

## **MINUTES**

### **MONTANA SENATE 53rd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FINANCE & CLAIMS**

**Call to Order:** By Senator Judy Jacobson, Chair, on March 30, 1993, at 8:00 a.m., Room 325.

#### **ROLL CALL**

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

Sen. Judy Jacobson, Chair (D)  
Sen. Eve Franklin, Vice Chair (D)  
Sen. Gary Aklestad (R)  
Sen. Tom Beck (R)  
Sen. Don Bianchi (D)  
Sen. Chris Christiaens (D)  
Sen. Gerry Devlin (R)  
Sen. Gary Forrester (D)  
Sen. Harry Fritz (D)  
Sen. Ethel Harding (R)  
Sen. Bob Hockett (D)  
Sen. Greg Jergeson (D)  
Sen. Tom Keating (R)  
Sen. J.D. Lynch (D)  
Sen. Chuck Swysgood (R)  
Sen. Daryl Toews (R)  
Sen. Larry Tveit (R)  
Sen. Eleanor Vaughn (D)  
Sen. Mignon Waterman (D)  
Sen. Cecil Weeding (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Terry Cohea, Legislative Fiscal Analyst  
Lynn Staley, Committee Secretary

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

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

Hearing: HOUSE BILL 2  
Executive Action: HOUSE BILL 2

HEARING ON HOUSE BILL 2Opening Statement by Sponsor:

Rep. Tom Zook, House District 25, sponsor, presented HB 2 to the Finance and Claims Committee.

Chair Jacobson said she would have the chairman of the individual sections present their section, and then Department representatives could address any particular concerns they have with that section. Concerns by members of the public will be addressed, which will be followed by proposed amendments.

SECTION A - GENERAL GOVERNMENT AND TRANSPORTATION

Rep. Mary Lou Peterson, House District 1, introduced staff and committee members that dealt with Section A of the budget. She presented an overview of Section A, summarizing the narrative and figures in the "House Bill 2 Narrative, Office of the Legislative Fiscal Analyst, 1993 Session", a copy of which was given to each Finance and Claims committee member.

Chair Jacobson said agencies desiring to bring specific concerns before the committee could do so at this time.

SECTION A - JUDICIARY

Pat Chenovick, Administrator of Supreme Court, stated his concern regarding the five percent vacancy savings efficiency. He said with their reductions, they are about \$142,000 below the established target for the 99/99. That is a result of taking adjustments for elected official's salaries and the district court reimbursement program, which money goes back to the counties. He noted vacancies have been minimal and they have no employees qualifying for HB 517, the retirement bill. Any increases in workers' compensation rates to employers and employees will have to be absorbed by their agency and will put a real strain on the budget.

Bruce Loble, Chief Water Judge, Montana Water Courts, stated their concern regarding the five percent reduction in that they only have a staff of 11 people in Bozeman. The appropriations come from the water development fund special revenue. There will be a serious impact on the adjudication as the pace of adjudication depends on funding. The five percent reduction would force the water court to terminate an employee sometime in the next fiscal year.

SECTION A - QUESTIONS FROM COMMITTEE MEMBERS

Senator Swysgood questioned Rep. Peterson regarding the \$5

million in funding switches in her subcommittee, with a large amount of that being in the motor vehicle division. He asked if there was reason given regarding the impact of where the funds would be taken from in making the funding switches.

Rep. Peterson said they tried to find areas which more appropriately fit the area where the switch was being made.

Senator Swysgood questioned Rep Peterson if she considered a funding switch a reduction.

Rep. Peterson said the committee had a check list, and one of the things they were working on was a funding switch not being a reduction. As they found a program they wanted to save, if the funding was more logical from another area, they found the source of funding that more adequately addressed the program.

Senator Aklestad noted the subcommittee missed its target by over \$4 million, and they had over \$2 million worth of modifieds, plus the funding switches. He questioned the committee's rationale.

Rep. Peterson said the committee was very concerned, and many programs came in on target for the budget or slightly exceeded that target, but they did have problems. She noted they accepted programs that the committee thought were justified and a part of state business.

#### SECTION A - AMENDMENTS

**Motion:** Senator Jergeson moved his amendment to Section A (Exhibit 1).

He said his amendments would move \$87,000 from the Legislative Auditor's Office and reallocate the money to the Environmental Quality Council (EQC) and the Legislative Fiscal Analyst. It would also move legislative travel money for NCSL into personnel so that Legislative Council would not be forced to lay off employees. He concluded there was agreement among the four directors on this proposal.

Senator Jacobson said this amendment would not increase or decrease the general fund; it is moving funds around within agencies.

When questioned by Senator Lynch regarding NCSL money, Senator Jacobson said they are taking all NCSL money.

Senator Lynch said we are making a mistake in eliminating NCSL in that it has benefitted the state a great deal.

Senator Jergeson said he recognized there may be resistance to these particular cuts, but cuts have to be made this session to balance the budget. He noted the work that is derived from the

legislative agencies is invaluable to legislators. Even though there is value in the conferences that legislators travel to, it does not compare to the value derived from legislative staff. He concluded a choice has to be made.

When questioned by Senator Swysgood if the proposed amendment was taking money away from conferences in order to keep legislative offices from having to reduce personnel, Senator Jergeson said that was correct.

**Motion:** Senator Beck moved to vote separately on amendments 1, 5, 6 of Exhibit 1.

When questioned by Senator Waterman regarding the amendment, Senator Jacobson said the motion will take the money away from the Legislative Auditor's Office but not restore it to other agencies. It also takes the money Senator Jergeson is suggesting be removed from Legislative Council and eliminating it altogether.

Senator Jergeson in resisting Senator Beck's motion said this does not change the level of cuts that are applied to legislative agencies, but it does reallocate them so we can continue to receive the level of service from the legislative agencies that the legislators depend on.

Senator Jacobson said this does not restore the five percent vacancy savings in these agencies. They would still take the same five percent cut that everyone else is taking.

**Vote:** Senator Beck's motion FAILED.

**Vote:** Senator Jergeson's amendment motion (Exhibit 1) CARRIED on a roll call vote.

**Motion:** Senator Fritz moved to amend Page A-4 (Exhibit 2). He stated the amendment would put \$15,000 per year in the law library book budget.

Judy Meadows, State Law Librarian, said this proposed amendment would allow them to remain at the level they were six years ago. They would be four percent short of what the current index is running. She concluded there would not be additional money for any new books or programs.

**Vote:** Senator Fritz' amendment motion (Exhibit 2) FAILED on a roll call vote.

**Motion:** Senator Bianchi moved to amend Section A, amendments 4 through 13 (Exhibit 3).

Chair Jacobson said amendments 1, 2, 3 of Exhibit 3 were already handled through Senator Jergeson's amendment (Exhibit 1).



Senator Bianchi distributed to the committee a sheet indicating personal services reduction efficiencies/contingencies (Exhibit 4). He stated it is wrong to take five percent vacancy savings from these small agencies.

Senator Jacobson said as HB 2 stands, there are five percent vacancy savings. There is a contingency fund of 10 percent of that in the budget office so that agencies can come in and ask for help if they have problems with their vacancy savings. Senator Bianchi's amendment would eliminate the contingency fund, and for agencies with less than 20 employees, they would be eliminated from the vacancy savings requirement of five percent. It would cost the general fund an additional \$27,000 and other funds about \$130,000.

Senator Keating questioned amendment 4 of Exhibit 3 relative to water courts.

Terry Cohea, LFA, said regarding boiler plate language, personal service efficiencies or vacancy savings are shown as a positive in HB 2 because there cannot be a negative appropriation. She referred the committee to BP-2, Sections 9 and 10. She said the effect of amendment 4 would be to strike the vacancy amount for the water court, therefore their appropriation would remain at that amount and not be reduced by \$20,288.

Senator Aklestad said in his subcommittee the smaller agencies were given more relaxed latitude. He said all budgets have to be looked at as a whole, and every amount of money added to the budget will require taxes to be raised.

Senator Jacobson said she agreed and felt there were not many committee members wanting to put money back into the budget.

Senator Bianchi closed on his motion (Exhibit 3, amendments 4 through 13), stating the importance of getting the water adjudication process on line in Montana, as well as the other small agencies.

Senator Beck felt amendments 12 and 13 should be dealt with in that section of HB 2.

Senator Jacobson said that could be done, however, it is more of a global amendment being made to HB 2 exempting these smaller agencies. It is a matter of philosophy whether we want these agencies exempted as they have been in the past or whether they should come to the governor's office to try to access the contingency fund that has been set up there.

**Vote:** Senator Bianchi's amendment motion (amendments 4 through 13, Exhibit 3) FAILED on a roll call vote.

**Motion:** Senator Forrester moved to amend Section A-4 and A-5

(Exhibit 5).

Senator Forrester said Exhibit 5 would reduce the personal services reduction in the Supreme Court efficiencies from 5 percent to 2 percent and adjust the personal services contingencies accordingly.

Pat Chenovick, Supreme Court Administrator, said the five percent vacancy savings is a concern to them. They have not in most cases had any vacancy savings in the last three to four years and do not anticipate any because of HB 517. He added they could work with a two percent vacancy savings.

Senator Jacobson said vacancy savings in areas other than legislative and judiciary branch can access contingency money. She questioned if Judiciary has ten percent of the five percent cut added back.

John Moe, LFA, said it is added back into the budget.

Senator Jacobson said that is the same problem with legislative branch agencies; they are not sharing the two percent contingency with other agencies.

**Vote:** Senator Forrester's amendment motion (Exhibit 5) CARRIED on a roll call vote.

**Motion:** Senator Waterman moved to amend A-6, line 7 (Exhibit 6).

Senator Waterman said this would restore the funding for the Mental Disabilities Board of visitors to the level approved by the general government subcommittee and would reinstate one FTE plus operating costs for the state advocacy program.

Kelly Morris, Director, Board of Visitors, said the Board is required to fill legislative mandates which includes on-site reviews, responding to individual complaints and grievances with regard to services. She said staff people at the State Hospital could not fulfill the functions because of their workload. Therefore, the Board is asking that the money be restored.

Senator Fritz said the subcommittee did not cut the Board of Visitors, however the governor's office achieved its target reduction without cuts in the Board.

**Substitute Motion:** Senator Fritz made a substitute motion to have the Governor's office come up with the money to return to the level at which it left the subcommittee, rather than plugging this money back in.

Senator Jacobson said the substitute motion will remove \$75,000 from the governor's office and give it to the Board of Visitors.

**Vote:** Senator Fritz' substitute motion CARRIED on a roll call vote.

Ms. Cohea questioned if the difference between the funding for the Board of Visitors of \$144,765 and \$75,000 would be taken out of the executive office or have it added to the personal service reduction line so the governor's office could determine where to take it from.

Senator Jacobson said they should be given as much flexibility as possible.

**Motion:** Senator Forrester moved to amend Section A (Exhibit 7).

Senator Forrester said the amendment would implement the funding switch proposed in HB 549.

Doug Mitchell, Secretary of State's Office, spoke in support of Exhibit 7. He said it would provide a funding switch and would remove \$1.7 million from their budget and put it back into the general fund pool and make it a proprietary account.

**Vote:** Senator Forrester's amendment motion (Exhibit 7) CARRIED with Senators Aklestad, Keating, Swysgood opposed.

**Motion:** Senator Forrester moved to amend Section A (Exhibit 8).

Senator Forrester said the amendment implements the funding for SB 146 and SB 46 which were signed by the Governor.

Doug Mitchell, Secretary of State's Office, said SB 146 and SB 46 have been accepted by the Governor. Neither bill has any general fund impact.

Senator Keating asked with regard to the two bills if there would be additional charges to generate more money.

Mr. Mitchell said there are new charges insofar as the new programs that are expected to accrue new business. There will be new fees because of the addition of clientele.

Senator Keating questioned who the new people would be that will incorporate into the state.

Mr. Mitchell said there is a small business act allowing businesses to incorporate without needing partnership or ownership liability at an extremely high level. There are certain limits to the liability of the owner or partner. He concluded it would be small businesses in Montana that would be encouraged to do their business here.

Senator Devlin questioned if the amendments have any changes in the original budget numbers from what were appropriated in the subcommittee.

Mr. Mitchell said there are changes only as represented in the fiscal note that went with each of the bills.

Senator Jacobson said if a bill has passed both houses and been signed by the Governor, it will be dealt with in Senate Finance and Claims. If the bill is still working its way through the system and may fail, it will be dealt with in the conference committee. These bills being discussed have already passed and been signed.

Senator Devlin said he was interested in the spending authority.

Mr. Mitchell said they have been changed in the bill. The additional spending authority for limited liability companies is approximately \$150,000 over the biennium. The second issue which is uniform partnership act is \$10,602 of spending authority in each year of the biennium.

**Vote:** Senator Forrester's amendment motion (Exhibit 8) CARRIED.

**Motion:** Senator Forrester moved to amend Section A-7 (Exhibit 9).

Dough Mitchell, Secretary of State's Office, said with regard to .95 FTE, they want to be able to put the right numbers in the FTE reduction so they can pay the current FTE at current level. It represents \$37,189 that would be added into the budget over the biennium. Of that amount, only \$1,183 is general fund dollars. Because money is being added into the personal services area, it makes greater the five percent efficiency savings cut.

When questioned by Senator Swysgood regarding the reduction, Mr. Mitchell said because it is .95 FTE it is an aggregate position that was made up as a snapshot. When the budget was put together and they were determining what went in and what did not, a grade six went in and what came out was money for the bureau chief, and he said they are trying to swap those.

Senator Swysgood said when the five percent reduction was made, that was done as an agency looking to see where those reductions could be made. He asked Mr. Mitchell if it fell under his motion or Rep. Grady's motion.

Mr. Mitchell said he did not remember the motions, but added they identified positions to be eliminated as was requested by the special session. When the budget was prepared, the numbers were taken out, and that is where the difference came about.

**Vote:** Senator Forrester's amendment motion (Exhibit 9) CARRIED unanimously.

**Motion:** Senator Fritz moved to amend Section A-8 (Exhibit 10)

Senator Fritz said the amendment restores \$20,000 in the State

**Auditor's Office.**

Mark O'Keefe, State Auditor, said he laid off 12 percent of his staff in January because of budget concerns. They still needed \$330,000 in supplementals and had approximately \$60,000 in judgements for violating Fair Labor and Standards Law. They received those supplementals, and they are now asking not to be penalized for those supplementals during the next two years of operations. He added they do not have a legal counsel, but use pro bono attorneys to do the legal work because of lack of funds. He said a bill was passed bringing the State Auditor's Office up to minimum standards, and he needs the base budget to meet the minimum standards.

**Vote:** Senator Fritz' amendment motion (Exhibit 10) CARRIED on a roll call vote.

**Motion:** Senator Fritz moved to amend Section A (Exhibit 11).

Senator Fritz said the amendment implements the transfer of the payroll program from the State Auditor's Office to the Department of Administration.

**Vote:** Senator Fritz' motion CARRIED unanimously.

**Motion:** Senator Fritz moved to amend Section A (Exhibit 12).

Senator Fritz said this amendment deals with the Crime Control Division covering the cost of administering a youth detention services grant that is paid for by 9.1 percent of lottery funds.

**Vote:** Senator Fritz' amendment motion CARRIED unanimously.

**Motion:** Senator Franklin moved to amend Section A-11 (Exhibit 13).

Dennis Taylor, Deputy Director, Department of Justice, said the subcommittee voted to have a two year moratorium on issuing Attorney General opinions. This was amended in the House to allow the Attorney General to issue opinions when the requesting party would pay that opinion. The proposed amendment would restore the .75 FTE in the legal services division and would reinstate \$24,000 in general fund money that would be recouped by charging those requesting agencies for the opinions.

When questioned by Senator Devlin regarding this being taken out in subcommittee, Mr. Taylor said as part of meeting the agency targets, a proposal offered was to have a two year moratorium on the issuance of Attorney General opinions which was adopted by the subcommittee.

**Vote:** Senator Franklin's amendment motion CARRIED with Senators Aklestad, Devlin, Hockett, Swysgood, Toews opposed.

Motion: Senator Jergeson moved to amend Section A (Exhibit 14).

Senator Jergeson said the amendment would restore 2 FTE in the Gambling Control Division.

Dennis Taylor, Deputy Director, Department of Justice, said the elimination of the two positions reduced the licensing section by 40 percent. He said it is a five person office that processes over 15,000 permits each year, approximately 2,400 licenses. The amendment would give them a chance to catch up on their backlog and improve the licensing function.

Senator Lynch said there was a problem not in staffing but refusing to do the functions in a timely manner.

In a question from Senator Swysgood relative to using other people in the department for some of the functions, Senator Jacobson said these are licensing staff so they are performing different duties that do not overlap.

Senator Beck said those investigators are going to take a combination of things to do in the field and they will not be in the licensing end of it. The licensing deals with transfer of gambling and liquor licenses in a more timely manner.

Senator Bianchi said in another bill dealing with this, it was noted the licensing bureau was not causing the problem. It was the actual field investigation. To be able to perform the functions necessary in the state, the two FTE's are needed.

When questioned by Senator Lynch regarding machine permits, Mr. Taylor said there were 14,000 permits for machines. In fiscal year '92, there were 2,450 individual licenses issued.

Senator Lynch asked if they were included in the renewals, and Mr. Taylor said they were.

Senator Lynch said that should not result in a great workload.

Mr. Taylor said currently the individuals in the field are amassing over 300 hours of overtime to keep up with the current workload, as there is such a backlog. He said this money would come from licensing fees.

Senator Keating questioned the five percent reduction that the division had.

Janet Jessup, Administrator, Gambling Control Division, said the two positions is the overall cut for the entire division. There are only five positions in licensing; there are 36 FTE's in the entire division.

Senator Keating questioned why these two positions were cut when they had that many to cut.

Ms. Jessup said after looking at all areas, they determined licensing was the only area they could cut back. She noted there is a backlog in all other areas.

Senator Keating asked if those employees dealt with the transfer of licenses as well.

Ms. Jessup said they are. The licensing section is where applicants begin their process in getting licensed and under the current streamlining plan, they will be the primary contact for an applicant.

Senator Lynch questioned why of 36 employees, they chose to take two of the five people from the section to eliminate.

Ms. Jessup said the plan as they try to streamline processes is to enhance responsibility and actions of the licensing section so an applicant can take care of the process in one call, therefore, the licensing section can be the key contact point where the information will come from.

Senator Swysgood said they are taking \$108,000 of state special revenue from gambling license fees, and he questioned where the money is currently being used.

Mr. Taylor said in a special session a measure was passed to take 100 percent of the excess fees from the Gambling Control Division and put it in the general fund. The bill sunsets at the end of the year. For the next biennium those fees would remain in the gambling licensing fund, and based on projections there is more than sufficient funds at the current licensing rate to cover the cost of restoring the two FTE's.

Senator Swysgood questioned if it would revert to the general fund at the end of the biennium.

Mr. Taylor said no.

**Vote:** Senator Jergeson' amendment motion (Exhibit 14) CARRIED on a roll call vote.

**Motion:** Senator Vaughn moved to amend Section A-12 (Exhibit 15).

Senator Vaughn said the amendment would restore 2 FTE's in the Drivers' Licensing Bureau.

Dennis Taylor, Department of Justice, said the 16.25 FTE's in the Drivers' License Bureau was 2 FTE's less than what it was at current level. With the 2 FTE's, they can continue to provide current level services and still stay within the five percent efficiency savings measure.

Senator Harding questioned if there are two counties without a drivers' license examiner.

Mr. Taylor said with the vacancy savings and reinstatement of only part of the current level service, they cannot guarantee services across the state. He noted it would allow the same flexibility they currently have with the pressures of the five percent vacancy.

Senator Jacobson said this amendment would add \$108,300 of general fund back into HB 2.

**Vote:** Senator Vaughn's amendment motion (Exhibit 15) FAILED.

**Motion:** Senator Weeding moved to amend Section A-12 (Exhibit 16).

Senator Weeding said the amendment reverses a funding switch from the highways special revenue fund for general fund in the Motor Vehicle Division.

Senator Jacobson questioned if this would add \$3.3 million to the general fund.

Senator Weeding stated that would be the overall effect.

Senator Jacobson said in another bill that passed out of the committee, the testimony was that we would be able to access all federal funds that may be available to us including the "grab bag".

Senator Weeding said yes, with some reservation.

Senator Swysgood said this amendment could be used to match federal monies and maybe lower the impact of the gas tax increase on the state, and we are now being faced with the situation if we don't like the funding switch, we will put the general fund back in. He noted that he doesn't like the funding switches.

**Vote:** Senator Weeding's amendment motion (Exhibit 16) FAILED on a roll call vote.

**Motion:** Senator Swysgood moved to amend Section A-12 (Exhibit 17).

Senator Swysgood said this amendment would add 1.5 FTE to the Motor Carriers Safety Assistance Program in the Highway Patrol Division, which is federal funds. He added it is necessary to comply with the federal requirement to audit trucking companies in the state to ensure vehicle maintenance and driver qualifications for the safe operation of commercial trucks.

Senator Christiaens questioned if there is anyone doing this particular job at the present time.

Senator Swysgood said the federal government is supposed to be doing this, but they have required the states to do it because



the federal government does not have the personnel.

Senator Jacobson said it appears there are a number of amendments in this area to add federal positions. She questioned if anyone was present from the Department of Justice to speak to this.

Dennis Taylor, Department of Justice, stated his support of the amendment in that it restores programs to the level approved by the subcommittee.

**Vote:** Senator Swysgood's amendment motion (Exhibit 17) CARRIED unanimously.

**Motion:** Senator Fritz moved to amend Section A-15 (Exhibit 18).

Senator Fritz said the amendment adds 2 FTE to the Scenic Byways Program budget.

Senator Devlin stated his opposition to the amendment in that money should be used to maintain existing roads.

Senator Weeding asked Marvin Dye if the federal money has to be used for this type of operation or could it be used in highway construction or maintenance.

Marvin Dye, Director, Department of Transportation, said it is a specific grant that they applied for and received. It cannot be used for anything else. They look at the grant as enhancing their capability in many areas of the state to make it easier to build roads, as well as making it easier to work with some of the environmental groups in Montana.

Senator Jacobson questioned if this money was removed in House appropriations committee.

Mr. Dye said it was an amendment that was not approved.

Senator Swysgood questioned if the department got 22 additional FTE's for ISTEA compliance.

Mr. Dye said the department got a number of requested modifications under ISTEA.

**Vote:** Senator Fritz' amendment motion (Exhibit 18) CARRIED on a roll call vote.

**Motion:** Senator Fritz moved to amend Section A-15 (Exhibit 19).

Marvin Dye, Department of Transportation, said this should not have shown as a modification but current level. It was handled as a zero base during the budget preparation process, which is the reason for the amendment. He said this program deals with rest areas, and the city would support and maintain the rest area where it is needed. The state would not have to worry about it

in the future. He concluded it is cost effective, efficient and also a benefit for local programs.

Senator Jacobson questioned if it was approved by the subcommittee.

Mr. Dye said it was not. When questioned by Senator Jacobson if it was offered in the House appropriations committee, Mr. Dye said he did think it was.

Senator Jacobson questioned why the amendment was not brought up before this point.

Senator Fritz said he asked that the Department of Transportation allow him to present the amendment.

Senator Swysgood asked Mr. Dye if the \$300,000 could be used as a match with federal monies for highway construction.

Mr. Dye said yes.

When questioned by Senator Weeding regarding the location of the proposed rest stops, Mr. Dye said they are very close to the road and work in conjunction with city parks.

**Vote:** Senator Fritz' amendment motion (Exhibit 19) FAILED on a roll call vote.

**Motion:** Senator Swysgood moved to amend Section A-15 and A-16 (Exhibit 20)

Senator Swysgood said the amendment would eliminate non-seasonal vacant positions reinstated in the House. It would not include any seasonal vacant positions. It would amount to approximately \$5 million over the biennium, and there is probably about \$3 million of that being state special and proprietary funds.

Senator Weeding asked Mr. Dye to comment on the amendment.

Marvin Dye, Department of Transportation, said he was not aware of the amendment. He stated they are now down 150 employees from the beginning of the legislative session. Over the last ten year period there has been a significant reduction in the size of the department. In the next few years, they anticipate having over 20 percent more federal funds for projects which cannot be done with fewer employees.

Senator Fritz said the subcommittee reviewed Rep. Cobb's and Senator Swysgood's motions carefully and decided employees were needed to build roads and do planning and purchasing. To accept the motion would reduce the ability to carry out highway construction in the next biennium.

When questioned by Senator Waterman as to number of people that

would be eliminated with Senator Swysgood's amendment, Clayton Schenck, LFA, said it would be 87.2 FTE.

In a question from Senator Beck if the positions would be grade 16 or above, Senator Swysgood said some of the positions are grade 16 or above but he did not know how many.

Senator Lynch asked if some of the money being saved could be used for highway match.

Senator Jacobson said yes.

Senator Aklestad asked if many of the positions were vacant previously.

Senator Swysgood said yes, he was not taking out anything that had not been vacant or was removed earlier by his motion or Rep. Cobb's motion.

Senator Hockett asked Mr. Dye how their operation would be affected if the permanent people were taken out and the seasonal people were left.

Mr. Dye said the seasonal people are hired during the construction season and there are some seasonal employees during the winter season. He said there are a number of reasons the positions were kept vacant; they had four percent vacancy savings imposed on them. He concluded if they are going to have a 20 percent or larger program in the future, the people are needed.

Senator Jacobson questioned if the subcommittee eliminated 75 positions this biennium.

Mr. Dye said that was correct.

Senator Jacobson asked how many people the department normally holds vacant at any given time.

Bill Salisbury, Department of Transportation, said there are several factors in this. He said the instructions for this biennium was to have a five percent vacancy savings. The previous director instructed them instead of filling permanent positions to fill temporary positions. Many of the positions were double filled, so some functions were still going on, but they were double filled in other temporary positions. They left the permanent positions vacant. That is the reason they showed up as vacant at that time. In some of the programs it was seasonal work.

Senator Lynch asked if the motion would affect only those positions that are vacant would not be rehired and that no one would get fired by the amendment.

Mr. Dye said he did not believe that was correct.

Mr. Salisbury said they were vacant in the snapshot. Many of the positions were in the hiring process and some have been filled since. When questioned by Senator Lynch if all 87 positions have been filled since the snapshot, Mr. Salisbury said he doubted that.

Senator Weeding stated his position that the director and governor should be allowed to run the Department of Transportation and trust they know what they are doing by giving them the manpower they think they need.

Senator Tveit asked how the highway projects are put together to qualify for federal funds.

James Barnard, Transportation Department, said many of the positions are critical positions to get federal projects ready to go to contract. Very likely if positions are eliminated, they will be told by the federal highway administration they are not adequately staffed to maintain the program, and the program will be cut. Many of the positions were vacant because they had been told to leave them vacant, and many of the positions not being considered here are double and triple filled.

Senator Harding felt firmer answers need to be given as to positions that are really needed.

Senator Jacobson said there is a net reduction of about 29 employees. They are estimating that the vacancy savings would lose another 73 positions for them but that is an estimate. This amendment would add another 87.2 positions to the 50 positions. They run more than five percent vacancy in a biennium because of the large turnover they have.

Senator Waterman said it is difficult for the department to give definitive answers when they are not provided with the amendments ahead of time that deal with the proposed cuts to their department.

Senator Lynch said he would like to have figures presented from the department on the number of engineers that will be involved.

Senator Aklestad said the legislature is not cutting FTE's; they are cutting personal services budgets, and the department has the latitude within the budget to move people around.

Senator Keating asked Mr. Barnard to explain the terms double filled and triple filled.

Mr. Barnard said the snapshot never took into account there are positions funded for one FTE where there are maybe two, three, four or five people. The money to pay for those positions that are double or triple filled comes from vacant positions. In answer to Senator Keating, he said he did not have the information on the total number and how it compares with vacant positions.

Senator Keating questioned where the authorization is received from to double fill a position.

Mr. Barnard said there is no requirement he is aware of that allows only one person in a single position as long as there is the budget authority to cover it.

Senator Lynch asked if more than one employee could fill the very same position.

Mr. Barnard said that could exist as long as there is personal service money in other positions to cover that.

Mr. Salisbury commented that ten years ago there was a position for every person whether they were seasonal or not. The department has a lot of seasonal work, and temporary positions are created. Many of the positions might have two or ten people. Rather than going through the hiring process for every person, they are put all together in aggregate.

Senator Beck asked if it made a difference when the snapshot was taken on the positions.

Mr. Salisbury said it does make a difference in the time of the year.

Senator Jacobson said these are non-seasonal positions. She asked how much difference it would make in non-seasonal people.

Mr. Salisbury said at times it makes a difference in permanent staff.

Senator Swysgood, closing on his motion, said there are positions that can be eliminated and not cause undue hardship on the department.

**Vote:** Senator Swysgood's amendment motion (Exhibit 20) FAILED on a roll call vote.

Senator Beck said he would like the Department of Transportation to bring figures regarding this amendment to the committee.

**Motion:** Senator Fritz moved to amend Section A-16 (Exhibit 21).

Senator Fritz said the administration supports the Department of Transportation's request for funding to increase the motor pool fleet size by 20 vehicles.

Senator Weeding questioned if the amendment would include buying 20 new vehicles or adding 20 to the fleet and not disposing of cars with 75,000 miles.

Mr. Barnard said this amendment would make 20 additional vehicles available for lease to other state agencies.

**Vote:** Senator Fritz' amendment motion (Exhibit 21) FAILED on a roll call vote.

**Motion:** Senator Tveit moved to amend Section A-17 (Exhibit 22).

Senator Tveit said the amendment would reinstate one FTE economist in the rail and transit division. Funding is provided by 80 percent federal funds with a 20 percent state match from state special revenue funds.

Mr. Salisbury said the subcommittee asked the department to return with innovative financing figures which they did.

Senator Christiaens said with the action of the previous amendment, he felt the department has the money in personal services to hire that position.

Senator Tveit said the position was taken out and should be reinstated.

**Vote:** Senator Tveit's amendment motion (Exhibit 22) FAILED on a roll call vote.

**Motion:** Senator Tveit moved to amend Section A-17 (Exhibit 23).

Senator Tveit said the amendment is for authority for pass through of local matching funds in the Department of Transportation.

Mr. Salisbury in supporting the amendment, said there is no state money involved.

**Vote:** Senator Tveit's amendment motion (Exhibit 23) CARRIED.

**Motion:** Senator Swysgood moved to amend Section A-19 (Exhibit 24).

Senator Swysgood said the amendment would eliminate \$100,000 each year from the noxious weed control budget and appropriate the funds for operation of the maintenance program. He said the money is used for the purchase of insects. Under programs currently in place through the weed trust fund, when the insects are ready for distribution by the research facilities, they are free to the weed districts and anyone wanting to apply for them.

Senator Beck questioned if the \$100,000 was over and above the chemical control program that is currently in the highway system.

Mr. Barnard said it would be above and beyond the normal weed control budget.

Senator Waterman asked the department if it was requested in the budget.

Mr. Barnard said it was not requested by the department.

**Vote:** Senator Swysgood's amendment motion (EXHIBIT 24) CARRIED unanimously.

(LUNCH RECESS - 12:00 NOON)

(HEARING RECONVENED - 3:50 P.M.)

Senator Jacobson reopened the hearing on Section A amendments to HB 2.

**Motion/Vote:** Senator Fritz moved to reconsider action on his substitute motion on the mental disabilities board of visitors which would have funded it out of the Governor's office. He said it was brought to his attention that the Governor's budget was reduced to target, and that amendment essentially does away with that appropriation. He moved to reconsider and then revert to the main motion by Senator Waterman.

Senator Fritz' motion to reconsider CARRIED unanimously.

**Motion:** Senator Waterman moved her original motion to restore the funding for the Board of Visitors to the level at which it left the subcommittee. It would restore approximately \$72,000 per year.

Senator Waterman said it is essential that these funds be restored at this time.

Chair Jacobson said it was brought to her attention that the committee just reconsidered the motion. She asked Senator Fritz to move the amendment.

**Motion/Vote:** Senator moved that the committee eliminate \$75,000 per year to the mental disabilities budget that was put in the Governor's office.

Senator Fritz' motion CARRIED unanimously.

**Vote:** Senator Waterman's motion to restore funding for the Board of Visitors to approximately \$72,000 per year FAILED on a roll call vote.

**Motion:** Senator Swysgood moved to amend Section A-18 (Exhibit 25).

Senator Swysgood said the amendment would strike language dealing with the Great Falls to Billings highway, and asking the Department of Transportation to do a study. He said the development of a four lane highway between those two cities is currently beyond the realm of financial capabilities. He asked the Department of Transportation to comment relative to this amendment.

Mr. Barnard said it would depend on the degree of study that was necessary. They are looking for an estimate of cost. He said the cost would be astronomical to build the road, however the cost of the study would not be that much.

Senator Christiaens said it was his understanding that the department already had that information and all they needed to do was put the study together.

Mr. Barnard said the statement was made that at today's dollars, it would cost about \$2 million a mile to build the interstate system.

Senator Keating said although he would not suggest building a four lane highway between the two cities, he felt there should be some thought given to improving the route to facilitate commerce and the state's economy. He asked the department to comment.

Mr. Barnard said they have made a lot of improvements on that route, and there are many more left to be made. Contracts have been let or will be let in the near future for projects to reconstruct older sections of highways for a wide two lane highway.

Senator Devlin stated we are beginning to put politics into the reconstruction of our state roads, and it is totally wrong to start on that course.

**Vote:** Senator Swysgood's amendment motion (Exhibit 25) CARRIED with Senators Keating, Franklin, Fritz, Forrester, Beck, Christiaens, Hockett opposed.

**Motion:** Senator Fritz moved to amend Section A-20 (Exhibit 26).

Jack Ellery, Department of Revenue, said this is a technical amendment to coordinate the transfer of the liquor investigators to the Department of Justice. It conforms the language regarding HB 609 to the House actions regarding federal special revenue.

**Vote:** Senator Fritz' amendment motion (Exhibit 26) CARRIED unanimously.

**Motion:** Senator Beck moved to amend Section A-20 (Exhibit 27).

Senator Beck said the amendment strikes language stating when an incumbent deputy assessor leaves a position, the position if filled must be supported entirely with county funds.

**Vote:** Senator Beck's amendment motion (Exhibit 27) CARRIED unanimously.

**Motion:** Senator Fritz moved to amend Section A-22 (Exhibit 28).

Senator Fritz said the amendment will provide funding for .50 FTE



and related operating expenses.

Mike Trevor, Department of Administration, said in HB 520 is an appropriation needed by ISD to support the program. They have agreed to do this without increasing the rates to any other agencies.

Senator Jacobson asked if the department had the authority to do this anyway.

Mr. Trevor said they can't because they do not have the personnel to dedicate to the system. It requires agencies to put certain types of information onto the system.

Senator Jacobson stated with the vacancy savings available in the Department of Administration, there are probably more people there than money right now.

Mr. Trevor stated they are down four and one-half positions including the money.

Senator Hockett said it was his opinion when hearing testimony on this in another committee that the department assured the committee it could be done without additional funds.

Senator Fritz said the department said they would absorb the costs. They would absorb the costs by not increasing the rates, but it has to charge for loading the information onto the electronic bulletin board.

When questioned by Senator Tveit regarding the appropriation, Mr. Trevor said the two figures (Exhibit 28) represent the increased authority they need in their budget to spend the dollars. They will not increase rates that will pass the cost onto other agencies. He noted it is referred to on the fiscal note.

**Vote:** Senator Fritz' amendment motion (Exhibit 28) CARRIED.

**Motion:** Senator Lynch moved to amend Section A-2 and A-23 (Exhibit 29)

Senator Lynch said the amendment will restore NCSL funding to the Legislative Council and reduces the executive personal services contingency by \$100,128 in fiscal 1994 and \$203,291 in fiscal 1995. He said the NCSL funding is one-half of the original request and would be as it came out of the government and transportation subcommittee and the House. He concluded if they do not have some affiliation with NCSL, they would be the only state that does not.

Senator Waterman questioned the annual membership costs of NCSL.

Bob Person, Executive Director, Legislative Council said it is approximately \$96,000 a year for dues.

Senator Lynch said the amendment would allow \$103,000 for the biennium, so it would pay about one-half of the dues.

In questioning from Senator Keating regarding the amendment, Senator Jacobson said the original motion took no money from the joint interim committees. On statewide issues, that is a contingency fund to deal with items that are unanticipated. In the past it has most often reverted, and that is the money that was taken. Senator Lynch is attempting to put back NCSL.

Ms. Cohea said page A-2, HB 2, there are two references needing amendment for NCSL. The first is total amount for interim studies. That line is amended to put \$103,000 back in. Line 20, page A-2 reinserts National Conference of State Legislatures. The other amendment deals with personal services contingency.

**Vote:** Senator Lynch's amendment motion (Exhibit 29) FAILED on a roll call vote.

**Motion:** Senator Franklin moved to amend Section A-23 (Exhibit 30).

Senator Jacobson said it reduces the executive personal services contingency by \$100,128 in fiscal 1994 and \$203,291 in fiscal 1995.

Senator Swysgood questioned if this would be put in the general fund.

Ms. Cohea said it will reduce general fund expenditures by approximately \$303,000. There is currently a positive general fund appropriation of \$1.3 million in the Department of Administration to be used to help executive branch agencies deal with personal service reductions. As the contingency amount started, it was to be 10 percent of the general fund. At this point it is more than 10 percent because when two significant numbers of FTE were exempted from the personal service reduction, the contingency was not reduced. This amendment would make the contingency 10 percent of the vacancy savings at this point.

Senator Aklestad asked how much would it have to be increased before it runs over 10 percent.

Ms. Cohea said the only motions that have been made affecting personal service reductions were in Judiciary and legislative branch. If this motion (Exhibit 30) prevails, the reduction and contingency are in sync.

When questioned by Senator Aklestad if changes occur before the end of the legislative session would this issue would have to be looked at again, Senator Jacobson said that is correct, if it is kept at 10 percent.

**Vote:** Senator Franklin's amendment motion (Exhibit 30) CARRIED

unanimously.

**Motion:** Senator Fritz moved to amend Section A-22 and A-24 (Exhibit 31).

Senator Fritz said this amendment would save proprietary money because emergency costs have been reduced.

When asked if she would like to comment on the amendment, Lois Menzies, Department of Administration, stated she would like time to review it.

Chair Jacobson stated that amendment would be dealt with later.

**Motion:** Senator Waterman moved to amend Section A-23 and A-24 (Exhibit 32).

Senator Waterman said this would implement the state's portion from the proprietary fund of the \$.70 fee on state employee salaries to fund the genetics unit at Shodair Hospital.

**Vote:** Motion CARRIED with Senators, Toews, Swysgood, Lynch, Devlin, Aklestad, Tveit opposed.

**Motion:** Senator Fritz moved to amend Section A-25 (Exhibit 33).

Senator Fritz said the amendment would allow the Public Employees' Retirement Board to hire a disability claims examiner from retirement trust funds.

**Vote:** Senator Fritz' amendment motion (Exhibit 33) CARRIED unanimously.

**Motion:** Senator Fritz moved to amend Section A-26 (Exhibit 34).

Senator Fritz said the amendment gives the spending authority of \$2,400 in the biennium to the Teachers' Retirement Board to conduct medical examinations because of the requirement in HB 244.

**Vote:** Senator Fritz' amendment motion (Exhibit 34) CARRIED unanimously.

**Motion:** Senator Fritz moved to amend Section A-27 and A-28 (Exhibit 35).

Senator Fritz said the amendment allows spending authority in the Department of Military Affairs proprietary funds for the Veterans' Affairs Division. The division raises the money by selling license plates and uses the money to improve the veterans' cemetery.

**Vote:** Senator Fritz' amendment motion (Exhibit 35) CARRIED unanimously.

**Motion:** Senator Swysgood moved to amend Section A-2 (Exhibit 36).

Senator Swysgood said the amendment would strike the \$30,584 appropriation for the Northwest Economic Region Conference. He stated there was no justification for belonging to the Conference when there was not enough money to send the members associated with the Conference.

Senator Keating said there were several legislators that paid to go to the conference dealing with trade and corridor for Pacific Rim contacts.

Senator Jacobson stated the Conference helps our state get together with other states as well as Canada to deal with a regional approach to economic development.

Senator Lynch, in supporting the amendment, stated there are dues involved in the Conference, as well as only a limited number of states involved.

Senator Swysgood, in closing, stated he had no problem with legislators using their personal funds to attend the Conference but added it is \$30,000 of general fund money.

**Vote:** Senator Swysgood's amendment motion (Exhibit 36) FAILED on a roll call vote.

**Motion:** Senator Jergeson moved to amend Section BP 2 and Section A of HB 2 (Exhibit 37).

Senator Jergeson said the amendment strikes personal services reduction efficiencies throughout HB 2 and inserts vacancy savings which is what the line item reductions were.

Senator Swysgood questioned if the full House appropriations rescinded not having vacancy savings.

Senator Jacobson said there are five percent vacancy savings throughout HB 2.

Senator Swysgood said he thought there was not going to be vacancy savings this time, and the House instituted the efficiency savings in the budget. He questioned if that was changed and now there would be vacancy savings in the budget.

Senator Jacobson said vacancy savings in the budget is called personal services reduction efficiencies. For the morale of the state workers, it should be called what it is.

**Vote:** Senator Jergeson's amendment motion (Exhibit 37) CARRIED unanimously.

Chair Jacobson said the committee would revert back to the

amendment to Section A-22 and A-24 that was passed on earlier.

**Motion:** Senator Fritz moved to amend Section A-22 and A-24 (Exhibit 31).

Senator Waterman said it is dealing with the energy conservation program and money to do more energy retrofit.

**Vote:** Senator Fritz' amendment motion (Exhibit 31) CARRIED unanimously.

**Motion relative to Section A, Water Courts:** Senator Bianchi said in the water courts there is a contingency personal services of \$4,000 plus a two percent reduction of the \$20,000, so the water court judge would have \$8,000 less. He said Mr. Loble is concerned that he will have to lay off a water master.

Senator Bianchi moved in Section A that \$4,060 be reinstated for contingency personal services for the water courts and eliminate the two percent or \$2,298.

Senator Jacobson asked Senator Bianchi if he was trying to take away the five percent vacancy savings.

Senator Bianchi said because three percent has been taken away, there is only two percent left.

Ms. Cohea said this would eliminate any vacancy savings for the water court and eliminate the resulting contingency.

In a question from Senator Weeding on the motion, Chair Jacobson said there was a motion made earlier today restoring three percent of the five percent cuts, and Senator Bianchi's motion will restore the other two percent and remove the contingency. That would get the water court to zero vacancy savings.

**Vote:** Senator Bianchi's motion relative to the water court FAILED on a roll call vote, with a tie vote. (See roll call vote)

**Motion:** There being no further amendments in Section A, Senator Fritz moved that Section A be closed.

Chair Jacobson said if there are further amendments to Section A this day, she would revert back to the section.

**Vote:** Senator Fritz' motion to close Section A CARRIED unanimously.

## SECTION B - HUMAN SERVICES

Rep. John Cobb, House District 42, introduced staff and committee members that dealt with Section B of the budget. He presented an

overview of Section B, summarizing the narrative and figures in "House Bill 2 Narrative, Office of the Legislative Fiscal Analyst, 1993 Session".

SECTION B - DEPARTMENT OF LABOR

SECTION B - QUESTIONS FROM COMMITTEE

Senator Swysgood said relative to B-33, Department of Labor, positions relating to Workers' Compensation Division were restored in the House, and he asked why the positions of claim adjusters and a mediator were vacant at that time when there were problems relating to claims.

Laurie Ekanger, Department of Labor, said at the time it was looked into, there were these positions about to be filled or in the hiring process. All positions currently are filled.

SECTION B - DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES (SRS)

SECTION B - QUESTIONS FROM COMMITTEE

Senator Keating questioned the number of FTE's in SRS of contracted services in nonassumed counties, page B-42.

Rep. Cobb said the nonassumed counties got their FTE's back.

When questioned by Senator Keating regarding the number of FTE's, Rep. Cobb said it was 14.

Senator Swysgood asked what has been established as the poverty level for pay off for AFDC.

Rep. Cobb said they froze the payment level. The first year it is 39.27 percent and for fiscal year 1995 it is 38.12 percent.

Senator Swysgood asked if the floor level that the federal government requires them to maintain is a floating figure.

Lois Steinbeck, LFA, said the federal government established a floor. AFDC payments may not go below the level of those in effect May 1, 1988. If the state lowers AFDC for payments below that, they could lose federal financial participation in the medicaid program.

Senator Swysgood asked what the floor level was in 1988.

Peter Blouke, Director, SRS, said the floor in May 1988 was \$359 for a family of three, and currently it is \$390 for a family of three.

Senator Swysgood questioned what percentage that would be.

Rep. Cobb said 36.15 percent, and it goes to 35 percent in fiscal year 1995. As inflation goes up, the poverty level goes down.

Ms. Steinbeck said in about every February the federal government publishes the federal poverty level index. SRS estimates that it goes up about three percent a year.

Senator Swysgood questioned if the percentage in May 1988 was approximately 36 percent.

Ms. Steinbeck said she did not know what percent of poverty it would have been at that time because she did not know the poverty level index. She added that could be researched for the committee. She concluded we cannot go below the amounts paid on May 1, 1988.

Senator Waterman questioned the dollar amount for a family of three at the end of the '95 biennium.

Rep. Cobb said it would be the same thing; the payments were froze.

#### SECTION B - DEPARTMENT OF FAMILY SERVICES (DFS)

Senator Lynch asked with regard to the inpatient hospital use and the family of one rule, how many adolescents we are talking about, and where they are going.

Hank Hudson, Director, Department of Family Services, said in 1992 there was 762 children served in youth psychiatric free standing hospitals. Approximately 230 of those were children in the custody of the Department of Family Services. Those in DFS remain medicaid eligible and would be served in a variety of other settings such as inpatient and acute care hospitals, residential treatment, therapeutic group care, foster care, et cetera. Another portion not in the custody of DFS are medicaid eligible and would have access to medicaid funding services. Around 200 others are the youth being served under the family of one rule who would no longer be eligible and are not in custody of DFS. Their care would be the responsibility of the families to pay for them.

Senator Lynch questioned where the acute care hospitals are located.

Mr. Hudson said the four are in Missoula, Great Falls, Billings and Helena.

Regarding the family of one, Senator Lynch asked if they are not medicaid eligible would it cost \$600 per day.

Mr. Hudson said that was accurate.

When Senator Lynch questioned how many people would be able to afford \$600 a day, Mr. Hudson said he could not answer that.

Senator Lynch said he would like to hear testimony from Dr. Charles Lear as to what will happen to the youngsters without the present system.

Charles Lear, practicing child psychologist in Montana, said the youngsters will either not be served or they will be served in organizations and agencies that were designed to serve less seriously disturbed children or they will be served in the juvenile justice system. He added in any of those three cases, they will not be served. If the services are not here, the youngsters will not be served. He said he received inquiries each day at Rivendell in Butte regarding hospitalization. Some of those youngsters will be placed in community settings. In other cases, he must find another doctor not associated with the hospital who has to agree that there is no service short of hospitalization that will help the youngster. Then a mental health professional that is not a doctor has to be found to agree that the youngster needs to be in the hospital. A health management agency must be contacted and be told of the clinical situation for their concurrence in putting the youngster in the hospital. He said three staff people provide the health management organization with progress note, et cetera. When the agency decides the youngster no longer needs inpatient hospital care, funding stops.

Jack Casey, Administrator of Shodair Children's Hospital, Helena, testified regarding children's psychiatric services (Exhibit 38).

Mike Fitzpatrick, weekend manager of a group home in Butte, said he himself received services similar to those that will be cut, and urged that the services be reinstated.

Rep. Cobb closed on the inpatient psychiatric services, stating that until the money is put on the other end and there is utilization of the community based services, all money will go to the upper end because of the demand and the high cost of services. We will not get to the kids until it is too late; there is very little success rate.

Senator Lynch said he would like Mr. Hudson to comment regarding the \$10 million being used to send some adolescents out of state. Many of them are ordered through the courts to have the treatment, and he felt there would be more court involvement if they are ordered out of state.

Mr. Hudson said there is work now being done to develop services in people's communities, which is linked to the hospital and residential services. If there is success in identifying what we are buying out of state and who can provide it in state to us, that should result in some change.



SECTION B - AMENDMENTS

**Motion:** Senator Waterman moved to amend Section B-1 (Exhibit 39).

The amendment will reinstate general funds to the Department of Health for the public health laboratory and chemistry laboratory program. If the money is not reinstated, the cities and counties will have to fund the total cost. Seventy percent of the laboratory costs in this budget are from nonprofits.

Senator Swysgood questioned if this particular budget is \$11 million over target as shown on page 5, Table 5, target comparisons.

Ms. Cohea said human services is 8.774 as HB 2 stands. There is contingent language that would raise it to 11.06 over the target. One of the big contingencies is if HB 333 fails, contingent language requires that \$3.3 million be put back into the bill.

Senator Jacobson questioned what the state special revenue source is.

Senator Waterman said the laboratory fees would be totally dependent on fees charged to those having the laboratory tests performed.

**Vote:** Senator Waterman's amendment motion (Exhibit 39) FAILED.

**Motion:** Senator Waterman moved to amend Section B (Exhibit 40).

Senator Waterman said the amendment would restore legislative contract authority to the level approved in the subcommittee for the Departments of Health and Labor.

Senator Jacobson said she would resist the amendment. In the past we had some legislative contract authority, meaning a department can bypass the budget amendment process. There are some historical reasons for putting it back in Fish, Wildlife and Parks and also the Library for some fees coming in there. The Department of Health has been moving most of their funding away from general fund and into proprietary funds which are fees charged to people, which means they may be increasing both the money that is coming in and the FTE. The legislature in the interim will not see that until the next legislative session. Currently, they get them reviewed by the legislative finance committee through the budget process.

Senator Weeding questioned if they had to demonstrate some sort of emergency to the Governor's office.

Ms. Cohea said under current LCA that Fish, Wildlife and Parks has, it is used in place of the budget amendment process, so no emergency is required. They prepare an operational plan change

which is reviewed by the budget office, and they must report after the expenditure occurs at the end of the fiscal year to the finance committee. This is not like a supplemental process in which the Governor's office must review the emergency.

Senator Waterman asked the Department of Health to address this issue.

Bob Robinson, Director of Department of Health, said the money generally being discussed is not state special revenue account money, but most is federal funds being passed through from the federal government generally to provide health related services at the local level.

Senator Jacobson said the point she is trying to make is that most of the money dealt with in the legislative finance committee is federal special revenue that comes in. The problem is that it is adding a lot of people, and there is no handle on that unless it comes through the budget process.

Senator Keating asked if the budget amendment process unduly impedes the delivery of these funds.

Dave Lewis, Budget Director, said he understands from the agency perspective over the last couple years, there had been a delay because the legislative finance committee was not meeting on a monthly basis. He said some agencies have indicated some concern over that. He concluded he was not personally involved so that is not first-hand information.

Senator Aklestad said unless we have some idea of the number of FTE's, we are shirking our duty as legislators. The finance committee should be allowed to review these when there is that amount of money involved.

**Vote:** Senator Waterman's amendment motion (Exhibit 40) FAILED.

**Motion:** Senator Christiaens moved to amend Section B-2 and B-7 (Exhibit 41).

Senator Christiaens said the amendment would eliminate the appropriation and related contingency language for the X-ray inspection modification.

**Vote:** Senator Christiaens' amendment motion (Exhibit 41) CARRIED unanimously.

**Motion:** Senator Keating moved to amend Section B-4 (Exhibit 42)

Senator Keating said the amendment would reinstate \$125,000 for the end-stage renal disease program.

Senator Lynch questioned if the \$125,000 runs out before a year.

Senator Keating said yes, the subcommittee looked at a request for \$500,000 for the biennium but could not do it because of budget constraints, so they agreed to \$250,000 for the biennium.

Senator Lynch questioned if the program is entirely paid for until the money is gone.

Senator Keating asked Don Pratt to address that.

Don Pratt said it does not cover the total amount. The insurance covers part of it. The insurance is taken in, and the deductible is taken in.

Senator Lynch said until the money runs out for a particular individual, he would get the service paid for; those coming in later would have no funds available. He felt the funds should be stretched out to help as many people as possible.

Chair Jacobson asked Mr. Bob Robinson to comment.

Bob Robinson said currently \$125,000 a year lasts about seven to eight months. There is no need determination. When an applicant or someone being treated requests funds, as long as it is related to dialysis, the treatment is paid until the money runs out.

Senator Jacobson stated her feeling that for the people in the program having access to the money, it is important to their morale as well as keeping them off welfare.

**Vote:** Senator Keating's amendment motion (Exhibit 42) CARRIED unanimously.

**Amendment to Section B-6 and B-7 (Exhibit 43).**

Senator Waterman said this amendment deals with the petroleum tank release board.

Senator Waterman withdrew the amendment.

**Amendment to Section B-6 and B-7 (Exhibit 44).**

Chair Jacobson said normally amendments are dealt with in conference committee if the bill has only passed one house.

Senator Beck said he would like an explanation regarding the proper approach to the amendment.

Chair Jacobson said the bulk of them are dealt with in the conference committee. Some have been done in regular committee, but those are bills that have passed both houses.

Senator Beck said it was agreeable to hold the amendment (Exhibit 44).

**Motion:** Senator Waterman moved to amend Section B-7 (Exhibit 45).

Senator Waterman said the amendment eliminates the personal services ceiling that was imposed on the Department of Health. She asked Bob Robinson to speak on the amendment.

Mr. Robinson said their personal services was reduced in the House by \$14.6 million in fiscal 1994 and \$14.8 million in fiscal 1995. The amendment would reinstate what was approved by the subcommittee and allow the department to make a determination as to the appropriate level of personal services they would have. He concluded they need to have the flexibility to manage the budget within the FTE limit approved by the subcommittee.

Senator Swysgood stated his opposition to the amendment. He said the FTE have grown in this budget because of federal funds or requirements issued by that entity on the state, requiring more FTE to administer more and more programs.

Senator Aklestad stated he reinforced the comments by Senator Swysgood.

Senator Waterman said there has been a phenomenal amount of growth in this agency and they need adequate staff to perform the services that are necessary through this department.

**Vote:** Senator Waterman's amendment motion (Exhibit 45) FAILED.

**Motion:** Senator Christiaens moved to amend Section B-7 (Exhibit 46).

Senator Christiaens said the amendment would eliminate language referencing legislative contract authority.

**Vote:** Senator Christiaens' amendment motion (Exhibit 46) CARRIED.

**Motion:** Senator Aklestad moved to amend Section B-7 (Exhibit 47).

Senator Aklestad stated the amendment would prohibit the department from using budget amendments and operating plan amendments to increase personal services over the ceiling amount established in HB 2.

**Vote:** Senator Aklestad's amendment motion (Exhibit 47) CARRIED on a roll call vote.

**Motion:** Senator Waterman moved to amend Section B-7 (Exhibit 48).

Senator Waterman said the amendment would eliminate language requiring the department to perform a review of staffing levels

in nursing homes.

**Vote:** Senator Waterman's amendment motion (Exhibit 48) CARRIED unanimously.

**Motion:** Senator Christiaens moved to amend Section B-8 (Exhibit 49)

Senator Christiaens stated the amendments add two discretionary grants for dislocated workers. He asked Laurie Ekanger to address the amendments.

Laurie Ekanger, Department of Labor, stated the amendment adds spending authority to the Department of Labor and Industry's budget for two discretionary grants being applied for from the federal department of labor to deal with plant closures. Because of some small layoffs around the state as well as the closure of Galen, there has been application for grants associated with health care occupations. She concluded they have had a 100 percent success rate in the past when applying for the discretionary grants.

**Vote:** Senator Christiaens' amendment motion (Exhibit 49) CARRIED unanimously.

**Motion:** Senator Swysgood moved to amend Section B (Exhibit 50).

Senator Swysgood said the amendment moves the Montana Career Information System from the Department of Labor to the Office of the Commissioner of Higher Education and adjusts the personal services reduction efficiencies and contingencies accordingly.

**Vote:** Senator Swysgood's amendment motion (Exhibit 50) CARRIED unanimously.

**Motion:** Senator Christiaens moved to amend Section B-9 (Exhibit 51).

Senator Christiaens said the amendment provides for the Department of Labor, Safety Bureau, to implement provisions of the Montana Safety Act in conjunction with State Compensation Mutual Insurance Fund.

**Vote:** Senator Christiaens's amendment motion (Exhibit 51) CARRIED unanimously.

**Motion:** Senator Waterman moved to amend Section B-11 (Exhibit 52).

Senator Waterman said the amendment clarifies the use of funds and adds \$100,000 general fund to enable the department to contract with Montana legal services to aid in determination of low income eligibility for federal supplemental security income.

Senator Jacobson questioned if this was the only money in the budget.

Senator Waterman said no, they also review cases for AFDC and disabilities programs.

Senator Jacobson asked the total budget for Montana legal services.

Senator Waterman said this is the funding for general assistance review portion of the budget.

Senator Jacobson asked Mr. Haight if they were not going to be reviewing any of the cases unless the money was restored.

Neil Haight, Montana Legal Service, said the money buys about 225 successful cases a year. Even without the money, they will be doing some of the cases because some are done outside of this money. He concluded that the money goes for disabled people who are the lowest in terms of need.

Senator Keating questioned how many cases would be done without the amendment.

Mr. Haight said they will not do any of the 225 cases. Currently they are doing a few cases in the nonassumed counties.

When asked by Senator Keating if the amendment provides for assistance not normally provided for in his bureau, Mr. Haight said it is a fairly small part of what they do.

Senator Keating asked if they are obtaining SSI disability benefits currently without the amendment, and Mr. Haight said yes. When asked by Senator Keating how many cases a year they do, Mr. Haight said approximately 50.

Senator Keating questioned how much money had been appropriated for those services.

Mr. Haight said the total program is about \$1.5 million.

Senator Waterman, in closing, said the legal services program does provide a number of other state services. This is regarding individuals who legally qualify for long term disability benefits, but someone has to make the application for them. Many of these people will be on local community programs without access to this service if the funding is cut.

**Vote:** Senator Waterman's amendment motion (Exhibit 52) FAILED on a roll call vote.

**Motion:** Senator Christiaens moved to amend Section B-11 (Exhibit 53).

When asked to comment on the amendment, Lois Steinbeck, LFA, said the amendment would add \$100,000 state special revenue each year to continue the legal services contract. It is the same contract, but a different funding source, and corrects an omission in the House. The wording change was requested by the department to allow them to manage the contract.

**Vote:** Senator Christiaens' amendment motion (Exhibit 53) CARRIED.

**Motion:** Senator Weeding moved to amend Section B-11 (Exhibit 54).

Senator Weeding said it adds \$1,310,390 general fund, \$87,713 state special revenue and \$3,368,878 federal funds for the biennium to maintain AFDC benefits at 40.5 percent of the federal poverty level.

Kate Cholewa, Women's Lobby, stated her support of the amendment, adding it would give an additional \$11 a month per woman.

Senator Keating said he resisted the amendment. He noted that people are coming to our state to take advantage of our welfare benefits.

Senator Waterman said the subcommittee in discussing this could not set the rate, and it was set by the appropriations committee.

Senator Jacobson stated her support of the amendment, stating that there are people in the state that desperately need our help.

**Vote:** Senator Weeding's amendment motion (Exhibit 54) FAILED on a roll call vote.

**Motion:** Senator Aklestad moved to amend Section B-11 (Exhibit 55).

Senator Aklestad said the amendment directs the department to reduce AFDC grants in order to stay within the appropriation. The department may transfer appropriation authority from other programs to absorb higher AFDC costs, if lowering the payment level will not "free up" sufficient authority to fund AFDC benefits.

Senator Jacobson said the amendment deals with monthly payments to AFDC recipients and the level of those payments, and it takes it as low as it can go.

**Vote:** Senator Aklestad's amendment motion (Exhibit 55) FAILED on a roll call vote.

Senator Waterman said before leaving this section of the budget, she would like to ask Director Blouke how the Department of SRS

intends to address the \$7.3 million that Rep. Cobb addressed.

Peter Blouke, Director, SRS said he did not have an easy answer on how they will address the \$7.3 million. Many difficult decisions have to be made to live within expenditure targets that were set. He said when the budget was recalculated, it appeared if expenditure patterns continued at the same rate as experienced during the current biennium that there would be an additional \$7.3 million needed. When the matter was discussed, it was realized a problem being faced is that even without the \$7.3 million and assuming the department does not ask for a supplemental in the next legislative session, they will be asking for an additional \$66 million general fund unless there is a change in the way the medicaid program is currently operating. He hoped that by working with hospitals and others that they can come up with ways to slow the growth in the medicaid program. He is optimistic that the health care program will be a tremendous asset to the department in dealing with the issue. He concluded if services must be reduced, they may be faced with that decision. He assured the legislature that throughout the process, he will keep them informed through the legislative finance committee.

**Motion:** Senator Waterman moved to amend Section B-12 (Exhibit 56).

Senator Waterman said the amendment funds inpatient hospital youth psychiatric benefits for six months to allow departments and youth psychiatric hospitals to plan an orderly transition for elimination of medicaid inpatient youth psychiatric benefits. It would add \$3.5 million federal funds for medicaid match in SRS and \$1.4 million general fund in DFS.

Senator Christiaens in resisting the motion said it is \$1.4 million general fund which could be used for developing community based services.

**Vote:** Senator Waterman's amendment motion (Exhibit 56) FAILED on a roll call vote.

**Motion:** Senator Waterman moved to amend Section B-15 (Exhibit 57).

Mr. Blouke, SRS, said the first amendment refers to language in HB 2 requiring the department to have AFDC recipients with children over the age of one participating in the JOBS program. He noted there is not sufficient funds to include everyone who has a child over the age of one. He concluded that they will refer them and where the funds allow, they will be included in the program.

Mr. Blouke said the other amendments allow SRS more flexibility and time in implementing federal waivers.



Mr. Blouke said the language dealing with subsistence payments makes it possible and clarifies that in instances where a county wishes to operate a general assistance program, they can make subsistence payments. It also provides for Deer Lodge County to continue to levy 12 mills for the poor fund.

When questioned by Senator Lynch as to why Deer Lodge County is singled out in the amendment, Mr. Blouke said it was his understanding part of the reason was that county has an exceptionally low mill levy.

Senator Swysgood asked with regard to subsistence payments, would that allow counties to offer subsistence payments if they so desired.

Mr. Blouke said that was correct, it is similar to general assistance payments but they were looking for another terminology to allow counties at their option to provide it; it is not mandated.

Senator Waterman asked Mr. Blouke what percent of AFDC recipients can actually be served in the JOBS program.

Mr. Blouke said it is about 25 percent.

**Vote:** Senator Waterman's amendment motion (Exhibit 57) CARRIED.

**Motion:** Senator Christiaens moved to amend Section B-16 (Exhibit 58).

Senator Christiaens said the amendment removes language that would transfer the appropriation for day care administration from DFS to SRS contingent on the approval of HB 135 which was tabled in committee.

**Vote:** Senator Christiaens amendment motion (Exhibit 58) CARRIED.

**Motion:** Senator Devlin moved to amend Section B-18 (Exhibit 59).

Senator Devlin said the amendment strikes language requiring nursing homes to reveal profits and losses earned by facilities and requires the facilities to reveal costs funded by nursing home bed utilization fee.

Senator Jergeson felt there was not enough language in there. He said nursing home administrator's salaries as compared to hospital administrator's salaries maybe should be published to see who is really getting the benefits of the states' taxpayers.

Senator Beck questioned what would be gained by having the language in the bill.

Senator Jergeson said we are to provide provider increases for

the various providers because they cannot afford to provide the services to medicaid patients and other clients of some of the programs. This language is an attempt to determine if the nursing homes in the state are as broke as they want us to believe.

Senator Devlin said nursing homes currently send cost and revenue data to the state.

**Vote:** Senator Devlin's amendment motion CARRIED on a roll call vote.

**Motion:** Senator Waterman moved to amend Section B-22 (Exhibit 60).

Senator Waterman asked Mr. Hudson to comment on the amendment.

Hank Hudson, Director, Department of Family Services, said the At Risk Child Care program was transferred to the Department of Family Services. It is a \$1.4 million biennial program. There was language that said none of the money was to be used for administrative expenses but a good portion are expenses incurred by contractors, resource and referral programs. Another portion of the costs must be borne by the department. He concluded they want removal of the language that prohibits spending any of this money on administration.

Senator Swysgood questioned what portion of the \$1.4 million would be spent on administration.

Mr. Hudson said typically in day care programs, it is about 15 percent.

**Vote:** Senator Waterman's amendment motion CARRIED with Senators Jacobson, Lynch, Jergeson opposed.

**Motion:** Senator Christiaens moved to amend Section B-22 (Exhibit 61).

Senator Christiaens said the amendment would have the department coordinate the development of programs for children with severe emotional disturbances.

**Vote:** Senator Christiaens' amendment motion (Exhibit 61) CARRIED.

Chair Jacobson said Senator Forrester had an additional amendment to Section A.

**Motion:** Senator Forrester moved to reopen Section A for purposes of an amendment.

**Vote:** Motion CARRIED unanimously.

**Motion:** Senator Forrester moved to amend Section A-14 (Exhibit 36(a)).

Senator Forrester said this is a technical amendment, dealing with 25 cents of each driver's license fee being deposited to an account which is transferred to Highway Patrol retirement funds.

Dave Lewis, Budget Director, stated it is a technical amendment.

**Vote:** Senator Forrester's amendment motion (Exhibit 36(a))  
CARRIED.

**Motion/Vote:** Senator Swysgood moved that Section A be closed.  
Motion CARRIED unanimously.

**Motion/Vote:** Senator Swysgood moved that Section B be closed.  
Motion CARRIED unanimously.

#### SECTION C - NATURAL RESOURCES & COMMERCE

Representative Roger DeBruycker, House District 13, introduced staff and committee members that dealt with Section C of the budget. He presented an overview of Section C, summarizing the narrative and figures in "House Bill 2 Narrative, Office of the Legislative Fiscal Analyst, 1993 Session".

#### SECTION C - QUESTIONS FROM COMMITTEE MEMBERS

Senator Aklestad asked regarding page C-24, the helicopter development in the budget modifications.

Rep. DeBruycker said that is two helicopters that were given to the Department of State Lands by surplus in the National Guard, which are being retrofitted for fire fighting equipment.

Senator Aklestad questioned the vehicle replacement figures shown on page C-23a.

Rep. DeBruycker said it is for fire equipment. They are replacing obsolete fire equipment.

Senator Jergeson said there was a legislative audit that came out on the Department of State Lands, and this agency probably has the oldest fleet of vehicles of any agency.

Chair Jacobson recessed the hearing on HB 2.

(HEARING RECESSED, MARCH 30, 1993, 7:45 P.M.)

(HEARING RECONVENED, APRIL 1, 1993, 9:00 A.M.)

SECTION C - AMENDMENTS

**Motion:** Senator Weeding moved to amend Section C-2 (Exhibit 62).

Senator Jacobson said the amendment would restore legislative contract authority to the Department of Fish, Wildlife and Parks who has had it for some time. It allows them to expend certain funds they get in each year without coming before the finance committee for a budget amendment.

Senator Waterman said there is good reason for this in all agencies, and although she supports it for all agencies, she does not support it selectively.

**Vote:** Senator Weeding's amendment motion (Exhibit 62) CARRIED with Senator Waterman opposed.

**Motion:** Senator Bianchi moved to amend Section C-2 (Exhibit 63).

Senator Bianchi said this amendment restores funding for 9.06 FTE in the Department of Fish, Wildlife and Parks. He said if federal funds are not used in the manner, they will revert back to the federal government. He added it is not good public policy to set this money into an account and not use it, and it should not be reverted to the federal government to be used in another state.

Senator Swysgood asked Mr. Graham if they requested to have these funds put back in.

Pat Graham, Director, Department of Fish, Wildlife and Parks, said they did not.

Senator Devlin resisted the motion, stating license fees are continually raising and there is no harm in leaving state special funds in an account.

Senator Hockett asked Mr. Graham what will happen to the money if it is not used for this purpose.

Mr. Graham said the state money remains in the special revenue account in the department. The federal money that is associated with it remains with the federal agencies; they can either re-allocate it or whatever they do with it.

Senator Hockett questioned what the department would do with the nine FTE if they had them.

Senator Jacobson asked if they were positions they presently have.

Mr. Graham said that was correct. They are a combination of approximately 13 FTE positions split up in different positions, ranging from water safety officer to fish and wildlife biologist,

statistical technician, et cetera.

When questioned by Senator Jacobson if these are positions they will be laying off unless the amendment passes, Mr. Graham said several would be. Other positions are seasonal help, so those positions would not be put on. He said it is a combination of permanent and seasonal positions.

Senator Jacobson asked if the federal money would be lost to the state of Montana and reallocated to some other state.

Mr. Graham said that potentially would happen.

Senator Swysgood asked if any of the positions were offered for the five percent reduction.

Mr. Graham said 7.26 were included in the five percent reduction. There was 1.8 eliminated because they were vacant at the time.

Senator Weeding said a couple positions were discussed in subcommittee, and he questioned if these positions were included.

Mr. Graham said there was a motion made in House appropriations to eliminate 20 additional FTE's, which were reinstated by the full House.

Senator Aklestad in resisting the motion, said it is a prime example of a department that does not desire to prioritize their expenditures.

Senator Jacobson said she had been approached by some sportsmen groups who feel that their fees would best be used to continue these positions. She felt if the sportsmen desire these services, this should be looked at more favorably.

Senator Bianchi closed, stating these are important positions in the field.

**Vote:** Senator Bianchi's amendment motion (Exhibit 63) FAILED on a roll call vote.

**Motion:** Senator Bianchi moved to amend Section C-2 (Exhibit 64).

Senator Bianchi said the amendment restores federal funding for 3.90 FTE in the Department of Fish, Wildlife and Parks.

Senator Swysgood asked Mr. Graham if he requested these positions be reinstated.

Mr. Graham said he did not request these amendments.

Senator Jacobson said she would like to see some of the money she pays in coming back to the state of Montana and not going to other states.

**Vote:** Senator Bianchi's amendment motion (Exhibit 64) CARRIED on a roll call vote.

**Motion:** Senator Toews moved to amend Section C-2 (Exhibit 65).

Senator Toews said the amendment reduced state special revenue derived from hunting and fishing license fees by 25 percent and increases the general fund by the same amount.

Senator Swysgood asked Senator Toews if he was taking 25 percent of the money not required to meet federal matches and putting it in the general fund out of the state special revenue and then reappropriating it back into Fish, Wildlife and Parks to continue their programs.

Senator Toews said that was correct.

When questioned by Senator Swysgood if this 25 percent would automatically go to the general fund and in the next biennium they will come in with their request and if approved, it will be appropriated back to them, Senator Toews said that is correct. He said there would be no savings in this biennium.

Senator Jergeson said in reviewing the amendment, it appears a substantial amount of general fund would be added to the Department of Fish, Wildlife and Parks, even though state special is being cut.

Terry Cohea, LFA, said the amendment would increase general fund expenditures by about \$9 million. To achieve Senator Toews' purposes, a committee bill would need to be adopted to result in the funds being deposited into the general fund.

Senator Jacobson said she attempted in a previous session to take some money from the Department of Fish, Wildlife and Parks, and they found they were out of compliance with the federal government and were jeopardizing federal funds.

Senator Bianchi said that is correct. If this is done, it would be considered a diversion of funds by the federal government, and all federal monies that were put into the department would be withdrawn. He said he would like to have the department discuss this.

Dave Mott, Department of Fish, Wildlife and Parks, felt there could be a potential diversion of license dollars under this. There are federal regulations requiring how state hunting and fishing license dollars are spent. As explained on the bottom of page 3 of the amendment, there are state laws that would have to also be amended.

**Motion/Vote:** Senator Waterman moved to amend the motion to say it is contingent upon the passage of the committee bill. Motion CARRIED.

In a question from Senator Aklestad regarding the matching money, Senator Jacobson said this is not just matching money. It has to do with federal regulations on how fish and game fees are expended.

Senator Toews closed.

**Vote:** Senator Toews amendment motion (Exhibit 65) FAILED on a roll call vote.

**Motion:** Senator Weeding moved to amend Section C-1 (Exhibit 66).

Senator Weeding said the amendment eliminates the five percent vacancy savings imposed on the 5 FTE public service commissioners. Senator Weeding said this amendment would free the funds.

Senator Jacobson said money used to pay public service commissioners comes from fees on rate payers that is deposited in the general fund and allocated back again. If this amendment passes, there will not be a reduction made there. They are not going to take the vacancy savings that other agencies take.

Senator Weeding said that is correct.

When questioned by Senator Jacobson if this restores them back to full funding, Senator Weeding said they are back to full funding. They are elected officials and their salaries are set. They have to bear their own five percent and the five percent pertaining to the commissioners as well.

Senator Swysgood resisted the motion, stating he did not think this particular agency has taken a reduction, and it is not fair to other agencies.

Senator Aklestad asked Ms. Cohea if the agency is getting more FTE added from the last biennium.

Ms. Cohea said they have a three FTE decrease. She said the legislature authorized for the Public Service Commission 47 FTE in '92 and 47 FTE in '93. At this point in HB 2, the agency is authorized for 44 FTE, so they have suffered a three person decline. The executive budget took the five percent reduction and imposed it on the agency.

When asked by Senator Aklestad if that puts it back to the executive budget which is 44 FTE, Ms. Cohea said that is correct.

Chair Jacobson asked if there was someone from the Public Service Commission wishing to address the issue.

Bob Anderson, Chairman of the Public Service Commission, said if the amendment motion prevails, it would exempt commissioner's salaries from the five percent vacancy savings that is imposed on

all agencies. He said their agency is at a disadvantage with this as they have five elected officials and taking five percent against their salary has the effect of increasing the vacancy savings above five percent.

Senator Jergeson questioned when the five percent vacancy savings is applied to the Governor's office, does it apply to his salary.

Senator Jacobson said yes, all other elected officials except the judges' salaries have included five percent vacancy savings.

Senator Jergeson said we have exempted the judges' salaries from the five percent vacancy savings, and the Public Service Commissioner serves in nearly a judicial capacity as they analyze and make utility rate decisions. He felt they should be treated the same as the judges.

**Vote:** Senator Weeding's amendment motion (Exhibit 66) FAILED on a roll call vote.

**Motion:** Senator Christiaens moved to amend Section C-4 (Exhibit 67).

Senator Christiaens said HB 338 revises laws relating to the licensing and operation of game farms. Because of added responsibilities and increased number of applications for licenses, the department is requesting \$45,000 per year and 1 FTE to implement the provisions under that bill.

Senator Beck said it is his understanding this coincides with what was passed in HB 338, and there is no general fund obligation in the bill.

Senator Jacobson said that is correct.

**Vote:** Senator Christiaens' amendment motion (Exhibit 67) CARRIED with Senator Aklestad, Keating and Swysgood opposed.

**Motion:** Senator Devlin moved to amend Section C-7 (Exhibit 68).

Senator Devlin said the amendment would allow the Department of Fish, Wildlife and Parks to save state funds and spend federal funds should they become available.

**Vote:** Senator Devlin's amendment motion (Exhibit 68) CARRIED unanimously.

**Motion:** Senator Lynch moved to amend Section C-7 (Exhibit 69).

Senator Jacobson said it is a technical amendment that adjusts language to reflect revised appropriations in the bill.

**Vote:** Senator Lynch's amendment motion (Exhibit 69) CARRIED unanimously.



**Motion:** Senator Jergeson moved to amend Section C-8 (Exhibit 70).

Senator Jergeson said the general fund for the state parks was reduced, and this would make it possible if they can find other funding sources or if interest rates should turn around and they would have greater interest income, to permit the state parks division to utilize other sources of revenue to operate.

Senator Keating questioned how much is left in the state parks fund.

Mr. Graham said there is approximately \$12 million left in the trust.

**Vote:** Senator Jergeson's amendment motion (Exhibit 70) CARRIED unanimously.

**Motion:** Senator Beck moved to amend Section C-9 (Exhibit 71).

Senator Beck said the amendment reduces the forestry division, Department of State Lands' equipment budget modification by \$7,000 per year and increases funding for the state/county cooperative fire protection program by the same amount. He added it has no effect on the general fund or on the budget of State Lands.

Senator Jergeson said although it has no effect on the general fund, it eliminates \$7,000 per year from the equipment fund. The performance audit on this department showed the vehicle fleet in the forestry division is the oldest fleet in state government and is equipment that has the hardest use. He said he is not sure this is a trade that is altogether legitimate.

**Vote:** Senator Beck's amendment motion (Exhibit 71) CARRIED on a roll call vote.

**Motion:** Senator Weeding moved to amend Section C-13 (Exhibit 72).

Senator Weeding said the amendment funds a project evaluator in the Conservation and Resource Development Division of the Department of Natural Resources and Conservation (DNRC). Funding is from Resource Indemnity Trust interest accounts.

Mark Simonich, Director, DNRC, said they have not specifically requested that this FTE be restored. It was an FTE that was taken out in the five percent reduction earlier, and they did not ask in subcommittee that it be restored. However, as they have gone through hearings on other bills, there has been discussion about the ability of the employees in this division to perform the necessary work. The division has to evaluate all grant and loan programs. They currently have one individual responsible for up to 70 active grant programs in the water development

program alone. He concluded this amendment would restore the one project evaluator that was previously given up.

When questioned by Senator Lynch if Mr. Simonich wanted the position restored, Mr. Simonich said they did not ask to have this position restored. He said they would gratefully accept it, but in trying to meet the targets they were given, they did not ask for the position when they were doing their prioritizing.

Senator Lynch questioned if the position is a \$60,000 a year job with benefits.

Mr. Simonich said it is \$60,000 for the biennium.

Senator Weeding, in closing, said it was his understanding that prior to this legislative session, there were three people in these positions. This session their manpower level has been reduced by 12 percent, so they have taken a large cut. It would be difficult for one person to get the work done.

**Vote:** Senator Weeding's amendment motion FAILED.

**Motion:** Senator Weeding moved to amend Section C-13 (Exhibit 73).

Senator Weeding said the amendment would add \$45,000 of state special revenue from the CERCLA/hazardous Waste account to the DNRC for conservation districts to work on water reservations in the lower Missoula basin.

Senator Jacobson questioned where the money would come from for this project.

Ray Beck, Administrator, Conservation and Resource Development Division, DNRC, said it is tied to HB 608, which moves water development, renewable resource development, reclamation and development grants to the top in order to receive the RIT flow instead of at the bottom where they currently are. It would benefit the grant programs. To hold the Department of Health harmless or revenue neutral, the DNRC had to increase the percentage of flow that would go into the Department of Health programs, one of which is the CERCLA account. They actually benefitted in raising the percentages because they received additional RIT dollars, over and above what they would normally receive of about \$45,000.

Senator Swysgood questioned when the money would be received if the amendment passes.

Mr. Beck said if the amendment passes, they could potentially receive their money after July 1st, so this would expedite the funding.

**Vote:** Senator Weeding's amendment motion (Exhibit 73) CARRIED

unanimously.

**Motion:** Senator Beck moved to amend Section C-16 (Exhibit 74).

Chair Jacobson asked Ms. Cohea to explain the amendment.

Terry Cohea, LFA, said HB 193 raises fees on certain agricultural producers and puts the existing and increased fees into a state special account. The appropriation for the program would have to come from a state special account. HB 193 was amended in the House to have the fees go in the general fund and the appropriation remain from the general fund. It has now been amended in the Senate to again have the fees go in the state special account. The proposed amendment (Exhibit 74) coordinates the appropriation in HB 2 with HB 193. It reduces the general fund by approximately \$600,000 and increases state special by a like amount, but amendment 8 has a coordinating clause that if the bill is amended back again to go in the general fund, the appropriation would go into the general fund.

**Vote:** Senator Beck's amendment motion (Exhibit 74) CARRIED unanimously.

**Motion:** Senator Beck moved to amend Section C-17 (Exhibit 75).

Senator Beck said the amendment implements SB 334 which increases pesticide dealer and applicator fees and private farm applicator fees.

**Vote:** Senator Beck's amendment motion (Exhibit 75) CARRIED unanimously.

**Motion:** Senator Jergeson moved to amend Section C-17 (Exhibit 76).

Senator Jergeson said the amendment replaces \$5,637 funding for printing and postage of the Agricultural Statistics bulletin and removes restrictive language concerning the distribution of the bulletin in the Department of Agriculture.

**Vote:** Senator Jergeson's amendment motion (Exhibit 76) CARRIED with Senator Aklestad opposed.

**Motion:** Senator Weeding moved to amend Section C-19 (Exhibit 77), deleting the reference to HB 432 from the amendment.

Senator Weeding said the amendment reflects the fiscal impact and passage of HB 82, SB 45, SB 111 that have passed this legislative session.

Jim Kembel, Administrator of Public Safety, Department of Commerce, said the amendment adds funding from the fiscal notes of the three bills into the budget for the Professional and Occupational Licensing Bureau.

Vote: Senator Weeding's amendment motion (Exhibit 77) CARRIED unanimously.

Motion: Senator Franklin moved to amend Section C-19 (Exhibit 78).

Senator Franklin said there are approximately 50 cases of uninvestigated license violations which is a concern to the Montana Nurses' Association. The amendment allows them to spend their special revenue account received from licensure fees to investigate those outstanding cases.

Barb Boerers, Montana Nurses' Association, said they have attended Board of Nursing meetings which involve investigating violations of nurses. Because of license fees in a special revenue account, there is money to fund the investigations but not the authority for the department and the Board of Nursing to spend those funds. The amendment would allow this.

When questioned by Senator Lynch why an attorney was needed, Ms. Boerers said it is her understanding that the licensing board shares the attorney, and in order to prosecute the cases, additional legal assistance would be necessary. She added it is the intent of the Nurses' Association to get the money freed up, but not having authority to spend license fees that are collected for this purpose seems to be counterproductive in investigating the licenses.

Senator Waterman said because of happenings in the Helena Hospice case, she is reluctant to add another attorney.

Ms. Boerers said she would have no objection to the committee giving direction on how to spend the money if the language adding an additional attorney is objectionable.

Senator Franklin said the 50 or 60 outstanding cases are unrelated to the Hospice situation. These are licensure violations that have occurred over a period of years.

Senator Swysgood questioned if license fees would go up to pay for this.

Senator Franklin said there is currently \$500,000 in the account, and she was advised by the executive secretary of the Board that they could fund this without increases definitely through the next biennium and two years beyond. The fiscal attachment to SB 121 that passed both houses has language offering direction to spend the revenue accounts.

Senator Christiaens questioned if contracted services was an option.

Jim Kembel said it is possible to contract, however at \$50 an hour it amounts to less time available for those individuals to

work on cases.

Senator Jacobson said it is her understanding that these boards are attempting to be more responsible and investigate more cases so there is more accountability among these people and professionals. The boards need to be given the ability to enable them to investigate their own profession.

**Vote:** Senator Franklin's amendment motion (Exhibit 78) CARRIED on a roll call vote.

**Motion:** Senator Jergeson moved to amend Section C-21 (Exhibit 79).

Senator Jergeson said the line item for the legislative audits was calculated incorrectly in a number of areas in the Department of Commerce, and this amendment would correct the errors. He added it does not add additional money to the budget of the Legislative Auditor.

**Vote:** Senator Jergeson's amendment motion (Exhibit 79) CARRIED unanimously.

**Motion:** Senator Hockett moved to amend Section C-19 (Exhibit 80).

Senator Hockett said the amendment eliminated the International Trade program in the Department of Commerce. The program currently has 4.0 FTE and a biennial budget of \$1.1 million of which \$327,342 is general fund and the remainder state special revenue.

Jon Noel, Director, Department of Commerce, said the international trade offices are funded from general funds to the department, dollars from the bed tax, and the Department of Agriculture. The funding from the Department of Agriculture was reduced for the coming biennium. As a result of that and as a result of looking at all aspects of the Department of Commerce, they focused on the trade offices and have gained the Governor's approval to close the Tokyo and Calgary offices. He said it is his opinion it would be a poor business judgment to close Taiwan and Kumamoto. He concluded that he would continue to review the trade offices and if they are not producing an economic return, they will be closed.

Senator Jacobson said she was unaware there was bed tax money involved in the international trade program, and she asked if that is travel money used from bed tax proceeds.

Mr. Noel said the reason bed tax money is used and one reason for keeping open the Taiwan and Kumamoto offices is the tourism that is generated from those two offices.

When questioned by Senator Jacobson if the bed tax money is

utilized for travel by Department representatives, Mr. Noel said it is not; it is for maintenance of those two offices.

Senator Beck said he would like to have the Department of Agriculture make a comment on this.

Leo Giacometto, Director, Department of Agriculture, said it is essential to use the marketing funds through the international affairs office that is still in the Governor's office even though there would be a 50 percent reduction in the trade offices themselves. The international affairs office that goes through the Governor's office has set up numerous trade missions and has conducted a lot of business for agriculture. Whether or not certain offices are closed, the international affairs office does a lot for the agricultural communities in Montana.

**Vote:** Senator Hockett's amendment motion (Exhibit 80) CARRIED on a roll call vote.

**Motion:** Senator Weeding moved that 1.5 FTE be restored to the Public Service Commission budget, and the dollar amount would be \$12,297 in '94 and \$12,310 in '95.

Senator Weeding said he was informed by the chairman of the Public Service Commission that they need a half-time secretary desperately.

Chair Jacobson said in clarifying the motion, the last amendment was to restore the same amount of money but did not have a half time person. This amendment would include the half time personnel as well as the amount.

Senator Weeding said that was correct, and it would not involve the five percent vacancy this time.

Senator Keating questioned if the Public Service Commission would take the half time FTE without the money.

Bob Anderson, Chairman, Public Service Commission, said yes. He said the position fell under the five percent vacancy savings reduction after the last special session. After action taken in the House this session, the agency is smaller than it was in 1981, and if the amendment prevails, it will still be smaller than it was in 1981. He said a typical household pays \$3.40 to the Commission to protect and regulate \$1,800 in regulated utility revenues. Making the Commission smaller imposes a significant risk in making utilities bigger. The position they are requesting is a statutory position, and it is the only clerical support that the Commission has. Without this position, higher paid employees are doing secretarial duties which is not cost effective.

Senator Weeding, in closing, said the subcommittee on regulated utilities supported reinstating the rate analyst and the

secretary.

**Substitute motion:** Senator Keating made a substitute motion to restore the .5 FTE without the funding.

Senator Keating said they could get the money from the \$2 million they have.

**Vote:** Senator Keating's substitute motion CARRIED on a roll call vote.

Chair Jacobson said she would not close Section C at this time, but we will begin Section D.

#### SECTION D - INSTITUTIONS AND CULTURAL EDUCATION

Rep. Ed Grady, House District 47, introduced staff and committee members that dealt with Section D of the budget. He presented an overview of Section D, summarizing the narrative and figures in "HB 2 Narrative, Office of Legislative Analyst, 1993 Session".

Representative Grady said in dealing with the Corrections area of the budget, there are major changes. It was looked at with the idea that it is the right direction to go in Montana.

#### SECTION D - QUESTIONS FROM COMMITTEE MEMBERS

Senator Hockett said with regard to veterans' community services, there has been discussion that it is not a program in place that can be implemented, and he questioned how it would work.

Rep. Grady said the legislature appropriates a portion of the 2 cent cigarette tax, and it brings in \$2.6 million a year. There is needed about \$1 million a year to operate Columbia Falls. There will be about \$600,000. There was an idea to use the money to keep veterans at home rather than sending them to nursing homes, and this money will help pay for in-home services.

Senator Hockett said he would like to know how the figures were arrived at with regard to number of people being served and how it will be paid.

Rick Day, Director, Department of Corrections, said the number of people that will be served will be determined by the total dollar cost of the insurance, and that was an estimate that was prepared. The plan that came out of the committee would be to develop administrative rules that would establish what we want out of insurance. At that time, there would be a bid put out for insurance and also establish administrative rules for the eligibility for this particular program. The number of veterans being covered was an estimated number. It was based on the recognition that there is only a limited amount of funds, so to a certain degree it would be a first come, first served type

program.

Senator Forrester questioned regarding D-16, adding 4 FTE, with 3 of these FTE being at the prison ranch. He asked if this is the result of the committee's decision to go with the idea of community based corrections and if it would take more people to handle those at the prison ranch.

Mr. Day said the people added in this process were previously added in the budget amendment to the ranch; it is ranch technical positions. It is under the ranch, but it is also with the industry. It has nothing to do directly with security. Regarding who would be placed on the ranch, there is a wide variety of inmates that are actually actively participating on the ranch, and their crimes have an equally broad range. He concluded the level of security at the ranch because of downsizing should not change.

With regard to veterans, Senator Weeding said he is concerned if the plan would accommodate the people that are needing nursing home care.

Mr. Day said there was discussion to provide nursing home insurance type program or in-home health care that would serve veterans and allow them to go into a nursing home no matter where that particular veteran would like to go. As the process developed, it is true that with providing nursing home insurance, possibly pre-existing conditions will impact the department's ability on who can be covered. There may be an exclusion of veterans needing nursing home services.

Senator Waterman asked Rep. Grady regarding page D-15, downsizing the women's correction center to 50.

Rep. Grady said they put \$160,000 in the community program to take care of a pre-release center in Billings. He said they did cap the women's prison. The department is under the impression they could get to down to 25 to 30 in the prison. There are currently 20 women that could go out to the community based if there were the facilities to handle them. He felt that 50 is somewhat an arbitrary figure because of the number that could go out into the communities.

Senator Waterman said she is concerned that we have a temporary facility for women, and questioned why we are not going to build a women's correction facility in Billings this biennium.

Senator Jacobson said she would like to know how many beds would be included if a center was built.

Mr. Day said if the numbers developed for the women's prison are looked at and the style of the prison, the number 102 was one of the elements. Presently there are about 76 women in the entire correctional system. Also, a pre-release center was opened in



Butte which has been very successful, particularly for women, which has impacted the population directly in the women's correctional center. It isn't the plan not to build a women's correctional center but to recognize that the most progressive and the best way to deal with the correctional population is to have an effective community system. Once that community system is established, they can then determine accurately from a management perspective and through the legislature the size of the facility and the context of that facility that will be needed. He noted that HB 5 reflects the planning process and directs the department to continue with that and continue with the aspect that a new facility will be constructed as a cornerstone of the women's correctional system in Billings. Regarding the population, he said he could not answer that question exactly, which is part of the reason the department is not advocating going ahead with construction at this time as there will be an impact on that population with the community corrections system. They need an effective community system up and running and focusing the emphasis there before going ahead with an institutional structure.

When questioned by Senator Waterman regarding temporary facilities in the state and the fact that a facility could be built at this time, Mr. Day said the state probably could build any size facility, but from a management aspect he would not want to jump ahead and guess what size of facility will be needed. Based on the figures that have been talked about, it is worthwhile to take this approach, not only in the interest of the women but in the interest of the state's budget picture as well.

Senator Forrester questioned where the money is in the budget to pay for the women's correctional facility thus far, and also where the money is that will be paid back since a women's correctional facility is not being built.

Mr. Day said it is in HB 5.

Senator Hockett said \$418,991 as of 3/4/93 is the total amount to be repaid on the women's prison.

Senator Keating asked Sandy Whitney on page D-13, agency summary on Corrections, the source of the \$6 million state revenue fund.

Sandy Whitney, LFA, said a large portion of the state special is in the State Prison canteen. Some of it is earmarked alcohol tax.

When questioned by Senator Keating if the alcohol tax money goes into the Corrections budget, Ms. Whitney said the earmarked alcohol tax is appropriated by the legislature and includes programs in the Justice and in Pine Hills. Any money not appropriated by the legislature from the alcohol tax is statutorily appropriated to the counties for their drug programs.

Senator Keating asked how it showed in the Department of Corrections budget.

Ms. Whitney said the legislature has included some of the alcohol tax money in Corrections for drug abuse counselors at the Prison.

When questioned by Senator Keating where the proprietary money comes from, Ms. Whitney said it is largely the ranch and industries program.

#### SECTION D - AMENDMENTS

Motion: Senator Waterman moved to amend Section D-1 (Exhibit 81).

Senator Waterman said the amendment deals with a grant received from the National Endowment. It supports development of a program using Montana's tribal colleges as catalysts for development of more substantive arts education programs in schools in Indian communities.

Vote: Senator Waterman's amendment motion (Exhibit 81) CARRIED unanimously.

Motion: Senator Lynch moved to amend Section D-2 (Exhibit 82).

Senator Jacobson said this is legislative contract authority that had been in the Montana State Library commission for some time because of some projects they regularly do with mostly federal money. The amendment seeks to restore the legislative contract authority that they previously had.

Senator Aklestad asked Ms. Whitney, LFA, if some of the authority was restored in subcommittee.

Ms. Whitney said this is exactly the same authority that was approved by the subcommittee. It was taken out in a global amendment on the House floor. This amendment puts it back in for the Library only.

Senator Jacobson said she is only seeking to restore the authority to the agencies that previously had it.

Senator Waterman said it was her opinion that it should be for all agencies or none.

Vote: Senator Lynch's amendment motion (Exhibit 82) CARRIED with Senator Waterman opposed.

Motion: Senator Fritz moved to amend Section D-3 (Exhibit 83).

Senator Fritz said this is a technical amendment explaining how

the money appropriated to the State Library can be used. It is an arrangement that allows the Department of Transportation to continue to use the money to draw federal match, a billing arrangement that enables them to use natural resource information services in the library.

**Vote:** Senator Fritz' amendment motion (Exhibit 83) CARRIED unanimously.

**Motion:** Senator Lynch moved to amend Section D-5 (Exhibit 84).

Senator Lynch said the amendment takes an additional \$200,000 from the medical appropriation for the inmates at Montana State Prison. He said last biennium the medical bills to the general fund was \$3.2 million. Now that the population will be reduced by over one-third of what it was in the last biennium, this would leave them with \$2.5 million for medical from the general fund. He suggested it be put in fiscal year '95. He said they will have a PPO agreement with Deer Lodge Hospital which will save 10 percent of hospital costs.

Senator Christiaens, in opposing the amendment motion, stated medical cost containment is still not in place. In his opinion, the budget in Corrections is badly flawed. He said there is nothing saying the prisoners will not get sick and when they are sick in community based programs, they will go back to the prison and are still the state's responsibility. He concluded that cutting the budget for medical makes no sense.

Senator Jacobson stated her support of the amendment motion, noting that \$200,000 in the budget they have will not make much difference.

In questioning by Senator Beck as to how much was taken out in subcommittee, Ms. Whitney said there was \$150,000 in the second year of the biennium.

Senator Beck asked if it was contingent upon getting to the population of 850.

Senator Lynch said that is the direction he wants to go.

Rick Day, Director, Department of Corrections, said the department is trying to contain costs, but the medical appropriation has been underfunded by the legislature for some time. Even with downsizing, there are still medical responsibilities for inmates. He said in their projections, they will need about \$3.2 million over the next biennium. They are now appropriated approximately \$2.7 million. They have to try to save \$500,000, and if they are unable to accomplish that, their choice is to get into other operating revenues to keep paying for medical expenses. He concluded it would be a real threat to basic operations of the program when the medical budget has already been drained.

In questioning from Senator Jacobson as to the expenditures two years prior, Mr. Day said he did not know the expenditures but their medical appropriation was \$1.8 million, and \$1.2 million was spent in the first year. They were over the expenditure before they got half way through the year. He said that was this biennium.

Senator Jacobson questioned if that included some unusual occurrences.

Mr. Day said if Senator Jacobson is talking about cardiac care, that is correct. He pointed out it is uncontrollable as to when and how prisoners get sick. Medical occurrences to inmates will take place, and there is very little the department can do about it.

Senator Jacobson asked Mr. Day if the money is not expended for medical costs, could it be transferred to other areas of operation.

Mr. Day said that is correct. They were able to save more than they presently anticipate. The reverse also is true; if they can't save it, they would have to come in for a supplemental.

Senator Jacobson asked Ms. Whitney, LFA, for costs for the two years before that.

Ms. Whitney said the actual expenditures for medical in fiscal '92 were \$1.3 million. The totals are not in yet for fiscal '93.

Senator Beck stated his opinion that the subcommittee cut what they felt was necessary and added there is no room for additional cuts now.

Senator Weeding asked Mr. Day who is responsible for the prisoners that are sent into the pre-release centers and the community based programs that are contemplated under the downsizing.

Mr. Day said there are many new proposals that will help them try to spread out the costs, but ultimately it is the state's responsibility.

Senator Franklin said the Corrections system is only responsible for the medical costs of those programs directly connected; the private nonprofits, the state is not responsible for the medical care of those inmates.

Mr. Day said the way he understands the system has been working to this point is they are initially billed to the inmate, but if they are not paid, the state is responsible.

Vote: Senator Lynch's amendment motion (Exhibit 84) CARRIED.

(LUNCH RECESS - 11:30 A.M.)

(HEARING RESUMES - 1:10 P.M.)

Chair Jacobson reconvened the hearing, continuing with amendments to Section D.

SECTION D - AMENDMENTS (CONTINUED)

Motion: Senator Beck moved to amend Section D-5 (Exhibit 85).

Senator Beck said the amendment will provide proprietary authority to the Department of Corrections for implementation of HB 617 which provided that federal certification for specific industries program may be obtained.

Vote: Senator Beck's amendment motion (Exhibit 85) CARRIED unanimously.

Motion: Senator Franklin moved to amend Section D-6 (Exhibit 86).

Senator Franklin said the amendment adds \$113,604 general fund in fiscal 1994 and \$229,480 general fund in fiscal 1995 to the Department of Corrections to assist patients coming from the State Hospital in locating and maintaining suitable housing in the community.

Kathy McGowan, Montana Council of Mental Health Centers, said when a person is released from the State Hospital into the community, a case manager may look for housing. With the increasing number of people coming into the community, they don't have the resources or connections in the community to look for housing. Also, many of them are so seriously mentally ill that it is difficult to look for housing by themselves. The amount of money will not actually provide housing for people but will enable the community to have a person with a specific designated amount of time take care of these problems.

When questioned by Senator Lynch as to the figures for fiscal 1994 and 1995, Ms. Whitney said the amendment is written the same as the executive amendment.

Senator Lynch asked if the money is strictly for salaries.

Senator Franklin said no, it is to funnel money to help people in transitional housing.

Senator Lynch asked Mr. Day how this approach would work.

Mr. Day said it was to be for supported housing for the seriously mentally ill. It would be handled mostly through contracts with mental health center. It was the department's intention to assist in finding housing, but part of that might be to subsidize some

of the supported housing to make it more attractive. Overall, it is the intent to increase availability of housing for the seriously mentally ill. It has not been defined as to how it will be directed.

Senator Lynch questioned why the figures on the proposed amendment double between fiscal '94 and fiscal '95.

Mr. Day said he could not answer the question as to the rationale used.

Ms. McGowan said she can't specifically address the rationale of the number, but she said the idea evolved out of the two years between the last legislative session and the current session, and also subsequent to the special session when the money was moved from the State Hospital to the community. It was recognized as a top priority by consumers and parents as one way to have help in order to make community programs work. Everyone agreed that it probably would not be enough, but it would be a start.

Senator Christiaens asked Senator Franklin if it is her intent with the money to help implement HB 685 that deals with a cap at the State Hospital and assist these people back out.

Senator Franklin said in the Governor's budget, this is the modification we are currently looking at in compliance with the Ihler decision to deal with the current situation. If they did not have a good infrastructure in place, that is a concern and that could be what the committee is responding to. She added people are being released from the Hospital without concrete needs being met.

Senator Christiaens questioned Mr. Day if the department would contract with other agencies such as independent living centers that work with the disabled.

Mr. Day said he did not want to go into too much detail beyond what he is directly aware of. He stated that he was not aware of the amendment and therefore did not go through paperwork to see how the figures were arrived at. The idea was to direct the money in whatever way it would assist. The department acknowledges and agrees there is a problem in finding housing for the seriously mentally ill. He added this is an attempt that is based on actual patients and estimated dollars to assist in getting out to the supported housing.

Senator Lynch asked Mr. Day if his department requested the proposed amendment.

Mr. Day said the department had it in the executive budget.

When questioned by Senator Lynch if the department requested it in the subcommittee or for today's hearing, Mr. Day said no.

Senator Lynch in resisting the motion said there is no plan. He said \$350,000 of general fund should not be in there.

Withdrawing of Motion: Senator Franklin said she agrees with Senator Lynch and would withdraw the amendment motion (Exhibit 86).

Senator Franklin said she would like to make a point that there are a significant number of patients being released who are extremely vulnerable into a system that is already overburdened, overwhelmed, and nobody knows what to do with those people.

Motion: Senator Keating said for purposes of discussion, he would move the amendment (Exhibit 86).

Senator Keating said the needs of the people being released from the State Hospital are unique. Financial help is needed to arrange for the people to continue with their treatment, but housing is a critical need. There are people that can direct the money in such a way that it would be beneficial.

Senator Waterman, speaking in support of the motion, said as Galen is closed and move individuals are moved to communities, these people need services in the community.

Senator Jacobson said we have been deinstitutionalizing people from Galen and Warm Springs since the 1970's. There is no plan in place. She said Silver House in Butte receives many of these people, and they have a huge waiting list. They have no authority to get the people at the bus station. The present closing of Galen is a small part of it.

Senator Lynch said Senator Waterman was referring to Galen but not one patient would be served from Galen.

Senator Waterman said she mis-spoke.

Senator Beck said this amendment could have been offered in subcommittee rather than waiting until now when there is no real plan for it.

Senator Aklestad questioned Ms. McGowan if she asked for the proposed amendment.

Ms. McGowan said no; she was approached by Senator Franklin who felt housing was a large problem for these people. Ms. McGowan said she agreed that it was important to make the committee aware of the problems that exist and that housing is a community problem.

When questioned by Senator Aklestad if this was in the Governor's budget, Senator Franklin said it was a Governor's budget modification.

**Vote:** Senator Keating's amendment motion (Exhibit 86) FAILED.

**Motion:** Senator Beck moved to amend Section D-6 (Exhibit 87).

Senator Beck said the amendment would allow the Department of Corrections flexibility to maintain employee housing on the closed Galen campus during the 94-95 biennium.

Rick Day, Director, Department of Corrections, said the amendment would allow the department a little more flexibility as they proceed with the closure of Galen. It would allow the department to use the rents collected after June 30 to phase out the housing situation and find other solutions for the people that reside there.

**Vote:** Senator Beck's amendment motion (Exhibit 87) CARRIED unanimously.

**Motion:** Senator Aklestad moved to amend Section D-6 (Exhibit 88). He asked to have the figure \$110,592 (fiscal 1995 general fund) deleted from the amendment motion.

Senator Aklestad said the operating costs at Columbia Falls will remain there, and the dollars to match federal funds for the Eastern Montana veterans' home are there and available, so there are no general fund dollars. The cigarette tax would be applied to the Eastern Montana veterans' home for the last portion of this biennium. He said the legislature gave their word to the people in eastern Montana that if they promoted the cigarette tax and there was funding from the federal government, there would be the match to go ahead with the construction of the veterans' home.

Senator Jacobson said as chairman of the committee, she would urge that the amendment be resisted. She said she has resisted putting amendments into HB 2 for any bills that have not passed both houses. The two bills, HB 5 and HB 46 dealing with these issues have not yet been heard, and she felt the amendments are premature.

Senator Beck questioned if the amendment were to pass today but additional funding is needed from HB 5, what would then happen.

Senator Aklestad said the monies in his proposed amendment are there and available.

Senator Jacobson said she is trying to avoid making amendments to the bill before HB 5 is heard that actually approves the project.

Senator Weeding, in supporting the amendment, said this merely de-earmarks these funds to go to the fund from which the building would be appropriated if that is the action in HB 5. He felt it should be acted on with this amendment.



Senator Jacobson said this proposed amendment appropriates funds to a bill that has not been heard yet in the Senate.

Willie Day, representing Eastern Montana Veterans' Home, questioned regarding the money being appropriated out of HB 46.

Ms. Cohea, LFA, said HB 46 which has passed the House took the cigarette tax money and put it in state special revenue. In the Corrections budget, approximately \$2 million of the funds are used for the Columbia Falls Nursing Home. The remainder is for the veterans' community services. Both of those funds have been appropriated in the current HB 2.

Motion: After discussion on a proposed amendment to Section D-6, lines 23 and 24, Senator Aklestad withdrew his motion to amend (Exhibit 88) and moved to amend Section D-6 (Exhibit 89).

When questioned by Senator Aklestad regarding moving funds in HB 5, Ms. Cohea said if HB 5 is amended in such a way that the Veterans' Home is built, in a subsequent stage in HB 2, we would need to appropriate funds.

Senator Aklestad said he would like the latitude to have this opened and done in committee rather than on the Senate floor if HB 5 passes.

Senator Jacobson said that is a routine amendment and it could be done in the House or in the conference committee.

Senator Swysgood asked Senator Weeding if he is putting the money back into HB 46 with the proposed amendment (Exhibit 89).

Senator Weeding said it is in the special revenue account that cigarette tax monies go into, and it would be there until further disposed of.

Senator Swysgood asked if none of the buildings are funded for construction and the money is put back, would that mean there will be no veterans' community services program.

Senator Weeding said unless it was amended back in somewhere. The intent is to leave the money in the special account for other uses.

Senator Jacobson questioned Rep. Zook as to the building being delayed. Rep. Zook said the building is on hold for two years and \$1.6 million that is set aside for that building is still there. The money has not been touched. He said in his mind there is no relationship between the \$1.6 million and the monies that are being talked about today.

Senator Swysgood asked Rep. Zook if it was his understanding we could have the community services program like that now funded from the money and still not jeopardize the Glendive Nursing Home

and other buildings that are considered for funding.

Rep. Zook said the money for the Glendive Nursing Home has not been touched, but if the money is taken out today, that is taking away the funding for the community services program.

Senator Hockett said in looking at the long range building fund figures, they do not agree with the figures of Senator Aklestad in terms of cost or amount of money that is required.

Senator Beck questioned if the money is taken away from the veterans' home, will it be put in long range building.

Senator Jacobson said it stays in state special account.

In a question from Senator Beck about funding, Senator Weeding said these are operational funds and are not the construction funds.

Senator Aklestad, in closing, said the dollars we are dealing with are monies that were set aside out of the two cent cigarette tax for insurance premiums to be paid for veterans going into other homes. If the amendment motion (Exhibit 89) carries, the money will be set in the same position that it was when the legislature came into session. It is available to be used for operational costs for veterans' homes, whether it be in Glendive or Columbia Falls.

**Vote:** Senator Aklestad's amendment motion (Exhibit 89) CARRIED.

**Motion:** Senator Franklin moved to amend Section D-7 (Exhibit 90).

Senator Franklin said it is a technical amendment to revise the contingent language to reflect HB 333 as amended.

Sandy Whitney, LFA, said if HB 333 is approved, there is a general fund appropriation that is needed for the nursing home utilization fees. The language that is currently in the blue copy no longer reflects HB 333.

**Withdrawing of Motion:** After checking on the status of HB 333, Senator Franklin withdrew her motion since HB 333 had not yet been heard in the Senate.

**Motion:** Senator Harding moved to amend Section D-7 (Exhibit 91).

Senator Harding said her amendment states if construction of a new women's correctional facility is passed and approved in HB 5, the general fund appropriation for operation of that facility from January 1 through June 30, 1995 is \$876,104. When the amendment was drafted, she asked Ms. Whitney, LFA, to prepare it for an 84 bed women's prison, and now that we are looking at

community based correction facilities and maybe a 30 bed prison, that appropriation would be too much.

Senator Beck said this is like the previous amendment, and no action should be taken until HB 5 is heard in the Senate.

Chair Jacobson said she would recognize Rep. Brooke to address this amendment.

Rep. Vivian Brooke, House District 56, presented to the committee a one page recap, "Women's Correctional Center Dollars and Sense" (Exhibit 92).

Vote: Senator Harding's amendment motion (Exhibit 91) FAILED on a roll call vote.

## SECTION E - EDUCATION

Representative Royal Johnson, House District 88, introduced staff and committee members that dealt with Section E of the budget. He presented an overview of Section E, summarizing the narrative and figures in "HB 2 Narrative, Office of the Legislative Fiscal Analyst, 1993 Session".

### SECTION E - QUESTIONS FROM COMMITTEE MEMBERS

Senator Hockett questioned with regard to page E-47, Agricultural Experiment Station, what impact the budget will have on long term research projects, and is he correct in assuming projects cannot be stopped and then started.

Barry Jacobson, Director of Agricultural Experiment Station, said research projects cannot be stopped and started. They have many projects going on that need to be finished. He said they have downsized three research stations and have cut positions on campus. At the current time they are down to the 1981 FTE level. The cuts taken during the two special sessions as well as this session have been difficult. They are down \$1 million in operating costs. He added, however, that they received based on revenues from residuals of ag research about a \$70,000 increase. The Hatch Act monies were increased by the federal government by about \$100,000. He concluded they have to leave most cuts that were in place last year and will not be able to address the operating budget problem.

When questioned by Senator Hockett if most vo tech center funding is general funds, Rep. Johnson said it is.

In questioning regarding funding at community colleges and vo tech centers, Rep. Johnson said vo techs are relatively high cost compared to community colleges. However, they feel there is an area of students who may never want to go to any of the senior

colleges in the state. In addition, community colleges educate students for about \$2,000 a year as opposed to charges at the larger colleges.

Senator Waterman questioned the enrollment at the Butte Vo Tech Center.

Rep. Johnson said in 1989 Butte Vo Tech had 474 students. In 1990, it dropped to 375. They budgeted at 311 in 1991, and 313 in 1992. They are budgeting for 312 this year. He said they presented a program they are going to do in the area on solid waste management.

Senator Christiaens asked with regard to the bonding repayments if they could be applied to other centers in the state, as well as Butte.

Rep. Johnson said the Butte situation is slightly different because they sold their bonds under School District 1 in Butte. When the university system took over the vo tech centers, they inherited the bond issue, so the coupons stayed high.

Senator Harding questioned tuition increases and students wanting to control their own destiny.

Rep. Johnson said in talking to many students, they felt if they were not going to get anything extra for a tuition increase, they did not want the tuition raised a great deal. They want to see the state put more money into the program, and then they are willing to put more money into the program also; however, they do not want to carry the biggest part of the load. He said the students he talked to are aware that tuition in Montana is much less than other states.

Senator Fritz asked Rep. Johnson to compare HB 2 with HB 677 relative to driver's education, vocational education and the gifted and talented programs.

Rep. Johnson said they were trying to find areas to cut the budget. He said they looked at gifted and talented as well as the vocational education program, and there was approximately \$2 million over the last biennium for those two programs, which were cut out because of insufficient money. He said the two programs are both part of the accreditation standards, so it is not an optional program. An optional program is driver's training which money is in addition to the teacher's salary. He felt some of that money could be put in vo ed and some to gifted and talented to keep those two programs alive. He concluded that children could pay to learn to drive.

Senator Jacobson said the general fund dollars are less than one percent of the money for the vo ed program and those are grant programs to purchase equipment. They are not mandated by the federal government and they are not matching funds. Those funds

do not affect the accreditation of the program.

Senator Keating questioned the student assistance program as to paying tuition for students.

Rep. Johnson said it pays tuition, living expenses, et cetera.

When questioned by Senator Keating if there is a reimbursement of the funds, Senator Jacobson said in the WAMI program there is a payback that goes into the program to fund the programs put in place to attract rural physicians to pay some of their initial expenses. In the WICHE program, there is not a payback. The idea of the program since we do not have a medical school is in order to provide Montana students with those opportunities, the student pays as if they were an in-state student and the difference is made up.

In questioning from Senator Keating as to why we are increasing the spending by \$500,000, Rep. Johnson said some of the WICHE and WAMI costs went up. Also, the Carl Perkins matching monies were not as great as they had been.

Senator Keating questioned how many freshman slots there are for these programs.

Rep. Johnson said there are 38 slots.

Senator Keating said while he understands the increase of the costs for the students currently in the program, we are increasing spending beyond that because new students are starting in those programs. He questioned starting the new students and increasing our spending in the area by half a million dollars.

Rep. Johnson said we don't have to do anything along those lines, but the state of Montana has chosen to provide this type of educational opportunity for Montana students.

Chair Jacobson asked if there was anyone that would like to address a specific point in Section E.

Bill Prickett, Superintendent, Montana School for the Deaf and Blind, said HB 2 reduces the budget for the School by approximately \$1 million for the biennium out of a \$6 million budget. He added they are being called upon to make a real sacrifice to balance the budget. The major component of the reduction is a shift to the cost of the outreach program that the School provides to local schools. This is approximately \$500,000 and the School will charge fees to the local schools for the outreach program and make up the \$500,000 that way. HB 690 gives them statutory authority to charge and collect these fees, and he asked for support for the bill. The five percent FTE reduction accounts for approximately \$250,000. Regarding personal services reduction efficiencies, approximately \$250,000 accounts for that. After the five percent FTE reduction, there

will be about 82 FTE remaining, of which 74 are direct care positions. He said it is difficult to accomplish this type of efficiencies through attrition when most positions are direct care. He concluded they will take whatever measures are necessary but stated in 1995 they would like the legislature to remember the significant contributions that the School is making for this coming biennium.

Senator Jacobson said it should be noted that if the School for the Deaf and Blind was funded at the current level, they are \$286,000 below current level and not \$1 million.

Mr. Prickett said he would accept that figure.

Senator Bianchi said he would like to have Dr. Hutchinson explain how the \$22.7 million was divided up before the committee discusses the amendments to Section E.

John Hutchinson, Commissioner of Higher Education, said the basic strategy that was used to determine the cuts that were allocated by the Board of Regents involved looking at their current general fund situation and what the opportunities might be in terms of tuition, though not specifically identifying any tuition dollars, and then meeting and discussing with the school presidents proposed cuts. The disparity between the two universities result in large measure because there were certain tuition assumptions used by Rep. Johnson's committee in determining how to set tuition revenue. There are certain campuses hurt, particularly those that have a large number of undergraduate resident students. The Regents have paid considerable attention to legislative intent with respect to tuition, however there are available tools to the Regents in adjusting tuition dollars so that some disparities between the units as they now show up can be alleviated in large measure. The tuition assumption used by the committee was that there would be a 150 percent graduate surcharge. Since the University of Montana has a considerable larger number of graduate students, they have a great deal more in the way of tuition coming to them. The Regents have not set the 150 percent yet, but they will give that firm consideration. They may be more inclined to use a lower tuition rate.

Senator Bianchi questioned if there are any other options that the Regents would recommend to bring this to a more equal level of cuts between the universities.

Dr. Hutchinson said the tuition adjustments alone wouldn't completely redress that difference between the two universities. If there were to be some excess six mill levy money, the Regents would have that available and would give favorable consideration toward using that money to relieve any particular difficulties existing on the campuses or any inequities that might continue.

Senator Bianchi stated the inequities not only exist between the two larger universities, and he asked if the adjustment would be

across the board for all units.

Dr. Hutchinson said he did not mean to imply that the Regents would only look at the two universities with respect to any excess money. They would also look at other units and do what they can to make the fairest allocation and tuition decisions possible.

Senator Keating questioned percentage of tuition for in-state and out-of-state students as to the cost of education.

Dr. Hutchinson said currently system-wide, tuition is roughly 22 percent of the direct cost of instruction.

Senator Keating questioned what percent the cost of instruction is to the cost of the institution.

Dr. Hutchinson said they would normally take research and public service out of those type of instructional costs. He added that Mr. Sundsted informed him it would be approximately 23 or 24 percent in 1995.

Senator Keating said out of state students' tuition is equal to 100 percent of their cost of instruction; he asked if they pay 100 percent of the cost of instruction.

Dr. Hutchinson said currently they do not. They are paying approximately 90 percent of the costs system-wide. The Regents are seriously considering that it go to 100 percent of cost of instruction.

Senator Keating said 100 percent of the cost of instruction is not 100 percent of the cost of the institution, and he questioned what the spread is between the cost of the institution and the cost of instruction.

Dr. Hutchinson said in Montana, the cost of instruction runs in the low 50 percent of the total cost of the institution. Cost of instruction includes faculty salaries, et cetera. There are also costs in the student services area, administrative costs, plant and operation costs that are included in that.

Senator Lynch asked Rep. Johnson what would be done with the money left over for the gifted and talented program.

Rep. Johnson said the total amount paid to driver's education last year was about \$3.2 million. That was cut in half, and \$300,000 of that was allocated to gifted and talented, and there was allocated \$1.3 million to vocational education over the biennium.

#### SECTION E - AMENDMENTS

Motion: Senator Aklestad moved to amend Section E-1 (Exhibit

93).

Senator Jacobson said it is technical amendment for the Office of Public Instruction to deal with HB 106, a bill that was tabled in the House.

**Vote:** Senator Aklestad's amendment motion (Exhibit 93) CARRIED unanimously.

**Motion:** Senator Jergeson moved to amend Section E-2 (Exhibit 94).

Senator Jacobson said the amendment appropriates \$200,000 in fiscal 94 and \$200,000 in fiscal 95 from the state equalization aid account to fund the METNET program.

**Vote:** Senator Jergeson's amendment motion (Exhibit 94) CARRIED unanimously.

**Motion:** Senator Lynch moved to amend Section E-4 (Exhibit 95).

Senator Lynch said the amendment removes the requirement that the gifted and talented and secondary vo-ed appropriations be contingent on passage and approval of HB 677.

Senator Jacobson asked if this amendment passes and HB 677 does not pass or is tabled, will all three programs be fully funded.

Senator Lynch said not fully funded as it is not fully funding the gifted and the vo ed; they were reduced. They would be at the same rate they currently are.

Senator Swysgood in resisting the amendment said if it is adopted, it will put about \$1.6 million of general fund back into this budget.

Senator Fritz questioned what would happen if the amendment passes and HB 677 also passes.

Terry Cohea, LFA, said \$1.6 million is already spent out of the general fund in this bill. HB 677 takes \$1.6 million out of state traffic safety and puts it in the general fund. If Senator Lynch's amendment is successful, \$1.6 million general fund expenditure will stay in the bill. What will be stricken is the coordinating language with HB 677.

**Vote:** Senator Lynch's amendment motion (Exhibit 95) FAILED.

**Motion:** Senator Jergeson moved to amend Section E-8 (Exhibit 96)

Senator Jergeson said the amendment is recommending if there is a surplus between the appropriation and the bond payments this biennium that the amount be appropriated for pre-planning purposes to complete the unfinished space at the Great Falls



Vocational Technical Center.

**Vote:** Senator Jergeson's amendment motion (Exhibit 96) CARRIED with Senator Waterman opposed.

**Motion:** Senator Swysgood moved to amend Section E-7 (Exhibit 97).

Senator Swysgood said the amendment eliminates the Commissioner of Higher Education and transfers all functions to Montana State University. The amendment deletes funding for the current administration program, as well as the vacancy savings and personal services contingency line items. He added with Dr. Hutchinson leaving the state, the time is right for this amendment. The Constitution says there must be a Commissioner but does not delineate the duties. The Board of Regents could appoint a Commissioner in name only. He said it would save approximately \$948,918 in fiscal year 94 of general fund money only and \$931,202 in fiscal year 95 general fund money.

Senator Jergeson, in resisting the motion, said it has the effect of establishing one unit as premier over the other units.

Senator Jacobson asked Dave Lewis if he felt the Governor would be supportive of this type of huge, sweeping change at this time in the session.

Dave Lewis, Director, OBPP, said Governor Racicot amendments to the budget suggest the possibility of splitting the system between the University of Montana and Montana State University, and they asked the Board of Regents to look at the possibility. It was looked into but there was not an in-depth study done of the system. He felt there should be answers given to the next legislative session on the best way to organize and run the system. He said without speaking to the Governor about Senator Swysgood's amendment, they did look at this concept and are interested in looking at the system and returning to the next session with some well thought out alternatives of reorganization.

When questioned by Senator Bianchi regarding number of FTE's that would be transferring to Montana State University, Senator Swysgood said it eliminates approximately 15 FTE from the Commissioner's Office in Helena.

Senator Bianchi asked if Senator Swysgood was proposing to transfer people in the student loan assistance office or only administrative people in the Commissioner's Office.

Senator Jacobson said the building was built with guaranteed student loan money, and that program would remain because the Commissioner's Office is renting space in the building.

Senator Swysgood said he is moving the functions of the

Commissioner's Office which is 15 FTE that would be on the campus of Montana State University.

Senator Swysgood closed, stating responsibilities would be transferred to the campus at Bozeman. It is a chance to make administrative cuts in this agency.

**Vote:** Senator Swysgood's amendment motion (Exhibit 97) CARRIED on a roll call vote.

**Motion:** Senator Jergeson moved to amend Section E-9 (Exhibit 98).

Senator Jergeson said the amendment establishes the intent of the legislature to deal with the general fund reductions. It also strikes the reversions and the caps language. He said many people including the Governor feel there is a need to address the matter of how much administration is costing in the university system.

Jody Farmer, President, ASMSU, stated her support of the proposed amendment in that it addresses the concerns of where the tuition will go. She noted the Regents have a policy requiring students to participate in discussions relative to raising tuition and all campuses have processes for student participation in the budgeting process. She said they will do everything they can to make reductions in administration before raising tuition.

Senator Swysgood questioned if the effect of the amendment is lifting the two percent caps.

Senator Jergeson said it would lift the caps, eliminates the reversion language and asks the Governor and Board of Regents to deal with the issue of administrative costs in the university system.

Senator Swysgood said caps are put in place to protect students from bearing an unfair share of the cost. If the caps are eliminated and they do not want to assume the \$22 million reduction given to higher education, tuition can be increased on the students. He also questioned the out of state student ratio.

Senator Jacobson said she supported the amendment motion in that the students' concerns are being brought forth with the amendment. She said students indicated that while they would like to see plans set forth on how administrative costs would be cut, they do not want tuition caps because it will probably mean such things as limiting their ability to access campuses.

Chair Jacobson said at this time she would ask the university presidents to comment on the proposed amendment and the administrative cost cuts.

George Dennison, President, University of Montana, said the Board

of Regents in response to the \$22 million cuts indicated to the presidents that they would have to look carefully at administrative costs before looking to access. The effort at the University of Montana will be to hold all vacancies vacant, reduce operating costs in each of the administrative units, reduce travel, and look closely at intercollegiate athletics in reducing that. They also will look at public service programs to find areas there to reduce costs. All of those will not generate the total amount of money they are looking for, but he added they will maintain the number of sections needed to accommodate the students.

Senator Jacobson asked Dr. Dennison if he had any concern with the language stating that administrative cuts should precede and meet or exceed, on a percentage basis, reductions in other areas.

Dr. Dennison said no, he did not.

Mike Malone, President, Montana State University, said he would reiterate what was stated by Dr. Dennison. He said they have instituted a position control process where all positions are reviewed, including administration. Since 1986 they have had a practice of making larger cuts in the non-directly student related areas than in those areas. He said they now have two vice presidents, and they have eliminated one vice-presidency in student affairs. At the present time they are attempting to scale down administration by merging men's and women's athletic programs, by removing the director of the Field House. The position of director of budget will remain vacant, and the duties will be reassigned. They have not filled the position of director of admissions. He stated they will continue to make sure the cuts made in institutional support are larger than those made anywhere else. He concluded that Montana State University ranks at the top among those institutions with the percentage of their budget that is directed to instruction and instruction related activities. Regarding a reliance on out of state students, they currently are at 24 percent out of state and 76 percent in state, which he felt was fairly close to the ratio they should have.

When questioned by Senator Jacobson if he had any problem with the proposed language in the amendment, Dr. Malone said he did not.

Lindsay Norman, President, Montana Tech, said since 1986 administrative positions have been reduced on the campus by over 20 percent, and that process will continue. He said the students' concerns are understood and the administration is sensitive to that concern on the campus. Barring any deeper cuts than what were made by the legislature, he pledged to the campus that he would not cut faculty, instructional courses, or student services. He added that with the caps and recision language in place, there is no incentive for the business to grow or improve the quality or get better at what they are doing. Access to

quality needs to be addressed and improving the access to Montana students, which will be achieved by approving the proposed amendment.

Mike Easton, President, Western Montana College, said they have already begun the process of reducing administrative costs for next year, specifically with the athletic budget by reducing fee waivers and budgets for next fall. He added they have begun a study of administrative consolidation. Only one of three open positions will be filled. He said their flexibility on a small campus is limited, and some cuts will have to be made in areas other than administration although the priority will be in administrative areas.

When questioned by Senator Jacobson if he had any problem with the language in the proposed amendment, Dr. Easton said he did not.

Bill Daehling, President, Northern Montana College, stated there is less flexibility in a smaller institution, but he pledged that he would first look at the administration and guaranteed it would be smaller than it presently is. He said they are currently looking at a way of restructuring student services so that the school can operate without a Dean and still meet Northwest Commission accreditation standards. This cannot be accomplished by next year, and he asked for transition funds which would be accomplished by striking the reversion language. With added flexibility, it would be easier to meet the challenge from the legislature. The actual spending authority they had during the current biennium is about \$543,000 above what is shown in the LFA document. They are not looking at an increase of what they spent during this biennium, but rather are looking at a drastic decrease. He concluded Northern Montana College will meet the expectations, and he has no problem with the language in the proposed amendment.

Senator Swysgood said he is concerned about the size of cuts that the universities can make, and he has a deep concern about removing the caps that it will affect the students.

Senator Waterman stated her feeling that we should be moving toward a program where students' access at the community colleges and the vocational technical centers and then move into the four year programs. She noted her concern about making the four year institutions our growth industry because it is going the wrong direction.

Senator Jergeson said while he shares the concerns of Senator Waterman, that is a separate issue from what is involved in his proposed amendment. He added his amendment addresses the issues of administration and the matter of flexibility to survive with the type of cuts to the system.

**Vote:** Senator Jergeson's amendment motion (Exhibit 98) CARRIED

on a roll call vote.

**Motion relative to Exhibit 97**

Senator Lynch moved to strike Senator Swysgood's earlier amendment (Exhibit 97).

Senator Lynch said although he feels the Commissioner's Office has grown beyond what was expected, this is not the time to do something like this even though he would like to see some changes in that Office.

Senator Swysgood, speaking in opposition to Senator Lynch's motion, said even though this may not be the right way to approach the problem, there currently are not many other options.

**Vote:** Senator Lynch's motion CARRIED on a roll call vote.

**Motion:** Senator Swysgood moved to amend Section E-7 (Exhibit 99).

Senator Swysgood said the amendment puts the Regents' Employee Reporting System (RES) on hold by eliminating the requirement that the Montana University System maintain the system in the '95 biennium, and eliminates all RERS funding in the Office of the Commissioner of Higher Education. He said indications he has gotten conclude the system does not work.

When questioned by Senator Jacobson if the amendment does not eliminate the system but puts it on hold for two years, Senator Swysgood said that was correct.

**Vote:** Senator Swysgood's amendment motion (Exhibit 99) CARRIED unanimously.

**Motion:** Senator Swysgood moved to amend Section E-7 (Exhibit 100).

Senator Swysgood said this is a technical amendment that moves \$29,890 of general fund in the community college assistance program and \$5,854 of federal funds in the guaranteed student loan program currently budgeted for audits to restricted/biennial audit appropriations.

**Vote:** Senator Swysgood's amendment motion (Exhibit 100) CARRIED unanimously.

**Motion:** Senator Swysgood moved to amend Section E-8 (Exhibit 101).

Senator Swysgood stated the amendment enables the Montana Career Information System to support an increased demand for its information software services.

SENATE FINANCE & CLAIMS COMMITTEE

March 30, 1993

Page 74 of 78

**Vote:** Senator Swysgood's amendment motion (Exhibit 101) CARRIED unanimously.

**Motion:** Senator Jergeson moved to amend Section E-12 (Exhibit 102).

Senator Jergeson said the amendments add \$5,000 in fiscal '94 and fiscal '95 for a junior with a double major in business administration and foreign languages at the University of Montana and agricultural economics and foreign languages at Montana State University. Fiscal year '95 includes an additional \$5,000 at each campus to continue the scholarships to the students receiving the scholarships in fiscal '94 in the students' senior year. The amendments would utilize a portion of the savings resulting from elimination of the foreign trade office.

**Vote:** Senator Jergeson's amendment motion FAILED on a roll call vote.

**Motion:** Senator Hockett moved to amend Section E-14 (Exhibit 103).

Senator Hockett said the amendment deletes language related to Northern Montana College's campus extension in Great Falls. He added there is no cost or addition to the general fund.

Senator Keating questioned if this language compels the Regents to do it.

Senator Jacobson said no, it does not.

Senator Hockett said it is his understanding the Regents are already doing this.

**Vote:** Senator Hockett's amendment motion (Exhibit 103) CARRIED unanimously.

**Motion:** Senator Bianchi moved to amend Section E-13 (Exhibit 104).

Senator Bianchi said the amendment removes language requiring Montana State University to pay rent to the Montana Deaconess Medical Center in Great Falls from funds currently appropriated in HB 2.

Senator Christiaens questioned how the amount was arrived at and how it got into the budget to begin with.

Senator Jacobson stated her opinion that it was a motion by Rep. Wiseman.

**Vote:** Senator Bianchi's amendment motion (Exhibit 104) CARRIED unanimously.

**Motion:** Senator Swysgood moved to amend Section E-16 (Exhibit 105).

Senator Swysgood said the amendment adds \$99,300 of general fund each year to the Agricultural Experiment Station for technical support, equipment and operations. He said the budget has taken many severe cuts previously. The money is to continue research on a couple projects.

Senator Jacobson questioned Rep. Johnson as to whether the Experiment Station has taken deeper cuts than agencies such as Bureau of Mines, Forestry Service and Extension Service.

Rep. Johnson said they did take bigger cuts as a percentage in the biennium during the special sessions. They did not take any bigger cuts if we consider the '92-'93 levels of spending.

Senator Jacobson said during the special session it was a percentage along with everyone else.

Rep. Johnson said the Extension Service took a .18 percent decrease during this period of time, and the Agricultural Station took a 2.89 percent. There was no change in the Forestry Division. The Bureau of Mines took a .768 percent cut.

In a question from Senator Jacobson regarding cutting just general funds, Taryn Purdy, LFA, said the comparison being made by Rep. Johnson is the '95 biennium total funds to '93 biennium. The reason that the Agricultural Experiment Station had a slightly higher reduction than the others is in 1993 they made some reductions in personal services that the others did not make. Those reductions were captured in the subcommittee action.

Senator Weeding asked Senator Swysgood if he was singling out one particular Agricultural Experiment Station.

Senator Swysgood said when he said Station, it includes all of them.

**Vote:** Senator Swysgood's amendment motion (Exhibit 105) CARRIED unanimously.

**Discussion on Exhibits 106, 107**

Senator Jacobson said Exhibits 106 and 107 deal with duplication of efforts. She said the Cooperative Extension Services does a lot of good work and has many good programs, but they are also doing economic development that is duplicative of what the lead agency at the Department of Commerce and other firms are doing. She said the amendment would delete the funding for the human development area and the community development area in the Cooperative Extension Services.

Senator Waterman spoke in opposition to deleting funding in the

human development area as this would be counterproductive.

Senator Weeding, speaking in opposition, said the services of the Extension Service in small areas is very important.

Senator Jacobson said she would not ask that the motions be made, however she felt the matter was worth looking into. After looking into this area, she felt the Extension Service is doing a good job in some areas and needs to be more current in others.

Senator Jacobson withdrew Exhibits 106, 107.

Motion: Senator Toews moved to amend Section E-17 (Exhibit 108).

Senator Toews said the amendment would insert language that the 1997 biennium budget submission of the Cooperative Extension Service must include a plan to reduce total current level general fund expenditures in each year of the 1997 biennium to a level no greater than required to fully match all anticipated federal Smith-Lever Act funds at the federally mandated level.

Senator Bianchi said he would like to have someone explain what this amendment means.

Mike Malone, President, Montana State University, said for fiscal 1994 the general fund allocation to the Extension Service is \$2.8 million and the Smith-Lever federal funds are \$2.1 million. The federal policy requires at least 80 percent of state funding against 100 percent federal funding. He added if they went down to the 80 percent level from the \$2.8 million, they would go down to \$1.9 million. That would take \$900,000 out of the general fund allocation to the Extension Service. It would be a 32 percent cut.

Senator Jacobson said the amendment says they would submit a budget at that level in the 1997 biennium.

Mr. Malone said he was trying to anticipate what the impact of it would be at 1993, 1994 levels.

Senator Toews said it is asking for a plan; it is not a budget cut.

Mr. Malone said it would take the Extension Service out of many counties.

Senator Jacobson said some of the agents are doing economic development and others are doing home economic type things. She felt they had different thrusts.

Mr. Malone said there are the county agents and the area specialists who reside on the campus. The best description of a county agent is they are generalists. He said they have degrees in different areas.



Senator Keating said the language is asking the Extension Service for a self-evaluation to prioritize what programs they do to see if there are nonessential programs that the '95 legislature could consider in the event there will be financial constraints again.

Senator Hockett felt the extension agents in rural areas is very beneficial, and it also provides for 4-H programs for development of young people in positive ways.

Senator Christiaens, in resisting the motion, felt the Extension Service is very helpful, especially to low income groups.

Senator Jacobson said although there are good programs such as 4H, there is duplication of services and programs need updating and revamping.

**Vote:** Senator Toews' amendment motion (Exhibit 108) FAILED on a voice vote.

## SECTION C - NATURAL RESOURCES AND COMMERCE

### SECTION C - AMENDMENTS

Chair Jacobson said there is an additional amendment to Section C.

**Motion:** Senator Lynch moved to amend Section C-16 (Exhibit 109)

Senator Jacobson said this is a technical adjustment reducing the general fund to the level required if HB 193 is passed and approved.

**Vote:** Senator Lynch's amendment motion (Exhibit 109) CARRIED unanimously.

## BOILER PLATE LANGUAGE

### BOILER PLATE SECTION AMENDMENTS

**Motion:** Senator Lynch moved to amend BP-2 (Exhibit 110).

Senator Jacobson said this is a technical amendment to conform boiler plate language to amendments adopted by the committee on March 30.

**Vote:** Senator Lynch's amendment motion (Exhibit 110) CARRIED unanimously.

**Motion:** Senator Lynch moved to amend BP-2 (Exhibit 111).

Terry Cohea, LFA, said the amendment deals with personal services funding. Each agency must include funding of first level

personal services separate from funding of other expenditures.

**Vote:** Senator Lynch's amendment motion (Exhibit 111) CARRIED unanimously.

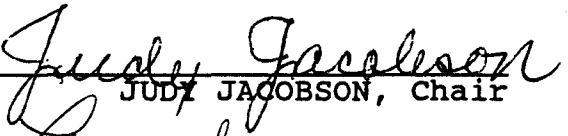
**EXECUTIVE ACTION ON HOUSE BILL 2**

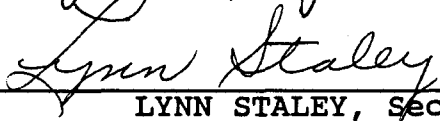
**Motion/Vote:** Senator Franklin moved that SECTIONS A, B, C, D, E and BOILER PLATE be closed in HB 2. Motion CARRIED.

**Motion/Vote:** Senator Franklin moved that HB 2 AS AMENDED BE CONCURRED IN. Motion CARRIED.

**ADJOURNMENT**

**Adjournment:** 5:35 P.M., APRIL 1, 1993

  
\_\_\_\_\_  
JUDY JACOBSON, Chair

  
\_\_\_\_\_  
LYNN STALEY, Secretary

JJ/LS

# ROLL CALL

SENATE COMMITTEE FINANCE AND CLAIMS

DATE 3/30/93

NAME	PRESENT	ABSENT	EXCUSED
SENATOR JACOBSON	✓		
SENATOR FRANKLIN	✓		
SENATOR AKLESTAD	✓		
SENATOR BECK	✓		
SENATOR BIANCHI	✓		
SENATOR CHRISTIAENS	✓		
SENATOR DEVLIN	✓		
SENATOR FORRESTER	✓		
SENATOR FRITZ	✓		
SENATOR HARDING	✓		
SENATOR HOCKETT	✓		
SENATOR JERGESON	✓		
SENATOR KEATING	✓		
SENATOR LYNCH	✓		
SENATOR TOEWS	✓		
SENATOR SWYSGOOD	✓		
SENATOR TVEIT	✓		
SENATOR VAUGHN	✓		
SENATOR WATERMAN	✓		
SENATOR WEEDING	✓		
	✓		

FC8

Attach to each day's minutes

SENATE STANDING COMMITTEE REPORT

Page 1 of 20  
April 5, 1993

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 2 (third reading copy -- blue), respectfully report that House Bill No. 2 be amended as follows and as so amended be concurred in.

Signed: Judy H. Jacobson  
Senator Judy H. Jacobson, Chair

That such amendments read:

1. Page BP-2, line 4.

Strike: "Personal services reduction efficiencies"

Insert: "Vacancy savings"

Strike: "personal services reduction efficiencies"

Insert: "vacancy savings"

2. Page BP-2, line 6.

Strike: "appropriations"

Insert: "expenditure authority"

3. Page BP-2, line 6.

Strike: "personal services reduction efficiencies"

Insert: "vacancy savings"

4. BP-2, line 8.

Following: "appear in"

Strike: "each of the"

Insert: "some"

5. Page BP-2, line 13.

Following: "approving"

Strike: "agency"

Insert: "authority"

6. Page BP-2.

Following line 14

Insert: "NEW SECTION. Section 11. Personal services funding -- 1997 biennium. (1) Except as provided in subsection (2), current and modified funding level budget requests for the 1997 biennium submitted under Title 17, chapter 7, part 1, by each executive, judicial, and legislative branch agency and the commissioner of higher education must include funding of first level personal services separate from funding of other expenditures. The funding of first level personal services by accounting entity for each fiscal year must be shown for each control variable in agency budget

requests for the 1997 biennium submitted to the office of budget and program planning.

(2) The provisions of subsection (1) do not apply to the rest of the Montana university system."

Renumber: subsequent sections

7. Page A-1, line 4.

Strike: "1,382,637" (general fund FY94)

"1,398,297" (general fund FY95)

Insert: "1,354,483" (general fund FY94)

"1,338,960" (general fund FY95)

8. Page A-1, line 5.

Page A-4, line 24.

Page A-6, line 8.

Page A-7, line 16.

Page A-8, line 2.

Page A-9, line 10.

Page A-10, line 19.

Page A-11, line 15.

Page A-13, line 24.

Page A-18, line 1.

Page A-20, line 2.

Page A-23, line 12.

Page A-25, lines 7 and 18.

Page A-26, line 4.

Page A-28, line 3.

Page B-6, line 5.

Page B-10, line 7.

Page B-15, line 1.

Page B-21, line 2.

Page C-1, line 18.

Page C-6, line 13.

Page C-9, line 21.

Page C-11, line 20.

Page C-14, line 13.

Page C-17, line 22.

Page C-23, line 1.

Page D-1, line 16.

Page D-2, line 17.

Page D-5, line 1.

Page D-6, line 25.

Page E-4, line 1.

Page E-5, line 10.

Page E-6, lines 3 and 19.

Page E-8, line 7.

Strike: "Personal Services Reduction Efficiencies"

Insert: "Vacancy Savings"

9. Page A-1, line 6.

Strike: "62,109" (state special revenue FY94)

"62,127" (state special revenue FY95)

10. Page A-1, line 8.

Strike: "12,422" (state special revenue FY94)

"12,425" (state special revenue FY95)

11. Page A-1.

Strike: lines 17 through 20 in their entirety

12. Page A-2.

Strike: line 2

Insert: "146,250" (general fund FY94)

13. Page A-2.

Strike: lines 7 through 10 in their entirety

Strike: line 16

Strike: line 20

Strike: line 23

14. Page A-3.

Strike: lines 7 through 10 in their entirety

15. Page A-3.

Strike: lines 21 through 24 in their entirety

16. Page A-4, line 25.

Strike: "59,063      20,288      59,073      20,298"

Insert: "23,626      8,115      23,626      8,119"

17. Page A-5, line 2.

Strike: "5,906      4,058      5,907      4,060"

Insert: "2,362      1,623      2,362      1,623"

18. Page A-7, line 3.

Strike: "908,920"      "931,421"

Insert: "52,361" general fund      "1,006,005" proprietary

"69,646" general fund      "927,577" proprietary

19. Page A-7, line 5.

Strike: "13,658"

Insert: "683" general fund      "12,975" proprietary

20. Page A-7, line 7.

Strike: "50,000"

Insert: "2,500" general fund      "47,500" proprietary

21. Page A-7, line 9.

Strike: "210,760"

"200,178"

Insert: "210,760" proprietary

"200,178" proprietary

22. Page A-7, line 11.

Strike: "2,927"

Insert: "2,927" proprietary

23. Page A-7, line 17.

Strike: "26,631 4,918 11,239 26,698 4,924  
11,268"

Insert: "1,380" general fund "42,385" proprietary

"1,384" general fund "42,485" proprietary

24. Page A-8, line 10.

Strike: "295,846"

"296,122"

Insert: "323,190"

"323,509"

25. Page A-8, following line 14.

Strike: lines 15 through 18 in their entirety

Renumber: subsequent subsections

26. Page A-8, line 20.

Strike: "1,068,400"

"1,065,682"

Insert: "1,118,616"

"1,115,801"

27. Page A-9, line 1.

Strike: "326,899"

"327,615"

Insert: "332,661"

"333,385"

28. Page A-9, line 5.

Strike: "202,939"

"199,236 524,927"

Insert: "219,701"

"213,848 536,786"

29. Page A-9, line 11.

Strike: "80,094 13,747

80,233 13,802"

Insert: "76,301 9,017

76,430 9,059"

30. Page A-9, line 17.

Following: "submit"

Insert: "a"

Following: "recovery"

Strike: "plans"

Insert: "plan"

Following: "for"

Strike: "the state payroll program and"

31. Page A-9, line 19.

Following: "for"

Strike: "each"

Insert: "the"

32. Page A-9, line 20.

Following: "2113)"

Strike: "AND PAYROLL SERVICES (OBJECT CODE 2114)"

33. Page A-9, line 21.

Following: "ACT]"

Insert: ", and to fund any unforeseen costs that would require supplemental funding"

34. Page A-10, line 19.

Following: line 18

Insert: "i. SB 292 -- Youth Detention Services Grant Administration"

"48,937"

"49,170" [state special]

35. Page A-11.

Strike: lines 4 and 5 in their entirety

36. Page A-11, line 24.

Strike: "1,281,861"

"1,295,121"

Insert: "1,305,861"

"1,319,121"

37. Page A-12, line 11.

Strike: "1,378,690"

"1,389,091"

Insert: "1,433,173"

"1,443,725"

38. Page A-12, line 22.

Strike: "567,743"

"575,230"

Insert: "604,120"

"611,652"

39. Page A-14, lines 17 through 21.

Following: "1994." on line 17

Strike: "In" on line 17 through "planning." on line 21.

40. Page A-14, line 24.

Following: line 23

Insert: "The department is authorized to transfer the retirement contributions provided under 19-6-404 and 61-5-121(1)(a) in fiscal 1994 and fiscal 1995 from the highway patrol retirement clearing account in the state special revenue fund to the Montana highway patrol officers' retirement pension trust fund. An appropriation must be established each year in the amount required to be transferred."



41. Page A-15, following line 21.

Insert: "k. Scenic Byways Program (Restricted)"

"34,878" [state special] "139,514" [federal]

"12,236" [state special] "48,944" [federal]

42. Page A-17, line 26.

Following: line 25

Insert: "h. FTA Grant Pass-Through Authority"

"174,013" [state special revenue FY94]

"108,513" [state special revenue FY95]

43. Page A-18, line 23 through A-19, line 2.

Strike: line 23 on page A-18 through line 2 on page A-19.

44. Page A-19.

Following: line 2

Insert: "The legislature eliminates a \$100,000 allocation per year included in item 3 from the noxious weed control budget for the purchase of biological agents and designates those funds for general operation of the maintenance program."

45. Page A-20.

Strike: line 15 in its entirety

46. Page A-20, lines 18 and 19.

Following: "BY" on line 18

Strike: "\$4,344 FEDERAL REVENUE AND"

47. Page A-20, line 19.

Following: "BY"

Strike: "\$4,388 FEDERAL REVENUE AND"

48. Page A-22, line 4.

Following: line 3

Insert: "e. HB 520 -- Electronic Bulletin Board"

"43,191" [proprietary FY94]

"41,691" [proprietary FY95]

49. Page A-22, line 5.

Strike: "3,452,032"

"3,540,284"

Insert: "3,450,082"

"3,536,709"

50. Page A-23, line 2.

Strike: "649,018" "656,789"

Insert: "548,890" "453,498"

51. Page A-23, following line 3.

Insert: "d. HB 428 -- Statewide Benefits Program"

"19,600" [proprietary FY94]

"19,600" [proprietary FY95]

"e. State Payroll"

"204,615" [general fund] "210,239" [state special]

"178,035" [general fund] "222,043" [state spec.]

"f. Legislative Audit -- State Payroll  
(Restricted/Biennial)"

"44,955" [FY94 state special]

52. Page A-23, line 13.

Strike: "117,757" "25,973" "118,111" "26,022"

Insert: "121,550" "30,703" "121,914" "30,765"

53. Page A-24, following line 2.

Insert: "The appropriation in item 6 includes \$28,050 in fiscal 1994 and \$51,425 in fiscal 1995 proprietary funds that must be transferred to the department of natural resources and conservation for the purpose of paying off general obligation bonds issued by the department of natural resources and conservation to fund energy savings projects.

The department shall develop and submit a cost recovery plan for the state payroll system to the office of budget and program planning and the legislative fiscal analyst by June 1, 1994. The total program cost estimate used to allocate the fees must be reduced by the estimated amount of the state special revenue fund balance for the program that will carry over from the 1995 biennium.

The fixed cost rates charged to state agencies by the department for payroll services (object code 2114) may not be higher than the amount necessary to fund the expenses of the agency for providing those services, as appropriated in the state pay plan and [this act], and to fund any unforeseen costs that would require supplemental funding."

54. Page A-24, line 8.

Following: "services"

Insert: " or for the portion of the state payroll program that is underfunded"

55. Page A-24, line 19.

Following: line 18

Insert: "Item 8d is contingent on passage and approval of House Bill No. 428."

56. Page A-25, line 15.

Strike: "1,096,391"

"1,105,633"

Insert: "1,135,392"

"1,140,224"

57. Page A-26, following line 3.

Insert: "b. HB 244 -- Medical Exams"

"1,200" [other funds FY94]

"1,200" [other funds FY95]

58. Page A-26, line 9.

Following: "items 1"

Strike: "and 1a"

Insert: ", 1a, and 1b"

59. Page A-26, following line 9.

Insert: "Item 1b is contingent on passage and approval of House  
Bill No. 244."

60. Page A-27, line 23.

Strike: "37,254"

"33,755"

Insert: "42,254"

"38,755"

61. Page A-28.

Strike: lines 11 through 13 in their entirety.

62. Page B-2.

Strike: lines 17 and 18 in their entirety

Renumber: subsequent subsection

63. Page B-4.

Following: line 21

Insert: "g. End-Stage Renal Disease"

"125,000" [general fund, FY94]

"125,000"

[general fund, FY95]

64. Page B-7.

Strike: line 3 in its entirety

65. Page B-7, line 4.

Strike: "3c"

Insert: "3b"

66. Page B-7, line 14.

Following: "appropriation in [this act]"

Strike: ", including legislative contract authority,"

67. Page B-7.

Following: line 15

Insert: "The department may not use operating plan amendments to increase personal services appropriation authority above the authorized amounts. The legislature has considered all federal funds that may become available for personal services expenditures during fiscal 1994 and fiscal 1995 beyond the amount appropriated in [this act] and intends that no federal funds be used for personal services."

68. Page B-7.

Strike: lines 18 through 22 in their entirety

69. Page B-8.

Following: line 7

Insert: "c. Health Industries (Biennial)  
132,464" (federal special revenue FY94)  
"d. ASARCO/Troy (Biennial)  
113,637" (federal special revenue FY94)

70. Page B-9.

Strike: lines 11 and 12 in their entirety

Insert: "a. Health Industries (Biennial)"  
"17,454" (federal special revenue FY94)  
"b. ASARCO/Troy (Biennial)"  
"17,454" (federal special revenue FY94)  
"c. SB 163 -- Safety Culture Act"  
"93,705" (state special FY94)  
"77,935" (state special FY95)

71. Page B-10.

Following: line 6

Insert: "b. Health Industries (Biennial)"  
"546,128" (federal special revenue FY94)  
"c. ASARCO/Troy (Biennial)"  
"552,572" (federal special revenue FY94)

72. Page B-10, line 8.

Strike: "124,158" "124,466" [proprietary FY94 and FY95]  
Insert: "121,097" "122,401" [proprietary FY94 and FY95]

73. Page B-11, line 17.

Strike: "888,888" 908,251"  
Insert: "988,888" 1,008,251"

74. Page B-15, line 12.

Following: "age to"

Strike: "participate in"  
Insert: "be referred to"

75. Page B-15, lines 14 and 15.

Following: "FOR" on line 14

Strike: the remainder of lines 14 and 15 in their entirety.

Insert: "the department to contract for assistance in obtaining  
SSI disability benefits for persons on or eligible for  
public assistance."

76. Page B-15, line 17.

Following: "AFDC"

Strike: "AND IMPLEMENT APPROVED WAIVER"

77. Page B-15, line 18.

Following: "PROGRAMS"

Strike: ", BEGINNING"

Following: "1994."

Insert: "If federal approval is received, the department shall  
implement the waivers as soon as feasible."

78. Page B-16.

Strike lines 18 and 19 in their entirety.

79. Page B-17, line 20.

Following: "training,"

Insert: "subsistence payments,"

Following: "people."

Insert: "The use of appropriated funds in item 5a is contingent  
on Deer Lodge County levying 12 mills for its poor fund for  
public assistance, protective services, and other benefits  
for low-income people."

80. Page B-18.

Strike: lines 19 through 22 in their entirety.

81. Page B-21.

Strike: lines 24 and 25 in their entirety.

82. Page B-22.

Strike: lines 16 and 17 in their entirety

83. Page B-22, line 18 through page B-23, line 1.

Strike: line 18 on page B-22 through line 1 on page B-23

84. Page C-2, line 5.

Strike: "488,078"

"470,678" [federal]

Insert: "490,080"

"472,682" [federal]

85. Page C-2.

Strike: line 17

Insert: "e. Legislative Contract Authority (Restricted)"  
"65,000" "65,000" [federal]

86. Page C-2, line 25.

Strike: "2,615,243" "2,551,249" [federal]

Insert: "2,683,923" "2,620,229" [federal]

87. Page C-3.

Strike: line 17

Insert: "g. Legislative Contract Authority (Restricted)"  
715,000 940,000 1,160,000 990,000" [state special,  
federal]

88. Page C-3, line 20.

Strike: "177,692" 176,873" [federal]

Insert: "187,293" 186,481" [federal]

89. Page C-4.

Strike: line 7

Insert: "e. HB 338 -- Game Farm Licensing"  
45,000 45,000" [state special revenue]  
"f. Legislative Contract Authority (Restricted)"  
40,000 40,000" [federal]

90. Page C-4, line 10.

Strike: "2,395,354" 2,411,778" [federal]

Insert: "2,421,126" 2,437,575" [federal]

91. Page C-4.

Strike: line 19

Insert: "d. Legislative Contract Authority (Restricted)"  
855,000 729,000 844,000 687,500" [state special,  
federal]

92. Page C-5.

Strike: line 13

Insert: "g. Legislative Contract Authority (Restricted)"  
140,000 20,000 140,000 20,000" [state special,  
federal]

93. Page C-5.

Strike: line 23

Insert: "c. Legislative Contract Authority (Restricted)"  
45,000 35,000 45,000 35,000" [state special,  
federal]

94. Page C-6, line 1.

Strike: "515,770"

"504,294" [federal]

Insert: "531,799"

"520,349" [federal]

95. Page C-6.

Strike: line 12

Insert: "e. Legislative Contract Authority (Restricted)

157,500

157,500" [federal]

96. Page C-7.

Following line 9.

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

(1) Legislative contract authority applies only to federal  
and private funds.

(2) The department may transfer appropriation authority  
between state special revenue and federal special revenue.  
Transfers may not change the total appropriated to the department  
for legislative contract authority.

(3) Legislative contract authority expenditures must be  
reported on state accounting records. The records must be  
separate from current level operations.

(4) A report must be submitted by the department to the  
legislative fiscal analyst following the end of each fiscal year  
of the biennium. The report must include a listing of projects  
with the related amount of expenditures for each project."

97. Page C-7.

Following: line 12

Insert: "Item 2 contains funds for block management. If federal  
dollars become available, the department may decrease state  
special revenue and increase federal special revenue by a  
like amount."

98. Page C-7, line 16.

Strike: "contains \$19,975 in fiscal 1994 and \$19,975 in fiscal  
1995 appropriated for"

Insert: "funds"

99. Page C-8, line 14.

Strike: "contains \$262,295 in fiscal 1994 and \$271,638 in fiscal  
1995 of state special revenue appropriated for"

Insert: "funds"

100. Page C-8, line 15.

Following: "642"

Insert: "or on other sources"

101. Page C-9, line 18.

Strike: "6,208,684	3,306,423	6,303,794
3,320,357" [general fund, state special]		
Insert: "6,213,351	3,308,756	6,308,461
3,322,690" [general fund, state special]		

102. Page C-9, line 20.

Strike: "16,667	8,333	16,667	8,333" [general fund,
state special]			
Insert: "12,000	6,000	12,000	6,000" [general fund,
state special]			

103. Page C-10.

Following: line 6.

Insert: "Item 4 contains \$7,000 per year to bring Powell County into the state/county cooperative fire protection program."

104. Page C-13.

Following: line 8

Insert: "e. Water Reservations Lower Missouri Basin (Biennial) 45,000" (state special revenue FY94)

105. Page C-16, line 18.

Strike: "190,681	202,631	184,706	209,559" [general fund,
state special]			
Insert: "155,084	238,228	148,957	245,308" [general fund,
state special]			

106. Page C-17.

Following: line 9

Insert: "e. SB 334 -- Pesticide Disposal and Recycling Program 220,445 233,045" [state special]

107. Page C-17, line 11.

Strike: "374,038	296,573	332,875	339,264" [general fund,
state special]			
Insert: "145,642	524,969	110,367	561,772" [general fund,
state special]			

108. Page C-17, line 13.

Strike: "40,736"	"40,736"	[general fund]
Insert: "40,736"	"40,736"	[state special]

109. Page C-17, line 17.

Strike: "10,763	13,143	10,763	13,143" [general fund,
state special]			
Insert: "1,794	22,112	1,794	22,112" [general fund,
state special]			



110. Page C-17, line 21.

Strike: "177,253"

"169,798" [general fund]

Insert: "182,890"

"175,435" [general fund]

111. Page C-18.

Following: line 5

Insert: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 1 is increased by \$35,597 in fiscal 1994 and by \$35,749 in fiscal 1995 and the state special revenue appropriation is decreased by like amounts."

112. Page C-18.

Following: line 11

Insert: "Item 3e is contingent on passage and approval of Senate Bill No. 334.

If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4 is increased by \$228,396 in fiscal 1994 and by \$222,508 in fiscal 1995 and the state special revenue appropriation is decreased by like amounts.

If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4a is increased by \$40,736 in fiscal 1994 and by \$40,736 in fiscal 1995 and the state special revenue appropriation is decreased by like amounts.

If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4c is increased by \$8,969 in fiscal 1994 and by \$8,969 in fiscal 1995 and the state special revenue appropriation is decreased by like amounts."

113. Page C-18, following line 14.

Strike: lines 15 and 16 in their entirety

114. Page C-19, line 12.

Strike: "2,884,377"

"2,799,955" [state special revenue]

Insert: "3,141,156"

"3,025,526" [state special revenue]

115. Page C-19, line 22.

Strike: "697,928	716,557	701,484	647,435"
Insert: "534,949	334,495	537,703	264,223"

116. Page C-19, line 24.

Strike: "2,774"	"1,372"
Insert: "2,192"	"206"

117. Page C-21, line 20

Strike: "143,769"  
Insert: "139,541"

118. Page C-21, line 22.

Strike: "379"  
Insert: "4,607"

119. Page C-22, line 1.

Strike: "457,378"  
Insert: "448,475"

120. Page C-22

Following: line 1

Insert: "a. Legislative Audit (Restricted/Biennial)  
8,903" (state special revenue FY94)

121. Page C-22, line 7.

Strike: "1,886,113"  
Insert: "1,790,178"

122. Page C-22, line 9.

Strike: "5,283"  
Insert: "101,218"

123. Page C-22, line 13.

Strike: "7,193,300"  
Insert: "7,064,303"

124. Page C-22, line 15.

Strike: "10,036"  
Insert: "139,033"

125. Page D-1.

Following: line 15

Insert: "e. NEA/Tribal College AIE  
24,610 (federal special revenue FY94)  
21,380 (federal special revenue FY95)

126. Page D-2, line 12.

Strike: "245,539"

"15,000"

Insert: "295,539"

"815,000"

127. Page D-3, following line 9.

Insert: "The biennial appropriation for legislative contract authority of \$850,000 included in item 2 is subject to the following provisions:

(1) Legislative contract authority applies only to federal and private funds.

(2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.

(3) A report must be submitted by the Montana state library commission to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project.

Item 2b provides spending authority for the expenditure of amounts paid by the department of transportation to the Montana state library for the department's use of the natural resource information services, based on the rates and manner of payment negotiated by the Montana state library and the department. The funds collected from the department must be deposited in a state special revenue account and must be used to support the natural resource information services."

128. Page D-5, line 19.

Strike: "27,698,141"

Insert: "27,498,141"

129. Page D-5.

Strike: line 25

Insert: "b. HB 617 -- Federally Certified Industries Programs  
178,524" (proprietary FY95)

130. Page D-6, line 2.

Strike: "172,670"

"172,670" (state special revenue)

Insert: "233,127"

"233,127" (state special revenue)

131. Page D-6.

Strike: lines 23 and 24 in their entirety

132. Page D-7.

Following: line 23

Insert: "The department shall coordinate the development of programs for children with severe emotional disturbances.

The departments of family services, health and environmental sciences, and social and rehabilitation services and the office of public instruction and the board of crime control shall fully cooperate and coordinate resources with the department.

The departments of family services, corrections and human services, health and environmental sciences, and social and rehabilitation services and the office of public instruction and the board of crime control shall collaboratively develop, administer, and fund services for children with severe emotional disturbances and with multiagency service needs. The departments and agencies are directed to develop community-based alternatives to inpatient psychiatric care and to reduce the number of residential care placements.

The departments and agencies may use general fund money, state special revenue, private funds, local government funds, and federal special revenue to design, administer, and provide programs for children with severe emotional disturbances. The departments and agencies may use available state and federal funding, within appropriation limits. The departments and agencies shall maximize the recovery of federal funds for these services, including waivers to the medicaid program to permit children with severe emotional disturbances to be served in their own homes and communities or, when appropriate, in the least-restrictive setting. The departments and agencies may use general fund money to match federal, local government, and private fund sources.

Whenever possible, the departments and agencies shall work with local providers and units of government to develop programs to serve children with severe emotional disturbances. Services may include but are not limited to case management services, day treatment, respite care, emergency services, and crisis intervention and stabilization services. Programs may include a managed care system, when allowable, to control entry into and exit from in-state and out-of-state residential facilities and to control the types and duration of services and reimbursement rates.

The departments and agencies shall encourage families to assist with payment of these services."

133. Page E-1.

Strike: lines 19 and 20 in their entirety

Renumber: subsequent subsections

134. Page E-2.

Following: line 9.

Insert: "j. METNET (Restricted/Biennial)  
400,000" [state special revenue FY94]

135. Page E-4.

Strike: lines 8 through 10 in their entirety

136. Page E-4, following line 10.

Insert: "Item 1j must be used to carry out the responsibilities of  
the superintendent of public instruction as provided in Title  
20, chapter 32, part 1."

137. Page E-7, line 3.

Strike: "964,845" "969,776"

Insert: "920,664" "926,807"

138. Page E-7, line 11.

Strike: "4,232,022"

Insert: "4,202,132"

139. Page E-7, following line 11.

Insert: "a. Legislative Audit (Restricted/Biennial)  
29,890" [general fund FY94]

140. Page E-7, line 21.

Strike: "1,883,696"

Insert: "1,877,842"

141. Page E-7, following line 25.

Insert: "c. Legislative Audit (Restricted/Biennial)  
5,854" [federal funds FY94]

142. Page E-8.

Following: line 6

Insert: "12. Montana Career Information System (16)  
99,949 (FY94 proprietary) 100,015 (FY95 proprietary)  
a. Additional School Services  
50,051 54,985" [proprietary FY94 and FY95]

Renumber: subsequent subsections

143. Page E-8, line 8.

Strike: "5,820" "5,840" [proprietary FY94 and FY95]

Insert: "8,881" "8,905" [proprietary FY94 and FY95]

144. Page E-8, line 11.

Strike: "1,164" "1,168" [proprietary FY94 and FY95]

Insert: "1,776" "1,781" [proprietary FY94 and FY95]

145. Page E-8, line 25.

Following: "payments"

Strike: "reverts to the general fund"

Insert: "is appropriated for preplanning purposes to complete the unfinished space at the Great Falls vocational-technical center"

146. Page E-9.

Strike: lines 6 through 8 in their entirety

147. Page E-9, following line 8.

Insert: "The legislature expects, as a result of the general fund reductions adopted in [this act], that the governor and the board of regents will manage these reductions in the following manner:

(1) Administrative cuts should precede and meet or exceed, on a percentage basis, reductions in any other area of the university system. Management efficiencies, as prescribed by the MGT study, should be implemented to the greatest extent and as soon as possible.

(2) Faculty productivity standards should be negotiated and implemented.

(3) Enrollment limits and tuition increases should be used only as a last resort."

148. Page E-9, lines 20 and 21.

Page E-10, lines 8 and 9.

Page E-10, lines 21 and 22.

Page E-11, lines 9 and 10.

Page E-11, lines 22 and 23.

Following: "county."

Strike: "Any collections from this source that exceed these amounts must cause a general fund reversion of a like amount."

149. Page E-13.

Strike: lines 6 and 7 in their entirety

150. Page E-14, line 23 through page E-15, line 1.

Strike: page E-14, line 23 through page E-15, line 1 in their entirety

151. Page E-15, line 25.

Following: "system"

Strike: "and must cause a general fund reversion of a like amount"

152. Page E-16.

Strike: lines 1 through 17 in their entirety

153. Page E-16, line 20.

Strike: "7,127,647"

"7,164,480"

Insert: "7,226,947"

"7,263,780"

154. Page E-17, line 3.

Strike: "MONTANA EXTENSION SERVICE (5110)"

Insert: "COOPERATIVE EXTENSION SERVICE (5110)"

-END-

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jergeson  
For the Committee on senate Finance and Claims

Prepared by Teresa Olcott Cohea  
March 27, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 1  
DATE 3/30/93  
BILL NO. HB 2

*Carried*

1. Page A-1, line 4.

Strike: "1,382,637" (general fund FY94)  
"1,398,297" (general fund FY95)  
Insert: "1,354,483" (general fund FY94)  
"1,338,960" (general fund FY95)

2. Page A-1, line 6.

Strike: "62,109" (state special revenue FY94)  
"62,127" (state special revenue FY95)

3. Page A-1, line 8.

Strike: "12,422" (state special revenue FY94)  
"12,425" (state special revenue FY95)

4. Page A-1.

Strike: lines 17 through 20 in their entirety

5. Page A-2.

Strike: line 2  
Insert: "146,250" (general fund FY94)

6. Page A-2.

Strike: lines 7 through 10 in their entirety  
Strike: line 16  
Strike: line 20  
Strike: line 23

7. Page A-3.

Strike: lines 7 through 10 in their entirety

8. Page A-3.

Strike: lines 21 through 24 in their entirety

These amendments provide for a Legislative Branch Efficiency Reallocation by:

1) reducing operating expenses exceeding the agency budget request for the Office of the Legislative Auditor's Office by \$87,491 (general fund) and eliminating



the other funds 5% personal service reductions and contingency by a net \$99,389 (other funds);

2) eliminating the 5% personal service reductions and contingencies for the Legislative Council, Legislative Fiscal Analyst's Office, Consumer Counsel, and Environmental Quality Council at a net biennial cost of \$199,506 (general fund) and \$55,158 (other funds);

3) reducing interim studies in the Legislative Council by \$112,015.

The general fund cost of the amendments is zero for the biennium.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD	✓	
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT	✓	
SENATOR KEATING	✓	
SENATOR LYNCH		✓
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Sen Jergeson amendment  
Motion (Exhibit 1)

Passed

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Sen. Fritz  
For the Senate Finance and Claims Committee

Prepared by Jon Moe  
March 29, 1993

1. Page A-4, line 13.  
Strike: "592,196  
Insert: "607,196

603,166"  
618,166"

SENATE FINANCE AND CLAIMS  
BILL NO. 2  
DATE 3/30/93  
BILL NO. HB 2

This amendment places \$15,000 per year in the Law Library book budget to defray book inflation. Current book inflation is averaging 13-17% per year.

{Office of Legislative Fiscal Analyst

444-2986}

*Filed*

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. SB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Fritz Amendment  
(Exhibit 2)

Failed

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Sen. Bianchi  
For the Senate Finance and Claims Committee

Prepared by Jon Moe  
March 29, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 3

DATE 3/30/93

BILL NO. HB 2

1. Page A-1, lines 17 through 20.  
Strike: lines 17 through 20 in their entirety
2. Page A-3, lines 7 through 10.  
Strike: lines 7 through 10 in their entirety
3. Page A-3, lines 21 through 24.  
Strike: lines 21 through 24 in their entirety
4. Page A-4, line 25.  
Strike: "20,288                      20,298"
5. Page A-5, line 2.  
Strike: "4,058                      4,060"
6. Page A-8, lines 2 through 3.  
Strike: lines 2 through 3 in their entirety.
7. Page A-10, lines 19 through 21.  
Strike: lines 19 through 21 in their entirety
8. Page A-11, lines 15 through 17.  
Strike: lines 15 through 17 in their entirety
9. Page A-23, line 2.  
Strike: "649,018    1,027,656       12,067    656,789    1,039,477    11,633"  
Insert: "647,596    1,024,879       2,820    655,164    1,036,395    2,357"
10. Page A-25, lines 18 through 19.  
Strike: lines 18 through 19 in their entirety
11. Page A-26, lines 4 through 5.  
Strike: lines 4 through 5 in their entirety
12. Page D-1, lines 16 through 18.  
Strike: lines 16 through 18 in their entirety
13. Page E-5, lines 10 through 11.  
Strike: lines 10 through 11 in their entirety

*Filed*

This amendment eliminates the personal services reduction efficiency amounts for agencies with 20 or fewer FTE. The agencies that are included in this group are the Legislative Fiscal Analyst, Environmental Quality Council, Consumer Counsel, Commissioner of Political Practices, Crime Control Division, Highway Traffic Safety, Public Employees Retirement Board, Teachers Retirement Board, Montana Arts Council, and the Board of Public Education. In addition, the Water Court (11.0 FTE) in the Judiciary is included in this amendment.

The LFA will amend totals.

# STATE FINANCE AND CLAIMS

EXHIBIT NO. 4

DATE 3/30

BILL NO. 1132

## PERSONAL SERVICES REDUCTION EFFICIENCIES/CONTINGENCIES

(For Agencies and Administratively Attached Entities with 20 or Fewer Employees)

	Personal Services Reduction Efficiencies			Personal Services Contingencies		TOTAL	
	GENERAL FUND	OTHER FUNDS		GENERAL FUND	OTHER FUNDS	GENERAL FUND	OTHER FUNDS
AGENCIES WITH 20 OR FEWER EMPLOYEES	FTE						
Commissioner on Political Practices	3.25			977		8,797	0
Board of Public Education	4.00			813		7,318	4,863
Consumer Counsel	5.25					0	22,232
Environmental Quality Council	6.50			2,307	80	20,761	322
Highway Traffic Safety	8.50			295	1,241	2,652	4,965
Montana Arts Council	9.97			446	2,129	4,011	8,518
Water Courts	11.00				8,118	0	32,468
Teachers Retirement Board	11.50				6,607	0	26,428
Legislative Fiscal Analyst	16.80			7,223		65,001	0
Crime Control Division	18.00			514		4,628	5,083
Public Employees Retirement Board	20.00					0	47,663
TOTALS	114.77			\$12,575	\$38,136	\$113,168	\$152,542
				\$125,743	\$190,678		

27,406 152,220

also with Exhibit  
3 amendment

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

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

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Bianchi amendment  
motion (Exhibit 3 amendments 4-13)

Failed

Amendments to House Bill No. 2  
Third Reading as Amended Copy

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 5  
DATE 3/30  
BILL NO. HB 2

*Carried*

1. Page A-4, line 25.  
Strike: "59,063 20,288 79,351 59,073 20,298 79,371"  
Insert: "23,626 8,115 31,741 23,626 8,119 31,748"
2. Page A-5, line 2.  
Strike: "5,906 4,058 9,964 5,907 4,060 9,967"  
Insert: "2,362 1,623 3,985 2,362 1,623 3,985"

[ This amendment reduces the Personal Services Reduction Efficiencies from 5% to 2% and adjusts the Personal Services Contingencies accordingly]



# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE

3/30/93

TIME

A.M. P.M.

NAME

YES

NO

SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK	✓	
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Stealey  
SECRETARY

CHAIR

MOTION: Senate Forrester  
Amendment motion (Exhibit 5)  
Carried

**Amendments to House Bill No. 2  
Third Reading Copy**

**Requested by Senator Waterman  
For the Committee on Senate Finance and Claims**

**Prepared by Clayton Schenck  
March 29, 1993**

**SENATE FINANCE AND CLAIMS**

EXHIBIT NO. 6

DATE 3/30/93

BILL NO. HB 2

**1. Page A-6, line 7.**

**Strike: " 75,000"**

**Insert: "144,765"**

**" 75,000"**

**"147,063"**

**LFA will amend totals.**

**This amendment restores funding for the Mental Disabilities Board of Visitors to the level approved by the General Government Subcommittee. This amendment would reinstate 1.0 FTE (Executive Director) plus operating costs for the state advocacy program (for persons with developmental disabilities and mental illnesses), on-site reviews of local mental health centers and state institutions, and board administrative costs.**

**{Office of Legislative Fiscal Analyst**

**444-2986}**

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/193

TIME \_\_\_\_\_

A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

CHAIR

MOTION: Senator Fritz substitute motion to Expire  
6, remove \$25,000 from Governor's office and  
put into Board of Visitors.  
 For Carried

HB2AM1

Mr. Chairman: I move to amend House Bill 2 (3rd reading copy -- yellow).

Signed: FORRESTER

And, that such amendments to House Bill 2 read as follows:

1. Page A-7, line 3.

Strike: "908,920 931,421"

[general fund]

Insert: " 53,701 855,219 73,425 857,996"

[general fund, proprietary]

2. Page A-7, line 5.

Strike: " 13,658"

[general fund]

Insert: " 683 12,975"

[general fund, proprietary]

3. Page A-7, line 7.

Strike: " 50,000"

[general fund]

Insert: " 2,500 47,500"

[general fund, proprietary]

4. Page A-7, line 9.

Strike: "210,760 200,178"

[state special]

Insert: "210,760 200,178"

[proprietary]

5. Page A-7, line 11.

Strike: " 2,927"

[state special]

Insert: " 2,927"

[proprietary]

6. Page A-7, line 17.

Strike: " 26,631 4,918 11,239 26,698 4,924 11,268"

[general fund, state special, proprietary]

Insert: " 1,332 41,456 1,335 41,555"

[general fund, proprietary]

7. Page A-7 line 20.

Strike: "945,947 208,769 353,868 904,723 195,254 354,785"

[general fund, state special, proprietary]

[Insert: " 55,552 1,453,082 72,091 1,382,672"

[general fund, proprietary]

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 7

DATE 3/30/93

BILL NO. HB 2

Explanation of Amendment: Revises funding structure for amounts appropriated in House Bill 2 to comply with funding structure as approved in HB549.

Gerguson Yes

HB2AM2

Mr. Chairman: I move to amend House Bill 2 (3rd reading copy -- yellow).

Signed: FORRESTER

And, that such amendments to House Bill 2 read as follows:

1. Page A-7, line 3.

Strike: "908,920 931,421"  
[general fund]

Insert: " 52,592 975,610 69,773 897,265"  
[general fund, proprietary]

2. Page A-7, line 5.

Strike: " 13,658"  
[general fund]

Insert: " 683 12,975"  
[general fund, proprietary]

3. Page A-7, line 7.

Strike: " 50,000"  
[general fund]

Insert: " 2,500 47,500"  
[general fund, proprietary]

4. Page A-7, line 9.

Strike: "210,760 200,178"  
[state special]

Insert: "210,760 200,178"  
[proprietary]

5. Page A-7, line 11.

Strike: " 2,927"  
[state special]

Insert: " 2,927"  
[proprietary]

6. Page A-7, line 17.

Strike: " 26,631 4,918 11,239 26,698 4,924 11,268"  
[general fund, state special, proprietary]

Insert: " 1,332 41,456 1,335 41,555"  
[general fund, proprietary]

7. Page A-7 line 20.

Strike: "945,947 208,769 353,868 904,723 195,254 354,785"  
[general fund, state special, proprietary]

[Insert: " 54,443 1,573,423 68,438 1,421,941"  
[general fund, proprietary]

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 8

DATE 3/30/93

BILL NO. HB 2

*carried*

Explanation of Amendment: Revises funding structure for amounts appropriated in House Bill 2 to comply with funding structure as approved in HB549 and includes fiscal note for SB146.

HB2AM3

Mr. Chairman: I move to amend House Bill 2 (3rd reading copy -- yellow).

Signed: \_\_\_\_\_

And, that such amendments to House Bill 2 read as follows:

1. Page A-7, line 3.

Strike: "908,920 931,421"  
[general fund]

Insert: " 52,830 866,692 72,657 869,366"  
[general fund, proprietary]

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 8 second

DATE 3/30/93 part

BILL NO. HB 2

2. Page A-7, line 5.

Strike: " 13,658"  
[general fund]

Insert: " 683 12,975"  
[general fund, proprietary]

3. Page A-7, line 7.

Strike: " 50,000"  
[general fund]

Insert: " 2,500 47,500"  
[general fund, proprietary]

*Carried*

4. Page A-7, line 9.

Strike: "210,760 200,178"  
[state special]

Insert: "210,760 200,178"  
[proprietary]

5. Page A-7, line 11.

Strike: " 2,927"  
[state special]

Insert: " 2,927"  
[proprietary]

6. Page A-7, line 17.

Strike: " 26,631 4,918 11,239 26,698 4,924 11,268"  
[general fund, state special, proprietary]

Insert: " 1,332 41,456 1,335 41,555"  
[general fund, proprietary]

7. Page A-7 line 20.

Strike: "945,947 208,769 353,868 904,723 195,254 354,785"  
[general fund, state special, proprietary]

[Insert: " 54,681 1,464,505 71,322 1,394,042"  
[general fund, proprietary]

Explanation of Amendment: Revises funding structure for amounts appropriated in House Bill 2 to comply with funding structure as approved in HB549 and includes fiscal note for SB46.

HB2AM5

Mr. Chairman: I move to amend House Bill 2 (3rd reading copy -- yellow).

Signed: FORNESTER

And, that such amendments to House Bill 2 read as follows:

1. Page A-7, line 3.

Strike: "908,920 931,421"

[general fund]

Insert: " 54,341 874,141 74,066

[general fund, proprietary]

2. Page A-7, line 5.

Strike: " 13,658"

[general fund]

Insert: " 683 12,975"

[general fund, proprietary]

3. Page A-7, line 7.

Strike: " 50,000"

[general fund]

Insert: " 2,500 47,500"

[general fund, proprietary]

4. Page A-7, line 9.

Strike: "210,760 200,178"

[state special]

Insert: "210,760 200,178"

[proprietary]

5. Page A-7, line 11.

Strike: " 2,927"

[state special]

Insert: " 2,927"

[proprietary]

6. Page A-7, line 17.

Strike: " 26,631 4,918 11,239

[general fund, state special, proprietary]

Insert: " 1,380 42,385 1,384

[general fund, proprietary]

7. Page A-7 line 20.

Strike: "945,947 208,769 353,868

[general fund, state special, proprietary]

[Insert: " 56,143 1,471,025 72,682

[general fund, proprietary]

876,938" SENATE FINANCE AND CLAIMS

EXHIBIT NO. 9

DATE 3/30/93

BILL NO. HB 2

*Carried*

Explanation of Amendment: Revises funding structure for amounts appropriated in House Bill 2 to comply with funding structure as approved in HB549 and amount to correct funding position 30.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Fritz  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 10  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-8, line 10.

Strike: "295,846"

"296,122"

Insert: "323,190"

"323,509"

2. Page A-8, line 20.

Strike: "1,068,400"

"1,065,682"

Insert: "1,118,616"

"1,115,801"

*Carried*

3. Page A-9, line 1.

Strike: "326,899"

"327,615"

Insert: "332,661"

"333,385"

4. Page A-9, line 5.

Strike: "202,939"

"199,236"

"524,927"

Insert: "219,701"

"213,848"

"536,786"

LFA will adjust totals.

This amendment adds \$100,084 general fund in fiscal 1994 and \$97,888 general fund plus \$11,859 state special revenue in fiscal 1995 to the State Auditor's budget.

The added funds restore reductions that coupled with the 5% "Grady amendment" are more than imposed on other agencies. The amendment retains the 5% Grady personal services reduction, but removes a 2% vacancy savings reduction imposed on the State Auditor's Office prior to the Grady amendment.

In addition, this amendment restores \$20,000 operating costs in the warrant writing program that were removed in House Appropriations. The loss of the funds could force the need for a supplemental request to continue issuing warrants during the next biennium.



**Further, this amendment restores the State Auditor's base budget to the target level established in HR2, less the 5% personal services reduction efficiencies provided for in the Grady amendment.**

**{Office of Legislative Fiscal Analyst**

**444-2986}**

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT	✓	
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Sealey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Fritz amendment  
motion (Exhibit 10)

Carried

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Fritz  
For the Committee on Senate Finance and Appropriations

Prepared by Clayton Schenck  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 11  
DATE 3/30/93  
BILL NO. NB2

*Carried*

1. Page A-8, following line 14.

Strike: lines 15 through 18 in their entirety

2. Page A-9, line 11.

Strike: "80,094"	"13,747"	"80,233"	"13,802"
Insert: "76,301"	" 9,017"	"76,430"	" 9,059"

3. Page A-9, line 17.

Following: "submit"

Insert: "a"

Following: "recovery"

Strike: "plans"

Insert: "plan"

Following: "for"

Strike: "the state payroll program and"

4. Page A-9, line 19.

Following: "for"

Strike: "each"

Insert: "the"

5. Page A-9, line 20.

Following: "2113"

Strike: "AND PAYROLL SERVICES (OBJECT CODE 2114)"

6. Page A-9, line 21.

Following: "PLAN"

Strike: "AND"

Insert: ", "

Following: "ACT"

Insert: ", AND ANY UNFORSEEN COSTS THAT WOULD REQUIRE  
SUPPLEMENTAL FUNDING"

7. Page A-23, following line 3.

Insert: "d. State Payroll"

"204,615"[gen. fund] "210,239"[state spec.] "178,035"[gen. fund] "222,043"  
[state spec.]

**"e. Legislative Audit - State Payroll (Restricted/Biennial)"  
"44,955" [state special, fiscal 1994]**

**8. Page A-23, line 13.**

<b>Strike: "117,757"</b>	<b>"25,973"</b>	<b>"118,111"</b>	<b>"26,022"</b>
<b>Insert: "121,550"</b>	<b>"30,703"</b>	<b>"121,914"</b>	<b>"30,765"</b>

**9. Page A-24, following line 2.**

**Insert: "The department shall develop and submit a cost recovery plan for the state payroll system to the office of budget and program planning and the legislative fiscal analyst by June 1, 1994. The total program cost estimate used to allocate the fees must be reduced by the estimated amount of the state special revenue fund balance for the program that will carry over from the 1995 biennium.**

**The fixed cost rates charged to state agencies by the department for payroll services (object code 2114) may not be higher than the amount necessary to fund the expenses of the agency for providing those services, as appropriated in the state pay plan, [this act], and any unforeseen costs that would require supplemental funding."**

**10. Page A-24, line 8.**

**Following: "services"**

**Insert: ", or for the portion of the state payroll program that is underfunded"**

**LFA will adjust totals.**

**This amendment transfers the payroll program from the State Auditor's Office to the Department of Administration as provided in House Bill 153. House Bill 153 has been signed by the Governor.**

**In addition to transferring the budgeted amounts for the payroll program, this amendment also amends language placed in House Bill 2 by the House (Rep. Kadas amendment) limiting the amount that can be charged for services provided to the amount of the program appropriations for the 1995 biennium. With the language revisions, if supplemental funds are needed, the programs can charge agencies the proportionate share of non-general fund to pay for the additional costs. The amendment also revises language to allow the Department of Administration to utilize funds from the personal services contingency fund to help pay the underfunded portion of the state payroll system.**

AMEND HOUSE BILL 2, THIRD READING

Senate Finance and Claims

March 30, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 12  
DATE 3/30  
BILL NO. HB 2

PREPARED BY OFFICE OF BUDGET AND PROGRAM PLANNING

1. Page A-10, line 19.

Following: line 18

Insert: "i. Youth Detention Services Grant Administration

48,937

49,170" [state special]

*Carried*

Explanation: This amendment establishes state special revenue appropriations of \$48,937 in FY94 and \$49,170 in FY95 in the Crime Control Division for the administrative expenses associated with the grant program for state grants to counties for youth detention services. The grants are funded by a statutory appropriation but the associated administrative expenses should have a separate legislative appropriation.

2. Page A-11, lines 4 and 5.

Strike: lines 4 and 5 in their entirety

Explanation: This amendment will eliminate the language expressing the intent of the Joint Appropriations Subcommittee on General Government and Transportation to set the approved level of administrative expenses for the youth detention grant program in the Crime Control Division. Amendment 1 above establishes specific appropriations for these expenses; therefore, the language becomes unnecessary if Amendment 1 is approved.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Franklin  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 13  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-11, line 24.

Strike: "1,281,861"

Insert: "1,305,861"

"1,295,121"

"1,319,121"

LFA will adjust totals.

*Carried*

This amendment reinstates funding for an 0.75 FTE current level attorney position, responsible for producing Attorney General's opinions for state and local governments. HB 657, if passed and approved, would require continuation of Attorney General opinions. The cost is \$24,000 general fund per year.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jergeson  
For the Committee on Senate Finance and

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 14  
DATE 3/30/93  
BILL NO. HB 2

Prepared by Clayton Schenck  
March 29, 1993

1. Page A-12, line 11.

Strike: "1,378,690"

Insert: "1,433,173"

"1,389,091"

"1,443,725"

*Carried*

2. Page A-14, lines 17 through 21.

Following: "1994."

Strike: "In" on line 17 through "planning" on line 21.

LFA will adjust totals.

This amendment reinstates 2.0 FTE current level licensing staff in the Gambling Control Division, Department of Justice, at a state special revenue cost of \$54,483 in fiscal 1994 and \$54,634 in fiscal 1995. Funding comes from licensing fees generated by the Division and deposited into a state special revenue account.

The amendment also eliminates the language requirement that the department submit a budget for the 1997 biennium for the Gambling Control Division that reflects a 10% personal services reduction.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 2162

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME

YES NO

SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT		✓
SENATOR KEATING	✓	
SENATOR LYNCH		✓
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT	✓	
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Len Stacey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Jergeson amendment  
motion (Exhibit 14)

Carrick



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Vaughn  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 29, 1993

1. Page A-12, line 15.  
Strike: "4,586,320"  
Insert: "4,640,487"

"3,477,573"  
"3,531,783"

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 15  
DATE 3/30/93  
BILL NO. HB 2

LFA will adjust totals.

*Failed*

This amendment reinstates 2.0 FTE in the Drivers' Licensing Bureau, Department of Justice. These positions currently serve as relief staff, allowing the continuation of service in rural communities when regular examiners are ill or on vacation. The cost to reinstate these positions is \$54,167 in fiscal 1994 and \$54,210 in fiscal 1995, from general fund.

{Office of Legislative Fiscal Analyst

444-2986}

*forced*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Weeding  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 16  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-12, line 15.

Strike: "4,586,320"	"1,534,938"	"3,477,573"	"2,656,998"
Insert: "5,708,423"	" 412,835"	"5,721,780"	" 412,791"

LFA will adjust totals.

*Failed*

This amendment reverses a funding switch in House Appropriations Committee that substituted \$1,122,103 in fiscal 1994 and \$2,244,207 in fiscal 1995 from the highways special revenue fund for general fund in the Motor Vehicle Division, Department of Justice. The fund switch was tied to new revenues generated in House Bill 572, which revised fees for overweight vehicle permits beginning in January, 1994.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER		✓
SENATOR FRANKLIN		✓
SENATOR FRITZ		✓
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH		✓
SENATOR TOEWS		✓
SENATOR SWYSGOOD	✓	
SENATOR TVEIT	✓	
SENATOR VAUGHN		✓
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Stealey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Weeding's amendment  
motion (Exhibit 16)

Eng Failed

Amendments to House Bill No. 2  
Third Reading Copy

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 17

DATE 3/30/93

FILE NO. Nb2

Requested by Senator Swysgood  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 29, 1993

*Carried*

1. Page A-12, line 22.

Strike: "567,743"

"575,230"

Insert: "604,120"

"611,652"

LFA will adjust totals.

This amendment adds 1.5 FTE to the Motor Carriers Safety Assistance Program (MCSAP) in the Highway Patrol Division, Department of Justice. It adds federal funds of \$36,377 in fiscal 1994 and \$36,422 in fiscal 1995 to allow the State to comply with the federal requirement to audit trucking companies in Montana to ensure vehicle maintenance and driver qualifications for safe operation of commercial trucks.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Fritz  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 18  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-15, following line 21.

Insert: "k. Scenic Byways Program (Restricted)"

"34,878" [State Spec.] "139,514" [fed.] "12,236" [state spec.] "48,944"  
[fed.]

LFA will adjust totals.

*Carried*

This amendment adds 2.0 FTE and provides funding of \$174,392 in fiscal 1994 and \$61,180 in fiscal 1995 for the Scenic Byways Program budget modification. The program is 80% federally funded, with a 20% state match requirement from the highways special revenue fund.

The 1991 federal Intermodal Surface Transportation Efficiency Act (ISTEA) contains funding provisions for state designated scenic byways. The Department of Transportation was awarded a special federal grant for the planning, design, and development of a scenic byways program. The grant provides for a consultant to evaluate program alternatives, develop program criteria, and identify options to accommodate increased tourism. The 2.0 FTE would be for the operation of the program. If Montana does not take advantage of this program, the funding will be re-allocated to other states.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/193

TIME \_\_\_\_\_ A.M. P.M.

NAME

YES NO

SENATOR JACOBSON		✓
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Haley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Fritz amendment motion

(Exhibit 18)

Carried

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Fritz  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 19  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-15, following line 25.

Insert: "b. City Park Rest Areas"

"300,000"[fiscal 1994 state special]

"300,000"[fiscal 1995 state special]

LFA will adjust totals.

*Filed*

This amendment provides \$300,000 highways state special revenue funds each year of the 1995 biennium to continue the City Park Rest Area Program which began in the 1993 biennium (July, 1991).

The program was implemented as a means to establish needed rest areas along the higher volume primary routes at a considerable cost savings to the state in construction and maintenance costs as compared to building the rest areas as "state" rest areas.

A budget modification of \$400,000 funded the program in the 1993 biennium. The program is included in the current level construction program at \$200,000 each year. This amendment continues the program, increasing it to \$500,000 each year.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30 193

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER		✓
SENATOR FRANKLIN		✓
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN		✓
SENATOR WATERMAN	✓	
SENATOR WEEDING		✓

Lyman Stealey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Fritz Amendment motion  
(Exhibit 19)



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Swysgood  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 30, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 20  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-15, line 23.

Strike: "56,059,870	158,008,538	56,255,070	159,625,210"
Insert: "55,681,052	156,872,085	55,875,392	158,486,177"

2. Page A-16, line 3.

Strike: " <u>50,141,898</u>	<u>50,396,784"</u>
Insert: "49,044,980	49,285,253"

*Indel*

3. Page A-16, line 17.

Strike: "15,066,844	15,575,944"
Insert: "14,898,677	15,405,247"

The purpose of this amendment is to eliminate non-seasonal vacant positions reinstated in the House.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 2/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD	✓	
SENATOR BECK		✓
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN	✓	
SENATOR FORRESTER	✓	
SENATOR FRANKLIN		✓
SENATOR FRITZ		✓
SENATOR HARDING	✓	
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT		✓
SENATOR VAUGHN		✓
SENATOR WATERMAN	✓	
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Swysgood amendment  
Motion (Exhibit 20)

Eng. Failed

AMEND HOUSE BILL 2, THIRD READING

Senate Finance and Claims

March 26, 1993

Prepared by Office of Budget and Program Planning

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 21

DATE 3/30/93

BILL NO. HB 2

1. Page A-16, line 16.  
Following: line 15  
Insert: "a. Fleet Increase  
228,000" [FY94 Proprietary Revenue]

*Filed*

Explanation: The administration supports the Department of Transportation's request for funding to increase the motor pool fleet size by 20 vehicles. The current fleet level of 197 units is insufficient to meet the travel needs of state agencies. The department is currently unable to meet 14% of agency requests for day rentals and more than 30 requests for long term leases. Reductions in agency budgets will increase the demand for motor pool units:

Reductions in agency budgets will increase rather than decrease the demand for motor pool units because:

- Motor pool rates are less expensive than the mileage allowance which must be paid by law to employees using their own vehicles (moreover, the state may not require employees to use their own vehicles in the conduct of state business).
- Motor pool rates are far less expensive than the private rental market.
- FTE reductions will result in a decrease in staff located in field offices, requiring more travel of staff located in central offices.

For many agencies, in-state travel is required to conduct critical field work and is not a discretionary expense. Audits, health care facility inspections, fire and building code inspections, highway construction, and workplace safety inspections are only a few examples of the kinds of work for which travel is absolutely necessary to get the job done.

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. SB 2

DATE 3/30 193

TIME \_\_\_\_\_

A.M. P.M.

NAME

YES

NO

SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER		✓
SENATOR FRANKLIN		✓
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN		✓
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Fritz amendment

Motion (Exhibit 21)

Failed

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Tveit  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 29, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 22

DATE 3/30/93

BILL NO. HB 2

"314,742"

"1,544,739"

"321,366"

"1,571,234"

1. Page A-17, line 11.

Strike: "315,224" "1,564,790"

Insert: "321,838" "1,591,247"

LFA will adjust totals.

*Failed*

This amendment reinstates a 1.0 FTE Economist II (position 05304) in the Rail and Transit Division, Department of Transportation. Funding is provided by 80% federal funds with a 20% state match from state special revenue funds, as follows:

	<u>Fiscal 1994</u>	<u>Fiscal 1995</u>
State Special Revenue	\$ 6,614	\$ 6,624
Federal Revenue	<u>26,457</u>	<u>26,495</u>
	\$33,071	\$33,119

This position is responsible for: 1) tracking and responding to Ex-Parte proceedings before the Interstate Commerce Commission which impact state shippers; 2) designing and compiling complex economic and costing evidence used in legal proceedings including abandonments and assisting new/expanding businesses in exploring transportation alternatives; and 3) conducting rate analysis and statistical modeling on the state branch lines.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGSON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER		✓
SENATOR FRANKLIN		✓
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH		✓
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT	✓	
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Healey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Tveit's amendment  
motion (Exhibit 22)

FO9 Failed

AMEND HOUSE BILL 2, THIRD READING

Senate Finance and Claims

March 26, 1993

Prepared by Office of Budget and Program Planning

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 23

DATE 3/30/93

BILL NO. HB 2

1. A-17, line 26.  
Following: line 25

Insert: "h. Pass-Through Authority  
174,013 [FY94 State Special Revenue]  
108,513" [FY95 State Special Revenue]

*Carried*

Explanation: Due to a technical change in accounting procedures, the department is required to account for local matching funds in the federal FTA Section 3 and Section 16 grants in the state special revenue fund. The requested authority is for "pass through" of local matching funds and will have no impact on the cash balance of the highways special revenue fund. Previously, the local matching funds were accounted for in a non-budgeted fund type.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Swysgood  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 30, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 24

DATE 3/30/93

BILL NO. HB 2

1. Page A-19.

Following: line 2

Insert: "The legislature eliminates the \$100,000 appropriation per year from the noxious weed control budget for the purchase of biological agents and appropriates those funds for operation of the maintenance program."

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}



# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER		✓
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Stalley  
SECRETARY

CHAIR

MOTION: Section A  
Senator Waterman motion to restore funding  
for Board of Visitors to approximately \$95,000  
per year.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Swysgood  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 30, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 25  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-18, line 23 through A-19, line 2.  
Strike: line 23 on page A-18 through line 2 on page A-19.

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

AMEND HOUSE BILL 2, THIRD READING

Senate Finance and Claims

March 29, 1993

Prepared by Office of Budget and Program Planning

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 26  
DATE 3/30/93  
BILL NO. HB2

*Carried*

1. Page A-20, lines 18 and 19.  
Following: "by"  
Strike: "\$4,344 federal revenue and"
2. Page A-20, line 19.  
Following: "by"  
Strike: "\$4,388 federal revenue and"

Explanation: The amendment to coordinate HB2 with HB609 was prepared prior to approval of the amendment which deleted the personal services efficiency reduction for federal funds. This amendment conforms the language regarding HB609 to the House actions regarding federal special revenue.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Beck  
For the Senate Finance and Claims Committee

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 27  
DATE 3/30/93  
BILL NO. WB 2

Prepared by Sandy Whitney  
March 30, 1993

*Carried*

1. Page A-20, line 15.  
Strike: line 15 in its entirety

Office of Legislative Fiscal Analyst

444-2986}

*carried.*

AMEND HOUSE BILL 2, THIRD READING

Senate Finance and Claims

March 26, 1993

Prepared by Office of Budget and Program Planning

1. Page A-22, line 4.  
Following line 3:

Insert: "e. Electronic Bulletin Board  
43,191 [FY94 proprietary]  
41,691" [FY95 proprietary]

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 28  
DATE 3/30/93  
BILL NO. HB 2

*Carried*

Explanation: HB 520 requires the Department of Administration to operate an electronic bulletin board. This appropriation will provide funding for 0.50 FTE and related operating costs. HB 520 has been signed by the Governor (Chapter No. 166).

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Revised Fiscal Note for HB0520, as introduced

**DESCRIPTION OF PROPOSED LEGISLATION:** An act making the state electronic bulletin board system a permanent state service; expanding the types of information for which the bulletin board is to be used; requiring the Department of Administration to support, broader state agency and public use of the bulletin board.

**ASSUMPTIONS:**

1. Department of Administration (DOA) will be responsible for the design, development, and maintenance of the system.
2. The DOA will be responsible for the design, development, and maintenance of the system.
3. Increased use of the system will require additional disk storage and local hub-to-hub lines (-500) telephone lines.
4. The general public would not be charged for use of the system. Costs would be recovered from state agencies as overhead incorporated into the existing rates charged by the DOA/Information Services Division for computer services.
5. Approximately 40% of these costs are projected to be ultimately allocated to general fund and highway funds.
6. It is assumed that information means and agencies will be available to place agency information on the system.
7. Lengthy documents on the Bulletin Board System to avoid exceeding estimated future requirements for disk space and telephone lines.

**FISCAL IMPACT:**

Department of Administration - Information Services Division

FY '94

FY '95

Expenditures:	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
FTE	0.25	0.75	0.50	0.25	0.75	0.50
Personal Services	8,846	26,537	17,691	8,846	26,537	17,691
Operating Expenses	23,000	47,000	24,000	23,000	47,000	24,000
Equipment	0	1,500	1,500	0	1,500	1,500
Total	31,846	75,037	43,191	31,846	75,037	43,191
Funding						
Proprietary	31,846	75,037	43,191	31,846	75,037	43,191

(Continued)

*David Lewis* 2-17-93

*Rob Carter* 2-17-93

DOA/ISD/AD/PROGRAM PLANNING  
DOA/ISD/AD/PROGRAM PLANNING  
DOA/ISD/AD/PROGRAM PLANNING

**Amendments to House Bill No. 2  
Third Reading Copy**

**Requested by Senator Lynch  
For the Committee on Finance and Claims**

**Prepared by Taryn Purdy  
March 30, 1993**

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 29  
DATE 3/30/93  
BILL NO. HB 2

**1. Page A-2, line 2.**

**Strike: "258,265"**

**Insert: "249,944"**

**2. Strip Jergeson amendment No. 6 striking line 20..**

**3. Page A-23, line 2.**

**Strike: "649,018 656,789"**

**Insert: "548,890 453,498"**

*Filed*

**This amendment restores NCSL funding to the Legislative Council and reduces the executive personal services contingency by \$100,128 in fiscal 1994 and \$203,291 in fiscal 1995.**

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON		✓
SENATOR AKLESTAD		✓
SENATOR BECK	✓	
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN		✓
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT	✓	
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Stacey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Lynch amendment  
motion (Exhibit 29)

Filed



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
March 30, 1993

1. Page A-23, line 2.  
Strike: "649,018 656,789"  
Insert: "548,890 453,498"

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 30  
DATE 3/30/93  
BILL NO. HB2

This amendment reduces the executive personal services contingency by \$100,128 in fiscal 1994 and \$203,291 in fiscal 1995.

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Sen. Fritz  
For the Senate Finance and Claims Committee

Prepared by Jon Moe  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 31  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-22, line 5.

Strike: "3,452,032 3,540,284"

Insert: "3,450,082 3,536,709"

2. Page A-24, following line 2.

Insert: "The appropriation in item 6 includes \$28,050 in fiscal 1994 and \$51,425 in fiscal 1995 proprietary funds that must be transferred to the department of natural resources and conservation for the purpose of paying off general obligation bonds issued by the department of natural resources and conservation to fund energy savings projects."

This amendment reduces the Department of Administration, General Services Division appropriation by an amount (\$1,950 in fiscal 1994 and \$3,575 in fiscal 1995) which represents the net savings in utilities costs which are expected from completed energy savings projects. The amendment also adds language that requires the department to transfer a portion of its utilities budget (also estimated savings) to the Department of Natural Resources to pay for the general obligation bonds issued to fund the energy savings projects.

{Office of Legislative Fiscal Analyst

444-2986}

*encl*

AMEND HOUSE BILL 2, THIRD READING

Senate Finance and Claims

March 26, 1993

Prepared by Office of Budget and Program Planning

1. Page A-23, line 4.

Following: line 3

Insert: "d. State-Wide Benefits Program  
19,600 [FY94 proprietary]  
19,600" [FY95 proprietary]

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 32

DATE 3/30/93

BILL NO. HB 2

*Carried*

2. Page A-24, line 19.

Following: line 18

Insert: "Item 8d is contingent upon the passage and approval of House Bill 428."

Explanation: HB 428 provides for a 2-year extension of the \$0.70 fee paid on each Montana resident insured on February 1st of each year under any individual or group disability or health insurance policy. The Personnel Division would be required to pay an estimated \$19,600 per year based on the projected number of state employees enrolled in the state health benefits plan. The amounts paid by the department in the 1993 biennium were removed from the current level base for the 1995 biennium due to the sunset on the fee at the end of the 1993 biennium. HB 428 has passed second reading in the Senate.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Sen. Fritz  
For the Senate Finance and Claims Committee

Prepared by Jon Moe  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 33  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-25, line 15.  
Strike: "1,096,391  
Insert: "1,135,392

1,105,633"  
1,140,224"

This amendment provides the funding from retirement trust funds for 1.00 FTE and related operating costs for a Disability Claims Examiner requested by the Public Employees' Retirement Board. The amount added is \$39,001 in fiscal 1994 and \$34,591 in fiscal 1995.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Sen. Fritz  
For the Senate Finance and Claims Committee

Prepared by Jon Moe  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 34  
DATE 3/30/93  
BILL NO. HB 2

1. Page A-26, following line 3.

Insert: "b. Medical Exams

1,200

[fiscal 1994 Other Funds]

1,200

[fiscal 1995 Other Funds]"

2. Page A-26, following line 9.

Insert: "Item 1b is contingent upon the passage and approval of House Bill No. 244."

3. Page A-26, line 9.

Following: "items 1"

Strike: "and 1a"

Insert: ", 1a and 1b"

*Carried*

This amendment adds \$1,200 in each year to the Teachers' Retirement Board budget for medical exams. It also adds contingency language and conforms and existing language item to this amendment. HB 244 revises teachers retirement laws. The Teachers Retirement Division will require additional funding to pay for medical exams for members claiming to be eligible for disability benefits. HB 244 has been transmitted to the Governor.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Sen. Fritz  
For the Senate Finance and Claims Committee

Prepared by Jon Moe  
March 26, 1993

1. Page A-27, line 23.

Strike: "37,254

33,755"

Insert: "42,254

38,755"

2. Page A-28, lines 11 through 13.

Strike: lines 11 through 13 in their entirety.

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 35

DATE 3/30/93

BILL NO. HB 2

This amendment increases the state special revenue appropriation for the Veterans' Affairs Division in the Department of Military Affairs by \$5,000 each year, and deletes the corresponding contingency language related to House Bill 404 which has subsequently been passed and approved. House Bill 404 authorizes the department to solicit veterans' license plate sales and donations on behalf of the state cemetery.

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No.2  
Third Reading Copy

Requested by Senator Swysgood  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 30, 1993

1. Page A-2, line 2.

Strike: "258,265"

Insert: "227,681"

2. Page A-2.

Strike: line 22 in its entirety

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 36

DATE 3/30/93

BILL NO. HB2

The purpose of this amendment is to eliminate the \$30,584 biennial general fund budget for the Northwest Economic Region Conference.

LFA will amend totals.

*Failed*

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HP 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD	✓	
SENATOR BECK		✓
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN	✓	
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ		✓
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT	✓	
SENATOR VAUGHN		✓
SENATOR WATERMAN	✓	
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Swysgood amendment  
motion (Exhibit 36)

Failed



*Section A*  
*Carried*

SENATE FINANCE AND CLAIMS COMMITTEE AMENDMENT  
House Bill 2, third reading (blue)  
March 30, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 36(a)

DATE 3/30/93

BILL NO. 74B2

1. Page A-14, line 24.

Following: line 23

Insert: "The department is authorized to transfer the retirement contributions required by 19-6-404 and 61-5-121(1)(a), MCA, in fiscal 1994 and fiscal 1995 from the highway patrol retirement clearing account in the state special revenue fund to the Montana highway patrol officers' retirement pension trust fund. An appropriation must be established each year in the amount required to be transferred."

These transfers are currently appropriated by a statutory appropriation. Senate Bill 315 deleted the statutory appropriation authority based upon a recent attorney general's opinion that a statutory appropriation is unnecessary for transfers within funds in the state treasury. However, the Office of the Legislative Auditor recommended in a prior audit that the department obtain appropriation authority to properly record the cost of these contributions as an expense similar to other employer contributions to state retirement systems.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
March 29, 1993

SENATE FINANCE AND CLAIMS  
COMMITTEE NO. 37  
DATE 3/30/93  
BILL NO. HB2

*Carried*

1. Page BP-2, line 4.

Strike: "Personal services reduction efficiencies"

Insert: "Vacancy savings"

Strike: "personal services reduction efficiencies"

Insert: "vacancy savings"

2. Page BP-2, line 6.

Strike: "appropriations"

Insert: "expenditure authority"

3. Page BP-2, line 6.

Strike: "personal services reduction efficiencies"

Insert: "vacancy savings"

4. Page BP-2, line 13.

Following: "approving"

Strike: "agency"

Insert: "authority"

5. Page A-1, lines 5 and 17.

Page A-2, line 7.

Page A-3, lines 7 and 21.

Page A-4, line 24.

Page A-6, line 8.

Page A-7, line 16.

Page A-8, line 2.

Page A-9, line 10.

Page A-10, line 19.

Page A-11, line 15.

Page A-13, line 24.

Page A-18, line 1.

Page A-20, line 2.

Page A-23, line 12.

Page A-25, lines 7 and 18.

Page A-26, line 4.

Page A-28, line 3.

Page B-6, line 5.

Page B-10, line 7.

Page B-15, line 1.

Page B-21, line 2.

Page C-1, line 18.

Page C-6, line 13.

Page C-9, line 21.

Page C-11, line 20.

Page C-14, line 13.

Page C-17, line 22.  
Page C-23, line 1.  
Page D-1, line 16.  
Page D-2, line 17.  
Page D-5, line 1.  
Page D-6, line 25.  
Page E-4, line 1.  
Page E-5, line 10.  
Page E-6, lines 3 and 19.  
Page E-8, line 7.  
Strike: "Personal Services Reduction Efficiencies"  
Insert: "Vacancy Savings"

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGSON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK	✓	
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER		✓
SENATOR FRANKLIN		✓
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

CHAIR

MOTION: Senator Bianchi's motion  
regarding restoring funding to  
water court. 1.000

# SHODAIR

*Jack Casey*

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 38  
DATE 3/30/93  
BILL NO. HB 2

1. There is no funding for 36,000 patient days of care that were certified as medically necessary last biennium.
2. There is no funding for 460 children who are expected to be in a state of crisis during the next biennium, in need of inpatient services, and who have no health insurance for this service.
3. For the 680 non-DFS Medicaid-eligible children who are expected to be in a state of crisis during the next biennium, and in need of inpatient services, there is no funding for 19,300 patient days of care that were certified to be medically necessary during the last biennium.
4. The cut to the budget for children's psychiatric services has gone too deep. It is essential that additional funding be added to the budget in order to some portion of this needed service for emotionally disturbed children in crisis.
5. If the Legislature cannot see its way clear to restoring any additional funding for this program, at the very least a demonstration project should be developed to provide a broader safety net of inpatient services than presently exists under the language of HB 2. Shodair is prepared to work within the constraints of the existing funding to provide such a program, which would make available an additional 11,000 days of patient care.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman  
For the Committee on Finance and Claims

Prepared by Lisa Smith  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 39  
DATE 3/30/93  
BILL NO. HB 2

1. Page B-1, line 10.

Strike: "278,696 1,525,316 264,685

1,565,127" BILL NO.

Insert: "559,696" general fund, fiscal 1994

"1,244,316" state special revenue, fiscal 1994

"546,685" general fund, fiscal 1995

"1,283,127" state special revenue, fiscal 1995

LFA will adjust totals

*Failed*

{Office of Legislative Fiscal Analyst

444-2986}

This amendment reinstates general fund for the Public Health Laboratory and the Chemistry Laboratory in the Department of Health. This amendment increases general fund \$281,000 in fiscal 1994 and \$282,000 in fiscal 1995 and decreases state special revenue by like amounts.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman  
For the Committee on Finance and Claims

Prepared by Lisa Smith  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 40  
DATE 3/30/93  
BILL NO. HB 2

*Filed*

1. Page B-1.

Strike: line 17 in its entirety

2. Page B-2.

Following: line 12

Insert: "m. Legislative Contract Authority"

"5,000,000" federal special revenue, fiscal 1994

"500,000" proprietary, fiscal 1994

"5,000,000" federal special revenue, fiscal 1995

"500,000" proprietary, fiscal 1995

3. Page B-6.

Following: line 24

Insert: "The appropriations for the legislative contract authority in item 2m are subject to the following provisions:

(1) Legislative contract authority applies only to federal and proprietary funds.

(2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.

(3) A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects financed by the legislative contract authority, with the related amount of expenditures for each project.

(4) Legislative contract authority may not be used for funds that require state matching funds."

4. Page B-8.

Strike: line 3 in its entirety

Following: line 7

Insert: "c. Legislative Contract Authority"

"1,200,000" state special, fiscal 1994

"1,000,000" federal special revenue, fiscal

1994 "1,200,000" state special, fiscal 1995

"1,000,000" federal special

revenue, fiscal 1995

5. Page B-8.

Strike: line 14 in its entirety

Following: line 16

Insert: "c. Legislative Contract Authority"

"500,000" federal special revenue, fiscal 1994

"500,000" federal special revenue,

fiscal 1995

6. Page B-9.

Strike: line 6 in its entirety

Insert: "d. Legislative Contract Authority"

"200,000" state special revenue, fiscal 1994

"200,000" state special revenue, fiscal

1995

7. Page B-9.

*Amendments to House Bill No. 2  
Third Reading Copy*

*Requested by Senator Christiaens  
For the Committee on Finance and Claims*

*Prepared by Lisa Smith  
March 29, 1993*

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 41

DATE 3/30/93

BILL NO. HB2

*Carried*

1. Page B-2.

*Strike: lines 17 and 18 in their entirety*

*Renumber: subsequent subsections*

*LFA will adjust totals*

2. Page B-7.

*Strike: line 3 in its entirety*

3. Page B-7, line 4.

*Strike: "3c"*

*Insert: "3b"*

{Office of Legislative Fiscal Analyst

444-2986}

This amendment eliminates the appropriation and related contingency language for the X-Ray Inspection modification. House Bill 400 provided for fees to be charged for performing these inspections and funding this appropriation. House Bill 400 remains in House Appropriations and was not transmitted to the Senate.



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Keating  
For the Committee on Finance and Claims

Prepared by Lisa Smith  
March 29, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 43

DATE 3/30/93

BILL NO. HB 2

1. Page B-4.

Following: line 21

Insert: "g. End-Stage Renal Disease"

"125,000" general fund, fiscal 1994 "125,000" general fund, fiscal 1995

LFA will adjust totals

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

This amendment reinstates the End-Stage Renal Disease program with \$125,000 general fund in each year of the biennium.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman

For the Committee on Finance and Claims

Prepared by Lisa Smith  
March 26, 1993

1. Page B-6.

Strike: lines 2, 3, and 4 in their entirety

Renumber: subsequent subsection

LFA will adjust totals

2. Page B-7.

Strike: line 13 in its entirety

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 43

DATE 3/30/93

BILL NO. HB 2

{Office of Legislative Fiscal Analyst

444-2986}

This amendment eliminates the appropriation and related contingency language for the Petroleum Tank Release Compensation Board. The administrative expenses and grants for this board remain statutorily appropriated since House Bill 666 was not passed.

*Withdrawn*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Beck  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
March 30, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 44  
DATE 3/30/93  
BILL NO. HB 2

1. Page B-6, following line 4.

Insert: "a. Petroleum Tank Release Compensation Board Expansion"

"331,544" [state spec., fiscal 1994]

"634,757" [state spec., fiscal 1995]

2. Page B-7, line 13.

Strike: "Item"

Insert: "Items"

Following: "10"

Strike: "is"

Insert: "and 10a are"

*Filed*

LFA will adjust totals.

This amendment adds a budget modification in the Department of Health, to expand the staff of the Petroleum Tank Release Compensation Board by 7.0 FTE in fiscal 1994 and an additional 7.0 FTE in fiscal 1995, a total increase of 14.0 FTE in the 1995 biennium. Current staff is 16.7 FTE (see House Bill 2 narrative, page A-23).

This amendment also makes the budget modification contingent on passage of House Bill 666. House Bill 666 passed the House on second reading on Tuesday, March 30. The bill requires that the administrative costs of the program be appropriated by a legislative appropriation, not part of the statutory appropriation.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman  
For the Committee on Finance and Claims

Prepared by Lisa Smith  
March 29, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 45

DATE 3/30/93

BILL NO. 783

*Filed*

1. Page B-7.  
Strike: lines 14 and 15 in their entirety.

{Office of Legislative Fiscal Analyst

444-2986}

This amendment eliminates the personal services ceiling imposed on Department of Health and Environmental Sciences. This amendment strikes the following language: "It is intended that the personal services appropriation in (this act) not exceed \$14,167,960 in fiscal 1994 and \$14,369,790 in fiscal 1995."

This amendment will increase personal services to \$14,640,101 in fiscal 1994 and \$14,833,479 in fiscal 1995. This is an increase in personal services of \$472,141 in fiscal 1994 and \$463,689 in fiscal 1995. Contracted services is decreased by a like amount.

*Amendments to House Bill No. 2  
Third Reading Copy*

*Requested by Senator Christiaens  
For the Committee on Finance and Claims*

*Prepared by Lisa Smith  
March 25, 1993*

*1. Page B-7, line 14.*

*Following: "appropriation in [this act]"*

*Strike: ", including legislative contract authority,"*

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 46

DATE 3/30/93

BILL NO. HB 2

{Office of Legislative Fiscal Analyst

444-2986}

This amendment eliminates language referencing legislative contract authority. Legislative contract authority was eliminated on the house floor and therefore, this language is not necessary. If amendment eliminating personal services ceiling is passed, this amendment is not necessary.

*Carried*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Aklestad  
For the Committee on Finance and Claims

Prepared by Lisa Smith  
March 26, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO.

47

DATE

3/30/93

BILL NO.

HB 2

Carried

1. Page B-7.

Following: line 15

Insert: "The department may not use operating plan amendments to increase personal services appropriation authority above the authorized amounts. The legislature has considered all federal funds that may become available for personal services expenditures during fiscal 1994 and fiscal 1995 beyond the amount appropriated in [this act] and intends that no federal funds be used for personal services."

{Office of Legislative Fiscal Analyst

444-2986}

This amendment will prohibit the department from using budget amendments and operating plan amendments to increase personal services over the ceiling amount established in House Bill 2.

Carried

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 2/B2

DATE 3/30/93

TIME \_\_\_\_\_

A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON	✓	
SENATOR AKLESTAD	✓	
SENATOR BECK	✓	
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN	✓	
SENATOR FORRESTER	✓	
SENATOR FRANKLIN		✓
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT	✓	
SENATOR KEATING	✓	
SENATOR LYNCH	✓	
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT	✓	
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Aklestad amendment  
motion (Exhibit 47)

000

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman  
For the Committee on Finance and Claims

Prepared by Lisa Smith  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 48  
DATE 3/30/93  
BILL NO. HB2

1. Page B-7.

Strike: lines 18 through 22 in their entirety

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

This amendment eliminates language requiring the department to perform a review of staffing levels in nursing homes. A legislative performance audit is currently in progress which will evaluate the department's nursing home review procedures. Deficiencies in nursing home review procedures should be detected in the audit and reported to the legislative audit committee. This amendment will prevent the department from duplicating work performed by the legislative auditors office.

*Carried*



AMEND HOUSE BILL 2, THIRD READING

Senate Finance and Claims

March 25, 1993

Prepared by Office of Budget and Program Planning

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 49

DATE 3/30/93

BILL NO. NB 2

1. Page B-8, line 8.  
Following: line 7  
Insert: "C. Health Industries (Biennial)  
132,464" (Federal Special Revenue Fiscal 1994)
2. Page B-8, line 8.  
Following: line 7  
Insert: "D. ASARCO/Troy (Biennial)  
113,637" (Federal Special Revenue Fiscal 1994)
3. Page B-9, line 13.  
Following: line 12  
Insert: "b. Health Industries (Biennial)  
17,454" (Federal Special Revenue Fiscal 1994)
4. Page B-9, line 13.  
Following: line 12  
Insert: "c. ASARCO/Troy (Biennial)  
17,454" (Federal Special Revenue Fiscal 1994)
5. Page B-10, line 7.  
Following: line 6  
Insert: "b. Health Industries (Biennial)  
546,128" (Federal Special Revenue Fiscal 1994)
6. Page B-10, line 7.  
Following: line 6  
Insert: "c. ASARCO/Troy (Biennial)  
552,572" (Federal Special Revenue Fiscal 1994)

*Carried*

Department of Labor and Industry

The above amendments add two federal discretionary grants for dislocated workers. The department has allocated the funds in the above programs.

t:\pc04\legislat\hb2-6602.mll

Prepared by the Office of Budget and Program Planning

*Carried*

R

Amendments to House Bill 2  
Third Reading Copy

For Senate Finance and Claims  
Week of March 30, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 59  
DATE 3/30/93  
BILL NO. HB2

1. Page B-9, following line 10.  
Strike: lines 11 and line 12 in their entirety
2. Page B-10, line 8.  
Strike: "124,158                      124,466"                      [FY94 and FY95 Proprietary]  
Insert: "121,097                      121,401"                      [FY94 and FY95 Proprietary]
3. Page E-8, line 7.  
Following: line 6  
Insert: "12. Montana Career Information System (16)  
                    99,949                      100,015"                      [FY94 and FY95 Proprietary]
4. Page E-8, line 8.  
Strike: "5,820                      5,840"                      [FY94 and FY95 Proprietary]  
Insert: "8,881                      8,905"                      [FY94 and FY95 Proprietary]
5. Page E-8, line 11.  
Strike: "1,164                      1,168"                      [FY94 and FY95 Proprietary]  
Insert: "1,776                      1,781"                      [FY94 and FY95 Proprietary]

Explanation: These amendments move the Montana Career Information System (MCIS) from the Department of Labor and Industry and to the Office of the Commissioner of Higher Education (CHE), where it has functioned for the past year, and adjust the personal services reduction efficiencies and contingencies accordingly. The Department of Labor and Industry, the Office of Public Instruction and the CHE agree that the MCIS should be housed in an educational institution and that CHE is the most appropriate agency.

*Carried*

AMEND HOUSE BILL 2, THIRD READING

Senate Finance and Claims

March 30, 1993

Prepared by Office of Budget and Program Planning

1. Page B-9, line 13.  
Following: line 12  
Insert: " b. Safety Culture Act SB163  
93,705 (State Special Fiscal 1994)  
77,935" (State Special Fiscal 1994)

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 51

DATE 3/30/93

BILL NO. HB2

Purpose: SB 163 has passed the Senate and House and moved to enrolling as of March 27. This amendment provides for the Department of Labor and Industry, Safety Bureau to implement the provisions of the MT Safety Act in conjunction with the State Compensation Mutual Insurance Fund.

*Carried*

t:\pc04\legislat\hb2LABOR.mll

Prepared by the Office of Budget and Program Planning

*Carried*

NT

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman  
For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck  
March 30, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 52

DATE 3/30/93

BILL NO. HB 2

*Failed*

1. Page B-11, line 17.

Strike: "15,925,578" 16,542,416"

Insert: "16,025,578" 16,642,416"

2. Page B-15, line 14.

Following: "STATE"

Strike: the remainder of line 14 and line 15 in its entirety.

Insert: "general fund in each fiscal year for the department to contract for assistance in obtaining SSI disability benefits for person on or eligible for public assistance."

LFA will amend totals.

This amendment clarifies the use of funds and adds \$100,000 general fund to enable the department to contract with the Montana Legal Services to aid in determination of low-income persons' eligibility for federal supplemental security income.

{Office of Legislative Fiscal Analyst

444-2986}

*failed*

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER		✓
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Stealey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Waterman Amendment  
motion (Exhibit 52)  
Failed - Tie Vote

Amendments to House Bill No. 2  
Third Reading Copy.

Senator Christiaens  
For the Finance and Claims Committee

Prepared by Lois Steinbeck  
March 26, 1993

1. Page B-11, line 17.

Strike: "888,888

908,251"

Insert: "988,888

1,008,251"

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 63

DATE 3/30/93

BILL NO. NB 2

*Carried*

2. Page B-15, line 14.

Following: "FOR"

Strike: the remainder of line 14 and line 15 in its entirety.

Insert: "the department to contract for assistance in obtaining SSI disability benefits for person on or eligible for public assistance."

LFA will amend totals.

This amendment clarifies the use of funds and corrects an omission. It adds \$100,000 state special revenue to enable the department to contract with the Montana Legal Services to aid in determination of low-income persons' eligibility for federal supplemental security income.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Weeding  
For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck  
March 30, 1993

1. Page B-11, line 16.

Strike: "54,796,252

55,602,943"

Insert: "55,910,254

57,857,819"

2. Page B-11, line 17.

Strike: "15,925,578

888,888

16,542,416

908,251"

Insert: "16,351,289

917,750

17,427,095

995,964"

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 54  
DATE 3/30/93  
BILL NO. HB2

*Failed*

3. Page B-16, line 8.

Following: "be"

Strike remainder of line 8.

Insert: "established at 40.5% of the federal poverty index."

This amendment adds \$1,310,390 general fund, \$87,713 state special revenue (county funds) and \$3,368,878 federal funds for the biennium to maintain AFDC benefits at 40.5 percent of the federal poverty level. The amendment continues action taken by second special session of the legislature to establish AFDC payments at this level.

{Office of Legislative Fiscal Analyst

444-2986}

*Failed*

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 3/30/193

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER		✓
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Weeding Amendment  
Motion (Exhibit 54)

Failed - Tie Vote



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Aklestad  
For the Finance and Claims Committee

Prepared by Lois Steinbeck  
March 26, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 55

DATE 3/30/93

BILL NO. HB 2

*Failed*

1. Page B-11, line 16.

Strike: "54,796,252" 55,602,943"

Insert: "20,845,946" 21,159,325"

2. Page B-11, line 17.

Strike: "15,925,578" 888,888 16,542,416 908,251"

Insert: " 2,951,608 9,297 3,028,790 9,297"

3. Page B-11, following line 17.

Insert: "a. AFDC (Restricted)

12,973,970	general fund fiscal 1994
879,591	state special revenue fiscal 1994
33,950,306	federal revenue fiscal 1994
13,513,626	general fund fiscal 1995
898,954	state special revenue fiscal 1995
34,443,618"	federal revenue fiscal 1995

Renumber: subsequent subsections

4. Page B-15, line 11.

Following: "IN"

Strike: "ITEM 1"

Insert: "ITEMS 1 AND 1A"

5. Page B-15, line 17.

Following: "FROM"

Strike: "ITEM 1"

Insert: "ITEMS 1 AND 1A"

6. Page B-16, following line 7.

Insert: "The department may expend no more than the appropriation in item 1a for AFDC benefits unless additional expenditures are necessary for continued receipt of federal funds. The department shall reduce AFDC benefit payments as necessary but may not reduce payment levels below the level in effect May 1, 1988. The department may transfer funds from other appropriations into item 1a if additional authority is required in order to fund AFDC benefits at the lowest payment level allowed under federal law."

*failed*

7. Page B-16.

Strike line 8 in its entirety

8. Page B-16, line 9.

Strike: "1d"

Insert: "1e"

LFA will amend totals.

This amendment directs the department to reduce AFDC grants in order to stay within the appropriation. Federal regulations require that payment levels be no lower than those in effect May 1, 1988 which were: \$212 for a family of 1; \$286 for a family of 2; \$359 for a family of 3; \$433 for a family of 4; and \$507 for a family of 5. The department may transfer appropriation authority from other programs in order to absorb higher AFDC costs, if lowering the payment level will not "free up" sufficient authority to fund AFDC benefits.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB2

DATE 3/30/93

TIME \_\_\_\_\_

A.M. P.M.

NAME

YES NO

SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD	✓	
SENATOR BECK		✓
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN	✓	
SENATOR FORRESTER		✓
SENATOR FRANKLIN		✓
SENATOR FRITZ		✓
SENATOR HARDING	✓	
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH		✓
SENATOR TOEWS		✓
SENATOR SWYSGOOD	✓	
SENATOR TVEIT	✓	
SENATOR VAUGHN		✓
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

CHAIR

MOTION: Senator Aklestad amendment  
motion (Exhibit 55)

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman  
For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck  
March 30, 1993

1. Page B-12, line 21.

Strike: "151,007,912"

Insert: "154,508,835"

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 56  
DATE 3/30/93  
BILL NO. NB2

2. Page B-21, following line 1.

Insert: "g. Transitional Benefits for Youth Psychiatric Care (Restricted)  
1,428,566"                      general fund fiscal 1994

*Failed*

3. Page B-22, following line 17.

Insert: "Item 4g must be used for the medicaid match for treatment of children and adolescents in freestanding inpatient youth psychiatric hospitals for individuals under 21 years of age. Funds in item 4g are to be used to provide services during the first half of fiscal 1994 so that the department and other state agencies can plan and implement alternative community-based treatment services and youth psychiatric hospitals can plan and implement changes in services. Placements in youth psychiatric hospitals must be screened and evaluated for appropriateness of placement. The department shall control utilization of inpatient youth psychiatric hospital services."

LFA will amend totals.

This amendment funds inpatient hospital youth psychiatric benefits for six months to allow departments and youth psychiatric hospitals to plan an orderly transition for elimination of medicaid inpatient youth psychiatric benefits. The amendment adds \$3.5 million federal funds for medicaid match in SRS and \$1.4 million general fund in DFS. The amendment continues the savings anticipated due to elimination of the "family of one" rule and the cost reductions anticipated due to the enhanced psychiatric utilization review in SRS.

{Office of Legislative Fiscal Analyst

444-2986}1

*Failed*

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 2/B2

DATE 3/30/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ		✓
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Stally  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Waterman amendment  
motion (Exhibit 56)

Failed

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman  
For the Senate Finance and Claims Committee

Prepared by the Department of Social and Rehabilitation Services  
March 30, 1993

1. Page B-15, line 12.  
Following: "age to"  
Strike: "participate in"  
Insert: "be referred to"

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 57  
DATE 3/30/93  
BILL NO. 72B2

2. Page B-15, line 17.  
Following: "AFDC"  
Strike: "AND IMPLEMENT APPROVED WAIVER"

*Carried*

3. Page B-15, line 18.  
Following: "PROGRAMS"  
Strike: "BEGINNING"  
Following: "1994."  
Insert: "If federal approval is received, the department shall implement the waivers as soon as feasible."

4. Page B-17, line 20.  
Following: "training"  
Insert: "subsistence payments,"  
Following: "people."  
Insert: "The use of appropriated funds in item 5a is contingent on Deer Lodge County levying 12 mills for its poor fund for public assistance, protective services, and other benefits for low-income people."

*Carried*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Christiaens  
For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck  
March 30, 1993

1. Page B-16.  
Strike lines 18 and 19 in their entirety.

2. Page B-21.  
Strike lines 24 and 25 in their entirety.

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 58  
DATE 3/30/93  
BILL NO. HB 2

*Carried*

This amendment removes language that would transfer the appropriation for day care administration from the Department of Family Services to the Department of Social and Rehabilitation Services contingent on passage and approval of House Bill 135 which was tabled in committee.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Devlin  
For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck  
March 30, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 59  
DATE 3/30/93  
BILL NO. NB 2

1. Page B-18.  
Strike lines 19 through 22 in their entirety.

*Carried*

This amendment strikes language that requires nursing homes to reveal profits and losses earned by facilities, and further requires nursing facilities to reveal costs funded by the nursing home bed utilization fee. This language is unnecessary because nursing homes already submit complete cost and revenue data to the state. Cost report schedules include statements of revenues, expenses, staffing levels and patient census.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*



# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 2/B2

DATE 3/30/93

TIME \_\_\_\_\_

A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGSON		✓
SENATOR AKLESTAD	✓	
SENATOR BECK	✓	
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN	✓	
SENATOR FORRESTER	✓	
SENATOR FRANKLIN		✓
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT		✓
SENATOR KEATING	✓	
SENATOR LYNCH		✓
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT	✓	
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

CHAIR

MOTION: Senator Devlin motion to  
Amend (Exhibit 59)

Carried

AMEND HOUSE BILL 2, Third Reading Copy

Senate Finance and Claims

March 30, 1993

SENATE FINANCE AND CLAIMS

AMEND NO. 60

DATE 3/30/93

BY NO. 7282

1. Page B-22, line 16.  
Following: line 15  
Strike: lines 16 and 17 in their entirety

*Carried*

Explanation: This amendment removes the restriction that AFDC At-Risk Day Care funds may not be spent on administration because administrative expenses have always been paid from these appropriations and are not funded elsewhere.

Prepared by the Office of Budget and Program Planning.

T:\PC07\HB2-DPS-SFC  
[amendmt #1 for PC07]

*Carried*

## AMEND HOUSE BILL 2, THIRD READING

### Senate Finance and Claims

March 30, 1993

Prepared by Office of Budget and Program Planning

1. Page B-22  
Strike lines 18 through 25 in their entirety

2. Page B-23  
Strike line 1 in its entirety

3. Page D-7, line 24.  
Following: line 23

Insert: "The department shall coordinate the development of programs for children with severe emotional disturbances. The department of family services, health and environmental sciences, and social and rehabilitation services and the office of public instruction and the board of crime control shall fully cooperate and coordinate resources with the department.

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 61

DATE 3/30/93

BILL NO. HB 2

*Carried*

The departments of family services, corrections and human services, health and environmental sciences, social and rehabilitation services and the board of crime control and the office of public instruction shall collaboratively develop, administer, and fund services for children with severe emotional disturbance and with multiagency service needs. The departments and agencies are directed to develop community-based alternatives to inpatient psychiatric care and to reduce the number of residential care placements.

The departments and agencies may use general fund, state special revenue, private funds, local government funds, and federal special revenue to design, administer and provide programs for children with severe emotional disturbances. The departments and agencies may use available state and federal funding, within appropriation limits. The departments and agencies shall maximize the recovery of federal funds for these services including waivers to the medicaid program to permit children with severe emotional disturbances to be served in their own home and community or when appropriate in the least restrictive setting. The departments and agencies may use general fund to match federal, local government and private fund sources.

Whenever possible, the departments and agencies shall work with local providers and units of government to develop programs to serve children with severe emotional disturbances. Services may include but are not limited to case management services, day treatment, respite care, emergency services, and crisis intervention and stabilization services. Programs may include a managed care system when allowable to control entry into and exit from in-state and out-of-state residential facilities and to control the types and duration of services and reimbursement rates.

The departments and agencies shall encourage families to assist with payment of these services."

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Committee on Senate Finance and Claims

Prepared by Roger Lloyd  
March 25, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 62  
DATE 4/1/93  
BILL NO. 7JB2

*Carried*

1. Page C-2.

Strike: line 17

Insert: "e. Legislative Contract Authority (Restricted)  
65,000

65,000" [federal]

2. Page C-3.

Strike: line 17

Insert: "g. Legislative Contract Authority (Restricted)  
715,000 940,000 1,160,000

990,000" [state special, federal]

3. Page C-4.

Strike: line 7

Insert: "e. Legislative Contract Authority (Restricted)  
40,000

40,000" [federal]

4. Page C-4.

Strike: line 19

Insert: "d. Legislative Contract Authority (Restricted)  
855,000 729,000 844,000

687,500" [state special, federal]

5. Page C-5.

Strike: line 13

Insert: "g. Legislative Contract Authority (Restricted)  
140,000 20,000 140,000

20,000" [state special, federal]

6. Page C-5.

Strike: line 23

Insert: "c. Legislative Contract Authority (Restricted)  
45,000 35,000 45,000

35,000" [state special, federal]

7. Page C-6.

Strike: line 12

Insert: "e. Legislative Contract Authority (Restricted)  
157,500

157,500" [federal]

8. Page C-7.

Following line 9.

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

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

This amendment restores legislative contract authority to the Department of Fish, Wildlife and Parks.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Bianchi  
For the Committee on Finance & Claims

Prepared by Roger Lloyd  
March 31, 1993.

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 63  
DATE 4/1/93  
BILL NO. 2135

1. Page C-2, line 5.

Strike: "488,078

470,678"

[federal]

Insert: "490,080

472,682"

[federal]

*Failed*

2. Page C-2, line 6.

Strike: "2,886,897

2,971,763"

[state special]

Insert: "2,895,431

2,980,306"

[state special]

3. Page C-2, line 25.

Strike: "2,675,208 2,615,243

2,665,895 2,551,249"

[state special, federal]

Insert: "2,720,995 2,683,923

2,711,881 2,620,229"

[state special, federal]

4. Page C-3, line 20.

Strike: "4,465,236 177,692

4,484,103 176,873"

[state special, federal]

Insert: "4,517,045 187,293

4,535,948 186,481"

[state special, federal]

5. Page C-4, line 10.

Strike: "2,928,648 2,395,354

2,904,865 2,411,778"

[state special, federal]

Insert: "2,945,829 2,421,126

2,922,063 2,437,575"

[state special, federal]

6. Page C-4, line 21.

Strike: "337,319

322,583"

[proprietary]

Insert: "339,137

324,403"

[proprietary]

7. Page C-4, line 22.

Strike: "3,484,228

3,514,775"

[state special]

Insert: "3,498,903

3,529,467"

[state special]

8. Page C-6, line 1.

Strike: "1,948,292 515,770

1,974,079 504,294"

[state special, federal]

Insert: "1,989,508 531,799

2,015,362 520,349"

[state special, federal]

LFA will amend totals.

This amendment restores funding (\$303,104 in fiscal 1994 and \$303,811 in fiscal 1995) for 9.06 FTE in the Department of Fish, Wildlife and Parks.

*1 failed*

hb000243.a12

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 4/1/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

CHAIR

MOTION: Senator Bianchi amendment  
motion (Exhibit 63)

Filed - 4/1/93

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Bianchi  
For the Committee on Senate Finance & Claims

Prepared by Roger Lloyd  
March 31, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 64

DATE 4/1/93

BILL NO. HB 2

*Carried*

1. Page C-2, line 5.

Strike: "488,078" 470,678" [federal]

Insert: "490,080" 472,682" [federal]

2. Page C-2, line 25.

Strike: "2,615,243" 2,551,249" [federal]

Insert: "2,683,923" 2,620,229" [federal]

3. Page C-3, line 20.

Strike: "177,692" 176,873" [federal]

Insert: "187,293" 186,481" [federal]

4. Page C-4, line 10.

Strike: "2,395,354" 2,411,778" [federal]

Insert: "2,421,126" 2,437,575" [federal]

5. Page C-6, line 1.

Strike: "515,770" 504,294" [federal]

Insert: "531,799" 520,349" [federal]

LFA will amend totals.

This amendment restores federal funding (\$122,084 in fiscal 1994 and \$122,444 in fiscal 1995) for 3.90 FTE in the Department of Fish, Wildlife and Parks.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*



# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE April 1/1993 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Bianchi amendment  
Motion (Exhibit 64)

Carried

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Toews  
For the Committee on Finance and Claims

Prepared by Roger Lloyd  
March 29, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 65

DATE 4/1/93

BILL NO. 282

*Failed*

1. Page C-2, line 6.

Strike: "2,886,897"

Insert: "721,724      2,165,173      742,941      2,971,763"

[state special]

[general fund, state special]

2. Page C-2, line 8.

Strike: "56,566"

Insert: "14,142      42,425"

[state special]

[general fund, state special]

3. Page C-2, line 10.

Strike: "60,000"

Insert: "15,000      45,000"

[state special]

[general fund, state special]

4. Page C-2, line 12.

Strike: "49,480"

Insert: "12,370      37,110      12,373      49,491"

[state special]

[general fund, state special]

5. Page C-2, line 20.

Strike: "1,734,980"

Insert: "411,242      1,323,738      417,061      1,768,286"

[state special]

[general fund, state special]

6. Page C-2, line 22.

Strike: "46,340"

Insert: "11,585      34,755      10,593      42,373"

[state special]

[general fund, state special]

7. Page C-2, line 25.

Strike: "2,675,208"

Insert: "658,330      2,016,878      655,752      2,665,895"

[state special]

[general fund, state special]

8. Page C-3, line 2.

Strike: "3,750"

Insert: "938      2,813"

[state special]

[general fund, state special]

9. Page C-3, line 6.

Strike: "11,562"

Insert: "2,891      8,672"

[state special]

[general fund, state special]

10. Page C-3, line 8.

22. Page C-5, line 16.

Strike: " <u>1,446,392</u> "			<u>1,454,367"</u>	[state special]
Insert: "332,137	1,114,255	333,699	1,120,668"	[general fund, state special]

23. Page C-5, line 18.

Strike: "120,133"				[state special]
Insert: "30,033	90,100"			[general fund, state special]

24. Page C-5, line 20.

Strike: "71,000			71,000"	[state special]
Insert: "17,750	53,250	17,750	53,250"	[general fund, state special]

25. Page C-6, line 1.

Strike: " <u>1,948,292</u> "			<u>1,974,079"</u>	[state special]
Insert: "487,073	1,461,219	493,520	1,480,559"	[general fund, state special]

26. Page C-6, line 3.

Strike: "150,000"				[state special]
Insert: "37,500	112,500"			[general fund, state special]

27. Page C-6, line 5.

Strike: "25,000"				[state special]
Insert: "6,250	18,750"			[general fund, state special]

28. Page C-6, line 7.

Strike: "45,000			45,000"	[state special]
Insert: "11,250	33,750	11,250	33,750"	[general fund, state special]

29. Page C-6, line 9.

Insert: "36,100			36,100"	[state special]
Insert: "9,025	27,075	9,025	27,075"	[general fund, state special]

30. Page C-6, line 14.

Strike: "5,221	626,523	5,240	654,121"	[general fund, state special]
Insert: "127,040	504,704	127,553	531,808"	[general fund, state special]

LFA will amend totals.

This amendment reduces state special revenue derived from hunting and fishing license fees by 25 percent (\$4,566,016 in fiscal 1994 and \$4,489,790) and increases general fund by the same amount. If this amendment passes, statute 87-1-601, which specifies that these funds must be deposited in the state special revenue fund, needs to be amended. The deadline to request a committee bill to implement provisions of a general appropriations act is the 75th day (April 3rd).

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 4/1/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD	✓	
SENATOR BECK	✓	
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN	✓	
SENATOR FORRESTER		✓
SENATOR FRANKLIN		✓
SENATOR FRITZ		✓
SENATOR HARDING	✓	
SENATOR HOCKETT		✓
SENATOR KEATING	✓	
SENATOR LYNCH		✓
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT		✓
SENATOR VAUGHN		✓
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Toews amendment  
motion (Exhibit 65)

Ena Failed

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Weeding  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
April 1, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 66

DATE 4/1/93

BILL NO. HB 2

*Failed*

1. Page C-1, line 19.

Strike: "80,800      80,981"

Insert: "68,503      68,671"

This amendment eliminates the 5% vacancy savings imposed on the 5.0 FTE public service commissioners. The general fund increase is \$12,297 in fiscal 1994 and \$12,310 in fiscal 1995.

{Office of Legislative Fiscal Analyst

444-2986}

*Failed*

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 4/1/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN		✓
SENATOR FRITZ		✓
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN		✓
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Weeding Amendment  
motion (Exhibit 66)

Filed

Amendment to HB2  
Third Reading (Blue Copy)  
Senate Finance and Claims  
Department of Fish, Wildlife and Parks

SENATE FINANCE AND CLAIMS

EXHIBIT NO.

67

DATE

4/1/93

BILL NO.

HB2

Licensing and Operations of Game Farms

*Carried*

House Bill 338 revises the laws relating to the licensing and operation of game farms. The bill passed the House and is before the Senate.

Because of added responsibilities and the increased number of applications for licenses, the department is requesting consideration to add \$45,000 per year and 1 FTE to implement the provisions of the act. The funds will come from state special revenues. The person would have a mix of agriculture, enforcement and wildlife experience.

The position is needed because of more effort required in the following areas:

- Review of the initial application for compliance with the Montana Environmental Procedures Act, and criteria established by HB338.
- Transferring of game farm licenses and processing of exemptions and variances.
- Review and analysis of annual reports from game farm operators, and liaison with the Game Breeders Association.
- Following established procedures for revocation of a game farm license including an opportunity for a hearing.
- Developing new rules in the area of game farms, bird farms, and menageries (bear parks).

**Amendment**

Page C-4

Following line 4.

Insert: "E. Game Farm Licensing  
[state special revenue]

45,000

45,000"

*Carried*

REQUESTED BY THE OFFICE OF BUDGET AND PROGRAM PLANNING

Amendment to HB2  
Third Reading (Blue Copy)  
Senate Finance and Claims  
Department of Fish, Wildlife and Parks

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 68

DATE 4/1/93

BILL NO. HB 2

**Block Management**

*Carried*

Federal Pittman/Robertson funds may be available to partially fund the block management program based on preliminary estimates from the U.S. Fish and Wildlife Service.

This amendment would allow the department to save state funds and spend federal funds should they become available.

Page C-7.

Following line 12.

Insert: "Item 2 contains funds for block management. If federal dollars become available, the department may decrease state special revenue and increase federal special revenue by a like amount."

*Carried*



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Committee on Senate Finance and Claims

Prepared by Roger Lloyd  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 69  
DATE 4/1/93  
BILL NO. NB 2

1. Page C-7, line 16.

Strike: "contains \$19,975 in fiscal 1994 and \$19,975 in fiscal 1995 appropriated for"

Insert: "funds"

*Carried*

2. Page C-8, line 14.

Strike: "contains \$262,295 in fiscal 1994 and \$271,638 in fiscal 1995 of state special revenue appropriated for"

Insert: "funds"

This technical amendment adjusts language in the bill to reflect revised appropriations in the bill.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill 2  
Third Reading Copy

For Senate Finance and Claims  
Week of March 30, 1993

1. Page C-8, line 15.  
Following: "642"  
Insert: "or other sources"

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 70

DATE 4/1/93

BILL NO. HB2

Explanation: State parks maintenance and improvements authority is greater than revenue and a number of potential sources for revenue exist. Adding other sources recognizes this fact.

*Carried*

*Carried*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Beck  
For the Committee on Finance & Claims

Prepared by Roger Lloyd  
March 30, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 71

DATE 4/1/93

BILL NO. HB 2

*Carried*

1. Page C-9, line 18.

Strike: "6,208,684 3,306,423 6,303,794 3,320,357" [general fund, state special]

Insert: "6,213,351 3,308,756 6,308,461 3,322,690" [general fund, state special]

2. Page C-9, line 20.

Strike: "16,667 8,333 16,667 8,333" [general fund, state special]

Insert: "12,000 6,000 12,000 6,000" [general fund, state special]

3. Page C-10.

Following line 6.

Insert: "Item 4 contains \$7,000 per year to bring Powell County into the state/county cooperative fire protection program. "

LFA will amend totals.

This amendment reduces the Department of State Lands, Forestry Division's, equipment budget modification by \$7,000 per year and increase funding for the state/county cooperative fire protection program by the same amount.

{Office of Legislative Fiscal Analyst

444-2986}

*carried*

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 4/1/93 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON		✓
SENATOR AKLESTAD	✓	
SENATOR BECK	✓	
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN	✓	
SENATOR FORRESTER		✓
SENATOR FRANKLIN		✓
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT	✓	
SENATOR KEATING	✓	
SENATOR LYNCH	✓	
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT	✓	
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Beck Amendment  
Motion (Exhibit 71)

Carried

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Weeding  
For the Committee on Senate Finance and Claims

Prepared by Terri Perrigo  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 72  
DATE 4/1/93  
BILL NO. 7JB2

1. Page C-13.

Following: line 8

Insert: "e. Project Evaluator (biennial)  
61,106" (state special revenue fy 94)

LFA will amend totals

*Failed*

This amendment funds a project evaluator in the Conservation and Resource Development Division of the Department of Natural Resources and Conservation. Funding is from Resource Indemnity Trust interest accounts: 1) \$32,997 from the water development account; 2) \$20,165 from the renewable resource account; and 3) \$7,944 from the reclamation and development account.

{Office of Legislative Fiscal Analyst

444-2986}

*failed*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Weeding  
For the Committee on Senate Finance and Claims

Prepared by Terri Perrigo  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 73  
DATE 4/1/93  
BILL NO. HB 2

1. Page C-13

Following: line 8

Insert: "e. Water Reservations Lower Missouri Basin (biennial)  
45,000" (state special revenue fiscal 1994)

LFA will amend totals

*Carried*

This amendment adds \$45,000 of state special revenue from the CERCLA/Hazardous Waste account to the Department of Natural Resources and Conservation for conservation districts to work on water reservations in the lower Missouri basin.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Committee on Senate Finance & Claims

Prepared by Roger Lloyd  
March 30, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 74  
DATE 4/1/93  
BILL NO. HB 2

*Carried*

1. Page C-16, line 18.

Strike: "190,681	202,631	184,706	209,559"	[general fund, state special]
Insert: "155,984	238,228	148,957	245,308"	[general fund, state special]

2. Page C-17, line 11.

Strike: "374,038	296,573	332,875	339,264"	[general fund, state special]
Insert: "145,642	524,969	110,367	561,772"	[general fund, state special]

3. Page C-17, line 13.

Strike: "40,736		40,736"		[general fund]
Insert: "	40,736		40,736"	[state special]

4. Page C-17, line 17.

Strike: "10,763	13,143	10,763	13,143"	[general fund, state special]
Insert: "1,794	22,112	1,794	22,112"	[general fund, state special]

5. Page C-18.

Following line 5.

Insert: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 1 is increased by \$35,597 in fiscal 1994 and by \$35,749 in fiscal 1995 and the state revenue appropriation is decreased by like amounts."

6. Page C-18.

Following line 11.

Insert: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4 is increased by \$228,396 in fiscal 1994 and by \$222,508 in fiscal 1995 and the state revenue appropriation is decreased by like amounts."

7. Page C-18.

Following line 11.

Insert: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4a is increased by \$40,736 in fiscal 1994 and by \$40,736 in fiscal 1995 and the state revenue appropriation is decreased by like amounts."

8. Page C-18.

Following line 11.

Insert: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4c is increased by \$8,969 in fiscal 1994 and by \$8,969 in fiscal 1995 and the state revenue appropriation is decreased by like amounts."

LFA will amend totals.

This amendment reduces general fund by \$313,698 in fiscal 1994 and \$307,962 in fiscal 1995 in the Department of Agriculture, Plant Industry Division, and increases state special by like amounts. The funding switch is contingent on passage of House Bill 193 (Montana Produce Act) which would increase fees and deposit them in the state special revenue fund instead of general fund.

{Office of Legislative Fiscal Analyst

444-2986}



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Beck  
For the Committee on Senate Finance & Claims

March 31, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 75  
DATE 4/1/93  
BILL NO. 75B 2

1. Page C-17.

Following line 9.

Insert: "e. SB 334 -- Pesticide Disposal and Recycling Program  
220,445 233,045"

[state special]

*Carried*

2. Page C-18.

Following line 11.

Insert: "Item 3e is contingent on passage and approval of Senate Bill No. 334."

This amendment implements Senate Bill 334 which increases pesticide dealer and applicator fees (from \$45 to \$75), and private farm applicator fees (from \$15 to \$35). It establishes a disposal program for waste pesticides and pesticide containers. A portion of the farm applicator fee increase is to be allocated to MSU Extension Service for educational and training programs.

AMENDMENT TO HB 2

Third Reading Copy

For Senate Finance and Claims

Prepared by Office of Budget and Program Planning

March 29, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 76

DATE 4/1/93

BILL NO. HB2

*Carried*

1. Page C-17, line 21.  
Strike : "177,253                      169,798"      general fund  
Insert: "182,890                      175,435"      general fund
2. Page C-18, following line 14.  
Strike: lines 15 and 16 in their entirety

This amendment replaces \$5,637 funding for printing and postage of the Agricultural Statistics bulletin and removes restrictive language concerning the distribution of the bulletin in the Department of Agriculture. This bulletin is funded by general fund in the first year of the biennium (1994) and state special funds from the sale of the bulletin in the second year of the biennium (1995).

Previous amendment by Representative DeBruycker removed funding from general fund in error for both years of the biennium. This amendment replaces and corrects funding and removes restrictive language.

T:\pc06\hb2-ag.sfc

AMENDMENT TO HB 2

Third Reading Copy

For Senate Finance and Claims

March 30, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 77  
DATE 4/1/93  
BILL NO. HB 2

*Carried*

1. Page C-19, line 12.  
Strike: "2,884,377 2,799,955" [state special revenue]  
Insert: "3,090,519 2,986,697" [state special revenue]

Explanation: This amendment reflects the fiscal impact and passage of the following bills:

HB082 - Provide an executive director for the Board of Outfitters.

1.0 FTE and \$75,500 in FY94 and \$73,000 FY95 of state special revenue.

HB432 - Generally revise outfitter and guide laws.

1.0 FTE and \$108,642 in FY94 and \$104,342 in FY95 of state special revenue.

SB045 - Revise mortician and crematory laws.

\$2,000 of state special revenue in each year of the biennium.

SB111 - Creating property manager license.

\$20,000 in FY94 and \$7,400 in FY95 of state special revenue.

Prepared by the Office of Budget and Program Planning  
T:\pc06\hb2-com.sfc

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Franklin  
For the Committee on Senate Finance and Claims

Prepared by Terri Perrigo  
March 29, 1993

1. Page C-19, line 12.

Strike: "2,884,377

2,799,955"

Insert: "3,043,656

2,943,126"

LFA will amend totals.

This amendment adds 3.0 FTE and related operating expenses to the Board of Nursing. Funding is state special revenue from nursing license fees. The additions are as follows:

	FY 94	FY 95
Personal Services (3.0 FTE--1 investigator, 1 attorney, 1 nurse)	101,271	101,271
Operating Expenses	39,900	38,400
Equipment	<u>18,108</u>	<u>3,500</u>
TOTAL	159,279	143,171

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 78  
DATE 4/1/93  
BILL NO. NB 2

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 2/B 2

DATE 4/1/93 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN	✓	
SENATOR FORRESTER		✓
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT	✓	
SENATOR KEATING	✓	
SENATOR LYNCH		✓
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Stealer  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Franklin's Amendment  
motion (Exhibit 78)

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jergeson  
For the Committee on Senate Finance and Claims

Prepared by Terri Perrigo  
March 30, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 79

DATE 4/1/93

BILL NO. HB 2

*Carried*

1. Page C-21, line 20

Strike: "143,769"

Insert: "139,541"

2. Page C-21, line 22.

Strike: "379"

Insert: "4,607"

Moves \$4,228 of Health Facilities Authority proprietary funds budgeted in fiscal 1994 for audits to a restricted/biennial appropriation for legislative audit costs.

3. Page C-22, line 1.

Strike: "457,378"

Insert: "448,475"

4. Page C-22

Following: line 1

Insert: "a. Legislative Audit (Restricted/Biennial)  
8,903" (state special revenue fy94)

Moves \$8,903 of Montana Science and Technology Alliance state special revenue budgeted in fiscal 1994 for audits to a restricted/biennial appropriation for legislative audit costs.

5. Page C-22, line 7.

Strike: "1,886,113"

Insert: "1,790,178"

6. Page C-22, line 9.

Strike: "5,283"

Insert: "101,218"

Moves \$95,935 of Board of Investments proprietary funds budgeted in fiscal 1994 for audits to a restricted/biennial appropriation for legislative audit costs.

7. Page C-22, line 13.

Strike: "7,193,300"

Insert: "7,064,303"

8. Page C-22, line 15.

Strike: "10,036"

Insert: "139,033"

Moves \$128,997 of Lottery proprietary funds budgeted in fiscal 1994 for audits to a restricted/biennial appropriation for legislative audit costs.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Hockett  
For the Committee on Senate Finance & Claims

Prepared by Terri Perrigo  
March 30, 1993

1. Page C-19, line 22.

Strike: "697,928	716,557	701,484	647,435"
Insert: "534,367	333,329	537,703	264,223"

LFA will amend totals

This amendment eliminates the International Trade program in the Department of Commerce. Currently, the International Trade program has 4.0 FTE and a biennial budget of \$1.1 million of which \$327,342 is general fund and the remainder is state special revenue

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 80  
DATE 4/1/93  
BILL NO. HB 2



# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 482

DATE 4/1/93 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ		✓
SENATOR HARDING	✓	
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Staley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Hockett amendment  
motion (Exhibit 70)

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. SB 2

DATE 4/1/93 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON		
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN	✓	
SENATOR FORRESTER		✓
SENATOR FRANKLIN	✓	
SENATOR FRITZ		✓
SENATOR HARDING	✓	
SENATOR HOCKETT		✓
SENATOR KEATING	✓	
SENATOR LYNCH	✓	
SENATOR TOEWS	✓	
SENATOR SWYSGOOD		✓
SENATOR TVEIT	✓	
SENATOR VAUGHN		✓
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Stealey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Keating substitute motion -  
Section C, Public Service Commission;  
increase 5 FTE without funding.

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Waterman  
For the Committee on Senate Finance and Claims

Prepared by Office of Budget and Program Planning  
March 31, 1993

1. Page D-1, line 16.

Following: line 15

Insert: "e. NEA/Tribal College AIE  
24,610 (Federal Special Revenue Fiscal 1994)  
21,380" (Federal Special Revenue Fiscal 1995)

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 87

DATE 4/1/93

BILL NO. HB2

*Carried*

Promotion of the Arts - This grant has been received from the National Endowment Locals Program to support development of a program using Montana's tribal colleges as catalysts for development of more substantive arts education programs in schools in Indian communities.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 25, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 82  
DATE 4/1/93  
BILL NO. HB 2  
*Carried*

1. Page D-2, line 12.

Strike: "245,539"

15,000"

Insert: "295,539"

815,000"

2. Page D-3, following line 9.

Insert: "The biennial appropriation for legislative contract authority of \$850,000 included in item 2 is subject to the following provisions:

- (1) Legislative contract authority applies only to federal and private funds.
- (2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.
- (3) A report must be submitted by the Montana state library commission to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project."

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Fritz  
For the Senate Finance and Claims Committee

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 83

Prepared by Sandy Whitney  
March 29, 1993

DATE 4/1/93

BILL NO. 7SB2

*Carried*

1. Page D-3.

Following: line 9

Insert: "Item 2b provides spending authority for the expenditure of amounts paid by the department of transportation to the Montana state library for the department's use of the natural resource information services, based on the rates and manner of payment negotiated by the Montana state library and the department. The funds collected from the department must be deposited in a state special revenue account and must be used to support the natural resource information services."

Item 2b was originally intended to be appropriated from the highways special revenue account. However, a direct appropriation for the highways account would prevent the department from using federal matching funds for support of the NRIS. Billing the Department of Transportation for its specific use of NRIS services and then depositing the funds to a special revenue account would allow the Department of Transportation to draw an 80% match from federal highway funds, potentially saving up to \$160,000 in state funds over the biennium.

{Office of Legislative Fiscal Analyst

444-2986}

**Amendments to House Bill No. 2  
Third Reading Copy**

**Requested by Senator Lynch  
For the Senate Finance and Claims Committee**

**Prepared by Sandy Whitney  
March 30, 1993**

**1. Page D-5, line 19.  
Strike: "27,698,141"  
Insert: "27,498,141"**

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 84  
DATE 4/1/93  
BILL NO. HB 2

*Carried*

**The purpose of this amendment is to reduce the corrections medical appropriation by \$200,000 in fiscal 1995.**

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 4/1/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD	✓	
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN	✓	
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT		✓
SENATOR KEATING	✓	
SENATOR LYNCH	✓	
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT	✓	
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Stealey  
SECRETARY

CHAIR

MOTION: Senator Lynch amendment  
motion (Exhibit 74)

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Beck  
For the Committee on Senate Finance & Claims

Prepared by Department of Corrections and Human Services  
March 30, 1993

1. Page D-5, following line 25.

Insert: "b. HB 617 -- Federally Certified Industries Programs"  
"178,524" (Proprietary FY95)

LFA to Adjust Totals

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 85  
DATE 4/1/93  
BILL NO. HB 2

*Carried*

This amendment will provide proprietary authority to the department for implementation of HB617. The bill provided that federal certification for specific industries programs may be obtained. DCHS will apply for federal certification during FY94 and will implement the program in FY95. The appropriation in this amendment would allow an estimated 50 different inmates to work on certified projects during FY95 at the equivalent of 15 full time industries jobs during the year.

{Office of Legislative Fiscal Analyst

444-2986}



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Franklin  
For the Committee on Senate Finance & Claims

Prepared by Roger Lloyd  
April 1, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 86

DATE 4/1/93

BILL NO. HB 2

1. Page D-6, line 2.

Strike: "30,874,867

Insert: "30,988,471

31,657,205" [general fund]

31,886,685" [general fund]

LFA will amend totals.

*Failed*

This amendment adds \$113,604 general fund in fiscal 1994 and \$229,480 general fund in fiscal 1995 to the Department of Corrections and Human Services to assist consumers in locating and maintaining suitable housing in the community.

{Office of Legislative Fiscal Analyst

444-2986}

*Sen. Franklin moved - withdrew motion.  
Sen. Keating moved amendment. His  
motion failed on a voice vote*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Beck  
For the Committee on Senate Finance & Claims

Prepared by Department of Corrections & Human Services  
March 30, 1993

1. Page D-6, line 2.

Strike: "172,670

Insert: "233,127

172,670" -

233,127"

(State Special Revenue)

(State Special Revenue)

SENATE FINANCE AND CLAIMS

EXHIBIT NO.

DATE

BILL NO.

*Carried*

LFA to Adjust Totals

The purpose of this amendment is to allow the department of corrections and human services the flexibility to maintain employee housing on the closed galen campus during the 94-95 biennium. The department could allow employees to stay in their rental housing and use rents, estimated to be \$60,457 per year to pay for natural gas, electricity and other costs related to employee housing.

The department is appropriated \$100,000 per year to maintain the remainder of the campus but this funding will not allow maintenance of the employee housing.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Aklestad  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 26, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 88  
DATE 4/1/93  
BILL NO. HB 2

1. Page D-6.

Strike: lines 23 and 24 in their entirety

Insert: "a. Eastern Montana Veterans' Home

110,592

(fiscal 1995 general fund)

713,263

(fiscal 1995 state special revenue)

74,174"

(fiscal 1995 federal special revenue)

*Withdrawn*

This amendment: 1) provides \$898,029 in fiscal 1995 for an operating budget for Eastern Montana Veterans' Home; 2) funds the operating budget with \$110,592 general fund, \$639,079 of the 2 cent cigarette tax, \$74,184 medicaid and private funds, and \$74,174 federal VA funds; and 3) eliminates the use of cigarette tax for a Veterans' community services program.

Total operating expenses (start-up costs) from January 1 through March 31, 1995 are \$278,729. Operating expenses for April 1 through June 30, 1995 are \$619,300. Approximately 4 residents per week would be admitted beginning April 1, 1995. The general fund obligation for full operations in fiscal 1996 and beyond would be approximately \$1.0 million per year. An additional 1.6 cents in cigarette tax would be required to fully replace general fund, based on current expenditure estimates.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Weeding  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 29, 1993

1. Page D-6.

Strike: lines 23 and 24 in their entirety

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 89

DATE 4/1/93

BILL NO. HB 2

This amendment eliminates the use of cigarette tax for a Veterans' community services program. Without additional appropriation, the estimated state special revenue fund balance (established in House Bill 46) at the end of the 1995 biennium would be \$639,079.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*

*affected moved*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Franklin  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 29, 1993

1. Page D-7, line 20.

Strike: "\$84,263"

Insert: "\$35,626"

Strike: "\$136,823"

Insert: "\$77,966"

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 90

DATE 4/1/93

BILL NO. HB2

2. Page D-7, line 21

Strike: "\$78,537"

Insert: "\$52,166"

Strike: "\$103,357"

Insert: "\$76,986"

*Withdrawn*

The purpose of this amendment is to revise the contingent language to reflect HB333 as amended.

{Office of Legislative Fiscal Analyst

444-2986}

*Withdrawn*

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Harding  
For the Senate Finance and Claims Committee

Prepared by Sandy Whitney  
March 31, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 91

DATE 4/1/93

BILL NO. HB 2

1. Page D-7.

Following: line 23

Insert: "If construction of a new women's correctional facility is passed and approved in House Bill No. 5, the general fund appropriation for operation of that facility from January 1 through June 30, 1995, is \$876,104. The fiscal 1995 appropriation includes personal services for an additional 13.33 FTE."

*Failed*

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 718-2

DATE 4/1/93

TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGSON		✓
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN		✓
SENATOR FRITZ		✓
SENATOR HARDING	✓	
SENATOR HOCKETT		✓
SENATOR KEATING		✓
SENATOR LYNCH		✓
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN		✓
SENATOR WATERMAN		✓
SENATOR WEEDING	✓	

Lynn Kealey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Harding amendment  
motion (Exhibit 9.)

I. O. O.

**WOMEN'S CORRECTIONAL CENTER**  
**DOLLARS AND SENSE**

SENATE FINANCE AND CLAIMS  
BILL NO. 92  
DATE 4/1/93  
BILL NO. 2B2

If the state does not build a Women's Correctional Center, it will cost the state in the long term. There are choices to be made regarding House Bill 2 and House Bill 5.

In 1991 \$10.2 Million of bonding authority was given to build a 120 bed facility, and we have incurred \$740,000 in expenses for planning and design of a 120 bed facility in Billings.

Current Plan from House Action

Suggestion for Revision

<u>Current Plan from House Action</u>	<u>Suggestion for Revision</u>
Operating Costs (cap at 50)	<b>HB 2</b>
1994 (\$28,606)	Move \$68,000 from Comm. Corr. mod back into WCC operating costs
1995 (\$29,434)	Use \$100,000 for start up for new facility
Women's Comm. Corr. - \$168,000	
	<b>HB 5</b>
"Planning and Assessment" - \$500,000 (Bonding from 1991 \$10.2 M authority)	Reduce Bonding authority to \$9.3 M for 84 bed facility
New Visitor's Center ??? \$260,000 - No new FTE in HB 2 to staff this	Delete (\$260,000)
Sect. 7 Lines 14 - 19 Interaccount loans to pay planning & design costs incurred	No need for pay back - \$9.3 M will cover costs

Potential Costs

Law suit expenses \$200,000 - \$500,000	Bond payment - \$500,000 1995
Lose Billings contribution of land, utilities hook up, and site preparation	

The bottom line is:

- population figures show by 1995 we will have 109 women in the corrections system
- we are vulnerable to a law suit and costly continued monitoring by the federal government
- Billings has shown strong support both financial and community-wide, but cannot invest in anything less than an 84 bed facility
- with all of the delays in the construction, if we restart at the end of the legislative session, the facility will not be ready for occupancy until July 1, 1995.

**ITS CHEAPER TO BUILD NOW THAN TO PAY MUCH MORE IN THE LONG RUN**



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Senate Finance and Claims Committee

Prepared by Skip Culver  
March 29, 1993

1. Page E-1.

Strike: lines 19 and 20 in their entirety  
Renumbe: subsequent subsections

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 93

2. Page E-4.

Strike: lines 8, 9, and 10 in their entirety

DATE 4/1/93

BILL NO. HB2

*Carried*

EXPLANATION: The Office of Public Instruction's budget modification for increased funding for teacher certification and revocation hearings was contingent upon the passage and approval of HB 106, which increased teacher fees and transferred certain duties to OPI. Since HB 106 was tabled in House Education, the budget modification can be removed from HB 2. Also, language in HB 2 called for the replacement of general fund with teacher certification fees in the OPI appropriation, should HB 106 pass; since it did not, this language is not necessary and this amendment removes all language referencing HB 106.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
April 1, 1993

1. Page E-2.

Following: line 9.

Insert: "k. METNET (Restricted/Biennial)  
400,000" State Special Revenue- Fiscal 1994

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 94

DATE 4/1/93

BILL NO. 72B2

2. Page E-4, following line 10.

Insert: "Item 1k must be used to carry out the responsibilities of the superintendent of public instruction as provided in Title 20, chapter 32, part 1."

*Carried*

This motion appropriates \$200,000 in FY94 and \$200,000 in FY95 from the state Equalization Aid Account to fund the Montana Educational Technology Network (METNET) program. Funding for METNET presently comes from the State Equalization Aid Account. This appropriation funds current level and provides support for the two toll free lines to operate the education bulletin board and electronic mail network in areas that do not have local access to the bulletin board.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Lynch  
For the Senate Finance and Claims Committee

Prepared by Lois Steinbeck  
April 1, 1993

1. Page E-4.

Strike lines 24 and 25 in their entirety.

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 95  
DATE 4/1/93  
BILL NO. HB 2

*Failed*

Explanation: this amendment removes the requirement that the gifted and talented and secondary vo-ed appropriations be contingent on the passage and approval of House Bill ~~667~~: 677,

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jergeson  
For the Committee on Senate Finance and Claims

Prepared by Clayton Schenck  
April 1, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 96  
DATE 4/1/93  
BILL NO. NB2

1. Page E-8, line 25.

Following: "payments"

Strike: "reverts to the general fund"

Insert: "are appropriated for pre-planning purposes to complete the unfinished  
space at the Great Falls Vocational Technical Center."

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Swysgood  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
April 1, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 97  
DATE 4/1/93  
BILL NO. HB 2

*Carried*

1. Page E-7, line 1 through page E-9, line 8.  
Strike: Page E-7, line 1 through page E-9, line 8 in their entirety.

2. Page E-12, following line 25.

Insert: "b. Student Assistance Program (Restricted)

5,063,717 General Fund Fiscal 1994  
305,000 Federal Funds Fiscal 1994  
5,059,192 General Fund Fiscal 1995  
305,000 Federal Funds Fiscal 1995

c. Dwight D. Eisenhower Mathematics and Science Education Act

296,803 Federal Funds Fiscal 1994  
296,806 Federal Funds Fiscal 1995

d. Community College Assistance

4,232,022 General Fund Fiscal 1994  
4,202,132 General Fund Fiscal 1995

e. Montana University System Group Insurance Program

17,976,875 Proprietary Fiscal 1994  
19,844,204 Proprietary Fiscal 1995

f. Talent Search

290,420 Federal Funds Fiscal 1994  
291,266 Federal Funds Fiscal 1995

i. Talent Search

119,014 Federal Funds Fiscal 1994  
158,184 Federal Funds Fiscal 1995

g. Carl D. Perkins Administration

84,293 General Fund Fiscal 1994  
5,106,169 Federal Funds Fiscal 1994  
80,000 General Fund Fiscal 1995  
5,101,876 Federal Funds Fiscal 1995

h. Guaranteed Student Loan Program

1,883,696 Federal Funds Fiscal 1994  
1,888,642 Federal Funds Fiscal 1995

i. Guaranteed Student Loan 1

722,567 Federal Funds Fiscal 1994  
797,436 Federal Funds Fiscal 1995

ii. Guaranteed Student Loan 2

766,996 Federal Funds Fiscal 1994  
767,080 Federal Funds Fiscal 1995

i. Board of Regents -- Administration

33,521 General Fund Fiscal 1994  
34,024 General Fund Fiscal 1995

j. Board of Regents Bond Payments

216,995 General Fund Fiscal 1994  
111,483 General Fund Fiscal 1995

k. Vocational-Technical Center Administration

100,263 General Fund Fiscal 1994  
100,517" General Fund Fiscal 1995

3. Page E-13, following line 7.

Insert: "Montana state university shall provide administrative support for the functions listed in items 1b through 1k.

Any indirect cost reimbursements received in excess of \$20,885 in fiscal 1994 and \$20,885 in fiscal 1995 as a result of an increase in the federal talent search grant must cause a general fund reversion of a like amount.

If House Bill No. 5 is not passed and approved in a form that results in the issuance of general obligation bonds for prepayment of the remaining payment obligations for the Butte vocational-technical center, the general fund appropriation in item 1j is increased by \$465,115 in fiscal 1994 and by \$467,275 in fiscal 1995.

In the event that bond payments on the Butte, Great Falls, and/or Billings vocational-technical centers are less than the amounts shown in item 1j in either year of the 1995 biennium, the difference between the appropriated amount and actual payments reverts to the general fund.

The general fund appropriation for each community college includes 49% of the total unrestricted budgets for the community colleges in fiscal 1994 and fiscal 1995. The total unrestricted budgets for the community colleges must be approved by the board of regents.

The general fund appropriation for each community college provides 49% of the total audit cost. The remaining 51% of these costs are to be paid from funds other than those appropriated in item 1d. Audit costs for the biennium may not exceed \$18,000 each for Dawson and Miles community colleges and \$25,000 for Flathead Valley community college."

This amendment eliminates the Office of the Commissioner of Higher Education and transfers all functions to Montana State University. The amendment deletes funding for the current Administration Program, as well as the vacancy savings and personal services contingency line items.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 4/1/93 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON		✓
SENATOR JERGESON		✓
SENATOR AKLESTAD	✓	
SENATOR BECK	✓	
SENATOR BIANCHI		✓
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN	✓	
SENATOR FORRESTER	✓	
SENATOR FRANKLIN		✓
SENATOR FRITZ		✓
SENATOR HARDING	✓	
SENATOR HOCKETT		✓
SENATOR KEATING	✓	
SENATOR LYNCH	✓	
SENATOR TOEWS	✓	
SENATOR SWYSGOOD	✓	
SENATOR TVEIT	✓	
SENATOR VAUGHN		✓
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Stealey  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Senator Swysgood Amendment  
Motion (Exhibit 97)

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jergeson  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
April 1, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 98  
DATE 4/1/93  
BILL NO. HB 2

1. Page E-9, following line 8.

Insert: "The legislature expects, as a result of the general fund reductions adopted in [this act], that the governor and the board of regents will manage these reductions in the following manner:

*Carried*

(1) Administrative cuts should precede and meet or exceed, on a percentage basis, reductions in any other area of the university system. Management efficiencies, as prescribed by the MGT study, should be implemented to the greatest extent and as soon as possible.

(2) Faculty productivity standards should be negotiated and implemented.

(3) Enrollment limits and tuition increases should be used only as a last resort."

2. Page E-9, lines 20 and 21.

Page E-10, lines 8 and 9.

Page E-10, lines 21 and 22.

Page E-11, lines 9 and 10.

Page E-11, lines 22 and 23.

Following: "county."

Strike: "Any collections from this source that exceed these amounts must cause a general fund reversion of a like amount."

3. Page E-15, line 25.

Following: "system"

Strike: "and must cause a general fund reversion of a like amount"

4. Page E-16.

Strike: lines 1 through 17 in their entirety.

These amendments:

1) provide direction to the Board of Regents for managing the appropriation to the university system in the 1995 biennium;

2) eliminate language requiring a reversion of a like amount of general fund to the extent six mill and county levy collections exceed the appropriated level at the six university units and the vocational technical centers; and

3) eliminate language requiring a reversion of a like amount of general fund to the extent tuition revenues exceed the stated level.



# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. HB 2

DATE 4/1/93 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING	✓	
SENATOR HOCKETT	✓	
SENATOR KEATING	✓	
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Lynn Stealey  
SECRETARY

CHAIR

MOTION: Senator Jergeson Amendment  
Motion (Exhibit 98)

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 7182

DATE 4/1/93 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGESON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS	✓	
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN	✓	
SENATOR WEEDING	✓	

Len Stealy  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Sen. Lynch motion to strike amendments  
by Senator Swysgood (Exhibit 97)

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Swysgood  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
March 30, 1993

1. Page E-7, line 3.  
Strike: "964,845 969,776"  
Insert: "920,664 926,807"

2. Page E-9.  
Strike: lines 6 through 8 in their entirety.

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 99  
DATE 4/1/93  
BILL NO. HB 2  
*Carnel*

This amendment puts the Regents' Employee Reporting System (RERS) on hold by eliminating the requirement that the Montana University System (MUS) maintain the system in the 1995 biennium, and eliminating all RERS funding in the Office of the Commissioner of Higher Education totaling \$44,181 in fiscal 1994 and \$42,969 in fiscal 1995.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Swysgood

For the Committee on Finance and Claims

Prepared by Taryn Purdy  
March 31, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO.

100

DATE

4/1/93

BILL NO.

HB 2

1. Page E-7, line 11.

Strike: "4,232,022"

Insert: "4,202,132"

2. Page E-7, following line 11.

Insert: "a. Legislative Audit (Restricted/Biennial)  
29,890" General Fund Fiscal 1994

*Carried*

3. Page E-7, line 21.

Strike: "1,883,696"

Insert: "1,877,842"

4. Page E-7, following line 25.

Insert: "c. Legislative Audit (Restricted/Biennial)  
5,854" Federal Funds Fiscal 1994

These amendments move \$29,890 of general fund in the Community College Assistance program and \$5,854 of federal funds in the Guaranteed Student Loan program currently budgeted for audits to restricted/biennial audit appropriations.

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*

hb000232.a16

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Swysgood  
For the Committee on Senate Finance & Claims

Prepared by Department of Labor &  
Office of the Commissioner of Higher Education  
March 31, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 101  
DATE 4/1/93  
BILL NO. HB2

1. Page E-8, line 7.

Following: line 6

Insert: "12. Montana Career Information System (16)

Additional School Services

50,051 54,985" [FY94 and FY95 Proprietary]

Renumber: subsequent sections

*Carried*

This amendment enables the Montana Career Information System (MCIS) to support a greatly increased demand for its information software services. MCIS projects 40-60 new schools requesting its information software services for FY94, resulting in substantial increases in printing, training, site travel, supplies, contracted services and inventory purchased for resale. These costs would be covered by the user fees paid by the new sites.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jergeson  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
April 1, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 102  
DATE 4/1/93  
BILL NO. HB 2

1. Page E-12, following line 13.

Insert: "b. Scholarships (Restricted)  
5,000 General Fund Fiscal 1994  
10,000" General Fund Fiscal 1995

2. Page E-12, following line 20.

Insert: "Item 1b is for an additional \$5,000 scholarship each year for a resident student in the student's junior and senior years and who has a double major in business administration and foreign languages."

3. Page E-12, following line 25.

Insert: "b. Scholarships (Restricted)  
5,000 General Fund Fiscal 1994  
10,000" General Fund Fiscal 1995

*Filed*

4. Page E-13, following line 7.

Insert: "Item 1b is for an additional \$5,000 scholarship each year for a resident student in the student's junior and senior years and who has a double major in agricultural economics and foreign languages."

These amendments add \$5,000 in fiscal 1994 and fiscal 1995 for a junior with a double major in business administration and foreign languages at UM and agricultural economics and foreign languages at MSU. Fiscal 1995 includes an additional \$5,000 at each campus to continue the scholarships to the students receiving the scholarships in fiscal 1994 in the students' senior year. The amendments would utilize a portion of the savings resulting from elimination of the foreign trade office.

{Office of Legislative Fiscal Analyst

444-2986}

# ROLL CALL VOTE

SENATE COMMITTEE FINANCE AND CLAIMS

BILL NO. 462

DATE 4/1/93 TIME \_\_\_\_\_ A.M. P.M.

NAME	YES	NO
SENATOR JACOBSON	✓	
SENATOR JERGSON	✓	
SENATOR AKLESTAD		✓
SENATOR BECK		✓
SENATOR BIANCHI	✓	
SENATOR CHRISTIAENS		✓
SENATOR DEVLIN		✓
SENATOR FORRESTER	✓	
SENATOR FRANKLIN	✓	
SENATOR FRITZ	✓	
SENATOR HARDING		✓
SENATOR HOCKETT	✓	
SENATOR KEATING		✓
SENATOR LYNCH	✓	
SENATOR TOEWS		✓
SENATOR SWYSGOOD		✓
SENATOR TVEIT		✓
SENATOR VAUGHN	✓	
SENATOR WATERMAN		✓
SENATOR WEEDING		✓

Lynn Stalley  
SECRETARY

\_\_\_\_\_  
CHAIR

MOTION: Sen. Jergson amendment  
mation (Exhibit 103)

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Hockett  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
April 1, 1993

1. Page E-14, line 23 through page E-15, line 1

Strike: page E-14, line 23 through page E-15, line 1 in their entirety. SENATE FINANCE AND CLAIMS

EXHIBIT NO. 103

This amendment deletes language related to NMC's campus extension in ~~Great Falls~~.

DATE 4/1/93

BILL NO. HB 2

{Office of Legislative Fiscal Analyst

444-2986}

*Carried*



Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Bianchi  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
April 1, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 104  
DATE 4/1/93  
BILL NO. HB 2

1. Page E-13.

Strike: lines 6 and 7 in their entirety.

This amendment removes language requiring MSU to pay rent to the Montana Deaconess Medical Center in Great Falls from funds currently appropriated in House Bill 2.

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2 ..  
Third Reading Copy

Requested by Senator Swysgood  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
April 1, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 105  
DATE 4/1/93  
BILL NO. HB 2

1. Page E-16, line 20.

Strike: "7,127,647 7,164,480" --

Insert: "7,226,947 7,263,780"

This amendment adds \$99,300 of general fund each year to the Agricultural Experiment Station for technical support, equipment, and operations.

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}

Amend House Bill No. 2, Third Reading  
For the Senate Finance and Claims Committee

March 30, 1993

1. Page E-17, line 5.

Strike: "2,786,119 2,788,897" [general fund]

Insert: "2,751,119 2,753,897" [general fund]

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 106

DATE 4/1/93

BILL NO. NB2

This amendment deletes \$35,000 of funding for the Human Development area of the Cooperative Extension Service. This area may be considered a duplication of work which is the primary mission of the Department of Family Services, Department of Social and Rehabilitative Services and the Mental Health Centers of the Department of Corrections and Human Services. In these times of extreme financial constraint the Cooperative Extension Service could receive assistance from these agencies for this area of work.

*Withdrawn*

Prepared by Office of Budget and Program Planning

T:\PC10\3CESAMD

Amend House Bill No. 2, Third Reading

Requested by: Senator Jacobson

For the Senate Finance and Claims Committee

March 30, 1993

SENATE FINANCE AND CLAIMS

EXHIBIT NO. 107

DATE 4/1/93

1. Page E-17, line 5.

Strike: "2,786,119 2,788,897" [general fund] NO. 2182

Insert: "2,751,119 2,753,897" [general fund]

*Withdrawn*

This amendment deletes \$35,000 of funding for the Community Development area of the Cooperative Extension Service. This area may be considered a duplication of work which is the primary mission of the Department of Commerce and the Resource Conservation and Development Areas of the Department of Natural Resources and Conservation. In these times of extreme financial constraint the Cooperative Extension Service could receive assistance from these agencies for this area of work.

Prepared by Office of Budget and Program Planning

T:\PC10\3CESAMD

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Toews  
For the Committee on Finance and Claims

Prepared by Taryn Purdy  
March 29, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 108  
DATE 4/1/93  
BILL NO. HB2

1. Page E-17, following line 8.

Insert: "The 1997 biennium budget submission of the cooperative extension service must include a plan to reduce total current level general fund expenditures in each year of the 1997 biennium to a level no greater than required to fully match all anticipated federal Smith-Lever Act funds at the federally mandated level."

*Filed*

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Committee on Senate Finance & Claims

Prepared by Roger Lloyd  
April 1, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 109  
DATE 4/1/93  
BILL NO. HB2

1. Page C-16, line 18.  
Strike: "190,681"  
Insert: "189,781"

[Fiscal 1994 General Fund]  
[Fiscal 1994 General Fund]

*Carried*

This is a technical adjustment reducing general fund to the level required if House Bill 193 is passed and approved.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

Requested by Senator Jacobson  
For the Committee on Senate Finance & Claims

Prepared by Teresa Olcott Cohea  
March 31, 1993

1. BP-2, line 8.  
Following: " appear in"  
Strike: "each of the"  
Insert: "some"

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 118  
DATE 4/1/93  
BILL NO. HB 2

*Carried*

A technical amendment to conform boiler plate language to amendments adopted by the Committee on March 30.

{Office of Legislative Fiscal Analyst

444-2986}

Amendments to House Bill No. 2  
Third Reading Copy

For the Committee on the Finance and Claims

Prepared by Roger Lloyd  
March 15, 1993

SENATE FINANCE AND CLAIMS  
EXHIBIT NO. 111  
DATE 4/1/93  
BILL NO. HB 2

1. Page BP-2.

Following line 14.

Insert: "NEW SECTION. Section 11. Personal services funding -- 1997 biennium. (1) Except as provided in subsection (2), current and modified funding level budget requests for the 1997 biennium submitted under Title 17, chapter 7, part 1, by each executive, judicial, and legislative branch agency and the commissioner of higher education must include funding of first level personal services separate from funding of other expenditures. The funding of first level personal services by accounting entity for each fiscal year must be shown for each control variable in agency budget requests for the 1997 biennium submitted to the office of budget and program planning.  
(2) The provisions of subsection (1) do not apply to the rest of the Montana university system."

Renumber: Subsequent sections.

*Carried*

{Office of Legislative Fiscal Analyst

444-2986}



DATE March 30, 1993

SENATE COMMITTEE ON Finance & Claims

BILLS BEING HEARD TODAY: HB 2

Name	Representing	Bill No.	Check One	
			Support	Oppose

FRANK Michels M.D.	Montana Fam Practices	HB2		
Vernon S. Bertelsen	Legacy Legislature	H.B. 2		
Roland H. Pratt	Self	H 2		
J. Shontz	Mental Health Dr.	HB2		
Jan-Kell Macfadden	DFS	HB2		
<del>Ed. Bergstrom</del>	Comm. Pol Practices	HB2		
<del>Mark O'Keefe</del>	State Auditor	HB2		
MARV DYE	MDT	HB2		
Dennis M. Taylor	Justice	HB2		
PATRICK CHENOVICK	SUPREME COURT	HB2		
Bob Andersen	DLI			

## VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 4/1/93

SENATE COMMITTEE ON Foreign Claims

BILLS BEING HEARD TODAY: HB 2

Name	Representing	Bill No.	Check One	
			Support	Oppose
Ray Beek	VNRC	2	X	
Allyn Finbaugh	MAC	2	X	

## VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY