

**MINUTES**

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

**COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By REP. TOM ZOOK, CHAIRMAN on March 29, 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. 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: SB 94; HB 689; HB 690; HB 691; SB 402;  
HJR 25  
Executive Action: HJR 25; SB 402; SB 77

**HEARING ON SB 94**

**An act revising the laws related to county medical assistance.**

**Opening Statement by Sponsor:** SEN. TOM KEATING, Senate District 44, Billings, stated that SB 94 addressed the ability of non-assumed counties to establish medical programs for the indigent. He reported that in the special session last July, the language which enabled non-assumed counties to develop and implement indigent assistance medical programs using county funds was inadvertently repealed from statute; SB 94 reinstates the enabling language. He noted, however, that provisions of HB 427, which eliminates the state assumption of county welfare assistance, would apply to all counties. If HB 427 passes, coordinating language between SB 94 and HB 427 would be necessary. He reported that non-assumed counties had requested the legislation and asked the committee to concur.

**Proponents' Testimony:** Gordon Morris, Director, Montana Association of Counties, provided written testimony in which he noted that since SB 94 was introduced, several events had occurred which would impact the bill, specifically the "compromise" effected on state-assumed welfare under HB 427. He recommended Sections 2, 3, and 4 of SB 94 be repealed and Section 1 be amended to reflect the permissive nature of indigent assistance language in Section 24(1) of HB 427. **EXHIBIT 1**

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions From Committee Members and Responses:** REP. FISHER referred to the bill title "amending the law related to emergency grants from state funds to counties" and asked SEN. KEATING whether SB 94 allowed counties to request money from state funds. SEN. KEATING explained that an emergency aid-and-relief clause under the old statute allowed any county whose poor fund exceeded 13.5 mills to receive general fund support for its general assistance and medical program. He said when state-assumed counties were established, the 13.5 mills became inactive; however, the 13.5 mills grant-in-aid language was still in statute. In order to protect against the non-assumed counties requesting a grant-in-aid above 12 mills, the language was coordinated with the 13.5 mills grant-in-aid emergency relief threshold. He reported HB 427 repeals the grant-in-aid provision.

**Closing by Sponsor:** SEN. KEATING stated the non-assumed counties would appreciate the committee's support.

#### **HEARING ON HB 689**

An act generally revising statutory appropriations to the department of revenue; creating special revenue accounts for the administration of income tax checkoff programs; and eliminating the dangerous drug tax.

**Opening Statement by Sponsor:** REP. MARJ FISHER, House District 3, Whitefish introduced HB 689 by request of the subcommittee on general government and highways. She explained that taxpayers can use checkoffs on their income tax forms to donate money to certain special programs; the donated money is put into special revenue accounts. She said the cost of administering the tax on dangerous drugs was greater than the revenue; therefore, the bill eliminated the dangerous drug tax.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions From Committee Members and Responses:** REP. BARDANOUVE asked REP. FISHER how much revenue was received from the tax checkoff programs. REP. FISHER said she did not know. CHAIRMAN ZOOK asked whether anyone from the Department of Revenue could answer the question. Jeff Miller, Department of Revenue, referred REP. BARDANOUVE to the fiscal note which detailed the amount received per year for the existing five checkoff programs. He reported the public campaign checkoff raises about \$1,600 per year; the nongame wildlife program checkoff raises \$24,000 per year; the child abuse and neglect prevention program raises \$25,000 per year; agriculture in Montana schools raises \$11,000 per year; and the Montana drug abuse resistance education program (DARE) raised \$18,000 in its first year. He said the bill would require the programs to pay the cost of administering the funds. REP. BARDANOUVE suggested the department's appropriation in HB 2 should cover the costs. Mr. Miller responded the appropriation had been covering the costs. He reported the subcommittee had discussed transferring the costs to the programs. He said the checkoffs were costing approximately \$2,800 per checkoff. REP. BARDANOUVE noted that the public campaign checkoff would not provide enough money to pay administration costs. Mr. Miller agreed that with the current level of utilization, no money would be forwarded to the public campaign program.

REP. ROYAL JOHNSON suggested the public campaign checkoff should be eliminated. Mr. Miller said when the DARE checkoff was proposed, one concern expressed by the department was that the checkoffs were administratively cumbersome and an inefficient way of raising money. The legislature had responded by including a sunset contingency on the DARE checkoff in the event it raised less than \$20,000 in two successive years. REP. ROYAL JOHNSON asked whether the \$2,800 administrative cost per program was per year or over the biennium. Mr. Miller said the cost was per program per year.

REP. KADAS asked Mr. Miller whether the special revenue accounts referred to in Section 1 were accounts which funded the department. Mr. Miller explained that two different concepts were presented in Sections 1(1) and 1(2). He said Section 1(1)

referred to the cost of putting new checkoffs on the system; he reported the first year cost was in the range of \$20,000. He said Section 1(2) referred to charges for administrative costs of existing checkoffs. He said all charges would be deposited in an account for which the department has spending authority. **REP. KADAS** asked whether the \$3,000 limit applied only to new checkoffs. **Mr. Miller** responded that the \$3,000 cap applied to existing checkoff programs.

**REP. BARDANOUVE** asked **Mr. Miller** whether money for checkoffs came from the taxpayer's return or whether the taxpayer added money to the return. **Mr. Miller** said the checkoff would be an addition to the tax liability of individuals who wish to use this avenue for donating funds to the programs. He said frequently the checkoff reduced an individual's refund; however, the checkoff could also require the individual to pay additional money.

**REP. MENAHAN** asked **Mr. Miller** whether the money for the checkoffs would come from taxes owed. **Mr. Miller** explained that if **REP. MENAHAN** were to receive a \$100 refund and checked three special programs, then the state would refund \$97.

Closing by Sponsor: **REP. FISHER** closed.

#### HEARING ON HB 690

An act clarifying the authority of the Montana School for the Deaf and Blind to provide assistance to programs for the visually impaired or hearing impaired and authorizing the school to charge a fee for the assistance.

Opening Statement by Sponsor: **REP. BILL WISEMAN**, House District 33, Great Falls, introduced HB 690, an appropriations committee bill. He reported that in considering HB 2, the committee had included a mechanism whereby the Montana School for the Deaf and Blind (MSDB) could charge for their outreach program. He explained HB 690 authorized the school to charge fees for their assistance. He reported that MSDB has four outreach employees who work with outlying school districts, agencies, and families with children who are deaf and/or blind. In return for these services, MSDB would be allowed to charge a fee. **REP. WISEMAN** recalled that HB 2 capped the revenue from these fees at \$256,000 per year; any excess revenue earned by the program would go to the general fund.

Proponents' Testimony: **Wayne Buchanan**, Board of Public Education, recalled that the committee had removed almost \$257,000 for each year of the biennium from MSDB's budget and asked the school to charge for its outreach services. He contended the outreach services were the most valuable services provided by MSDB. He said he agreed with **REP. PECK** who asserted the services should be funded or eliminated. **Mr. Buchanan** said, however, MSDB should have the ability to charge for the outreach

services. He reported the bill had three provisions to be carefully considered: (1) MSDB would be allowed to determine whether or not services and programs for hearing impaired or visually impaired children are appropriate and sufficient. **Mr. Buchanan** described an example of a blind girl for whom an MSDB outreach worker had provided Braille materials to be used by the school district. He said the school district asked whether there would be a charge for the materials and the outreach worker had explained fees might be charged in the future. He reported the school district's response was to tell the outreach worker to take the Braille books back, and they would read to her instead. **Mr. Buchanan** contended MSDB should be able to tell the district that the girl needs to learn to read and must provide the books necessary for her to do so. (2) He suggested the \$256,000 cap would preclude MSDB from expanding its program with additional personnel or charging excessively for its outreach services. (3) He noted the bill allowed MSDB to serve agencies other than school districts. He said private schools and other agencies, such as the Yellowstone Boys' Ranch, use the services. He explained the bill specified "other responsible agency" in order to avoid charges to individual parents.

**Bill Prickett, Superintendent, Montana School for the Deaf and Blind,** fully supported the bill and stated it addressed the MSDB's concerns about actions taken in HB 2. He urged favorable consideration.

**Staci Riley, Montana Federation of Teachers,** said the federation represents the staff of MSDB and expressed support for the bill.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses: **REP. BARDANOUVE** asked whether MSDB would collect its fee before or after it rendered its outreach services. **Mr. Prickett** said he understood that fees would be collected after services were rendered. **REP. BARDANOUVE** asked how employees would be maintained on the payroll before services were rendered. **Mr. Prickett** said **REP. EDWARD DOLEZAL** was addressing this issue with a bill to provide seed money. He said he understood that in terms of accounting practices, the school could properly expend salary money from the general fund appropriation in advance of collecting fees. **REP. BARDANOUVE** asked **Mr. Prickett** whether he was sure he would be collecting fees. **Mr. Prickett** said he believed HB 690 would enable MSDB to collect fees. **REP. BARDANOUVE** asked **Mr. Prickett** whether he was sure schools would want the services and be willing to pay for them. **Mr. Prickett** responded that the bill assured that the level of services currently provided by MSDB would continue. **REP. BARDANOUVE** asked **Mr. Prickett** whether he had made sure the schools would pay the fees. **Mr. Prickett** said the bill gave MSDB the authority to charge the fees.

REP. FISHER asked Mr. Prickett whether school districts would retain materials, such as the Braille books in the example cited earlier, or whether materials would return to MSDB. Mr. Prickett said currently there was no charge to the school district; if it had no further use for the books, the school district returned the books to MSDB. He said if the school district pays for the books, however, then the school district would decide whether to retain them or send them back.

REP. ROYAL JOHNSON asked Mr. Prickett to clarify whether MSDB would be determining if its services were needed or whether school districts would request and pay for services. Mr. Prickett explained that services received by a child would be determined by the child's individual education plan (IEP) which is based on a team decision. He said the bill ensures that MSDB would participate on the team, and the school's expertise would be available to the team. REP. ROYAL JOHNSON declared HB 690 did not specify that process. Mr. Prickett responded that the only way for MSDB to ensure that programs and services are appropriate and sufficient is to participate in the IEP process. He reported the school is currently participating in the IEP process; thus, the bill is not establishing a new procedure. REP. ROYAL JOHNSON asked Mr. Buchanan to point out the language in the bill which specified participation by MSDB. Mr. Buchanan agreed the bill did not contain language specifying MSDB's participation in the IEP process. He stated a system already existed for students in public schools, and he did not think HB 690 would interfere with that system. He agreed language should be added to specify that the IEP would be deemed appropriate and sufficient. He suggested the process would be different for private schools and parents, and MSDB would determine whether services and programs were sufficient. REP. ROYAL JOHNSON asked Mr. Buchanan to draft appropriate language before the committee took executive action, and Mr. Buchanan agreed to do so.

REP. KADAS asked Mr. Prickett whether the school district would be aware of charges for services from MSDB. Mr. Prickett reported he had already contacted school districts which were currently served by MSDB's outreach program to inform them of the actions taken in HB 2. He said if HB 690 passed, MSDB would certainly consult with school districts and inform them of the legislation. REP. KADAS asked Mr. Prickett what happened if school districts did not want services from MSDB. Mr. Prickett explained it was illegal for a school district to develop an IEP for a handicapped child which excluded a needed service because of the cost of the service. REP. KADAS asked whether MSDB would provide services and bill the school district. Mr. Prickett responded MSDB would act in accordance with direction from HB 2 and charge public schools a reasonable fee for the outreach program as authorized by HB 690.

REP. PECK stated that by law MSDB would be a participant on a child's study team; once the IEP is determined by the team, the school district has an obligation to implement the IEP. He asked

Mr. Prickett whether MSDB had any authority to override the IEP. Mr. Prickett confirmed MSDB had no such authority.

REP. KADAS asked whether the IEP determined who provided services or which services were to be provided. REP. PECK responded that normally the IEP specified services which the district has an obligation to provide. He said the district had the authority to determine how the services would be provided. REP. KADAS asked Mr. Prickett whether MSDB would provide services in situations where school districts had a number of children who needed a service and decided it was more cost effective to hire staff. Mr. Prickett responded that if hiring staff satisfied the requirements of the children's IEPs, then the action would be proper and appropriate. He said MSDB might have a consultative role in such situations.

Closing by Sponsor: REP. WISEMAN asserted the best place for deaf and blind children was in the loving care of their homes and not in a residential program at MSDB. He said the purpose of the outreach program was to keep children with their families and still provide needed services. He suggested the committee pass the bill.

#### HEARING ON HB 691

An act providing for the deposit of certificate-of-need fees in a special revenue account.

Opening Statement by Sponsor: REP. JOHN COBB, House District 42, Augusta, explained that in the certificate-of-need process, nursing homes and the general fund each pays part of the certificate-of-need fees. He said the intent of HB 691 was to have nursing homes pay more of the cost and to remove the general fund subsidy. He proposed changes to the bill including striking the provision for a special revenue account on line 25, page 1, and having fees deposited in the general fund. He proposed amending line 15, page 1, to read "by at least a fee equaling 0.3%" so that nursing homes could be charged more. He reported approximately \$40,000 per year is paid in fees with an additional \$40,000 paid by the general fund. He said he would prepare the changes prior to executive action by the committee.

Proponents' Testimony: None

Opponents' Testimony: Jim Ahrens, President, Hospital Association, stated certificates of need were still necessary for long-term care, home care, and similar services. He suggested that REP. COBB'S proposed amendments would result in fee increases. He reported most hospitals wanted to reduce fees because the fees were greater than the cost of review. He objected that the title of the bill did not indicate fees would be raised and suggested nursing homes would have been present to object if they had realized the possibility of fee increases.

Informational Testimony: None

Questions From Committee Members and Responses: REP. KADAS asked Mr. Ahrens whether he objected to tying fees to the cost of review. Mr. Ahrens said he would not object if the fees were fair. He reported most certificates-of-need were approved and agreed a schedule of fees would be sensible. REP. KADAS asked REP. COBB whether he would support a schedule of fees. REP. COBB replied a schedule would be fine; he contended tying fees to the cost of review would result in higher fees than his proposal and would involve less general fund subsidy.

REP. BARDANOUVE asked REP. COBB to explain the need for a special revenue account. REP. COBB said he was recommending the special account be eliminated because the total amount of fees would only be about \$80,000.

Closing by Sponsor: REP. COBB closed.

#### HEARING ON SB 402

An act authorizing the issuance of Treasure State Endowment bonds and establishing procedures for issuing the bonds.

Opening Statement by Sponsor: SEN. TOM TOWE, Senate District 46, Billings, described SB 402 as the jump-start bond bill for the Treasure State Endowment Program (TSEP). He reported that during the campaign for the endowment program, jump-start bonds were suggested as a means of increasing the amount of grant money available during the early years of the TSEP. SEN. TOWE explained the endowment program would have about \$2.6 million in earnings available for grants in the coming biennium; however, grant requests totalling \$3.9 million had been approved to help fund \$37 million in projects. In order to fund the entire \$3.9 million, he said about \$1.6 million in additional funds would be necessary; by using the jump-start bond program, all the projects could be funded. SEN. TOWE said that actually the jump-start bond program might not be used to fund the \$1.6 million difference because floating bonds was expensive. Instead, the funds would be obtained through authority granted in SB 316 to borrow from the Board of Investments. He said, however, at some point having a bond program might be advisable. He reported the bill sets up a self-sufficient bonding program within the TSEP and would only use funds coming from interest income to pay off the bonds. He maintained the bond program would enable the state to fund more projects.

Proponents' Testimony: Newell Anderson, Administrator, Local Government Assistance Division, Department of Commerce, distributed documents which showed the cash flow of the Treasure State Endowment Program: (1) Mechanics of Coal Tax Revenue Deposits for Local Infrastructure Assistance; (2) Impact of Changing Interest Rates; (3) Treasure State Endowment Program

Cash Anticipation; (4) HB 663 (TSEP) Prioritized Projects; (5) Applications for the 1993 Treasure State Endowment Program; and (6) TSEP Projects recommended for Funding through HB 663.

**EXHIBITS 1-6**

**Mr. Anderson** reported that in the first two years of the biennium, TSEP would earn about \$2.6 million in interest on the principal. He noted, however, that the endowment program was very interest-sensitive and that anticipated earnings were not immediately available. He explained SB 402 was created in response to these two problems. He pointed out there would be incremental deposits to the program as receipts are paid to the state from the coal severance tax. Thus, TSEP would have an original deposit of \$10 million from a loan by the permanent trust; subsequent quarterly deposits would be made to the TSEP.

**Mr. Anderson** noted that because of the volatility of interest rates, it was possible that only four of the projects approved in HB 663 would be funded. He expressed the hope that TSEP would be able to fund as many projects as approved by the legislature. He reminded the committee that the state is confronted with about \$450 million of infrastructure improvements just in water and sewer systems. He stated the Department of Commerce urged the committee's support of SB 402.

**Lynn Moon, Administrative Officer, City of Helena**, urged the committee to support SB 402. She noted the city has a project in the program to improve the Hale water system to ensure adequate water pressure for fire protection. She reported without TSEP the city would be unable to fund the improvements for three to seven years. She stated Helena's water rates were already the highest in the state and expressed appreciation for any help. She said the project had previously been put up for bid, but bids were higher than available resources. With funding from TSEP she said the project could be started this construction season.

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions From Committee Members and Responses:** **REP. WISEMAN** asked **SEN. TOWE** to explain how the program would work and how communities would repay the program. **SEN. TOWE** explained that communities would receive grants to fund projects and would not repay. He said the intention of TSEP was to help fund local projects for communities which could not otherwise afford them. He said that in evaluating projects, one criterion considered was the cost per household; grants would be given for projects which exceeded the average cost per household. **REP. WISEMAN** asked whether \$14.5 million would be given away. **SEN. TOWE** explained that \$10 million from the coal trust had been deposited in the TSEP account; an additional \$7.25 million would be deposited in FY 94 and FY 95; and additional deposits would be made in future years. He stated these deposits constituted the principal of the

endowment and would not be spent; rather the interest earned on the principal would be dedicated to grants for local government infrastructure projects. He reported \$2.6 million is the expected earnings in the first biennium of the program. He explained that the Department of Commerce had evaluated all the grant applications and recommended funding for projects totalling \$3.9 million. He noted there was a disparity between the expected earnings and the funding for approved projects and stated that with administrative costs an additional \$1.6 million would be needed to fund all the approved projects.

REP. DeBRUYCKER asked SEN. TOWE whether \$10 million would be removed from the permanent trust fund and loaned to the endowment fund. SEN. TOWE viewed the transaction as earmarking the interest from a portion of the trust fund for TSEP. REP. DeBRUYCKER stated the interest would have otherwise gone to the general fund and suggested the interest was actually coming from the general fund. REP. TOWE agreed that one could view the program in that way, but maintained the program was setting aside money in order to address infrastructure problems. He reported the other proposed program would have taken twice as much money. REP. DeBRUYCKER argued that the permanent trust fund was not being capped but money was being taken out of the fund. SEN. TOWE disagreed explaining that only \$10 million was set aside for the program. In future years half of the revenue to the permanent trust would be put into TSEP.

REP. BARDANOUVE suggested the state should work within the income generated by TSEP and asked SEN. TOWE to explain the reason for the bonding program. SEN. TOWE responded that TSEP was set up in such a way that the income generated increased in succeeding years. He said TSEP had been criticized because not enough money was generated in the early years. Jump-start bonds were suggested as a way of meeting that criticism and allowing more projects to be initiated in the early years. REP. BARDANOUVE asserted that the bonds could use all the earnings within a short period of time. SEN. TOWE countered that the bonds would be limited by the income earned on the endowment as well as the requirement in SB 402 that each project be separately approved by a two-thirds vote of each house of the legislature. REP. DeBRUYCKER asked SEN. TOWE whether "separately" had been stricken in SB 402. SEN. TOWE agreed "separately" had been stricken in order for all projects to be considered in one bill. He also referred REP. BARDANOUVE to lines 9-10, page 6, which states "the board may not issue any Treasure State Endowment bonds in an aggregate principal amount in excess of \$10 million."

REP. WISEMAN said he understood that the program took \$17.25 million in the first year, invested it, and loaned the interest earnings. He asked SEN. TOWE to explain where the sale of bonds fit into the program. SEN. TOWE pointed out that interest income would increase each year; he explained the bonds would pledge some of the future interest to pay off the bonds. In this way, the program would not be limited to the smaller earnings of the

first years and all approved projects could be funded. He suggested funds available in future years would be reduced by about \$100,000 per year, until the bonds were repaid. Thus, in the next biennium he predicted \$5.2 million would be available for projects.

**REP. KADAS** asked **SEN. TOWE** whether anything in SB 402 authorized bonding during the biennium. **SEN. TOWE** responded that SB 402 just set up the mechanism for bonding; HB 663 provided the bonding authority. **REP. KADAS** asked whether bonding for \$1.6 million was an expensive proposition. **REP. TOWE** agreed and said for that reason, SB 316 authorized borrowing funds from the Board of Investments. He said, at this point, borrowing money from the Board of Investments was preferable. He explained that SB 402 was necessary in case the Board of Investments insisted on too high a rate of interest and in order for bonding to be available in the next biennium. **REP. KADAS** asked what authority the department would have to borrow from the Board of Investments. **SEN. TOWE** responded the authority granted in SB 316. He explained SB 316 was a "clean-up" bill which resulted from suggestions made at hearings. **SEN. KADAS** noted that the department had determined there was \$3.9 million in potential projects. He asked **SEN. TOWE** for the total amount of the project applications. **SEN. TOWE** recalled the total was \$11.47 million. **REP. KADAS** said he had heard that the state had \$1.0 billion in infrastructure improvement projects and asked the reason why applications totalled only \$11.47 million. He asked what criteria were used in choosing the projects. **Mr. Anderson** explained that communities had only five to six weeks to make their project applications. He reported TSEP did not become law until October 1, 1992, after which the department promulgated rules, held hearings, developed guidelines, and conducted workshops on application procedures. He said in order to have projects available for consideration during the current legislative session, the project applications were due December 31, 1992. He suggested the short application period limited the number of applications. **REP. KADAS** concluded that bonding would be required next biennium after communities had time to develop projects. **Mr. Anderson** stated specific criteria existed in statute which set funding priorities. **REP. KADAS** said he understood the program relied on interest subsidies and yet all the prioritized projects were recommended for grants. He asked whether there was any attempt to leverage effort by local governments. **Mr. Anderson** responded that the only applications received were for grants. He referred to "Application for the 1993 Treasure State Endowment Program (TSEP)" (**EXHIBIT 5**) and pointed out the substantial difference between the amount of the grant requests (\$11.47 million) and the total project costs (\$45.6 million). He asserted local governments were participating and noted that one criterion of the program was that there be at least a 1:1 match. He said, in fact, some applicants were rejected because they did not have the match.

REP. COBB asked Mr. Anderson whether the department would be able to fund water and sewer projects during the interim under the president's stimulus package. Mr. Anderson responded that the department's understanding was that funds would come through the community block grant program. He said because the package was not as yet approved, the department had chosen to seek spending authorization through the budget amendment process. He said the department's understanding from the federal administration was that there would not be the time or capacity for matching state money with the stimulus package.

REP. WISEMAN expressed his concerns about borrowing from the Board of Investments and the costs of bonding. He asked Mr. Anderson whether he had consulted the Bond Council on a shell registration whereby authority to issue bonds would be granted for the first biennium with the understanding that bonds would be issued in future bienniums. Mr. Anderson responded he had not checked on such a possibility.

REP. ROYAL JOHNSON referred to EXHIBIT 1 and asked Mr. Anderson what interest rate had been used in calculations. Mr. Anderson explained the "estimated annual interest available for distribution" had been calculated at 8.26% for FY 94 and 8.56% for FY 95. He said the rates had been provided by the Revenue Oversight Committee in November. REP. ROYAL JOHNSON asked Mr. Anderson if the investment board had given any assurance that they would transfer assets into the TSEP account which would yield that level of return. Mr. Anderson reported the department had talked to the Board of Investments. He said Carroll South, Executive Director, Board of Investments, had testified at the Long Range Planning Committee hearing that his best guess on interest rates was a low rate of 4.5% and a high rate of 7.5%. Mr. Anderson said the Board of Investments had indicated that unless they found an audit exception, they were willing to "circle" the most permanent and highest-yielding parts of the permanent trust for TSEP. For example, for the initial \$10 million transfer to the endowment, they would try to "circle" a \$10 million investment in existing stocks or bonds in order to avoid sales and subsequent losses or gains and in order to begin the earning rate immediately. This action would maximize the long-term return on the money. Mr. Anderson reported Mr. South had indicated that the Board of Investments was willing to work closely with the department to try to ensure a maximum return. He emphasized, however, the sensitivity of the program to interest rates. REP. ROYAL JOHNSON noted that if the Board of Investments were to "circle" the highest yielding investments for the TSEP, then other programs would suffer. Mr. Anderson said the Board of Investments had indicated they would work to maintain the best rate of return possible on the mixture of funds dedicated to TSEP. He agreed that the general fund would be affected by the absence of interest on the \$10 million dedicated to TSEP. He noted, however, the transfer of \$10 million to TSEP resulted from the public referendum passed last fall and was not the subject or question of SB 402.

REP. KADAS asked Mr. Anderson whether \$10 million had already been set aside for TSEP and to explain the Board of Investments' procedure in selecting \$10 million from the permanent trust fund. Mr. Anderson responded that the \$10 million would not be set aside until July 1, 1993. He said he was unsure of the actual mechanics involved, but it would be the Department of Revenue which would actually "circle" the pieces of the permanent trust fund which would form the \$10 million endowment. He explained that because the \$10 million could not be spent, long-term investments could be selected for the endowment. REP. KADAS referred to the \$7.25 million annual deposits to the TSEP Fund principal and asked Mr. Anderson whether the Board of Investments would wait for the revenue before investing or select portions of the permanent trust fund portfolio for transfer to the endowment in anticipation of the revenue. Mr. Anderson said he understood the Board of Investments would follow traditional procedures with new revenue. He emphasized that because the endowment principal was inviolable, it could be invested long-term. REP. KADAS asked Mr. Anderson whether he agreed the 8.26% interest earning rate used in calculating the annual interest was high. Mr. Anderson responded the interest rate was the most illusive part of the entire process. He agreed that while he had little basis for judging, the 8.26% rate appeared to be high compared to current economic conditions. He recalled that Mr. South had predicted a high rate of 7.5% and a low rate of 4.5%.

REP. COBB referred to lines 7-11, page 8, and asked SEN. TOWE whether the language was new or used elsewhere. SEN. TOWE responded the language was used elsewhere.

Closing by Sponsor: SEN. TOWE addressed REP. KADAS' questions. He explained projections of earnings were higher because the rate of return on long-term investments was more than 8.0%. He reported last year the rate was 9.5%. He agreed the return on current investments would probably be closer to 7-7.5%. He asserted the purpose of SB 402 was to give backing to fund all projects. He said he was not sure why more project applications had not been submitted, but he suggested there were not as many potential projects as some people believe. He asserted the people of Montana had shown that infrastructure was important to them, and the legislature needed to try to fund infrastructure projects. He said the intent of SB 402 was to expand authority and included significant limitations including a two-thirds vote on projects before bonds could be approved. He reminded the committee SB 402 did not authorize bonding; it just set up the mechanism for bonding. He reported the Bond Council had approved the bill and asked the committee for their support.

HEARING ON HJR 25

A joint resolution urging the governor and the attorney general to study the delivery of legal and law enforcement services to the State of Montana, make recommendations and submit a plan for implementation to the 54th Legislature.

Opening Statement by Sponsor: REP. MARJ FISHER, House District 3, Whitefish, introduced HJR 25 by request of the joint subcommittee on general government and transportation. She said the subcommittee had observed that attorneys were employed for various agencies, boards, and commissions, as well as by the attorney general and the governor, and thought some savings might be possible.

Proponents' Testimony: Chris Tweeten, Chief Deputy Attorney General, reported he had spoken to the Governor's Office and they supported the resolution. He said during their campaigns, both Governor Racicot and Attorney General Mazurek had emphasized their beliefs that there were opportunities for efficiencies in the delivery of legal services for the state of Montana. He said the budget process had further highlighted those beliefs. He expressed the attorney general's support of HJR 25.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses: None

Closing by Sponsor: REP. FISHER closed.

EXECUTIVE ACTION ON HJR 25

Motion/Vote: REP. PETERSON MOVED HJR 25 DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON SB 402

Motion/Vote: REP. MENAHAN MOVED SB 402 BE CONCURRED IN. Motion failed 8 to 10 with REPS. GRADY, FISHER, JOHN JOHNSON, ROYAL JOHNSON, MENAHAN, PECK, QUILICI, and WANZENRIED voting yes.

Motion/Vote: REP. KADAS MOVED SB 402 BE TABLED. Motion carried 10 to 8 with REPS. GRADY, FISHER, JOHN JOHNSON, ROYAL JOHNSON, MENAHAN, PECK, QUILICI, and WANZENRIED voting no.

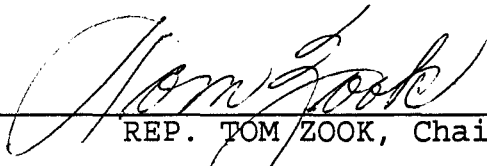
EXECUTIVE ACTION ON SB 77

Motion/Vote: REP. PECK MOVED TO AMEND SB 77, EXHIBIT 1. Motion carried 16 to 2 with REPS. FISHER and KASTEN voting no.

Motion/Vote: REP. PECK MOVED SB 77 BE CONCURRED IN AS AMENDED.  
Motion carried 14 to 4 with REPS. Debruycker, FISHER, KASTEN, and  
PETERSON voting no.

ADJOURNMENT

Adjournment: 5:00 p.m.

  
\_\_\_\_\_  
REP. TOM ZOOK, Chairman

  
\_\_\_\_\_  
MARY LOU SCHMITZ, Secretary

TZ/MLS

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

ROLL CALL

DATE

3/29/63

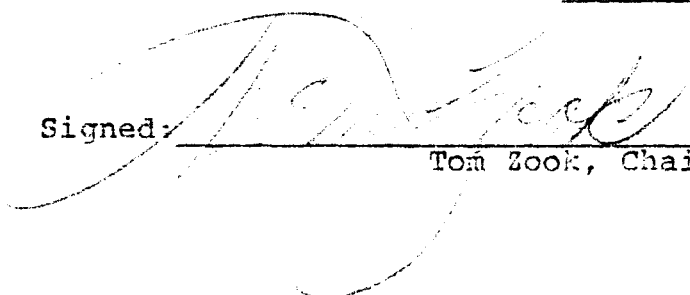
NAME	PRESENT	ABSENT	EXCUSED
REP. ED GRADY, V. CHAIR	✓		
REP. FRANCIS BARDANOUVE	✓		
REP. ERNEST BERGSAGEL	✓		
REP. JOHN COBB	✓		
REP. ROGER DEBRUYKER	✓		
REP. MARJ. FISHER	✓		
REP. JOHN JOHNSON	✓		
REP. ROYAL JOHNSON	✓		
REP. MIKE KADAS	✓		
REP. BETTY LOU KASTEN	✓		
REP. WM. "RED" MENEHAN	✓		
REP. LINDA 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 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that  
House Joint Resolution 25 (first reading copy -- white) do pass

Signed: 

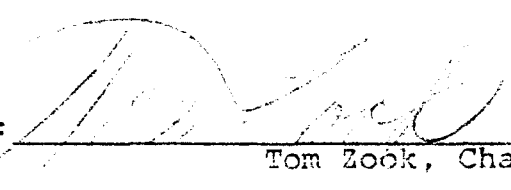
Tom Zook, Chair

HOUSE STANDING COMMITTEE REPORT

March 30, 1993

Page 1 of 2

Mr. Speaker: We, the committee on Appropriations report that Senate Bill 77 (third reading copy -- blue) be concurred in as amended .

Signed: 

Tom Zook, Chair

And, that such amendments read:

Carried by: Rep. Peck

1. Title, line 7.

Following: "BUDGET;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 1, line 25.

Strike: "two"

Insert: "four"

3. Page 2, line 1.

Strike: "two"

Insert: "four"

4. Page 2, line 3.

Following: "basis"

Strike: ";

Insert: ". One of the legislative members shall serve as  
presiding officer upon election by a vote of committee  
members."

5. Page 2, line 4.

Following: "regents"

Insert: "and one student from the university system,"

6. Page 2, line 5.

Following: "regents;"

Insert: "and"

7. Page 3, line 5.

Strike: subsection (c) in its entirety

Renumber: subsequent subsection

Committee Vote:

7115333.000

8. Page 2, line 18.

Following: "regents"

Insert: "and the student"

9. Page 2, lines 22 and 23.

Strike: subsection (3) in its entirety

Renumber: subsequent subsection.

10. Page 3, line 13.

Following: "its"

Insert: "legislative"

11. Page 5, following line 15.

Insert: "NEW SECTION. Section 9. Appropriation. There is appropriated from the general fund to the office of the legislative fiscal analyst \$15,000 in the 1995 biennium for use by the joint committee on postsecondary education policy and budget."

Renumber: subsequent sections

-END-

**MONTANA  
ASSOCIATION OF  
COUNTIES**

2711 Airport Road  
Helena, Montana 59601  
(406) 442-5209  
FAX (406) 442-5238

**SENATE BILL 94**

**SPONSORED BY SENATOR KEATING**

**TESTIMONY BY GORDON MORRIS  
MACo EXECUTIVE DIRECTOR**

EXHIBIT 1  
DATE 3/29/93  
~~HB~~ SB 94

Senate Bill 94 was introduced to address the repeal of 53-3-206, MCA in the '92 special session of the legislature in SB 10 introduced by Senator Keating.

Since introduction of SB 94 several things have occurred that will impact SB 94 it. Specifically, the "compromise" effected on state assumed welfare under HB 427. Anticipating that HB 427 will pass the legislature, SB 94 would need to be coordinated to repeal Section 2, Section 3, and Section 4. Further it would be recommended that section 1 of the amended bill would need to be further amended to reflect the permissive nature of "Indigent Assistance" in Section 24(1) of HB 427, perhaps as follows:

Section 1. Eligibility for county medical assistance. (1) a county may provide a program of medical assistance that it determines necessary for persons with serious medical conditions.

(2) To determine eligibility for county general relief medical assistance, a county welfare board may promulgate rules to establish the circumstances under which persons unable to pay for their medical aid and hospitalization qualify for assistance, including residency requirements, limits on income and resource, and the amount, scope and duration of the assistance.

## TREASURE STATE ENDOWMENT PROGRAM (TSEP)

## Annual Coal Tax Revenue

\$ 40,000,000

\$-20,000,000 earmarked programs

\$ 20,000,000 Balance

## PERMANENT TRUST

minus \$ 500,000/yr. for Coal Sev. Tax Bonds

minus \$ -0- /yr. for School Const. Bond Special

minus \$ 5,000,000/yr. for 3 yrs. Clean Coal

= \$14,500,000\*

Operating Year	Annual Deposits to Perm. Fund Principal	Annual Deposits to TSEP Fund Principal	Est. Annual Interest Available for Distrib.
1 FY '94	\$ 7,250,000	\$ 7,250,000	\$ 1,013,136
2 FY '95	(10,000,000)	\$ 10,000,000	\$ 1,653,748
3 FY '96	\$ 7,250,000	\$ 7,250,000	\$ 2,395,000
4 FY '97	\$ 7,250,000	\$ 7,250,000	\$ 3,175,000
5 FY '98	\$ 9,750,000	\$ 9,750,000	\$ 3,955,000
6 FY '99	\$ 9,750,000	\$ 9,750,000	\$ 4,735,000
7 FY '00	\$ 9,750,000	\$ 9,750,000	\$ 5,515,000
8 FY '01	\$ 9,750,000	\$ 9,750,000	\$ 6,295,000
9 FY '02	\$ 9,750,000	\$ 9,750,000	\$ 7,075,000
10 FY '03	\$ 9,750,000	\$ 9,750,000	\$ 7,855,000
11 FY '04	\$ 9,750,000	\$ 9,750,000	\$ 8,635,000
12 FY '05	\$ 9,750,000	\$ 9,750,000	\$ 9,415,000
13 FY '06	\$ 9,750,000	\$ 9,750,000	\$ 10,195,000
14 FY '07	\$ 9,750,000	\$ 9,750,000	\$ 10,975,000
15 FY '08	\$ 9,750,000	\$ 9,750,000	\$ 11,775,000
16 FY '09	\$ 9,750,000	\$ 9,750,000	\$ 12,535,000
17 FY '10	\$ 9,750,000	\$ 9,750,000	\$ 13,315,000
18 FY '11	\$ 9,750,000	\$ 9,750,000	\$ 14,095,000
19 FY '12	\$ 9,750,000	\$ 9,750,000	\$ 14,875,000
20 FY '13	\$ 9,750,000	\$ 9,750,000	\$ 15,655,000
21 FY '14	\$19,500,000	\$ - 0 -	\$ 15,655,000
<b>TOTALS</b>	<b>\$207,000,000</b>	<b>\$197,500,000</b>	<b>\$180,791,884</b>

\* Changes to \$ 19,500,000 in year 1997.  
 Years '94 & '95 projected at 8.26% & 8.56% interest earning rate, respectively.  
 Years '96 & on, projected at 8% interest earnings rate.

EXHIBIT

DATE

SB

3/29/93

# IMPACT OF CHANGING INTEREST RATES

## ON THE

### CASH AVAILABLE TO

## TREASURE STATE ENDOWMENT PROGRAM

EXHIBIT 2  
 DATE 3/29/93  
98  
402

<u>FISCAL YEAR</u>	<u>1994</u>	<u>1995</u>	<u>Biennium</u>
<u>Interest Rate</u>			
3.0% _____ \$	367,967 _____ \$	579,585 _____ \$	947,552
3.5% _____ \$	429,295 _____ \$	676,182 _____ \$	1,105,477
4.0% _____ \$	490,623 _____ \$	772,779 _____ \$	1,263,402
4.5% _____ \$	551,950 _____ \$	869,377 _____ \$	1,421,327
5.0% _____ \$	613,278 _____ \$	965,974 _____ \$	1,579,252
5.5% _____ \$	674,606 _____ \$	1,062,572 _____ \$	1,737,178
6.0% _____ \$	735,934 _____ \$	1,159,169 _____ \$	1,895,103
6.5% _____ \$	797,262 _____ \$	1,255,767 _____ \$	2,053,029
7.0% _____ \$	858,590 _____ \$	1,352,364 _____ \$	2,210,954
7.5% _____ \$	919,918 _____ \$	1,448,961 _____ \$	2,368,879
8.0% _____ \$	981,246 _____ \$	1,545,559 _____ \$	2,526,805
8.5% _____ \$	1,042,573 _____ \$	1,642,156 _____ \$	2,684,729
9.0% _____ \$	1,103,901 _____ \$	1,738,754 _____ \$	2,842,655
9.5% _____ \$	1,165,229 _____ \$	1,835,351 _____ \$	3,000,580
10.% _____ \$	1,226,566 _____ \$	1,931,948 _____ \$	3,158,514

**NOTE:**

Interest earnings projected on the bases of deposits totaling \$12,265,569 in the TSEP Trust in FY'94 and \$19,319,486 in FY'95.

# TREASURE STATE ENDOWMENT PROGRAM CASH ANTICIPATION

## Fiscal Year 1994

Principal	7/93	8/93	9/93	10/93	11/93	12/93	1/94	2/94	3/94	4/94	5/94	6/94
Deposits: \$10,000,000					\$ 1,812,500		\$ 1,812,500		\$ 1,812,500			\$1,812,500
Cumulative												
Principal												
Deposits: \$10,000,000					\$11,812,500		\$13,625,000					\$15,437,500
Interest												
Earnings: \$ 68,833	→	→	→	→	→	→	→	→	→	→	→	→
(by month)					\$ 81,309		\$ 93,785		\$ 106,261			
Cumulative												
Interest												
Earnings: \$ 68,833	\$137,666	\$206,499	\$275,332	\$356,641	\$437,950	\$519,259	\$613,044	\$706,829	\$800,614	\$906,875	\$1,013,136	
(by month)												

### NOTES:

1. Assumes no interest earned on interest
2. Interest calculated at Long Term ROC Interest Rate: 8.26% (adopted 11/20/92)

EXHIBIT 3  
 DATE 3/29/93  
 SB 902  
 1/5/93

EXHIBIT 4  
DATE 3/29/93  
SB 402

## HB 663 (TSEP) Prioritized Projects

Projected Biennium Funds available from int. earnings: \$ 2,282,489

<u>APPLICANT/PROJECT</u>	<u>RECOMMENDED FUNDING</u>	<u>REMAINING BAL.</u>
Butte-Silver Bow (water)	\$ 300,000	\$ 1,982,489
Anaconda/Deer Lodge (water)	\$ 350,000	\$ 1,632,489
Carbon Co. (bridge)	\$ 25,000	\$ 1,607,489
Neihart (water)	\$ 544,673	\$ 1,062,816
Missoula/Sunset West (water)	\$ 154,107	\$ 908,709
Yellowstone Co. (bridge)	\$ 95,500	\$ 813,209
Circle (water)	\$ 370,000	\$ 443,209
Stillwater Co./Reedpoint (sewer)	\$ 200,000	\$ 243,209
Beaverhead Co. (solid waste)	\$ 160,000	\$ 83,209
Ronan (sewer)	\$ 100,000	(\$ 16,791)
Shelby (sd/sewer)	\$ 366,000)	(\$ 382,791)
Wheatland Co. (solid waste)	\$ 33,000	(\$ 415,791)
Harlem (water)	\$ 217,300	(\$ 633,091)
Richland Co. (solid waste)	\$ 285,000	(\$ 918,091)
Lewistown (storm drain)	\$ 60,000	(\$ 978,091)
Helena (water)	\$ 338,633	(\$1,316,724)
Livingston (storm drain)	\$ 100,000	(\$1,416,724)
Toole Co./Sweetgrass (water)	\$ 25,000	(\$1,441,724)
Froid (water)	\$ 117,000	(\$1,558,724)
Gallatin Co./RAE (water)	\$ 33,245	(\$1,591,969)
Dutton (water)	\$ 50,000	(\$1,641,969)
Toole Co./Sweetgrass (sewer)	\$ 25,000	(\$1,666,969)

EXHIBIT 5  
 DATE 9/29/93  
 SB 402

**APPLICATIONS FOR THE 1993  
 TREASURE STATE ENDOWMENT PROGRAM (TSEP)**

	<u>AMOUNT REQUESTED</u>	<u>TOTAL PROJECT</u>
<b>PUBLIC FACILITY (29 Applications)</b>		
Anaconda/Deer Lodge County (water)	\$350,000	\$ 4,425,000
Beaverhead County (solid waste)	160,000	320,000
Butte/Silver Bow County (water)	300,000	23,215,000
Carbon County (bridge)	25,000	120,000
Chester (water)	196,235	394,470
Circle (water)	370,000	370,000
Custer County (solid waste)	18,900	18,900
Dutton (water)	68,780	693,280
Ennis (water)	400,000	1,060,000
Froid (water)	117,000	576,600
Gallatin Co. for Rae Subdivision (water)	49,870	66,490
Harlem (water)	217,300	434,600
Helena (water)	677,265	1,354,531
Lewistown (storm drainage)	60,000	165,264
Livingston (storm drainage)	100,000	200,000
Madison County (solid waste)	66,850	79,100
Missoula Co. for Sunset West (water)	154,107	309,107
Neihart (water)	616,213	726,231
Ronan (sewer)	309,107	618,215
Richland County (solid waste)	570,500	1,141,000
Sanders County/Heron Bridge (bridge)	2,735,000	2,735,000
Sanders County/Noxon Bridge (bridge)	2,156,000	2,156,000
Shelby (storm drainage/sewer)	732,000	980,300
Stillwater Co. for Reedpoint (sewer)	250,000	1,312,645
Toole Co. for Sweetgrass (water)	366,040	366,040
Toole Co. for Sweetgrass (sewer)	162,925	162,925
Wolf Point (sewer)	50,000	564,900
Yellowstone County (bridge)	95,500	193,110
Yellowstone Co. for Huntley (water)	100,000	745,300
<b>TOTAL</b>	<b>\$11,474,592</b>	<b>\$45,622,218</b>

**ENGINEERING LOANS (3 applications)**

Circle (water)	\$ 20,000	\$ 20,000
Wheatland County (solid waste)	33,000	35,000
Yellowstone Co. for Shepherd (water)	100,000	118,210
<b>TOTAL</b>	<b>\$ 153,000</b>	<b>\$ 173,210</b>

**TSEP PROJECTS RECOMMENDED FOR FUNDING THROUGH HB 663 SB**

EXHIBIT 6  
DATE 3/19/92  
401

<u>APPLICANT</u>	<u>PRIORITY SCORE</u>	<u>AMOUNT RECOMMENDED</u>	<u>TOTAL PROJECT</u>
BUTTE-SILVER BOW (WATER)	4075	\$ 300,000	\$ 23,215,000
ANACONDA/DEER LODGE (WATER)	3900	\$ 350,000	\$ 4,425,000
CARBON CO. (BRIDGE)	3325	\$ 25,000	\$ 120,100
NEIHART (WATER)	3275	\$ 544,673	\$ 726,231
MISSOULA CO./SUNSET WEST (WATER)	3100	\$ 154,107	\$ 309,107
YELLOWSTONE CO. (BRIDGE)	3075	\$ 95,500	\$ 193,110
CIRCLE (WATER)	3000	\$ 370,000	\$ 740,000
STILLWATER CO./REEDPOINT (SEWER)	3000	\$ 200,000	\$ 1,312,645
BEAVERHEAD CO. (SLD WASTE)	2900	\$ 160,000	\$ 320,000
RONAN (SEWER)	2825	\$ 100,000	\$ 618,215
SHELBY (SD/SEWER)	2825	\$ 366,000	\$ 980,300
WHEATLAND CO. (ENG. LOAN)	2775	\$ 33,000	\$ 35,000
HARLEM (WATER)	2750	\$ 217,300	\$ 434,600
RICHLAND CO. (SLD WASTE)	2500	\$ 285,000	\$ 1,141,000
LEWISTOWN (STR. DRAIN)	2075	\$ 60,000	\$ 165,264
HELENA (WATER)	1925	\$ 338,633	\$ 1,354,531
LIVINGSTON (STR. DRAIN)	1775	\$ 100,000	\$ 200,000
TOOLE CO./SWEETGRASS (ENG. LOAN) (W)	1650	\$ 25,000	\$ 25,000
FROID (WATER)	1625	\$ 117,000	\$ 576,600
GALLATIN CO./RAE SUBDIV. (WATER)	1450	\$ 33,245	\$ 66,491
DUTTON (WATER)	1325	\$ 50,000	\$ 118,700
TOOLE CO./SWEETGRASS (ENG. LOAN) (S)	1250	\$ 25,000	\$ 25,000
<b>TOTAL AMOUNT</b>		<b>\$ 3,949,458</b>	<b>\$ 37,101,894</b>

# HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/29/93 BILL NO. HJR 25 NUMBER           

MOTION: Rep. Peterson moved HJR 25 DO PASS.

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 3/29/93 BILL NO. SB 402 NUMBER

MOTION: Rep. Menahan moved SB 402 DO PASS.

Motion failed 8 - 10

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
	8	10

HOUSE OF REPRESENTATIVES

ADDITIONAL COMMITTEES

COMMITTEE

ROLL CALL VOTE

DATE 3/29/93 BILL NO. SB 402 NUMBER

MOTION: Rep. Kadas moved to Table SB 402

Motion carried 10 - 8

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

Amendments to Senate Bill No. 77  
Third Reading Copy

Requested by Representative Peck  
For the Committee on Appropriations

Prepared by Taryn Purdy  
March 17, 1993

EXHIBIT 1  
DATE 3/29/93  
SB 99

1. Title, line 7.  
Following: "BUDGET;"  
Insert: "PROVIDING AN APPROPRIATION;"
2. Page 1, line 25.  
Strike: "two"  
Insert: "four"
3. Page 2, line 1.  
Strike: "two"  
Insert: "four"
4. Page 2, line 3.  
Following: "basis"  
Strike: ";"  
Insert: ". One of the legislative members shall serve as presiding officer upon election by a vote of committee members."
5. Page 2, line 4.  
Following: "regents"  
Insert: "and one student from the university system,"
6. Page 2, line 5.  
Following: "regents;"  
Insert: "and"
7. Page 2, line 6.  
Strike: subsection (c) in its entirety  
Renumber: subsequent subsection
8. Page 2, line 18.  
Following: "regents"  
Insert: "and the student"
9. Page 2, lines 22 and 23.  
Strike: subsection (3) in its entirety  
Renumber: subsequent subsection.
10. Page 3, line 13.  
Following: "its"  
Insert: "legislative"
11. Page 5, following line 15.

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS

COMMITTEE

## ROLL CALL VOTE

DATE 3/29/93 BILL NO. SB 77 NUMBER MOTION: Rep. Peck moved to adopt amendment, Exhibit 1.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 WANZENREID	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIR	X	
	16	2

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE

ROLL CALL VOTE

DATE 3/29/93 BILL NO. SB 77 NUMBER       

MOTION: Rep. Peck moved SB 77 DO PASS AS AMENDED.

Motion carried 14 - 4

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

HOUSE OF REPRESENTATIVES  
VISITOR REGISTER

Appropriations COMMITTEE BILL NO. \_\_\_\_\_  
DATE 3/29/93 SPONSOR(S) \_\_\_\_\_

PLEASE PRINT

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Newell Anderson	Dept of Commerce	SB402	
Lynn R. Moen	City of Helena	SB402	
Chris Tweeter	Attorney General	HJR 25	
Jan Shea	Citizen	<del>SB94</del>	<del></del>
Ed Hall	MBCC	SB292 X	
Gordon Morris	MAC	SB94	
Staci Riley	MT Fed Teachers	X SB390	
John McElrath	ASUM	X SB77	
Quana Smith	ASMSU	SB77	

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