

**MINUTES**

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

**COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By REP. TOM ZOOK, CHAIRMAN, on March 16, 1993, at 3:00 P.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. 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. Bill Wiseman (R)

**Members Excused:** Rep. John Cobb; Rep. Dave Wanzenried

**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: None  
Executive Action: HB 549; HB 652; HB 11

**EXECUTIVE ACTION ON HB 549**

**Discussion:** REP. PETERSON asked Jonathan Moe, Office of Legislative Fiscal Analyst, to review the revised fiscal note.

Mr. Moe explained the intent of the bill was to change state special revenue accounts for the Secretary of State's Office to proprietary accounts: an internal services proprietary fund and

an enterprise fund. He said the bill did not clearly delineate both accounts; he said the Secretary of State's Office was preparing amendments to clarify this issue. He pointed out the fiscal note lists proprietary fund transfers to the general fund in the amounts of \$343,967 for FY 94 and \$389,347 for FY 95. He said the fiscal note reflects the intent of the bill but stated the bill contained no specific mechanism or requirement that the money be transferred to the general fund. He said the transfer could occur without the mechanism, but the committee should be aware that the requirement was not included in the bill.

**REP. PETERSON** stated **Doug Mitchell, Secretary of State's Office**, had amendments to address the issues presented by **Mr. Moe**. She asked **Mr. Mitchell** to present the amendments. **Mr. Mitchell** distributed two amendments. **EXHIBIT 1**

**Mr. Mitchell** explained the first amendment corrected an error in the drafting of the bill on pages 5 and 6. The amendment strikes "internal service fund" on line 25, page 5, and inserts "a"; and strikes "created for paying the expenses of publication of ARM and the register" on line 1, page 6. He said the second amendment addresses the reversion of excess money to the general fund by requiring the secretary of state to deposit any excess revenue in the proprietary fund into the general fund at the end of each fiscal year. **Mr. Mitchell** pointed out the second amendment was a significant concession by the agency. He said one of the benefits of the bill for the agency was the capacity to have fees available for use. With the amendment, the Secretary of State's Office would have no reserve money.

**REP. KADAS** asked **Mr. Mitchell** to describe the source of the proprietary funds. **Mr. Mitchell** stated there were three sources: (1) fees from state agencies for publication of administrative rules and records management; (2) sale of administrative rules to the public, primarily law firms and other state agencies; and (3) fees from business customers for filing for incorporation, notarial acts, etc. **REP. KADAS** expressed his concern that the second proposed amendment made the fees a general fund revenue source and would result in the agency and legislature losing any incentive to keep fees commensurate with costs. **Mr. Mitchell** agreed; he pointed out the fees were currently general fund income and reported prior legislatures had pressured the agency to increase fees in order to generate more revenue. He urged the bill be passed to see how well it worked in the coming biennium and then address the issue in the next legislature.

**REP. ROYAL JOHNSON** asked **Mr. Mitchell** whether the general fund expenditures listed on the fiscal note were accurate. **Mr. Mitchell** verified the amounts and explained that the administrative portion of the Elections and Legislative Bureau could not be funded except through the general fund. He said by statute, the bureau could not charge fees for their services and the services were required. **REP. ROYAL JOHNSON** asked **Mr. Mitchell** to explain the difference between the \$1,508,584 listed

as funding and \$1,797,000 listed as revenue on the fiscal note. **Mr. Mitchell** explained the difference was profit made by the office. He said the bill would continue the past practice of reverting the difference to the general fund rather than reinvesting the money to meet customers' needs.

**Ms. Cohea** recommended the second amendment be changed by replacing "that" with "the current" to clarify the fiscal year.

**Motion:** REP. KADAS MOVED HB 549 DO PASS.

**Motion/Vote:** REP. KADAS MOVED PAGES 5 AND 6 OF HB 549 BE AMENDED AS PROPOSED. Motion carried unanimously.

**Motion:** REP. ROYAL JOHNSON MOVED PAGE 8 OF HB 549 BE AMENDED TO READ: (5) Within 120 days following the end of each fiscal year, the secretary of state shall deposit into the general fund from the proprietary fund any revenue collected by the proprietary fund during the prior fiscal year that is in excess of the amount appropriated to the proprietary fund for the current fiscal year.

**Discussion:** REP. PETERSON asked **Mr. Mitchell** to explain how the amendment changed current practice. **Mr. Mitchell** stated the agency had been funded through the general fund rather than proprietary funds. He said the agency did have two proprietary accounts which were unrestricted in terms of the amount of excess revenue which could be maintained in them. He said the agency was losing that flexibility with the amendment.

REP. PETERSON described a hypothetical situation in which the Secretary of State's Office started charging exorbitant fees and asked **Mr. Mitchell** to explain how the legislature would control fees charged by the office. **Mr. Mitchell** stated some fees were set in statute and statutes could be changed. He contended the Secretary of State would have no reason to raise fees to produce excess revenue because excess revenue reverts to the general fund under the bill. He suggested the more likely situation would be for the Secretary of State's Office to demonstrate to the legislature its efficient use of funds and request an additional appropriation based on planned expenditures.

CHAIRMAN ZOOK reported **Ms. Cohea** had pointed out that if the amendment was not adopted, the general fund would lose \$733,000 in revenue. REP. QUILICI asked **Ms. Cohea** to explain how the revenue would be lost. She stated that the projected excess in the proprietary fund, \$343,967 in FY 94 and \$389,347 in FY 95, would not transfer to the general fund but remain in the proprietary fund for future appropriation. **Ms. Cohea** explained the fees are currently deposited in the general fund; if the revenue is not transferred, it would represent a revenue loss.

REP. KADAS stated he generally tried to make departments self-supporting with fee revenue; however, in this case, the agency is collecting \$700,000 more than the cost of services. CHAIRMAN

ZOOK pointed out that even if the amendment was not accepted, the fees would still be collected. **REP. ROYAL JOHNSON** stated that he could agree to lowering fees so that the agency broke even; but if excess revenue was collected, he wanted to know how it was being used.

**Vote:** TO ADOPT AMENDMENT TO PAGE 8. Motion carried 17 to 1 with **REP. KADAS** voting no.

**Motion/Vote:** **REP. ROYAL JOHNSON** MOVED HB 549 DO PASS AS AMENDED. Motion carried unanimously.

#### EXECUTIVE ACTION ON HB 652

**Discussion:** **Ms. Cohea** reminded the committee that in the January special session the legislature had directed timber sales revenue into the school equalization account rather than the common school trust on a temporary basis. She stated HB 471 and HB 652 make this change permanent. She pointed out Section 8 of HB 652 had already been adopted in HB 471.

**REP. KADAS** asked **Ms. Cohea** to describe HB 471. She stated the bill reduced the school foundation schedule by 5% and continued the timber fund with approximately \$6 million net revenue into the school equalization account during the 1995 biennium.

**REP. PETERSON** asked whether 38 FTEs were still required. **Bud Clinch, Department of State Lands**, stated the timber sale program currently had 34 FTEs and HB 652 included 6 FTEs. He explained that counting FTE was difficult in the program because it involved 18 offices across the state and employees with multiple functions. **REP. GRADY** asked whether the department could use contracted labor rather than increase the number of FTEs. **Mr. Clinch** stated he had been an avid proponent of contracted labor prior to taking his position at the department. He explained the services needed were specialized and varied which made it difficult to divide the work into contractual components. He said the field work could be contracted. He reported contacting the Panhandle National Forest in Idaho who had found that contract labor was not as efficient or cost-effective as expected or desired.

**CHAIRMAN ZOOK** noted **REP. FISHER** had expressed concerns about the inaccuracies on the fiscal note. He said **Ms. Cohea** had learned another fiscal note was under preparation.

**REP. DeBRUYCKER** reported he had proposed amendments which would affect the fiscal note. The amendments would strike "shall" on line 3, page 3, through "trusts," on line 4, page 3, and insert "may"; and insert "and that will achieve the highest net return to the trusts" after "section" on line 5, page 3. He said the amendments would allow the department to determine whether contracting or hiring FTEs would be most effective.

**CHAIRMAN ZOOK** postponed further action on HB 652 until the revised fiscal note was available.

**EXECUTIVE ACTION ON HB 11**

**Discussion:** **REP. ROYAL JOHNSON** reminded the committee that HB 11 continued the Montana Educational Telecommunications Network (METNET). He acknowledged the program was expensive and had encountered problems but cautioned the committee from making changes which would make the program inoperable. He pointed out the program involved a collaboration among the Office of Public Instruction (OPI), the Department of Administration, and the Montana University System (MUS) and was a priority program for Governor Racicot, as well as OPI and the Department of Administration. He said letters from other states had substantiated the importance of the program to the state, and he reported outside contributions from businesses such as US West to the program. He stated the major opponent to the bill was the Mid-River Telephone Cooperative in Eastern Montana which had developed an excellent system with private money. **REP. ROYAL JOHNSON** stated the private system would integrate well with METNET.

**REP. KASTEN** distributed amendments to HB 11. **EXHIBIT 1** She stated her intent was to develop as many new courses for schools in Eastern Montana as quickly as possible, and she contended the best avenue for doing so was to let school districts determine the best use of funds. She explained the proposed amendments eliminated the \$500,000 appropriation from the general fund to the Department of Administration and eliminated the transfer of funds from the school equalization aid account to OPI. She said in order to adopt her proposed amendments, the amendments adopted by the subcommittee would need to be stripped from the bill.

**Motion:** **REP. KASTEN MOVED TO STRIP AMENDMENTS ADOPTED BY THE SUBCOMMITTEE FROM HB 11.**

**Discussion:** **REP. ROYAL JOHNSON** described the two amendments adopted by the subcommittee: (1) line 19, page 1, was amended to reduce the student tuition fee from \$5 per student to \$2 per student; and (2) line 3, page 2, was amended to reduce the \$500,000 to \$300,000. He explained the \$300,000 was an appropriation to the Department of Administration for maintenance of the program. He contended that stripping the subcommittee's amendments and adopting **REP. KASTEN'S** amendments would result in increasing the cost of the bill.

**REP. KADAS** asked **REP. KASTEN** to explain the reason for stripping the subcommittee's amendments. He contended **REP. KASTEN'S** amendments would eliminate the general fund appropriation completely and that the tuition fee for students should not be increased to \$5. **REP. KASTEN** asked **Ms. Cohea** to explain the reason for stripping the amendments. **Ms. Cohea** explained that

**REP. KASTEN** wanted to eliminate both the general fund and school equalization fund in the bill and keep the \$5 tuition fee per student. She said since OPI would no longer have any funding for the program, the amendments also stripped the requirements of OPI.

**REP. KADAS** asked **Ms. Cohea** why the \$300,000 would need to be changed to \$500,000 if it was going to be entirely eliminated anyway. **Ms. Cohea** said if the intent is to adopt the subcommittee recommendations concerning the student tuition fee, then the amendments would not need to be stripped. She said the difficulty in drafting was having an amendment to an amendment on the tuition fee. **REP. KADAS** suggested leaving the subcommittee amendments and addressing **REP. KASTEN'S** amendments.

**REP. KASTEN** withdrew her motion to strip the subcommittee's amendments from HB 11.

**Motion:** **REP. KASTEN MOVED TO AMEND HB 11. EXHIBIT 1**

**Discussion:** **REP. GRADY** asked **REP. KADAS** whether the \$5 fee should be retained if the school equalization fund was stripped from the bill. **REP. KADAS** objected to eliminating the general fund and shifting the burden to students. He said the action would cut the program and students should not be expected to pick it up. **REP. GRADY** asserted the school equalization fund needed to be eliminated from the bill; and if costs were not shifted, then the program would fail.

**REP. KASTEN** asked **REP. KADAS** whether the discretionary fund was allocated to each student. **REP. KADAS** responded the fee in the bill would be levied on each student; he said originally the fee was \$1 per student which had been changed to \$2 per student. He disagreed with the idea of increasing costs to students.

**REP. ROYAL JOHNSON** agreed with **REP. KADAS** and stated the fee only raised \$54,000 per year which was not much help to the program. He said his understanding of the amendment was that it left money in the school foundation program and gave school districts discretion in the use of the money. He asked **Tony Herbert** to discuss the implications of the amendments to the program.

**Tony Herbert, Office of Policy, Research, and Development, Department of Administration,** stated the amendments would eliminate the general fund appropriation to the Department of Administration which had been used to purchase equipment for the network. The amendments would also eliminate all funding to OPI which would eliminate OPI's program for METNET. He said the \$2 student tuition fee would be used by higher education to fund expenses at the Department of Administration.

**REP. PECK** asserted the amendments were penny-wise and pound-foolish. He described the geographic and philosophic diversity of subcommittee members and argued they had invested time and

effort to reach a compromise on the bill. He suggested the amendments were from a parochial view rather than taking a statewide perspective. He recommended rejecting the amendments and passing the bill.

**REP. JOHN JOHNSON** asked **REP. KASTEN** how the amendments affected school equalization funds. **REP. KASTEN** responded that because money was the left in the school foundation, each school would receive money back in the allocation process. She said schools could choose to spend their money on METNET.

**REP. JOHN JOHNSON** asked **Mr. Herbert** to verify that OPI's portion would not be funded if equalization funds were eliminated. **Mr. Herbert** stated if equalization funds were eliminated, then OPI would not be able to remain in the program because it would lose usage of those dollars. He disagreed with **REP. KASTEN'S** contention that funds would flow back to individual schools.

**REP. JOHN JOHNSON** asked **Mr. Herbert** what OPI would do if the amendments were adopted. **Mr. Herbert** referred the question to **Jack Copps, Deputy Superintendent of Public Instruction**, who stated OPI would lose \$300,000 and not have any money to continue work in the program. He asserted there would not be additional money for schools either. He predicted OPI's regional centers and toll-free lines would be dismantled if the amendments were adopted. **REP. JOHN JOHNSON** asked **Mr. Copps** to describe the regional centers. **Mr. Copps** explained OPI had 15 regional training centers throughout the state which provided opportunities to learn computer networking, METNET functioning, linked school districts, etc. He compared the regional centers to a telecommunications highway system. He said without funding, OPI would be unable to maintain the centers, and therefore he presumed they would not remain.

**CHAIRMAN ZOOK** asked **Mr. Copps** whether newer technology, such as fiber optics, was available. **Mr. Copps** responded the METNET system did not exclude the use of fiber optics.

**REP. WISEMAN** asked **Mr. Copps** about a list of 47 names he had received. **Mr. Copps** said the list showed people on the bulletin board system, and the 47 names were people in Great Falls on the system. **REP. WISEMAN** stated Great Falls was not on the METNET system and asked whether it would be connected under HB 11. **Mr. Copps** said he did not know the plans for connecting Great Falls; he reiterated that if funds were eliminated, the METNET system would be dismantled. **REP. WISEMAN** asked whether the system would actually be taken down. **Mr. Copps** responded OPI would not have the resources necessary to maintain the system and therefore the system would need to be maintained through some other means.

**REP. WISEMAN** suggested that since Great Falls was not connected to the system and still had 47 users, then those users could continue regardless of whether Great Falls was connected. **Mr. Copps** stated they would not have access to toll-free lines. He said the toll-free lines cost \$6,000 per month and were covered by the \$2 ANB funds; without the funds, the toll-free lines could

not be maintained. **REP. WISEMAN** suggested users would have to decide whether the system was worth paying the cost. He asked **Mr. Copps** how long users were typically on the system. **Mr. Copps** said he did not have that information, but he reported that the cost per minute was \$0.18 with the toll-free lines compared to \$0.30 per minute for regular long distance calls.

**REP. WISEMAN** commented on the committee's need to decide whether or not to keep programs.

**REP. ROYAL JOHNSON** asked **David Toppen, Executive Associate Commissioner of Higher Education**, to explain the \$2 fee in HB 11. **Mr. Toppen** stated campuses were assessed the \$2 per student fee and transferred funds for the assessment to the Commissioner of Higher Education; he said the Board of Regents had not passed the fee on to students. He reported the four-year colleges, community colleges, and vocational-technical centers all paid the fee.

**REP. ROYAL JOHNSON** asked **Ms. Cohea** to describe the funds in HB 2 appropriated for the project. **Ms. Cohea** stated HB 2 has \$59,000 per year in proprietary funding for the project; she stated there was no appropriation of general fund or school equalization fund monies for the next biennium. She said in the current biennium, \$600,000 in general fund and \$1 ANB had been appropriated for METNET.

**CHAIRMAN ZOOK** asked about the \$1 million figure. **Mr. Herbert** stated the \$1 million was a non-funded appropriation to the Department of Administration to be used to attract federal or other grant dollars. He reported in the past the department had funding and had attracted \$300,000 from TCI for the program. He said they had received an appropriation of \$150,000 per year in the last biennium and had hoped to increase the appropriation to \$500,000 per year for the next biennium.

**REP. QUILICI** asked **Mr. Herbert** how METNET would interact with the Telecommunications Advisory Committee which Senator Burns, Governor Racicot, and others were establishing. **Mr. Herbert** stated representatives of the agencies involved in METNET were members of the executive committee created by Senator Burns. He said the purpose of the committee was to study telecommunications issues in Montana and help to plan and prepare for the future.

**REP. QUILICI** asked **Mr. Herbert** about METNET's capacity to coordinate with new technology. **Mr. Herbert** stated the system would interface and integrate with fiber optics systems.

**REP. KADAS** returned to the issue of the \$2 ANB appropriation from the school foundation program. He stated **REP. KASTEN'S** amendment would eliminate the appropriation to OPI from the state equalization aid account. He contended the money would remain in the school foundation program and would not be distributed back to schools. He argued that in order to have a statewide system,



money would have to be spent to create a centralized system. He described the bulletin board and explained how a centralized location was critical to its successful operation. He contended there would also be economies of scale with a statewide system. He maintained there were good reasons for having a system for teacher and student use, including educating students to use technologies and providing national resources to teachers.

**REP. GRADY** asked **Ms. Cohea** to describe the effect of HB 11 on the spending targets in HB 2. She said HB 11, as amended in subcommittee, appropriated \$1.2 million from the general fund and the school equalization fund and would affect the target. **REP. GRADY** stated he had no objection to the program, but budget cuts were necessary. He said if the bill passed without the amendment, then other programs would need to be cut.

**REP. PETERSON** asked **REP. KASTEN** whether schools could participate in METNET by using funds from their regular school budget. **REP. KASTEN** responded that to access the bulletin board, an individual only needed a computer and a modem. **REP. PETERSON** asked **REP. KASTEN** whether the amendment changed any of the responsibilities of the Department of Administration. **REP. KASTEN** said the only change was to strike (h) in Section 3.

**REP. WISEMAN** asked **Mr. Copps** how the bulletin board was used. **Mr. Copps** described how students in the Canyon Ferry Limnological Institute exchanged water quality data from Three Forks to New Orleans using the bulletin board. He said teachers were able to contact other teachers, OPI, and professional organizations through the bulletin board and access research. He reported the bulletin board had 10 new users per day.

**REP. ZOOK** asked **Mr. Copps** why user fees would not be a suitable source of revenue for the program. **Mr. Copps** said eventually user fees would work but currently teachers did not have access to long distance lines and could only use the toll-free lines.

**REP. KASTEN** defended her amendments. She said the money in HB 11 would be used to expand the network and asserted the state was more interested in expansion of the network than in education. She contended Eastern Montana needed equal opportunity and equal education which they could acquire through interactive television. She noted Eastern Montana had an advanced system which had been privately financed. She reported requesting money to develop classroom technology; she said agencies had chosen to develop the network first and now funds were not available for classrooms. She argued METNET's network technology was passe and interactive television was more advanced. She contended that if someone wanted to access the network, they could use a computer and modem and pay for access. She noted her amendment saved \$1.2 million from the general fund.

Vote: TO AMENDMENT HB 11. (EXHIBIT 1) Motion failed 9 to 9 with REPS. BARDANOUVE, JOHN JOHNSON, ROYAL JOHNSON, KADAS, MENAHAN, NELSON, PECK, QUILICI, and WANZENRIED voting no.

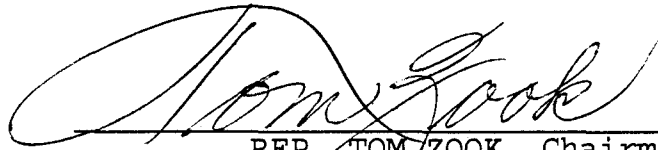
Motion/Vote: REP. ROYAL JOHNSON MOVED HB 11 DO PASS. Motion failed 9 to 9 with REPS. GRADY, BERGSAGEL, COBB, DeBRUYCKER, FISHER, KASTEN, PETERSON, WISEMAN, and ZOOK voting no.

Motion/Vote: REP. ROYAL JOHNSON MOVED TO AMEND HB 11 AND APPROPRIATE \$200,000 PER YEAR FROM THE GENERAL FUND. Motion failed 9 to 9 with REPS. GRADY, BERGSAGEL, COBB, DeBRUYCKER, FISHER, KASTEN, PETERSON, WISEMAN, and ZOOK voting no.

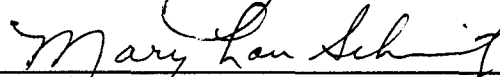
CHAIRMAN ZOOK postponed further action.

ADJOURNMENT

Adjournment: 4:45 P.M.



REP. TOM ZOOK, Chairman



MARY LOU SCHMITZ, Secretary

TZ/MLS

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL

DATE 3/16/93 P.M

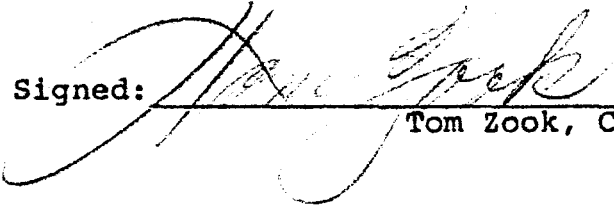
NAME	PRESENT	ABSENT	EXCUSED
REP. ED GRADY, V. CHAIR	✓		
REP. FRANCIS BARDANOUVE	✓		
REP. ERNEST BERGSAGEL	✓		
REP. JOHN COBB			✓
REP. ROGER DEBRUYKER	✓		
REP. MARJ. FISHER	✓		
REP. JOHN JOHNSON	✓		
REP. ROYAL JOHNSON	✓		
REP. MIKE KADAS	✓		
REP. BETTY LOU KASTEN	✓		
REP. WM. "RED" MENEHAN	✓		
REP. LINDA 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 17, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 549 (first reading copy -- white) do pass as amended

Signed: 

Tom Zook, Chair

And, that such amendments read:

1. Page 5, line 25 through page 6, line 1.

Following: "in" on page 5, line 25

Strike: "an internal service fund account within the state"

Insert: "a"

2. Page 6, lines 1 and 2.

Following: "fund" on line 1

Strike: "created for paying the expenses of publication of ARM  
and the register"

3. Page 8, following line 6.

Insert: "(5) Within 120 days following the end of each fiscal year, the secretary of state shall deposit into the general fund from the proprietary fund any revenue collected in the proprietary fund during the prior fiscal year that is in excess of the amount appropriated from the proprietary fund for the current year."

-END-

Committee Vote:  
Yes   , No   .

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Amendment to HB 549

EXHIBIT 1  
DATE 3/16/93 P.M.  
HB 549

Page 5, Line 25, following "in", strike:

an internal service fund account within the state

and replace with:

a

Page 6, Line 1, following "fund", strike:

created for paying the expenses of publication of ARM and the register

Section 5 would now read

(5) The secretary of state shall deposit all fees in a proprietary fund.

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Amendment to HB 549

Page 8, Line 8, at beginning of the section insert new subsection as follows:

(5) Within 120 days following the end of each fiscal year, the secretary of state shall deposit into the general fund from the proprietary fund any revenue collected by the proprietary fund during the prior fiscal year that is in excess of the amount appropriated to the proprietary fund for ~~that~~ *the* fiscal year.

*Current*



HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/16/93 BILL NO. HB 549 NUMBER \_\_\_\_\_

MOTION: Rep. Kadas moved page 5 and page 6, Exhibit 1.amendments.

Motion carried unanimously.

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

HOUSE OF REPRESENTATIVES

ADDITIONAL COMMITTEE

ROLL CALL VOTE

DATE 3/16/93 BILL NO. HB 549 NUMBER \_\_\_\_\_

MOTION: Rep. Royal Johnson moved the last amendment, page 8, exhibit 1.

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 WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	17	1



HOUSE OF REPRESENTATIVES

ADDITIONS

COMMITTEE

ROLL CALL VOTE

DATE 3/16/93 BILL NO. HB 549 NUMBER

MOTION: Rep. Royal Johnson moved HB 549 DO PASS AS AMENDED.

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

EXHIBIT \_\_\_\_\_  
DATE 3/16/93  
HB \_\_\_\_\_

Amendments to House Bill No. 11  
First Reading Copy

Requested by Representative Kasten  
For the Committee on Appropriations

Prepared by Taryn Purdy  
March 15, 1993

1. Title, line 9.

Strike: "SECTION"

Insert: "SECTION 20-32-102 AND"

Following: "MCA;"

Insert: "REPEALING SECTION 20-32-104, MCA;"

2. Page 2, line 1.

Following: "costs"

Strike: ", as provided in 20-32-104"

3. Page 2, line 3.

Following: "appropriated"

Strike: "\$500,000 from the general fund and"

4. Page 2, lines 8 through 13.

Strike: subsection (2) in its entirety.

Renumber: subsequent subsections.

5. Page 2, following line 24.

Insert: Section 3. Section 20-32-102, MCA, is amended to read:

"20-32-102. Agency cooperation - responsibilities. (1) To meet the objectives of the network, the following entities shall cooperate with one another:

(a) the department of administration, with its responsibilities for telecommunications for agencies of state government;

(b) the superintendent of public instruction, with a supervisory role over the public system of elementary and high schools; and

(c) the commissioner of higher education, with responsibilities to the Montana university system, the vocational-technical centers, and the community colleges.

(2) The responsibilities of the superintendent of public instruction to the network include but are not limited to:

(a) general supervision of delivery of educational materials through telecommunications to elementary and high school districts in the state;

(b) compilation, maintenance, and dissemination to participating school districts of information that identifies the educational programming available from within and from outside the state;

(c) training of teachers and other school personnel in the use of telecommunications technologies for instructional purposes;

(d) assistance to school districts in identifying and procuring the telecommunications technologies needed to interface with the network;

(e) identification of production capability for telecommunication of educational materials;

(f) assistance to participating school districts with group purchases of instructional and educational materials;

(g) coordination with the commissioner of higher education and the units of the Montana university system to offer advanced placement courses, teacher inservice training, and other instruction through the network;

~~(h) payment of the superintendent's share of the network costs to the department of administration, as provided in 20-32-104;~~

(i) (h) coordination with the department of administration to ensure compatibility of network components, to minimize duplication of efforts on behalf of the network, and to maximize use of the network by school districts; and

(j) (i) determination of kinds of equipment, inservice, and district accounting necessary to implement the provisions of this part for school districts.

(3) The responsibilities of the department of administration to the network include but are not limited to:

(a) provision of technical support to the coordinating agencies referred to in subsection (1);

(b) development of standards of compatibility for the network;

(c) procurement and management of network equipment and facilities that have shared use by multiple users or agencies;

(d) assistance with procurement, installation, maintenance, and operation of end-terminal equipment and facilities of the network;

(e) minimizing any duplication of equipment and facilities within the network and in conjunction with the department of administration's other networking capabilities;

(f) coordination of use of the network by state agencies, subdivisions of the state, and public libraries in a manner that does not interfere with the delivery of the primary network function of providing educational services to school districts and state units of higher education;

(g) studying the use of the network by Native American tribal colleges and other nonpublic education institutions in the state, with the long-range goal of coordinating the use of the network with those entities; and

(h) maintenance of cost and usage records and a billing system for user agencies for services rendered that incur marginal costs for the network.

(4) The responsibilities of the commissioner of higher education to the network include but are not limited to:

(a) coordination of the use of the network among the units of higher education and with the superintendent of public instruction and the department of administration;

(b) assistance to the units of the Montana university system to provide college credit courses through the network to students throughout the state;

(c) coordination with the superintendent of public instruction to develop advance placement courses for high school students in Montana, teacher inservice training, and other services and instruction through the network;

(d) assistance to the units of the Montana university system, the vocational-technical centers, and the community colleges in defining their specific needs for interfacing with the network;

(e) assistance to participating units, centers, and colleges with group purchases of instructional and educational materials; and

(f) determination of the kinds of equipment, inservice, and accounting necessary to implement the provisions of this part for the university system, community colleges, and vocational-technical centers."

{Internal References to 20-32-102:  
20-32-103                    20-32-104}

NEW SECTION. Section 4. Repealer. Section 20-32-104, MCA, is repealed."

Renumber: subsequent sections

{Office of Legislative Fiscal Analyst

444-2986}

HOUSE OF REPRESENTATIVES

ADDITIONS COMMITTEE

ROLL CALL VOTE

DATE 3/16/93 BILL NO. HB 11 NUMBER \_\_\_\_\_

MOTION: Rep. Kasten moved to strip amendments adopted by the subcommittee.

Rep. Kasten withdrew the motion.

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

HOUSE OF REPRESENTATIVES

ADDODDIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/16/93 BILL NO. HB 11 NUMBER \_\_\_\_\_

MOTION: Rep. Kasten moved to adopt the amendments, Exhibit 1

Motion failed on a tie vote

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

ADDITIONS COMMITTEE

ROLL CALL VOTE

DATE 3/16/93 BILL NO. HB 11 NUMBER \_\_\_\_\_

MOTION: Rep. Royal Johnson moved HB 11 DO PASS.

Motion failed on a tie vote.

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

ADDITIONALS COMMITTEE

ROLL CALL VOTE

DATE 3/16/93 BILL NO. HB 11 NUMBER \_\_\_\_\_

MOTION: Rep. Royal Johnson moved to amend HB 11 and  
appropriate \$200,000 per year from the general fund. Motion  
failed on a tie vote.

NAME	AYE	NO
REP. ED GRADY, V, CHAIR		X
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEI		X
<del>REP. JOHN COBB</del>		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
<del>REP. WM. RED MENAHAN</del>	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON		X
REP. JOE QUILICI	X	
REP. DAVE WANZENREID	X	
<del>REP. BILL WISEMAN</del>		X
REP. TOM ZOOK, CHAIR		X
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