has not been any ability for other residencies in other states to send us residents because the other states are hanging on to their family physicians tenaciously. The Montana Family Practice Residency would consist of 9.1% of the funding from the state of Montana which has been looked at by various committees, including Montanans for Health Care. That is the cornerstone part of the funding. The rest of the money is Graduate Medical Education money which looks like it will be continued through the Clinton administration. If the federal monies aren't intact, he thinks this program will fold so he is counting on that money. Then the state would not have to fund this or the state would end up looking at alternative ways to secure some similar type of program.

REP. KADAS asked how many doctors will be served by the program

on an annual basis? **Dr. Michels** said there will be 6 residents per year going into the program.

REP. ROYAL JOHNSON said he was curious whether we can get the \$2.0 million match and not do this kind of program. If we had this kind of money, we could hire 6 physicians and put them out in eastern Montana. He wondered at the advisability of this. Can we get the \$2.0 million any other way to match the \$200,000 a year? **Dr. Michels** said it is not really matched funds. If it is not matched funds, the program would still look very strongly for financing in another fashion. **REP. ROYAL JOHNSON** asked if that is true, could we have a residency program in Billings with \$2.0 million or do we have to have \$200,000 a year match? **Dr. Michels** said the residency would look at ways to bring some of those costs down. If they could do that they would look at increasing their influence to bring the rural training track up to the central area of the state.

REP. JOHNSON said "rent" is \$233,000 a year. What do you rent in Billings for \$233,000? **Dr. Michels** said a 14,000 square foot building.

REP. WANZENRIED said these are all good programs. This is a new program. There have been satellite programs and projects like this in the past but the question is, do you want to put \$400,000 into a brand new program, essentially, or do you want to continue to fund what we have, properly?

Vote: Motion failed 5 - 11 with Reps. Grady, Bardanouve, Cobb, DeBruycker, John Johnson, Royal Johnson, Kasten, Nelson, Peck, Peterson and Wiseman.

Motion: **REP. WANZENRIED** moved to re-fund the End Stage Renal Program, page B-16.

Discussion: **REP. WANZENRIED** referred to page B-16, the End Stage Renal Program and said this is a program that we did not fund as a result of action taken during the special session. The department does not have the funds to properly administer this. This is not a means tested program. It is first come, first serve. If we are going to have a program like this we ought to design it, establish criteria for it and fund it properly.

REP. COBB said if this motion does fail, there is some language that the department will contract out with a non-profit to administer this.

Vote: Motion carried 8 - 7 with Reps. Cobb, DeBruycker, Royal Johnson, Kasten, Menahan, Peterson and Zook voting no.

Motion: **REP. WANZENRIED** moved an amendment, EXHIBIT 31, to increase the general fund appropriation for the MIAMI program expansion to the amount originally requested, \$264,590 each year of the biennium. Page B-16.

Discussion: REP. WANZENRIED said the funding for the MIAMI program was expanded by action taken by the subcommittee. The amounts listed are half of those requested. This program, for all of its accomplishments during the last biennium, still puts Montana near the bottom of the 50 states. This program has a proven track record.

REP. KASTEN said she regrettably has to oppose this amendment. Although this is not a new program, it is being extended to areas that have never had it before which is east of Billings. When she asked REP. WANZENRIED if he intended to take the money from the other programs in order to extend this, it was because they do have MIAMI-like programs in eastern Montana. The proposal at first was to save general funds so this is one they have to look at and reject the additional funds.

In response to REP. GRADY, Ms. Cohea said with the last motion the \$250,000 of general fund was reduced. This amendment would add \$264,590 so if it is approved, the net would be an increase of approximately \$15,000.

In response to a question from REP. NELSON, Paulette Coleman, Montana Council for Maternal and Child Health said the Baby Your Baby program is one of the four parts of MIAMI and in the proposal there is \$15,000 of that \$264,590 is allocated for the Baby Your Baby program. That is a match with medicaid funds. REP. NELSON said she feels they are not spending their money as wisely as they should because of their overspending on booklets and TV ads.

REP. WANZENRIED said this program works and will continue to work well.

Vote: Motion failed 8 - 9 with Reps. Bardanouve, Bergsagel, Cobb, DeBruycker, Kasten, Nelson, Pack, Peterson and Zook voting no.

Motion: REP. WANZENRIED moved to roll those two numbers into FY 1994 for a biennial appropriation so that money will be included in the base for the next budget period.

Discussion: REP. KADAS asked what happens to the program in the second fiscal year. REP. WANZENRIED said they can carry those lines forward if they don't spend them in the first year but he wants it to show up in the base. REP. KADAS asked if he is thinking of a biennial appropriation. REP. WANZENRIED said if that is the correct motion, that is what he will move. REP. KADAS referred to Ms. Cohea and said, if it is a biennial appropriation, then how do you treat it when approving the next current level? Ms. Cohea said normally it is based on expenditures in the base year so if expenditures were higher in the base year, then that is what is carried forward in the normal budgeting practice. REP. KADAS said if you make it a biennial appropriation you are essentially giving the agency the

flexibility to spend it in both fiscal years. They are not going to spend it all in the first fiscal year and have no program dollars in the second fiscal year. It does not build a base, in that sense. Ms. Coleman said there is an opportunity to increase medicaid matching because federal waivers may become available. They can fund more of this program with medicaid dollars as the Clinton administration plans go with the flexibility to spend it as we spend more of the general fund the first year and more of the medicaid fund the second year. Also these programs, when they begin, need more general fund until they get their medicaid apparatus up, and then they start getting more medicaid.

Vote: Motion carried 11 - 6 with Reps. Grady, Bergsagel, Kasten, Peck, Peterson voting no.

Motion/Vote: REP. COBB moved language in amendment, EXHIBIT 31, A page B-1 to strike "nonprofit" and "above the level authorized by the legislature" to read "it is the intent of the legislature that the department contract with local health agencies and other organizations whenever possible in lieu of adding FTE." Motion carried unanimously.

Motion: REP. COBB moved language in amendment, EXHIBIT 32, page B-15 to reinstate 2.0 of the 2.75 FTE eliminated in the 5% personal services reduction. This amendment funds the FTE with one-half general fund and one-half fee funds (state special revenue). This amendment increases general fund and state special revenue by \$34,508 in FY 1994 and by \$34,712 in FY 1995.

Discussion: REP. KADAS asked if we need this for more nursing homes? Mr. Robinson said what this does is it allows the department to make an evaluation whether a nursing home is needed, whether out-patient surgery is needed, or a medical assistance facility is needed in a particular location.

REP. JOHN JOHNSON said he was told there were 600 vacant beds and now we need 2.0 FTE to do certificates of need? Mr. Robinson said 600 beds in nursing homes. What this would have the department do is evaluate whether or not a nursing home is needed and give a permit. If there are 600 vacant beds, obviously a new one isn't needed and the department would reject it. REP. BERGSAGEL said he got his information from representatives of the Nursing Home Association and they put together that number.

Vote: Motion carried 10 - 7 with Reps. DeBruycker, John Johnson, Kadas, Nelson, Peck, Wanzenried and Zook voting no.

Motion/Vote: REP. COBB moved to draft a committee bill. Motion carried with Reps. DeBruycker voting no.

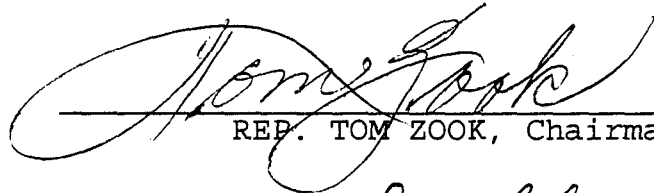
ADJOURNMENT

Adjournment: 8:30 P.M.


HOUSE APPROPRIATIONS COMMITTEE

March 10, 1993

Page 47 of 47



REP. TOM ZOOK, Chairman



MARY LOU SCHMITZ, Secretary

TZ/mls

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL

DATE

3/10/93

a.m

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	✓		

HOUSE STANDING COMMITTEE REPORT

March 12, 1993

Page 1 of 4

Mr. Speaker: We, the committee on Appropriations report that House Bill 46 (first reading copy -- white) do pass as amended

Signed: 

Tom Zook, Chair

And, that such amendments read:

1. Title, line 4.

Strike: "2 CENTS"

Insert: "A PERCENTAGE"

2. Title, line 6.

Following: "HOMES"

Strike: ";

Insert: ", THE DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM FOR AGING VETERANS, AND THE ESTABLISHMENT OF A SPECIAL REVENUE ACCOUNT IN THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES;"

3. Page 1.

Following: line 7

Insert: "Statement of Intent

A statement of intent is required for this bill because the department of corrections and human services is authorized under [section 3] to adopt rules for the administration of the veterans' benefits program."

4. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "16-11-119"

Insert: "AND 17-5-403"

5. Page 1, line 24.

Strike: "Two cents"

Insert: "The amount of 10.333"

6. Page 1, line 25.

Strike: "imposed"

Insert: "collected"

7. Page 2, line 4.

Following: "nursing homes"

Strike: "."

Insert: "and the development and implementation of a benefits program for aging veterans who need in-home health or nursing care."

8. Page 2, line 8.

Strike: "72.79%"

Insert: "81.23%"

9. Page 2, line 10.

Strike: "27.21%"

Insert: "18.77%"

10. Page 2, line 13.

Strike: "Two cents"

Insert: "The amount of 11.11%"

11. Page 2, line 14.

Strike: "imposed"

Insert: "collected"

12. Page 2, line 22.

Strike: "70.99%"

Insert: "79.25%"

13. Page 2, line 24.

Strike: "29.11%"

Insert: "20.25%"

14. Page 2.

Following: line 25

Insert:

"NEW SECTION. Section 2. Use of funds generated by taxation on cigarettes. (1) Revenue generated by 16-11-110 and allocated to the department of corrections and human services must be used to support the operation and maintenance of the Montana veterans'

homes programs and the development and implementation of a benefits program for aging veterans who need in-home health or nursing care.

(2) The legislature shall appropriate from the account established in 16-11-119 the funds required for the operation and maintenance of the Montana veterans' homes and the development and implementation of the benefits program.

(3) Operation and maintenance of the programs may include personal services, operations, equipment, and construction or remodeling projects.

NEW SECTION. Section 3. Rulemaking. The department of corrections and human services may adopt rules for the administration of the veterans' benefits program referred to in [section 2].

Section 4. Section 17-5-408, MCA, is amended to read:

"17-5-408. Percentage of income, corporation license, and cigarette tax pledged. (1) (a) The state pledges and appropriates and directs to be credited as received to the debt service account ~~9.83 for fiscal year 1990 and 8.73 for fiscal year 1991 of all money received from the collection of the individual income tax and 113 for fiscal year 1990 and 10.53 for fiscal year 1991 of all money~~, except as provided in 15-31-702, money received from the collection of the corporation license and income tax, as provided in 15-1-501, ~~and such additional amount of said taxes, if any,~~ as may at any time be needed to comply with the principal and interest and reserve requirements stated in 17-5-405(4).

(b) ~~No more than the percentages described in subsection (1) (a) of such tax collections may be pledged for the purpose of 17-5-403(2).~~ The pledge and appropriation ~~herein made shall be and remain at all times by this section~~ are a first and prior charge upon all money received from the collection of said the enumerated taxes.

(2) ~~The~~ Except for the amount credited to the veterans' home maintenance and improvement account under 16-11-119, the state pledges and appropriates and directs to be credited to the debt service account ~~79.393~~ 79.753 of all remaining money received from the collection of the excise tax on cigarettes that is levied, imposed, and assessed by 16-11-111. The state also pledges and appropriates and directs to be credited as received to the debt service account all money received from the collection of the taxes on other tobacco products which that are or may hereafter be levied, imposed, and assessed by law for that

purpose, including the tax ~~levied, imposed, and assessed~~ by 16-11-202. ~~Nothing herein shall~~ This section does not impair or otherwise affect the provisions and covenants contained in the resolutions authorizing the presently outstanding long-range building program bonds. Subject to the provisions of the preceding sentence, the pledge and appropriation ~~herein made shall be and remain at all times~~ by this section are a first and prior charge upon all money received from the collection of all taxes referred to in this subsection ~~(2)~~."

NEW SECTION. Section 5. Codification instruction.

- (1) [Section 2] is intended to be codified as an integral part of Title 10, chapter 2, part 4, and the provisions of Title 10, chapter 2, part 4, apply to [section 2].
- (2) [Section 3] is intended to be codified as an integral part of Title 10, chapter 2, part 1, and the provisions of Title 10, chapter 2, part 1, apply to [section 3]."

HB 2 3/10/93

OFFICE OF THE LEGISLATIVE FISCAL ANALYST
HOUSE APPROPRIATION ACTION ON HOUSE BILL 2 (1995 Biennium)
 Through 7:00 PM on March 9, 1993

Section/Agency	FTE		General Fund	Other Funds	Total Funds
	FY1994	FY1995			
SECTION A					
Legislative Auditor					
3.00 FTE and operating expenses	3.00	3.00	\$375,000		375,000
Personal Service Reduction Efficiencies			(106,179)	(124,236)	(230,415)
Personal Service Contingencies			10,618	24,847	35,465
Legislative Fiscal Analyst					0
Personal Service Reduction Efficiencies			(72,224)	0	(72,224)
Personal Service Contingencies			7,222	0	7,222
Legislative Council					0
Transfer from JTPA to NW Economic Conference			0		0
Personal Service Reduction Efficiencies			(126,383)	(40,755)	(167,138)
Personal Service Contingencies			12,638	8,151	20,789
Environmental Quality Council					0
Personal Service Reduction Efficiencies			(23,068)	(402)	(23,470)
Personal Service Contingencies			2,307	80	2,387
Consumer Counsel					0
Personal Service Reduction Efficiencies				(27,790)	(27,790)
Personal Service Contingencies			0	5,558	5,558
Judiciary					0
House Bill 278 contingency			(193,015)		(193,015)
Law Library			(50,000)		(50,000)
Personal Service Reduction Efficiencies			(118,136)	(40,586)	(158,722)
Personal Service Contingencies			11,814	8,117	19,931
Governor's Office					0
Flathead Basin Commission				80,082	80,082
Board of Visitors	(4.50)	(4.50)	(291,828)	(109,093)	(400,921)
Personal Service Reduction Efficiencies			(178,085)	(46,567)	(224,652)
Secretary of State					0
Data entry operator	1.00	1.00	49,204		49,204
Personal Service Reduction Efficiencies			(53,329)	(32,349)	(85,678)
Commissioner of Political Practices					0
Personal Service Reduction Efficiencies			(9,774)		(9,774)
State Auditor					0
Fiscal management operating costs			(20,000)		(20,000)
Personal Service Reduction Efficiencies			(160,327)	(43,658)	(203,985)
Crime Control Division					0
Personal Service Reduction Efficiencies			(5,142)	(53,055)	(58,197)
Highway Traffic Safety					0
Personal Service Reduction Efficiencies			(2,947)	(27,252)	(30,199)
Justice					0
Drivers license stations	16.25	16.25		825,626	825,626
Federal grant			(27,000)	27,000	0
GVW funding switch			(3,366,310)	3,366,310	0
Agency legal services	1.00	1.00		77,808	77,808
County attorney salaries			470,000		470,000
MSCAP expansion modification	(1.50)	(1.50)		(72,799)	(72,799)
Personal Service Reduction Efficiencies			(879,761)	(1,261,732)	(2,141,493)
Transportation					0
Equipment				1,000,000	1,000,000
Additional rail/transit attorney	1.00	1.00		85,046	85,046
Personal Service Reduction Efficiencies			(1,125)	(6,881,179)	(6,882,304)

Revenue					
BEV System			135,000		135,000
Restore deputy assessors/increase funding for assessors	43.20	43.20	2,346,000		2,346,000
Personal Service Reduction Efficiencies			(1,594,436)		(1,594,436)
Administration					
House Bill 99	3.00	3.00		261,100	261,100
Personal Service Reduction Efficiencies			(235,868)	(821,591)	(1,057,459)
Personal Service Contingencies			1,305,808	4,314,723	5,620,531
State Fund					0
Labor assessments				680,000	680,000
Personal Service Reduction Efficiencies				(646,803)	(646,803)
Public Employee's Retirement Board					0
Personal Service Reduction Efficiencies				(59,579)	(59,579)
Teacher's Retirement Board					0
Personal Service Reduction Efficiencies				(33,035)	(33,035)
Military Affairs					0
Personal Service Reduction Efficiencies			(110,435)	(190,453)	(300,888)
TOTAL	62.45	62.45	(2,899,761)	66,246	(2,833,515)

SECTION B

Health & Environmental Sciences					
Personal Service Reduction Efficiencies			(164,180)	(1,340,763)	(1,504,943)
Labor & Industry					0
Personal Service Reduction Efficiencies			(51,434)	(1,950,262)	(2,001,696)
Social & Rehabilitation Services					0
Personal Service Reduction Efficiencies			(636,378)	(2,072,347)	(2,708,725)
Family Services					0
Personal Service Reduction Efficiencies			(1,370,917)	(453,999)	(1,824,916)
TOTAL	0.00	0.00	(2,222,909)	(5,817,371)	(8,040,280)

SECTION C

Public Service Regulation					
Elimination of travel modification			(15,000)		(15,000)
Elimination of pay increase modification			(30,000)		(30,000)
Personal Service Reduction Efficiencies			(161,781)	(2,158)	(163,939)
Fish, Wildlife and Parks					0
Eliminate 20 FTE grade 14 or above *	(20.00)	(20.00)		(1,117,570)	(1,117,570)
Personal Service Reduction Efficiencies			(10,461)	(1,769,187)	(1,779,648)
State Lands					0
House Bill 608 funding switch			(601,028)	601,028	0
Personal Service Reduction Efficiencies			(607,076)	(493,335)	(1,100,411)
Livestock					0
Diagnostic Laboratory funding switch			(334,486)	334,486	0
House Bill 516 funding switch			(4,510)	4,510	0
Contract with DHES for meat inspection				50,000	50,000
Personal Service Reduction Efficiencies			(45,128)	(353,079)	(398,207)
Natural Resources & Conservation					0
Personal Service Reduction Efficiencies			(341,047)	(515,070)	(856,117)
Agriculture					0
Personal Service Reduction Efficiencies			(81,231)	(230,079)	(311,310)
Commerce					0
Personal Service Reduction Efficiencies			(131,800)	(1,024,449)	(1,156,249)
TOTAL	(20.00)	(20.00)	(2,363,548)	(4,514,903)	(6,878,451)

SECTION D

Montana Arts Council					
Personal Service Reduction Efficiencies			(4,457)	(25,694)	(30,151)
Library Commission					0
Personal Service Reduction Efficiencies			(40,299)	(46,277)	(86,576)
Historical Society					0
Personal Service Reduction Efficiencies			(93,157)	(52,703)	(145,860)

Corrections & Human Services				
Personal Service Reduction Efficiencies			(5,667,981)	(607,328)
TOTAL	0.00	0.00	(5,805,894)	(732,002)

SECTION E				
Board of Public Education				
Personal Service Reduction Efficiencies			(8,131)	(6,079)
School for the Deaf & Blind				
Personal Service Reduction Efficiencies			(202,944)	(51,224)
Office of Public Instruction				
Personal Service Reduction Efficiencies			(208,446)	(287,690)
Commissioner of Higher Education				
Vocational - Technical System				
Six University Units				
Agricultural Experiment Station				
Cooperative Extension Service				
Forestry & Conser. Exp. Station				
Bureau of Mines				
Montana Council of Vocational Ed.				
Fire Services Training School				
TOTAL	0.00	0.00	(419,521)	(344,993)

SECTION F				0
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TOTAL COMMITTEE ACTION	42.45	42.45	(13,711,633)	(11,343,023)
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* Estimated amount of reduction calculated at entry level grade 14.

03/10/93
C:\DATA\LOT

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 1

MOTION: Rep. Fisher moved the money be reinstated for
contract services only. (20 FTE removed in Fish, Wildlife & Parks)

Motion failed 7 - 11

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		
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 3/10/93 BILL NO. HB 2 NUMBER 2MOTION: Rep. Grady moved to strike the contingency language, HB 608,
taking \$422,000 of general funds and replace by RIT fundseach year of the biennium Page C-47

Motion carried 11 - 7

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. MARV LOU PETERSON	X	
REP. JOE QUILLICI		X
REP. DAVE WANTZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	11	7

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 3MOTION: Rep. Grady moved the language and dollar amount,\$250,000 each year from ^{Water Resources Division} page C-54, Item #9, HB 608Motion 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 LOUI KASTEN	X	
REP. WM. RED MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK		X
REP. MARV LOUI 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 3/10/93 BILL NO. HB 2 NUMBER 4/

MOTION: Rep. Grady moved to strike Language #1, Page C-55,
reserved water rights compact commission and make funding
switch with like amount of RIT funds.

Motion carried 10 - 8

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	
	10	8

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 5MOTION: Rep. Kadas moved the amendment for \$200,000 FY 1994 and
zero for FY 1995.

Motion withdrawn by Rep. Kadas

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		

Amendments to House Bill No. 2
Grey Bill

For the Committee on Appropriations

Prepared by Office of Budget and Program Planning
March 9, 1993

[Handwritten signatures and initials, including "B" and "V", and a date "3/9/93"]

1. Page C-11, Line 24.

Following: line 24

Insert: "d. Legislative Contract Authority
500,000(federal special revenue)

500,000(federal special revenue)"

2. Page C-12, Line 7.

Following: Line 6

Insert: "The appropriations for legislative contract authority in item 6d are subject to the following provisions:

- (1) Legislative contract authority applies only to federal funds and private donated funds.
- (2) Legislative contract authority expenditures must be reported on state accounting record. The records must be separate from current level operation.
- (3) A report must be submitted by the Department of Natural Resources 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."

Explanation: The Department of Natural Resources and Conservation has been advised of the possibility of additional federal funds for energy conservation work for residential construction and rehabilitation, but no certain information is known at this time. The department also anticipates a share of the \$19 million schools retrofit program part of President Clinton's economic stimulus package contained in FY93 supplemental appropriations. Additionally some federal funds are received under the national economic stimulation plan, the agency would be required to develop its plans quickly this spring in order to spend the funds this summer.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 6MOTION: Rep. Wiseman moved the amendment as submitted.

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. MARV LOU PETERSON		
REP. JOE QUILLICI		
REP. DAVE WENZENREID		
REP. BILL WISEMAN		
REP. TOM ZOOK, CHAIR		

HOUSE OF REPRESENTATIVES

ADDODDIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 7MOTION: Rep. Kadas made a substitute motion of\$200,000 in FY 1994 and zero in FY 1995.

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 WENZENBEID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR	X	
	16	2

Amendments to House Bill No. 2
Gray Bill

Requested by Representative DeBruycker
For the House Appropriations Committee

Prepared by Roger Lloyd
March 9, 1993

EXHIBIT 2
DATE 3/10/93
HB 2

1. Page C-15, line 3.

Strike: "203,048	195,630"	[general fund]
Insert: "177,253	169,798"	[general fund]

2. Page C-15.

Following line 6.

Insert: "Agricultural statistics bulletins shall be mailed only to individuals who request them from the department and provide a self-addressed envelope with the correct postage affixed."

This amendment removes 1.00 FTE (.25 FTE administrative clerk, .75 FTE statistical clerk), reduces funding for printing, removes all funding for postage, and adds language concerning the Agricultural Statistics program in the Department of Agriculture.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 8

MOTION: Rep. DeBruycker moved an amendment to remove 1.0 FTE
in statistical recording and lower the mailing and printing costs.
Exhibit 2.

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. MARV LOU PETERSON	X	
REP. JOE QUILLICI	X	
REP. DAVE WANZENBEID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 9MOTION: Rep. Grady moved to strike all language dealing with
HB 193.

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

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
DATE 3/10/93
HB 2

Since Senate Bill 85 has been signed by the Governor, the following changes can be made to House Bill 2 in the Department of Agriculture:

1. Page C-15.
Strike lines 21 and 22 in their entirety.

2. Page C-17.
Strike lines 9 and 10 in their entirety.

3. Page C-13, line 25.
Strike: "35,750 35,909" [Other]
Insert: "26,076 9,674 26,195 9,714" [Proprietary, Other]

4. Page C-15, line 3.
Strike: "256,287 252,579" [Other]
Insert: "188,941 67,346 187,092 65,487" [Proprietary, Other]

LFA will amend totals.

HOUSE OF REPRESENTATIVES

ADDITIONAL COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 10MOTION: Rep. DeBruycker moved to strike language in the
bill Exhibit 3.

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 QUILLICI	X	
REP. DAVE WANZENBEID	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 8, 1993

EXHIBIT 4
DATE 3/10/93
HB 2

1. Page C-17.
Strike lines 24 and 25 in their entirety.

LFA will amend totals.

This amendment eliminates the Banking Code Revision budget modification in the Financial Division, Department of Commerce.

HOUSE OF REPRESENTATIVES

ADDITIONAL AMENDMENTS

COMMITTEE

ROLL CALL VOTE

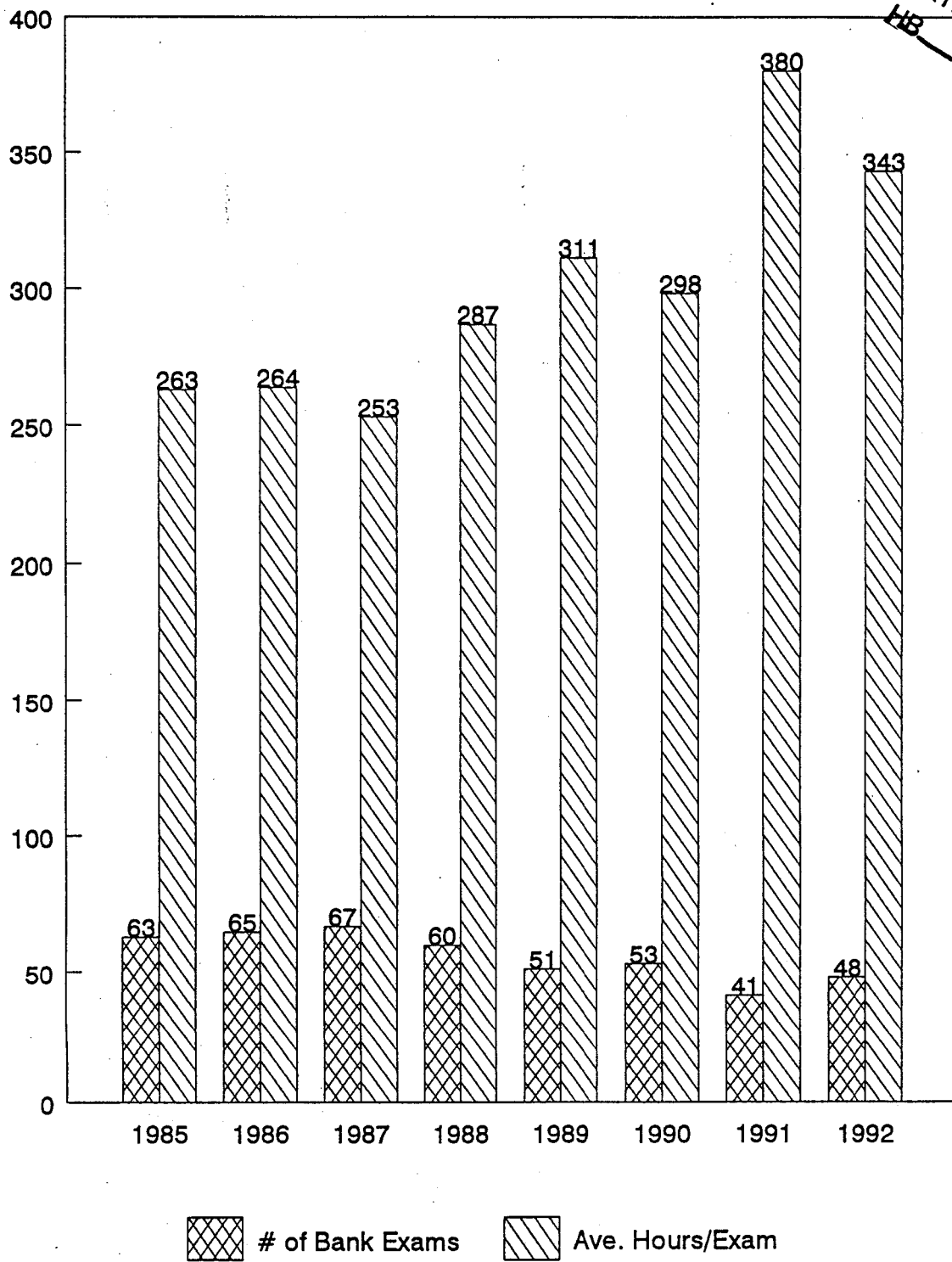
DATE 3/10/93 BILL NO. HB 2 NUMBER //

MOTION: Rep. DeBruycker moved amendment, Exhibit 4, to eliminate
the banking code revision budget modification in the Financial
Division, Department of Commerce

Motion failed 5 - 11

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		pass
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		pass
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 WENZENBEID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	5	11

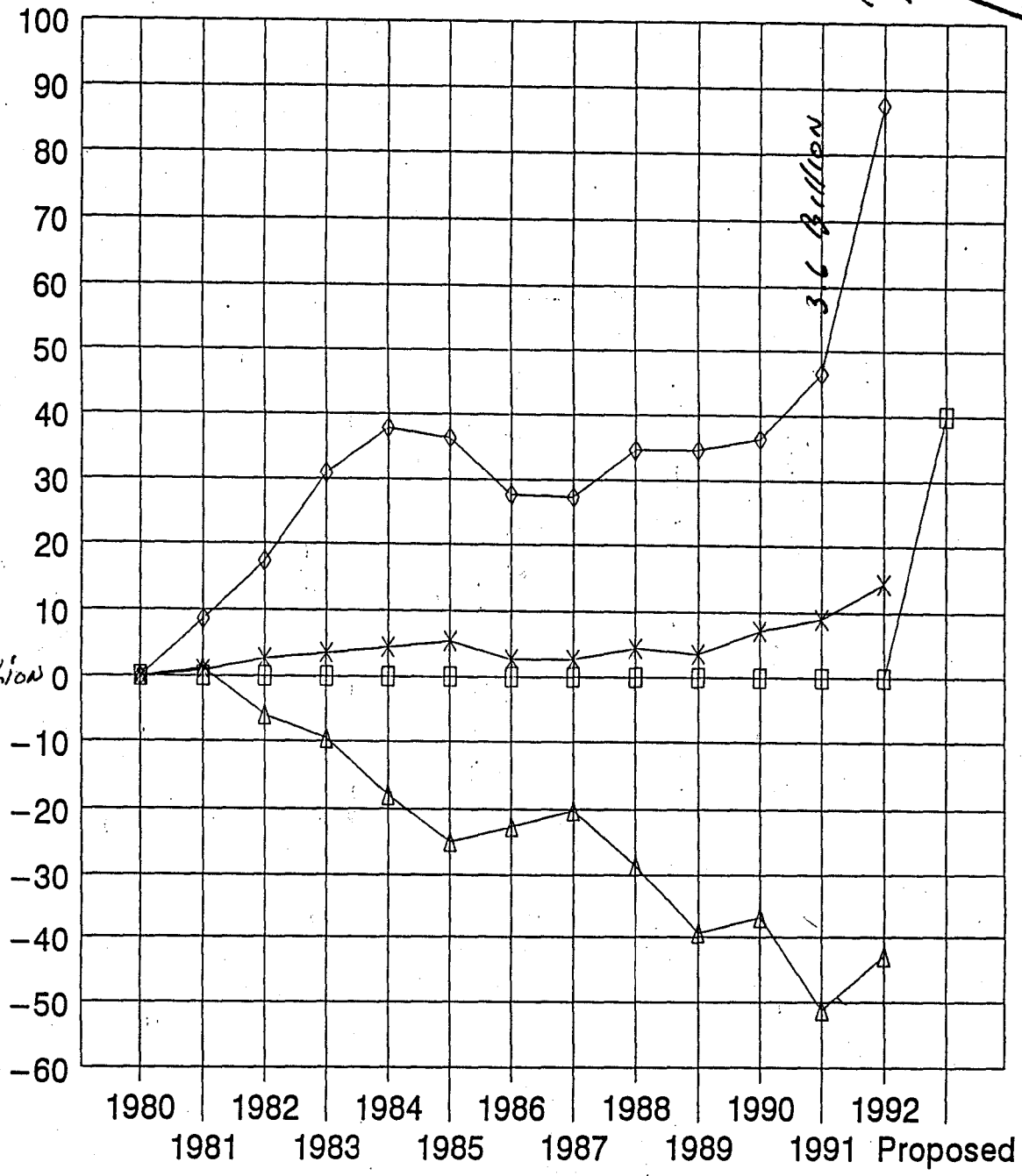
EXHIBIT 5
DATE 3/10/93
HB 2



PERCENTAGE CHANGE SINCE 1980

EXHIBIT 6
DATE 3/10/93
HB 2
12/31/92
4.5 Billion est.
E.H.

12/31/80
2,458 Billion



□ Number of Examiners
◇ Total Assets △ Number of Exams × Number of Offices

Amendments to House Bill No. 2
Grey Bill

For the Committee on Appropriations

Prepared by Office of Budget and Program Planning
March 9, 1993

EXHIBIT 7
DATE 3/10/93
HB 2

1. Page C-19, line 1.

Strike: "3,000,793 3,002,791"

Insert: "372,514 374,512"

2. Page C-19, Line 11.

Following: Line 11

Insert: "f. Coal Board Grants

1,956,558(biennial)(state special revenue)"

This amendment reduces the amount appropriated for coal board grants to the level estimated as a result of HB350 and places it in a separate line item.

Narrative reference C-83

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HR 2 NUMBER 12

MOTION: Rep. DeBruycker moved an amendment, Exhibit 7, to
reduce the amount appropriated for coal board grants to the level
estimated as a result of HB 350 and places it in a separate line
item. 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 QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

HOUSE OF REPRESENTATIVES

ADDITIONAL INFORMATION

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 13

MOTION: Rep. Grady moved an amendment to strike amounts
and language, Item #2, Page C-73.

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 QUILLICI	X	
REP. DAVE WENZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 14

MOTION: Rep. Grady moved to strike the language in #1, page C-96
to reduce the general fund and increase state special by
a like amount.

NAME	AYE	NO
REP. ED GRADY, V. CHAIR		
REP. FRANCIS BARDANOUVE		
REP. ERNEST BERGSAGER		
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 WANZENBEID		
REP. BILL WISEMAN		
REP. TOM ZOOK, CHAIR		

HOUSE OF REPRESENTATIVES

ADDITIONAL AMENDMENTS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 15

MOTION: Rep. Wanzenried made a substitute motion that the
Montana Science and Technology Alliance program be eliminated
entirely. Motion carried 11 - 7

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 WANZENRIED	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	11	7

HOUSE OF REPRESENTATIVES

ADDITIONAL AMENDMENTS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 16MOTION: Rep. Wanzenried moved to draft a committee bill.

Motion carried 13 - 5

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 WANZENRIED	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	13	5

PROPOSED AMENDMENTS HOUSE BILL 2, GRAY BILL

House Appropriations Committee

Prepared by the Department of Corrections & Human Services
March 10, 1993

EXHIBIT 8
DATE 3/10/93
HB 2

The five percent efficiency reductions approved by the House Appropriations Committee is reduced by \$1,358,640 general fund and \$91,617 other funds in fiscal 1994 and \$1,384,897 general fund and \$94,867 other funds in fiscal 1995 to fully fund direct care positions in the Department of Corrections and Human Services.

- End -

The fiscal impact of the original five percent efficiency amendment on the Department of Corrections and Human Services was a \$2,804,655 general fund and \$299,615 other fund reduction in fiscal 1994 and \$2,863,326 general fund and \$307,713 other fund reduction in fiscal 1995.

The proposed amendment exempts direct care staff in the department from the five percent efficiency reduction. The amendment restores \$1,358,640 general fund and \$91,617 other funds in fiscal 1994 and \$1,384,897 general fund and \$94,867 other funds in fiscal 1995.

IMPACT OF PROPOSED AMENDMENT						
Amendment	-----Fiscal 1994-----			-----Fiscal 1995-----		
	General Fund	Other Funds	Total Funds	General Fund	Other Funds	Total Funds
Original 5% Amendment	\$2,804,655	\$ 299,615	\$3,104,270	\$2,863,326	\$ 307,713	\$3,171,039
This Amendment	<u>\$1,446,015</u>	<u>\$ 207,998</u>	<u>\$1,654,013</u>	<u>\$1,478,429</u>	<u>\$ 212,846</u>	<u>\$1,691,275</u>
Amount Restored	\$1,358,640	\$ 91,617	\$1,450,257	\$1,384,897	\$ 94,867	\$1,479,764

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 17

Exhibit 8

MOTION: Rep. Grady moved the proposed amendments to HB 2, Gray Bill
to reduce the 5% efficiency reductions by \$1,358,640 general fund
and \$91,617 other funds in FY 1994 and \$1,384,897 general fund and
\$94,867 other funds in FY 1995 - Direct care - Dept. of Corrections

NAME	Motion carried unanimously.	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	
		18	0

EXHIBIT _____
DATE 3/10/93
HB 2

PROPOSED AMENDMENTS TO HB 46

1. Page 1, Title, line 6.
following "HOMES"
delete: ";"
insert: ", THE DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM FOR AGING VETERANS AND THE ESTABLISHMENT OF A SPECIAL REVENUE ACCOUNT IN THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES;
following: "16-11-119"
insert: , 10-2-405"
2. Page 2, line 4.
following: "nursing homes"
delete: "."
add: "and the development and implementation of a benefits program for aging veterans who need in-home health or nursing care."
3. Page 3, line 1.
insert: " NEW SECTION. Section 10-2-405. Section 1. Utilization of funds generated by taxation on cigarettes. Revenues generated by 16-11-119 to the department of corrections and human services shall be used to support the operation and maintenance of the Montana veterans homes program and or the development and implementation of a benefits program for aging veterans who need in-home health or nursing care. The legislature shall appropriate from this account, funds required for the operation and maintenance of the Montana veterans homes and the development and implementation of the benefits program. For this part operation and maintenance may include personal services, operations, equipment, and construction or remodeling projects. The department of corrections and human services may adopt rules for the administration of the veterans benefits program."

HOUSE OF REPRESENTATIVES

ADDITIONAL AMENDMENTS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 18MOTION: Rep. Bergsagel moved to adopt the proposed amendments
to HB 46, Exhibit 9.

Motion carried 11 - 7

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 QUILLICI		X
REP. DAVE WENZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	11	7

HOUSE OF REPRESENTATIVES

ADDITIONAL INFORMATION

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93

BILL NO. HB 46

NUMBER 19

MOTION: Rep. Grady moved HB 46 DO PASS AS AMENDED

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 WENZENBEID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	12	6

afternoon

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL

DATE

3/10/93

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	✓		

Amendments to House Bill No. 2
Gray Bill

Requested by Representative Peterson
For the Committee on Appropriations

Prepared by Sandy Whitney
March 8, 1993

EXHIBIT 9A
DATE 3/10/93
HB 2

1. Page D-2, line 9.

Following: line 8

Insert: "b. Highways NRIS Support

100,000 (fiscal 1994 state special revenue)

100,000" (fiscal 1995 state special revenue)

The purpose of this amendment is to provide for Department of Transportation (DOT) financial support for the Natural Resource Information System and Natural Heritage Programs (NRIS) of the Montana State Library. The DOT makes extensive use of this program as part of its environmental review process.

{Office of Legislative Fiscal Analyst

444-2986}

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 20MOTION: Rep. Peterson moved to adopt amendments, Exhibit 9.Ato provide for Department of Transportation (DOT) financial supportfor the Natural Resource Information System and Natural Heritageprogram (NRIS) of the Montana State Library. 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 WENZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0



The University of
Montana
School of Law

Eph
Intra-Campus MEMORANDUM

EXHIBIT	
DATE	3/10/93
HB	6

2 Wd

TO: House Appropriations Committee

FROM: Professor Melissa Harrison
School of Law
The University of Montana

SUBJECT: Women's Correctional Facility

DATE: March 9, 1993

I am pleased to have this opportunity to give you my views on the proposed Women's Correctional Facility. I would first like to tell you a bit about myself in order to let you know from what perspective I give you my opinions. I currently teach at the School of Law. I teach Criminal Law, Criminal Procedure, Advanced Criminal Procedure and Sentencing Law. Before joining the law faculty in 1991, I spent my legal career as a prosecutor. I was an Assistant District Attorney in New York and then an Assistant United States Attorney in Tennessee. I am a person who believes that individuals who break the law must take responsibility for their actions. I believe that prison is an appropriate sanction.

However, I also believe that prisons must meet constitutional standards. The Women's Correctional Facility at Warm Springs does not, in my view, come close to meeting such standards. Therefore, I urge you to proceed with the proposed new facility. I urge you to take this action for the following reason: You can build it now or you can build it later after

House Appropriations Committee
March 9, 1993
Page 2

EXHIBIT 10
DATE 3/10/93
HB 2

engaging in expensive litigation which the state will most assuredly lose.

After touring the facility at Warm Springs, I believe that the conditions at the facility can be challenged on equal protection grounds. The equal protection clause of the Fourteenth Amendment requires parity and therefore, "male and female inmates must receive substantially equal facilities and conditions while in prison." *Madyun v. Franzen*, 704 F. 2d 954 (7th Cir.), *cert. denied*, 104 S. Ct. 493 (1983). See also, *Caterino v. Wilson*, 546 F. Supp. 174 (W.D. Ky. 1982), *Glover v. Johnson*, 478 F. Supp. 1075 (E.D. Mich 1979). As I stated before, I am not a person who believes in "coddling prisoners," but you cannot provide services and opportunities to male prisoners and deny them to female prisoners. Currently in Montana, male prisoners have more vocational and educational opportunities, have better physical conditions of confinement, and have greater access to courts than female prisoners.

Courts have been receptive to challenges to conditions in women's prisons based upon equal protection grounds. Challenges on equal protection grounds were successful in Kentucky and Michigan. Based upon my touring the facility at Warm Springs and speaking with Warden Steve McCaskill, and based upon my reading of the *Glover* (Michigan) and *Caterino* (Kentucky) cases, I believe the facility at Warm Springs is constitutionally deficient in the following areas.

House Appropriations Committee
March 9, 1993
Page 3

I. **Vocational Programs**—Because of space constraints, there is a dearth of vocational training programs compared to the men's facility.

a. The women are trained for low paying menial positions in fields traditionally occupied by women. The only vocational training is in business skills and computer literacy. The men are trained for higher paying jobs.

b. **Prison Industries**—There are only two prison industries for women.

(1) Data entry—three employees.

(2) Sewing—six employees.

Out of a population of approximately fifty inmates, nine inmates are employed in prison industries. These industries are in the basement of the building at Warm Springs. The men's facility has a much larger and more varied prison industries program which includes mechanics, printing, and ranch operations.

If the new facility were built in Billings, the larger community could be used to provide vocational training for the women.

House Appropriations Committee
March 9, 1993
Page 4

EXHIBIT 10
DATE 3/10/93
HB 2

II. Conditions of Confinement

a. Physical Plant and Overcrowding—The facility is obviously overcrowded.

- (1) Bed space—The rooms are small and crowded. Two rooms had five beds in them.
- (2) Program space—There is a severe lack of program space. Classes meet in the dining room, counseling groups meet in offices. Seven people share one office.
- (3) Visitation—Because of a lack of space, the women have shorter visiting hours than the men. They only have visitation on weekends. This is because the dining room is the only room for visitation and it is obviously needed for meals. The men's prison has visitation five days a week. This is a particular hardship for the women who have children. Eighty percent of the women inmates have children.

House Appropriations Committee
March 9, 1993
Page 5

EXHIBIT 10
DATE 3/10/93
HB 2

III. Access to Courts—This includes the adequacy of the law library and access to legal assistance.

The library at the women's facility is seriously deficient. In addition, there are no trained paralegals to assist the inmates such as the men have. In *Bounds v. Smith*, 430 U.S. 817, 821 (1977), the Supreme Court held that the fundamental constitutional right of access to the courts requires prison authorities to assist inmates in the preparation and filing of meaningful legal papers by providing prisoners with adequate law libraries or adequate assistance. In the *Bounds v. Smith* case, North Carolina's library plan denied women the same access rights as men. In both *Caterino v. Wilson* and *Glover v. Johnson*, the courts held that the female inmates were provided less access to courts than the men. The court in *Glover* required that the women be provided with paralegal training to make up for the past lack of legal assistance.

Setting up a prison law library will not alone satisfy the requirements set forth in *Bounds v. Smith*. The law library must be adequate. A number of courts have held prison law libraries constitutionally deficient because of books not included in the library collection. See e.g., *Gilmore v. Lynch*, 319 F. Supp. 105, 110-111 (N.D. Cal. 1970), *affirmed sub nom. Younger v. Gilmore*, 404 U.S. 15 (1971), (omission of U.S. Supreme Court Reports, other federal reporters, the United States Code, etc. violates right of access); *Ramos v. Lamm*, 639 F. 2d 559, 584 (10th Cir. 1980) (prison law library lacking most volumes of the Federal Reporter Second and the Federal Supplement is inadequate). The Women's Correctional Facility library has none of the

House Appropriations Committee
March 9, 1993
Page 6

FBI 10
DATE 3/10/93
HB 2

aforementioned reporters.

In conclusion, it is quite clear that the Women's Correctional Facility is constitutionally deficient. In *Bukhari v. Hutto*, 487 F. Supp. 1162 (E.D. Va. 1980), the Court said that the fact of small size may not be used to justify official inaction or legislative unwillingness to operate a prison in a constitutional manner. The court in *Caterino v. Wilson* said that a desire to preserve the state's limited resources cannot be used to justify an allocation of those limited resources which unfairly denies women equal access to programs routinely available to men.

Thank you for this opportunity to provide you with my views.

Reports of conversations with Nevada and Idaho Attorney General's offices regarding legal challenges to conditions at women facilities and continued monitoring.

EXHIBIT
DATE 3/10/93
HB 2

2/12/93 - Conversation with Corrections counsel, Robert Gates, of Idaho Attorney General's office:

- 1981 the suit was filed
- 1983 an initial settlement agreement was reached and the consent decree was ordered
- in ensuing years the consent decree was amended two more times.
- the Idaho Department of Corrections has not been able to live up to the consent decree, so the courts through the ACLU has continually monitored the situation
- The state has had to pay a monitor to observe the state's compliance with the consent decree at \$20,000 a year.
- Easily \$200,000 in attorneys' fees initially.
- Dept. has had to hire extra staff and build a decent facility with the courts breathing down their necks.
- If a state is found to be out of compliance, the court orders the state treasurer to order the state auditor to pay the attorneys' fees and any other costs. Lack of funds is usually not an excuse.
- Advice - Build now, you'll have to pay for much more and will have much more hassle if you don't. You can't win in court.

2/12/93 - Conversation with Corrections counsel, Mark Cardinale, of Nevada Attorney General's office.

- Nevada has had to be monitored for 6 years. Two monitors at \$10,000 a year each.
- Estimated 2000 hours for litigation at \$150 @ hour.
- Most disturbing feature other than costs - State loses control of Corrections plans. All in the hands of the Federal mandates.
- Advice - if you have a chance to build without litigation, Go for it.
- Also reported that either NH or VT had been ordered to house women felons in state - courts said "no" to sending women out of state.

2/12/93 - Barbara Schmidt of the Michigan Attorney General's office will send figures on 2/16/93.

(all next page)

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



STANLEY D. STEINBORN
Chief Assistant Attorney General

FRANK J. KELLEY
ATTORNEY GENERAL

LANSING

EXHIBIT 11
DATE 3/10/93
HB 2

(517) 334-8000

February 17, 1993

Representative Vivian Brook
State Capitol Building
Helena, MT 59601

RE: Glover v Johnson
File No. 77-CV-71229 DT
AG# 8801581/LTR228

Dear Representative Brooke:

Pursuant to our telephone conversation last week, I requested that my client provide me with the amount of attorney fees and costs paid out to Plaintiffs' counsel in the above-captioned case. As I stated, the Glover case is a class action lawsuit in which female inmates in the State of Michigan sued various correctional officials alleging that the female inmates did not receive programming equivalent to their male counterparts. The lawsuit was filed pursuant to 42 USC § 1983 alleging equal protection violations.

Since 1985, approximately \$928,846.00 in attorneys' fees and costs have been paid out. These fees have been primarily paid to two attorneys. The case is still ongoing. Plaintiffs' attorneys file attorney fee petitions every six months.

I hope this information is helpful to you. Please feel free to contact me if you have further questions.

Very truly yours,

FRANK J. KELLEY
Attorney General

Barbara A. Schmidt
Assistant Attorney General
Corrections Division
P.O. Box 30216
Lansing, MI 48909

Amendments to House Bill No. 2
Gray Copy

For the Committee on Appropriations

Prepared by Sandy Whitney
March 10, 1993

passed
EXHIBIT 12
DATE 3/10/93
HB 2

1. Page D-5, line 24.

Following: line 23

Insert: "a. Veterans' Community Services - pilot project

325,484 (fiscal 1994 state special revenue)

313,595" (fiscal 1995 state special revenue)

{Office of Legislative Fiscal Analyst

444-2986}

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 21

MOTION: Rep. Bergsagel moved the amendments, Exhibit 12,
page D-5 of HB 2, Veterans' Community Service - Pilot Program,
to address HB 46. Motion carried 12 - 6

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 QUILLICI		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 3/10/93 BILL NO. HB 2 NUMBER 22

MOTION: Rep. Grady moved to strike the language at the bottom of page D-21. (HB 16 and HB 46)

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 3/10/93 BILL NO. HB 2 NUMBER 23

MOTION: Rep. Grady moved to close Section D.

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. MARV LOU PETERSON	x	
REP. JOE QUILICI		x
REP. DAVE WANZENREID	x	
REP. BILL WISEMAN	x	
REP. TOM ZOOK, CHAIR	x	
	14	4

**Montana Department of Fish, Wildlife & Parks
FY94/95 Biennial Budget Request
Budget Cuts**

exh.
EXHIBIT 13
DATE 3/10/93
HB 2

	<u>FTE</u>	<u>Biennial \$ Amount</u>
I. Natural Resources Subcommittee		
Budget Reductions	11.06	\$845,525
II. Full House Appropriations		
5% Personal Services Reduction	27.55	\$1,779,648
III. Full House Appropriations		
20 FTE's Eliminated - Gr. 14 & higher	20.00	\$1,287,840 *
TOTAL REDUCTIONS	<u>58.61</u>	<u>\$3,913,013</u>

* estimated

Total FTE's Authorized	550.95
Total FTE's Cut	58.61
Percentage FTE's Cut	10.64%

Division	FTE			TOTAL
	Subcommittee	5% Personal Services	Gr14 & higher	
Fisheries	3.91	5.23	3.50	12.64
Wildlife	1.40	4.99	4.50	10.89
Parks	0.75	4.85	2.50	8.10
Enforcement	2.50	4.77	4.00	11.27
Other	2.5	7.71	5.5	15.71
TOTAL	11.06	27.55	20.00	58.61

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 24

MOTION: Rep. Menahan moved to rescind the action of
yesterday and reinstate 20 FTE in Fish, Wildlife and Parks

Motion failed 8 - 9

NAME	AYE	NO
REP. ED GRADY, V. CHAIR	X	
REP. FRANCIS BARDANOUVE		
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

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 35

MOTION: Rep. DeBruvcker moved to close Section C

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 WENZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

Draft Copy

Printed 5:35 pm on March 8, 1993

EXHIBIT 14
DATE 3/10/93
HB LC1351
2

**** Bill No. ***

Introduced By *****

By Request of the joint subcommittee on education and cultural resources

A Bill for an Act entitled: "An Act transferring money from the state traffic education account to be used for vocational education and gifted and talented programs; amending section 20-7-504, MCA; and providing an effective date."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 20-7-504, MCA, is amended to read:

"20-7-504. State traffic education account -- proceeds earmarked for the account. (1) There is a traffic education account in the treasury of the state of Montana. ~~There~~ Subject to subsection (4), there must be paid into this account a portion of the fines and forfeitures collected in any court except a justice's court from persons apprehended or arrested by highway patrol officers or department of transportation peace officers for any violation of chapter 3, part 1 of chapter 4, or chapters 5 through 10 of Title 61 relating to the operation or use of motor vehicles in the following amounts:

- (a) if a fine is imposed, 25% of the fine imposed;
- (b) if multiple offenses are involved, 25% of the total sum of all fines imposed;

Draft Copy

Printed 5:35 pm on March 8, 1993

NEW SECTION. Section 2. {standard} Effective date. [This
act] is effective July 1, 1993.

-END-

{Gregory J. Petesch
Director, Legal Division
Montana Legislative Council
(406) 444-3064}

EXHIBIT
DATE 3/10/93
HB 2

Amendments to House Bill 2
Grey Copy

Requested by Representative Royal Johnson
For the Committee on House Appropriations

Prepared by Skip Culver
March 9, 1993

EXHIBIT 15
DATE 3/10/93
HB 2

1. Page E-3, Following line 23.

Insert: "t. Gifted and Talented (Biennial/Restricted)"

"300,000" (general fund)

"u. Secondary Vocational Education (Biennial/Restricted)"

"1,300,000" (general fund)

3. Page E-4, following line 16.

Insert: "Items 2t and 2u are contingent upon the passage and approval of [LC 1351] which transfers \$1,600,000 from the state traffic safety education account to the general fund during the 1995 biennium."

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 26

MOTION: Rep. Royal Johnson moved the amendments, Exhibit 15, concerning the gifted and talented and secondary Vo-Ed programs in the amount of \$300,000 for the biennium; \$150,000 each year for secondary Vo-ed total and \$1.3 million or \$650,000 each year. Motion carried 17 - 1

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	
	17	1

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 27

MOTION: Rep. Royal Johnson moved to introduce Draft Copy

LC #1351 as a committee 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 QUILLICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

AMENDMENT TO HB2, GRAY COPY

OFFICE OF PUBLIC INSTRUCTION

EXHIBIT 16
DATE 3/10/93
HB 2

Move to reinstate, in all funds **except the general fund**, the 5% personal services budget reductions approved by committee action on Monday, March 8th. Non-general fund personal services budget reductions were as follows:

Fiscal Year 1994

State Special Revenue Fund	\$ 7,174
Federal Special Revenue Fund	\$ 107,711
Proprietary	\$ 24,597

Fiscal Year 1995

State Special Revenue Fund	\$ 7,212
Federal Special Revenue Fund	\$ 108,272
Proprietary	\$ 32,724

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 18

MOTION: Rep. Royal Johnson moved the amendments, Exhibit 16,
concerning the State Special, Federal Special and proprietary funds
be reinstated in the OPI budget.

Motion failed on a tie vote 9 - 9

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
	9	9

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 29MOTION: Rep. Grady moved to delete language and dollar amount
,Page E-4, first paragraph.

Motion failed 7 - 10

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. MARV LOU PETERSON	X	
REP. JOE QUILLICI		X
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	7	10

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 30MOTION: Rep. Grady moved to eliminate language Page E-6.last paragraph.

Motion carried 10 - 8

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

MOTION: Rep. Wiseman moved an amendment that the OPI
administration costs be lowered to 14.5% of the total cost of
the program for 1995.

Rep. Wiseman withdrew the motion.

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 2
Grey Copy

Requested by Representative Royal Johnson
For the Committee on House Appropriations

Prepared by Skip Culver
March 9, 1993

EXHIBIT 17
DATE 3/10/93
HB 2

1. Page E-5, line 14.

Strike "1,091,815" (general fund, fiscal 1994) "1,071,679" (general fund, fiscal 1995).

Insert "1,099,737" (general fund, fiscal 1994) "1,079,601" (general fund, fiscal 1995).

LFA will amend totals

This amendment increases the general fund appropriation for the education program to add \$7,922 in fiscal 1994 and \$7,922 in fiscal 1995 for differential pay.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 32

MOTION: Rep. Royal Johnson moved an amendment to increase
appropriation by \$15,000 for the biennium for the differential
in the pay. Exhibit 17

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 GUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	16	2

EXHIBIT
DATE 3/10/93
HB 2

Amendments to House Bill No. 2
Gray Reading Copy

For the Committee on Appropriations

Prepared by Taryn Purdy
March 10, 1993

[Handwritten notes and arrows pointing to specific lines in the document]

1. Page E-7, following line 12.

Insert: "12. Personal Service Reduction Efficiencies"

"42,990"	[general fund fiscal 1994]
"82,025"	[federal funds fiscal 1994]
"5,820"	[proprietary funds fiscal 1994]
"42,860"	[general fund fiscal 1995]
"85,450"	[federal funds fiscal 1995]
"5,840"	[proprietary funds fiscal 1995]

2. Page E-7, following line 12.

Insert: "13. Personal Service Contingency"

"4,299"	[general fund fiscal 1994]
"16,405"	[federal funds fiscal 1994]
"1,164"	[proprietary funds fiscal 1994]
"4,286"	[general fund fiscal 1995]
"17,090"	[federal funds fiscal 1995]
"1,168"	[proprietary funds fiscal 1995]

{Office of Legislative Fiscal Analyst

444-2986}

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 33

MOTION: Rep. Zook moved the amendments, Exhibit 18, that the Commissioner's office receive the same efficiency reductions that the rest of state government has received.

Motion carried 10 - 8

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	
	10	8

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 34

MOTION: Rep. Quilici moved a substitute motion to delete \$42,990
general fund in 1994 and \$42,860, general fund in 1995,
personal service reduction efficiencies.

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 QUILICI	X	
REP. DAVE WANZENREID	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIR		X
	9	9

EXHIBIT
DATE 3/10/93
HB 2

AMEND HOUSE BILL 002, GREY COPY

HOUSE APPROPRIATIONS COMMITTEE

Peck

Prepared by the Montana University System

1. Page E-7.
Following: line 19.
Insert: "If House Bill No. 005 is not passed and approved resulting in the issuance of general obligation bonds for prepayment of the remaining payment obligations for the Butte Vo-Tech center, the general fund appropriation in item 10 is increased by \$465,115 in fiscal 1994 and \$467,275 in fiscal 1995."

EXPLANATION

The Board of Regents currently pays the Butte School District an amount equal to the district's debt service payment on the outstanding bonds for Butte Vo-Tech Center. These bonds have an average coupon rate of 9.96% but the school district can not refund the bonds without a substantial penalty under federal arbitrage rules. HB005 currently contains authorization for the state to issue general obligation bonds to prepay the Butte school district which would allow the district to redeem all outstanding bond during fiscal 1994. Because the state can issue bonds at a rate of slightly over 4%, the state could realize approximately \$100,000 in savings over the FY94-95 biennium. The amount of the Butte Vo-Tech bond payments (\$465, 115 in FY94 and \$467,275 in FY95) have already been removed from HB002. This amendment would provide the funding to make the required payments if HB005 does not pass or does not provide authority for the state to issue general obligation bonds to prepay the Butte school district.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 35

MOTION: Rep. Peck moved to adopt the amendments, Exhibit 19
Montana University System ,general obligation bonds, for Butte
Vo-Tech Center.

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

Amendments to House Bill 2
Grey Copy

Requested by Representative Royal Johnson
For the Committee on House Appropriations

Prepared by Skip Culver
March 9, 1993

EXHIBIT _____
DATE 3/10/93
HB 2
Royal

1. (Billings Center) Page E-8, line 3.
Stike: "460,527" (fiscal 1994, other funds) "460,527" (fiscal 1995, other funds)
Insert: "469,315" (fiscal 1994 other funds) "469,315" (fiscal 1995, other funds)
2. (Butte Center) Page E-8, line 17.
Stike: "340,013" (fiscal 1994, other funds) "340,013" (fiscal 1995, other funds)
Insert: "346,566" (fiscal 1994 other funds) "346,566" (fiscal 1995, other funds)
3. (Great Falls Center) Page E-9, line 5.
Stike: "671,241" (fiscal 1994, other funds) "671,241" (fiscal 1995, other funds)
Insert: "684,163" (fiscal 1994 other funds) "684,163" (fiscal 1995, other funds)
4. (Helena Center) Page E-9, line 18.
Stike: "595,349" (fiscal 1994, other funds) "595,349" (fiscal 1995, other funds)
Insert: "606,615" (fiscal 1994 other funds) "606,615" (fiscal 1995, other funds)
5. Missoula Center) Page E-10, line 6.
Stike: "608,502" (fiscal 1994, other funds) "608,502" (fiscal 1995, other funds)
Insert: "620,064" (fiscal 1994 other funds) "620,064" (fiscal 1995, other funds)

LFA WILL AMEND TOTALS

This amendment increases the other revenue appropriations at the 5 vocational technical centers to include a 2 percent increase in incidental fees.

EXHIBIT
DATE 8/10/93TABLE 1a
Subcommittee Proposal Plus Adjustments
1995 Biennium

Unit	LFA Current Level	Subc Reduction	Total Subc Proposal	Percent (Decrease)	Per Student	Plus Grad Dif**	Plus NR Summer*	Plus Add'l Tuition**	Net	Percent Increase (Decrease)	Per Student
OSU	115,657,261	(6,560,365)	109,096,896	-5.7%	5,493	451,532	234,776	3,422,162	113,205,366	-2.1%	5,700
UM	105,293,507	(12,107,095)	93,186,412	-11.5%	4,867	706,698	277,628	5,924,724	100,095,462	-4.9%	5,227
EMC	34,538,841	(606,887)	33,931,954	-1.8%	5,274	123,442	39,348	28,730	34,123,474	-1.2%	5,304
NMC	18,471,363	(422,751)	18,048,612	-2.3%	5,626	102,768	38,308	150,526	18,340,214	-0.7%	5,717
WMCUM	11,059,382	(557,656)	10,501,726	-5.0%	5,419	0	6,174	112,332	10,620,232	-4.0%	5,480
MCMST	23,568,418	(2,484,194)	21,084,224	-10.5%	6,101	47,724	22,730	393,544	21,548,222	-8.6%	6,235
Total	308,588,772	(22,738,948)	285,849,824	-7.4%	5,289	1,432,164	618,964	10,032,018	297,932,970	-3.5%	5,513
General Fund	186,645,621	(22,738,948)	163,906,673	-12.2%	3,033				163,906,673	-12.2%	3,033
Six Mill Levy	25,085,000		25,085,000	0.0%	464				25,085,000	0.0%	464
Tuition	95,284,356		95,284,356	0.0%	1,763	1,432,164	618,964	10,032,018	107,367,502	12.7%	1,987
Other	1,573,795		1,573,795	0.0%	29				1,573,795	0.0%	29
Total	308,588,772	(22,738,948)	285,849,824	-7.4%	5,289	1,432,164	618,964	10,032,018	297,932,970	-3.5%	5,513

*As estimated by MUS.

**As estimated by MUS and allocated by OBPP

***2% Increase in resident incidental fees in fiscal 1994. 100% nonresident in fiscal 1994.

Tuition and Fees includes addition calculated from the BOR allocation.

HOUSE OF REPRESENTATIVES

ADDITIONAL AMENDMENTS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 36

MOTION: Rep. Royal Johnson moved to adopt amendments, Exhibit 20.
increase in incidental fees of 2%. (Vo-Tech Centers)

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

Amendments to House Bill No. 2
Gray Reading Copy

Requested by Representative Royal Johnson
For the Committee on Appropriations

Prepared by Taryn Purdy
March 10, 1993

EXHIBIT 22
DATE 3/10/93
HJR 2

Royal

1. Page E-11, line 1.

Strike: "18,598,286 18,598,286"

Insert: "22,052,811 22,052,811"

2. Page E-11, line 13.

Strike: "17,867,942 17,867,942"

Insert: "19,922,177 19,922,177"

3. Page E-11, line 23.

Strike: "2,910,450 2,910,450"

Insert: "3,142,449 3,142,449"

4. Page E-12, line 14.

Strike: "5,083,994 5,083,994"

Insert: "5,179,754 5,179,754"

5. Page E-13, line 1.

Strike: "2,505,113 2,505,113"

Insert: "2,650,914 2,650,914"

6. Page E-13, line 13.

Strike: "1,463,291 1,463,291"

Insert: "1,522,544 1,522,544"

7. Page E-14, following line 9.

Insert: "Tuition revenue (included within the "other" column) to each of the six university system units includes revenue anticipated based upon the following:

- (1) fiscal 1993 student enrollment;
- (2) fiscal 1993 mix of resident and nonresident enrollment;
- (3) nonresident summer tuition at a rate commensurate with the remainder of the academic year;
- (4) graduate student tuition costs at 150% of undergraduate tuition costs;
- (5) resident and western undergraduate exchange (WUE) incidental fees at 102% of fiscal 1993 fees; and
- (6) nonresident incidental fees at 100% of the fiscal 1994 per-student educational cost.

Total revenue received from resident, nonresident, and WUE incidental fees that exceeds the following amounts at each of the six university system units in each fiscal year is appropriated to the office of the commissioner of higher education for distribution by the board of regents to the six university system units and must result in a general fund reversion of a like amount, in accordance with 17-2-108(2).

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 37MOTION: Rep. Royal Johnson moved to adopt amendments, Exhibit 22Tuition revenue, six university system units.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

Amendments to House Bill No. 2
Gray Reading Copy

Requested by Representative Peck
For the Committee on Appropriations

Prepared by Taryn Purdy
March 9, 1993

EXHIBIT 23
DATE 3/10/93
HB 2

1. Page E-11, line 1.
Strike: "23,411,194 23,509,209"
Insert: "25,244,156 25,342,171"

Peck

2. Page E-11, line 13.
Strike: "32,062,482 32,217,292"
Insert: "30,920,426 31,075,236"

3. Page E-11, line 23.
Strike: "6,798,637 6,850,569"
Insert: "7,163,802 7,215,736"

4. Page E-12, line 14.
Strike: "10,336,065 10,385,444"
Insert: "9,618,695 9,668,074"

5. Page E-13, line 1.
Strike: "5,692,524 5,710,702"
Insert: "5,407,088 5,425,267"

6. Page E-13, line 13.
Strike: "3,285,489 3,313,649"
Insert: "3,232,223 3,260,385"

This amendment incorporates the Board of Regents' proposed allocation of general fund to the six university units each year.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 38

MOTION: Rep. Peck moved to adopt the amendments, Exhibit 23,
that incorporates the Board of Regents' proposed allocation of
general fund to the six university units each 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 WENZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

Amendments to House Bill No. 2
Gray Copy

Requested by Representative Wiseman
For the Committee on Appropriations

Prepared by Taryn Purdy
March 8, 1993

EXHIBIT
DATE 3/24/93
HB 2

1. Page E-11, following line 20.

Insert: "Item 1 [the MSU Combined Operations line item] includes \$39,978 in fiscal 1994 and \$39,979 in fiscal 1995 that must be used to pay rent to the Montana deaconess medical center in Great Falls for space used by the MSU school of nursing."

{Office of Legislative Fiscal Analyst

444-2986}

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HR 2 NUMBER 39

MOTION: Rep. Wiseman moved to adopt amendments, Exhibit 24,
for MSU to pay rental in the Deaconess Medical Center occupied
by the MSU school of nursing.

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

EXHIBIT 2
3/10/93
25

TABLE 1
Board of Regents Proposal Plus Adjustments
1995 Biennium

	LFA Current Level	BOR Reduction	Total BOR Proposal	Percent (Decrease)	Per Student	Plus Grad Diff**	Plus NR Summer*	Plus Add'l Tuition***	Net	Percent Increase (Decrease)	Per Student
General Fund	115,657,261	(8,844,476)	106,812,785	-7.6%	5,378	451,532	234,776	3,422,162	110,921,255	-4.1%	5,585
Six Mill Levy	105,293,507	(8,441,170)	96,852,337	-8.0%	5,056	706,698	277,628	5,924,724	103,761,367	-1.5%	5,419
Tuition	34,538,841	(2,041,631)	32,497,210	-5.9%	5,051	123,442	39,348	28,730	32,688,730	-5.4%	5,081
Other	18,471,363	(993,622)	17,477,741	-5.4%	5,448	102,768	38,308	150,526	17,769,343	-3.8%	5,539
Total	11,059,382	(664,186)	10,395,196	-6.0%	5,364	0	6,174	112,332	10,513,702	-4.9%	5,425
	23,568,418	(1,753,862)	21,814,556	-7.4%	6,312	47,724	22,730	393,544	22,278,554	-5.5%	6,446
General Fund	308,588,772	(22,738,947)	285,849,825	-7.4%	5,289	1,432,164	618,964	10,032,018	297,932,971	-3.5%	5,513
Six Mill Levy	186,645,621	(22,738,947)	163,906,674	-12.2%	3,033				163,906,674	-12.2%	3,033
Tuition	25,085,000		25,085,000	0.0%	464				25,085,000	0.0%	464
Other	95,284,356		95,284,356	0.0%	1,763	1,432,164	618,964	10,032,018	107,367,502	12.7%	1,987
Total	1,573,795		1,573,795	0.0%	29				1,573,795	0.0%	29
	308,588,772	(22,738,947)	285,849,825	-7.4%	5,289	1,432,164	618,964	10,032,018	297,932,971	-3.5%	5,513

*As estimated by MUS.

**As estimated by MUS and allocated by OBPP

***2% increase in resident incidental fees in fiscal 1994. 100% nonresident in fiscal 1994.

Amendments to House Bill No. 2
Gray Copy

For the Committee on Appropriations

Prepared by Sandy Whitney
March 10, 1993

EXHIBIT 36
DATE 3/10/93
HB 2
J

1. Page E-10, line 24.

Following: line 23

Insert: "The administration of the vocational technical centers shall be merged with the administration of the university unit nearest to it: Billings Vocational-Technical Center with Eastern Montana College; Butte Vocational-Technical Center with Montana College of Mineral Science and Technology; Great Falls Vocational-Technical Center with Northern Montana College; and Missoula Vocational-Technical Center with the University of Montana."

{Office of Legislative Fiscal Analyst

444-2986}

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 40

MOTION: Rep. Bardanouve moved to adopt an amendment, Exhibit 26
that the administration of the Vo-tech centers shall be merged
with the administration of the university unit nearest to it.

Motion carried 14 - 4

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	
	14	4

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 41

MOTION: Rep. Grady moved to reconsider the language and dollar amount
in the first paragraph, Page E-4 to move general fund out of HB 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 QUILICI		X
REP. DAVE WANZENREID		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	9	9

HOUSE OF REPRESENTATIVES

ADDITIONAL AMENDMENTS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 42MOTION: Rep. Royal Johnson moved to close Section E.

Motion carried 17 - 1

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	X	
REP. FRANCIS BARDANOUE	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 WENZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	17	1

EXHIBIT 27
DATE 3/12/93
HB 2

Amendments to House Bill No. 2
Gray Copy

Requested by Representative Cobb
For the House Appropriations Committee

Prepared by Lisa Smith
March 9, 1993

1. Page B-8, line 18.
Strike: "1,000,000"
Insert: "1,430,000" state special revenue

2. Page B-9.
Following: line 11

Insert: "Item 9a is appropriated as follows:

The amount of \$500,000 is appropriated as a reserve for laid-off state employees for fiscal 1994 for dislocated worker program services. At the end of fiscal 1994, remaining reserves may be used for other dislocated workers.

The amount of \$230,000 is appropriated to provide dislocated worker programs.

The amount of \$350,000 is appropriated to provide job training for economically disadvantaged individuals. These funds may be used only to provide service to individuals with four or more barriers as defined by the Job Training Partnership Act (JTPA).

The amount of \$350,000 is appropriated to provide job training for offenders. These funds may be used only to provide service to offenders as defined by JTPA.

The funds in item 9a may not be used to supplant the level of effort provided by JTPA funding from the federal department of labor. Although the legislature expresses its intent regarding use of the funds, the department has ultimate discretion over the allocation."

{Office of Legislative Fiscal Analyst

444-2986}

This amendment adds the unappropriated balance of the UI Admin tax fund to the \$1 million Discretionary Grants appropriated in House Bill 2 and allocates the dollars as identified above.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 43MOTION: Rep. Cobb moved to adopt amendments, Exhibit 27which adds the unappropriated balance of the UI Admin tax fundto the \$1 million Discretionary Grants appropriated in HB 2 andallocates the dollars as identified above. 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 QUILLICI	X	
REP. DAVE WANTZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	18	0

HOUSE OF REPRESENTATIVES

ADDITIONAL AMENDMENTS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 44

MOTION: Rep. Wanzenried made a substitute motion to tie this
change on the passage and approval of HB 427.

Motion failed 8 - 10

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 WANZENRIED	X	
REP. BILL WISEMAN		X
REP. TOM ZOCK, CHAIR		X
	8	10

Amendments to House Bill No. 2
Gray Copy

Requested by Representative Cobb
For the House Appropriations Committee

Prepared by Lisa Smith
March 8, 1993

EXHIBIT 28
DATE 3/10/93
HB 2

1. Page B-6, line 16.

Strike: "4,154,084 3,855,697"

Insert: "4,064,362" state special revenue, fiscal 1994 "3,765,975" state special
revenue, fiscal 1995

LFA will adjust totals

{Office of Legislative Fiscal Analyst

444-2986}

This amendment eliminates UI Admin tax funding for Project Work. These funds, \$89,722 in each year of the biennium, provide match for federal funds received from SRS.

HOUSE OF REPRESENTATIVES

ADDITIONAL INFORMATION

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 45

MOTION: Rep. Cobb moved to adopt amendments, Exhibit 28, that eliminate UI Admin tax funding for Project Work.

Motion carried 15 - 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		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	
	15	3

Amendments to House Bill No. 2
Gray Copy

Requested by Representative Cobb
For the House Appropriations Committee

Prepared by Lisa Smith
March 4, 1993

EXHIBIT 29
DATE 3/10/93
HB 2

8 4

1. Page B-3

Strike: lines 20 and 21 in their entirety

LFA will adjust totals

{Office of Legislative Fiscal Analyst

444-2986}

This amendment eliminates \$200,000 of general fund appropriated each year of the biennium for the Rural Physicians Residency Program.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93

BILL NO. HB 2

NUMBER 46

MOTION: Rep. Wanzenried moved to adopt an amendment, Exhibit 29 that eliminates \$200,000 of general fund appropriated each year of the biennium for the Rural Physicians Residency Program.

Motion failed 5 - 11

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEI		
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	
	5	11

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

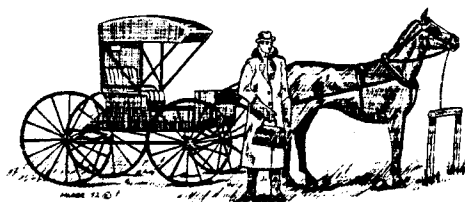
ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER y 7

MOTION: Rep. Wanzenried moved to re-fund the End Stage
Renal Program, page B-16

Motion carried 8 - 7

NAME	AYE	NO
REP. ED GRADY, V, CHAIR	x	
REP. FRANCIS BARDANOUVE	x	
REP. ERNEST BERGSAGEI		
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		
REP. DAVE WANZENREID	x	
REP. BILL WISEMAN	x	
REP. TOM ZOOK, CHAIR		x
	8	7



A tradition of caring...

MONTANA FAMILY PRACTICE RESIDENCY



...receiving the call

EXHIBIT 30
DATE 3/10/93
HB 2

INFORMATION ABOUT THE MONTANA FAMILY PRACTICE RESIDENCY

PRESENTED TO THE
HOUSE APPROPRIATIONS COMMITTEE

THURSDAY, MARCH 11, 1993

**TOM ZOOK, CHAIR
ED GRADY, VICE-CHAIR
FRANCIS BARDANOUVE
ERNEST BERGSAGEL
JOHN COBB
ROGER DE BRUYCKER
MARJ FISHER
JOHN JOHNSON
ROYAL JOHNSON**

**MIKE KADAS
BETTY LOU KASTEN
WILLIAM MENAHAN
LINDA NELSON
RAY PECK
MARY LOU PETERSON
JOE QUILICI
DAVE WAZENRIED
BILL WISEMAN**

*Frank C. Michels, M.D.
Program Director (Acting)*

*P.O. Box 35500-554
Billings, Montana 59107*

WHAT IS A FAMILY PRACTICE RESIDENCY?

A TRAINING PROGRAM

After a medical student graduates from medical school he or she must go through a separate training program called a residency. A residency in Family Practice is 3 years in duration.

Family Practice Residents are taught in both in-patient (in the hospital) and out-patient settings. They are taught by both Family Physicians and Specialists. They learn internal medicine, pediatrics, surgery, psychiatry and obstetrics and gynecology.

The major emphasis of training is continuity of care. The concept of learning to be a personal physician is emphasized.

The residents have their own clinic and they learn to interact with other health care providers such as home health, psychologists, nutritionists, and hospice agencies.

A resident will often become comfortable with the state they train in. Most physicians practice within 150 miles of where they do their training.

A residency tends to increase the standards of medical care in the communities where the residents are trained. The positive effects to the training communities are felt in places where residents are doing rural rotations as well.

Fill rates of Family Practice Residencies have stayed constant at 88%. Fill rates for Family Practice Residencies affiliated with the University of Washington are almost 100%.

Nationally, the student membership in the American Academy of Family Practice has climbed to 17,000. This will translate into more students opting for Family Medicine in the next several years.

Does Montana need a Family Practice Residency?

RURAL SUPPORT

"Family Physicians have a predilection for rural practice. Perhaps, even more important, they are far more likely than any other medical specialists to practice in small and isolated rural counties where physician shortages are most acute and access to medical care are most impaired. The more specialized the discipline, the more likely are its members to opt for urban areas." (JAMA vol. 268)

Montana's rural physician population is aging rapidly. 15 of 23 "Frontier" Montana counties have a population to physician ratio greater than 5,000:1.

Midlevel practitioners may be important sources of providers for Montana's rural needs. However, infrastructure strength will depend upon the development of teams of physicians and midlevel interdependence. Montana has experienced "burnout" in midlevel practitioners in rural areas in much the same way that Family Physicians have experienced "burnout" over the years. Seemingly, a model is emerging in some rural areas where physicians and midlevels support each other in providing good care.

There is a real concern that over the next decade over one half of the rural hospitals in Montana will close. Currently 72% of Montana's population is rural based. By training rural providers this trend may slow.

Montana trained rural Family Physicians will be the rural health experts of the next decade. We need to get these practitioners trained and in place as soon as possible.

URBAN SUPPORT

Montana is experiencing a primary care shortage even in its urban areas. Nationally, about 35% of urban physicians are in a primary care specialty. In Billings and Great Falls the percentage is much smaller. For example, there are currently 330 physicians in Billings. There are only 12 Family Physicians, 25 General Internists, and 11 Pediatricians in Billings.

Primary health care emphasizing prevention, wellness and affordability is the key to any managed-care system.

Indian Health Support

Cooperation between non-IHS and IHS systems is improved with a residency that would emphasize training rotations in IHS facilities.

Grants

Family Practice Residencies often can obtain grants to help do research or projects that otherwise would not be funded? For example, is the incidence of nervous system cancer higher in areas of high magnetic fields such as Colstrip? Does the use of 2,4-D cause a higher incidence of lymphoma in Montana farmers?

WHAT EFFORTS HAVE BEEN MADE TO GET A RESIDENCY STARTED?

1991- Montana A.H.E.C. and Rural Health Facilities explore issue, and found:

- Montana is one of two states without a residency**
- Fewer residencies in other states were allowing residents to do even a two month rotation in Montana, because they had pressure not to loose their graduating residents to other states.**
- Many of our WAMI students want to come back to Montana for a residency but there are no residencies to return to.**
- That federal monies (which Montanans pay) follow residents (about \$65,000 per resident per year). A new residency in Montana would qualify for this support.**

Summer

1991- Visit by interested individuals to a Family Practice Residency in Spokane, to find:

- University of Washington very receptive to become an affiliation partner with a new residency in Montana.**
- That Rural Training Tracks in smaller towns had been developed from the Spokane program. These smaller tracks were achieving a high level of training and graduating residents tended to stay in rural areas.**

January

1992- Formation of Steering Committee with Corporate Support and State of Montana Interest.

SPONSORS

Billings Deaconess Medical Center
Saint Vincent Hospital and Health Center
Glendive Medical Center
Frances Mahon Deaconess Hospital (Glasgow)
Community Memorial Hospital (Sidney)
Central Montana Medical Center (Lewistown)
Blue Cross and Blue Shield of Montana
Montana Power Company
Montana Medical Association
Montana Hospital Association
The Doctor's Company of Montana
Montana Academy of Family Physicians

STATE OF MONTANA SUPPORTERS

Former Gov. Stan Stephens
Lt. Gov. Dennis Rehberg
Former SRS Director Julia Robinson
Dept of HES Dale Talliaferro
Health Care for Montanans Committee

April

**1992- Beginning of a Feasibility Study
Development of full three year residency model for Montana**

Oct.

1992- Governor's Health Care for Montana, recommend \$200,000 per year for the program

Nov.

1992- Steering Committee recommends feasibility study extend through 1993

WHAT MODEL DID THE STEERING COMMITTEE RECOMMEND?

"MAIN PROGRAM"

4 Residents in each year (12 total)

Location- Billings

They would be required to do a rural rotation in their 2nd and 3rd year.

"MISSOURI TRAINING TRACK"

1 Resident in each year (3 total)

Location- Northeastern Montana

They would be required to do their 1st year in the "Main Program"

"YELLOWSTONE TRAINING TRACK"

1 Resident in each year (3 total)

Location- Border of Eastern Montana

They would be required to do their 1st year in the "Main Program"

WOULD THIS PROGRAM BE AFFILIATED WITH A MEDICAL SCHOOL?

Yes. University of Washington

WOULD THIS PROGRAM BE ACCREDITED?

Yes. The Residency must be accredited to be able to qualify for Graduate Medical Education Financing. The accrediting agency is the Residency Review Commission.

EXPENSE PROJECTION FOR THE MONTANA FAMILY PRACTICE RESIDENCY

PRESENTED TO
THE MONTANA STATE LEGISLATURE

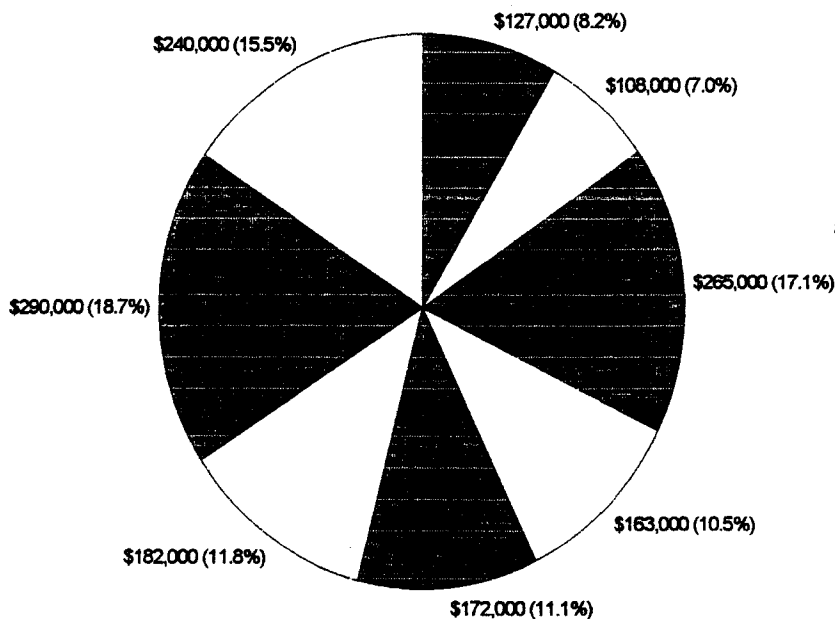
MARCH 11, 1993

RESIDENCY DIRECTOR	\$127,000	
ASSOCIATE DIRECTOR	\$108,000	
FACULTY	\$265,000	
R-1'S	\$163,000	
R-2'S	\$172,000	
R-3'S	\$182,000	
STAFF SALARIES	\$290,000	
BENIFITS	\$240,000	\$1,547,000

COMMUNICATIONS	\$14,000	
LIABILITY INSURANCE	\$43,000	
MALPRACTICE INSURANCE	\$130,000	
DATA PROCESSING	\$2,000	
RENT	\$233,000	
INSTRUCTIONAL	\$2,000	
MAINTENANCE	\$19,000	
OFFICE SUPPLIES	\$31,000	
REPAIRS	\$4,000	
SUPPLIES	\$83,000	
TRAVEL	\$40,000	
GENERAL	\$9,000	
EQUIPMENT	\$43,000	\$653,000

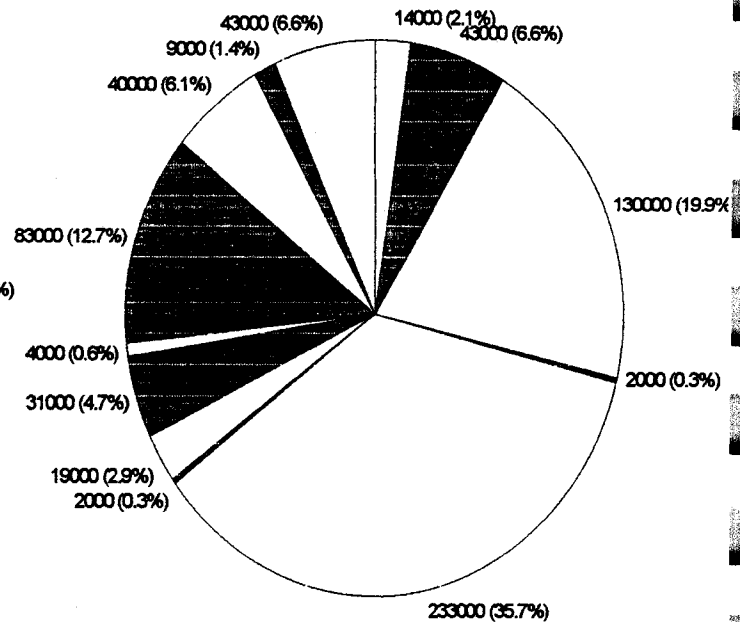
TOTAL \$2,200,000

SALARIES AND BENEFITS



TOTAL PAYROLL \$1,547,000

NON-SALARY EXPENSES



NON-PAYROLL \$653,000

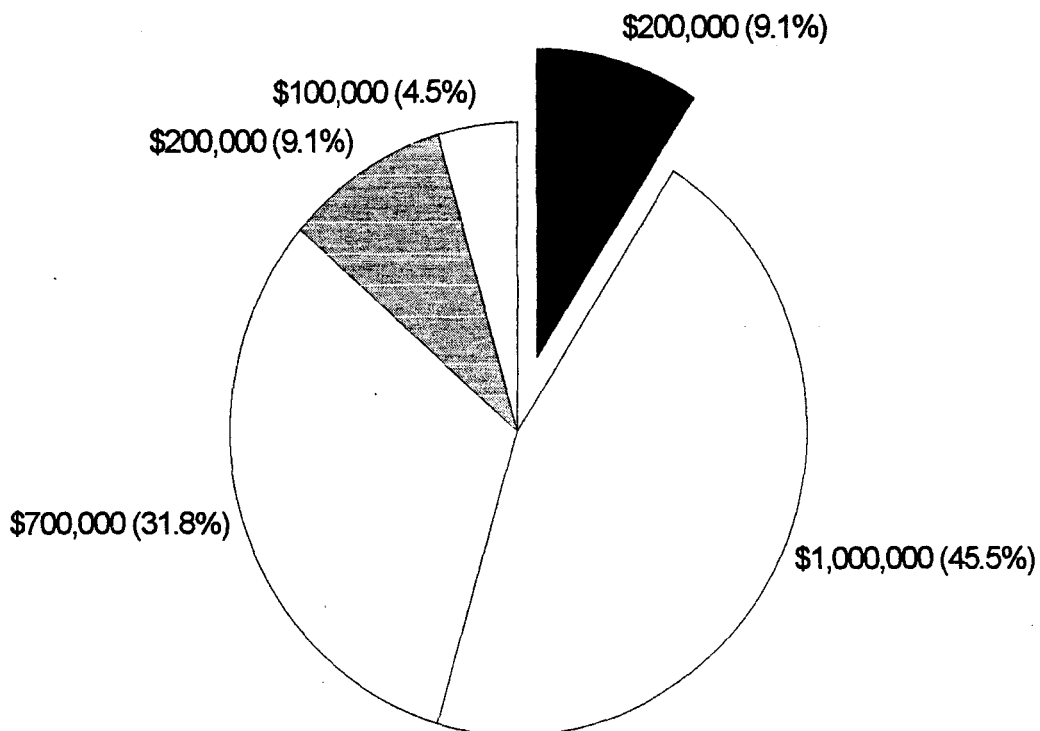
**INCOME PROJECTION
FOR THE
MONTANA FAMILY PRACTICE
RESIDENCY**

**PRESENTED TO
THE MONTANA STATE LEGISLATURE**

MARCH 11, 1993

State of Montana	\$200,000
Federal Monies	\$1,000,000
Patient revenue	\$700,000
Sponsor support	\$200,000
Grants	\$100,000
TOTAL	\$2,200,000

Revenue



TOTAL INCOME \$2,200,000

CONCLUSION

IS A MONTANA FAMILY PRACTICE RESIDENCY A WIN/WIN?

- Yes! For the people of Montana who need health care.
- Yes! For rural communities who need health care providers.
- Yes! For urban areas who need primary care development.
- Yes! For the development of managed care.
- Yes! For the midlevel practitioner who will become a portion of a health care team.
- Yes! For the Montana medical student who wants to come home for residency training.
- Yes! For the cooperation with Indian Health Systems.
- Yes! For the development of urban/rural communication.
- Yes! For the existing physicians who will teach in this program.
- Yes! For a mechanism for Montana to rightfully capture federal monies used for the training of residents
- Yes! For the positive economic impact this program will have in Montana.

BIOGRAPHY OF PRESENTOR:

FRANK C. MICHELS, M.D.

Background	<ul style="list-style-type: none">- 3rd generation Montanan- Born in Billings- Raised on Farm/ Ranch (Laurel/Molt)
Education	<ul style="list-style-type: none">- Laurel, Montana High School- College of Great Falls, BS Biology- University of Washington, Medical School (WAMI program)- University of North Dakota, Residency in Family Practice
Experience	<ul style="list-style-type: none">- Harlowton, Montana Family Physician for 6 years- Heights Family Practice, Billings, Montana Present practice location
Family	<ul style="list-style-type: none">- Mary Jo Ellesch, from Great Falls, wife- 3 children

EXHIBIT 31
DATE 3/10/93
HB 2

Amendments to House Bill No. 2
Gray Copy

Requested by Representative Wanzenried
For the House Appropriations Committee

Prepared by Lisa Smith
March 8, 1993

1. Page B-3, line 23.

Strike: "132,295

132,295"

Insert: "264,590" general fund, fiscal 1994 "264,590" general fund, fiscal 1995

LFA will adjust totals

{Office of Legislative Fiscal Analyst

444-2986}

This amendment increases the general fund appropriation for the MIAMI program expansion to the amount originally requested, \$264,590 each year of the biennium.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 48

MOTION: Rep. Wanzenried moved the amendment, Exhibit 31 to
increase the general fund appropriation for the MIAMI
program expansion to the amount originally requested,
\$264,590 each year of the biennium. Motion failed 8 - 9

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		
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
	8	9

HOUSE OF REPRESENTATIVES

APPROPRIATIONSCOMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 49

MOTION: Rep. Wanzenried moved to roll those two numbers together
into FY 1994, a biennial appropriation, so that money will be
included in the base for the next budget period.

Motion carried 11 - 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		
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	
	11	6

Amendments to House Bill No. 2
Gray Copy

Requested by Representative Cobb
For the House Appropriations Committee

Prepared by Lisa Smith
March 9, 1993

EXHIBIT 31A
DATE 3/10/93
HB 2

1. Page B-5, line 13.

Strike: "nonprofit"

2. Page B-5, line 14.

Strike: "above the level authorized by the legislature"

{Office of Legislative Fiscal Analyst

444-2986}

This amendment changes the statement:

"It is the intent of the legislature that the department contract with local health agencies and other nonprofit organizations whenever possible in lieu of adding FTE above the level authorized by the legislature."

to the following statement:

"It is the intent of the legislature that the department contract with local health agencies and other organizations whenever possible in lieu of adding FTE."

HOUSE OF REPRESENTATIVES

ADDOPDIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 50

MOTION: Rep. Cobb moved language in amendment in Exhibit 31 A
page B-1, to strike "nonprofit" and Strike "above the level
authorized by the legislature". 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

Amendments to House Bill No. 2
Gray Copy

Requested by Representative Cobb
For the House Appropriations Committee

Prepared by Lisa Smith
March 10, 1993

EXHIBIT 32
DATE 3/16/93
HB 2

1. Page B-3, line 11.

Strike: "859,436 551,450 857,757 551,450"

Insert: "893,944" general fund, fiscal 1994 "585,958" state special
revenue, fiscal 1994 "892,469" general fund, fiscal 1995
"586,162" state special revenue, fiscal 1995

LFA will adjust totals

{Office of Legislative Fiscal Analyst

444-2986}

This amendment reinstates 2 of the 2.75 FTE eliminated in the 5% personal services reduction. This amendment funds the FTE with one-half general fund and one-half fee funds (state special revenue).

This amendment increases general fund and state special revenue by \$34,508 in fiscal 1994 and by \$34,712 in fiscal 1995.

HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/10/93 BILL NO. HB 2 NUMBER 51

MOTION: Rep. Cobb moved amendment, Exhibit 32, to reinstate 2.0 FTE
of the 2.75 FTE eliminated in the 5% personal services reduction. This
amendment funds the FTE with one-half general fund and one-half fee funds
(state special revenue) .. Motion carried 10 - 7

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 QUILLICI	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 3/10/93 BILL NO. HB 2 NUMBER 52MOTION: Rep. Cobb moved to adopt a committee bill.

Motion carried 16 - 1

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		
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	
	16	1

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Appropriations COMMITTEE BILL NO. _____
DATE 3/10/93 SPONSOR(S) _____

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Bobbie Jean Curtis	Family Foster Care	X	
Trish Tohill	" " "	X	
Bill Davis	MSDB	X	
Sandy Vomini	G/T	X	
Bill Donahue	Libby Schools		
Bill Sloan	Research Farms ^{Mollasin MT}	X	
Jamy Evans	" " "	X	
NEIL McALPIN Polson	WEST RESEARCH CNTR ADVISORY COMM.		
John McLerthy	ASUM		
FRANK Michels	Montana Family Practice Residency		

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ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

DATE 3/10/93 Appropriations COMMITTEE BILL NO. _____
SPONSOR(S) _____

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Van Noel	Commerce		
Andrea Pagenkopf	MSU-Extension		
Brynn Sutton	MSU-AES		
Clyde Carroll	MSU-CES		
Bobbie J Curtis	Family Foster Care	X	
Trish Tothill	" " "	X	
Jean Keiley	LTC Co. Health Dept		
Lila Pickering	LCCND		

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