MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - SPECIAL SESSION ONE CONTINGENCY STARTUP

JOINT SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: By CHAIRMAN ERNEST BERGSAGEL, on July 29, 1993, at 10:00 AM.

ROLL CALL

Members Present:

Rep. Ernest Bergsagel, Chairman (R)

Sen. Bob Hockett, Vice Chairman (D)

Rep. Francis Bardanouve (D)

Sen. Ethel Harding (R)

Sen. Eleanor Vaughn (D)

Rep. Tom Zook (R)

Members Excused: NONE

Members Absent: NONE

Staff Present: Jim Haubein, Legislative Fiscal Analyst

Jane Hamman, Office of Budget & Program Planning

Sandra Boggs, Committee Secretary

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

Committee Business Summary:

Hearing:

Executive Action:

HEARING ON HB 5 AND HB 2

Tape No. 1:A:008

CHAIRMAN ERNEST BERGSAGEL stated that the purpose of this conference call was to discuss options the committee could take to reduce any impact long-range building projects have on the General Fund. He did not anticipate any formal action to be taken at this time. He requested that the status of each building project be reviewed for the committee. He stated that he believes the committee is limited in actions that can be taken to lower the impact on the General Fund. The committee can only delay construction of long-range building projects; terminate all construction; or take out the \$ 2.5 Million of General Fund targeted for the maintenance of existing facilities.

Mr. Jim Haubein, Legislative Fiscal Analyst, reviewed the status of each project, including any general fund impact. EXHIBIT 1.

SEN. BOB HOCKETT requested that committee members be sent a list of the agencies and individuals listening to the conference call in Helena.

Mr. Haubein informed the committee that all figures listed in EXHIBIT 1 as commitments, can be considered expenditures due to their status as valid obligations. He stated that the general debt service figures have been calculated as if there were no restrictions in HB 5. The Department of Administration is still developing the necessary process to comply with the restrictions in HB 5.

Tape 1:A:450

CHAIRMAN BERGSAGEL stated that the biggest savings to the General Fund can be achieved if the committee goes with the presented plan. There will be approximately a \$4 Million savings in debt service increase if buildings are delayed. Mr. Haubein reminded the committee that the calculated savings would be realized if the debt service is structured as it is now without the restrictions of HB 5. The debt service may change when those restrictions are developed.

Debbie Owen, Department of Administration, stated that the Attachment A of EXHIBIT 1 is a standard projection of debt service without the restrictions for prudent debt management principles, and utilizing interest earnings on proceeds for minimizing debt service. A projection of debt service figures are not available at this time incorporating those and other debt management strategies. The DofA is currently working on the \$3 Million debt bond Butte Vo-Tech project. Because of the "re-funding" being a part of this project, the DofA is able to use savings to offset the debt service cost. The DofA is determining if there will be the opportunity to totally eliminate any true debt increase on that project.

CHAIRMAN BERGSAGEL asked if that would mean a potential savings of \$350,000 to \$400,000 because of the refunding. Ms. Owen stated that is correct.

SEN. HOCKETT asked what year the present debt service would drop off drastically. Ms. Owen stated that in FY96 General Fund debt service is \$10.6 Million, and drops to \$3 Million in FY97. After FY97 the debt service is nonexistent.

SEN. HOCKETT asked what interest rate was used to calculate the debt service. Ms. Owen stated that the current interest rate is \$4.7% net interest cost. The figures were determined when there was a 5.0% interest cost. The interest cost will most likely vary before the bonds are sold.

SEN. ELEANOR VAUGHN reminded the committee that there is no guarantee that the interest rates won't begin to rise rapidly. This was one reason the committee was interested in selling the

bonds now to take advantage of the low interest rates. She asked if Ms. Owen predicted the interest rates would rise soon. Ms. Owen stated that the current interest rates are very favorable, but could not predict that the rates would not go up.

- SEN. VAUGHN stated that she is concerned that federal funds for some building projects, particularly the Libby Armory, may not be available if the bond sale is delayed. She asked if there was any information on whether the federal funds would still be available if the buildings were delayed.
- Col. Allan Stricker, National Guard, Department of Military Affairs, stated that the federal funding for the Libby Armory is good through September of 1994.
- SEN. ETHEL HARDING asked if federal money would be available for the Eastern Montana Veteran's Home. CHAIRMAN BERGSAGEL stated that the federal funds are available for that construction, and that the bonds would be sold before there would be a special session of the legislature. Therefore, the committee will not address that bonding process again.
- Tom O'Connell, Architecture and Engineering, Department of Administration, stated that the bid date for the Veteran's Home project is August 4, 1993. The bid is held for sixty-days pending approval from the Veteran's Administration, and the contract will be awarded on approximately October 3, 1993.
- CHAIRMAN BERGSAGEL stated that a special session probably would not occur before that contract is awarded.
- SEN. VAUGHN requested the Department of Corrections and Human Services to explain the use of the \$260,000 designated to repair the current temporary Women's Prison at Warm Springs. She has heard that the funds may be used to expand the existing facilities there instead of continuing to look at building a new prison in Billings.
- Jim Pomeroy, Department of Corrections and Human Services, stated that the department intends to continue to plan a new women's correctional center in Billings. Currently the community corrections program is being expanded and there is uncertainty over how large a facility should be built. Meanwhile the department has been discussing relocating the women to another location at Warm Springs State Hospital.
- CHAIRMAN BERGSAGEL stated that it was the intent of this committee and of the legislature to address the safety and health considerations of women inmates. It was the committee's understanding that the current facility would be used. The committee and the legislature will have difficulty with the concept of utilizing that \$260,000 for a move into another facility. The committee granted the DCHS discretionary authority for the use of the \$260,000 and it seems as if it will not be

used as the legislature intended. He requested Mr. Pomeroy to pass on his comments and the committee's concerns to Mr. Rick Day, Director of DCHS.

Mr. Pomeroy stated that he would relay the information to Mr. Day, and would also provide further information to the committee members.

SEN. HOCKETT, SEN. VAUGHN and SEN. HARDING agreed with CHAIRMAN BERGSAGEL's concerns.

CHAIRMAN BERGSAGEL asked if the committee had any suggestions for cutting General Fund debt. He preferred to delay buildings, and keep the \$2.6 Million in General Fund that is designated for the maintenance of existing buildings.

REP. FRANCIS BARDANOUVE agreed that the \$2.6 Million should be left alone.

CHAIRMAN BERGSAGEL stated that the debate on whether to delay or proceed with construction will be held during a special session of the legislature.

- REP. BARDANOUVE stated that the Veteran's Home project should be left alone to proceed. He also stated that the SRS Warehouse, Job Service, and Butte Vo-Tech projects should be left alone. The projects the committee can debate include the university buildings, and the Libby Armory. There is a \$1 Million project at the Montana State Hospital that could be debated.
- REP. BARDANOUVE asked how essential the renovation at Warm Springs is. Dan Anderson, Mental Health Division, stated that the \$1 Million would be used to bring the state hospital closer to accreditation. A separate bill was passed by the legislature asking for a report back to the legislature on progress toward accreditation, not only in terms of the building, but also in terms of programs at the hospital. The department thinks it is essential to move toward accreditation. At this time a committee is being established to prioritize and identify the most essential projects to be done. The deficiencies present at the hospital far exceed the \$1 Million available to address them.
- **REP. BARDANOUVE** stated that he would like to hear more about the renovation at the special session. He believes those renovations could be put on hold until the legislative session in FY95. This project is desirable, but the other projects are too.
- SEN. HOCKETT asked for a review of the projects that could be debated. CHAIRMAN BERGSAGEL stated that the Engineering building at Montana State University, the Business Administration building in Missoula, could be looked at. In accordance with committee comments, the Butte Vo-Tech building project and the \$2.6 Million for maintenance projects would not be looked at by the committee. The committee would look at \$260,000 set aside for the Women's

Prison at Warm Springs.

SEN. HOCKETT asked if the \$6 Million in bonds for the project at the Men's State Prison would be looked at. CHAIRMAN BERGSAGEL stated that the Governor has authorized \$600,000 in bonds to be sold for that project and the committee won't be able to deal with those bonds. The balance that is remaining was awarded when the committee had hopes that inmate labor would be available to complete those projects.

Tape 1:B:003

REP. BARDANOUVE stated that the \$6 Million should be looked at in the special session. The other committee members expressed agreement, and commented that all projects would have to be subject to review, despite pet projects of committee members.

CHAIRMAN BERGSAGEL asked if he should assume everything is open to review.

REP. BARDANOUVE stated that federal funds for the Libby Armory may be difficult to get re-authorized if Congress makes cutbacks. He hesitates to postpone the Armory project.

SEN. VAUGHN stated that the loss of the project would be a hard hit to the Libby area. If the federal funds are lost, there will be no chance the Armory would be built. The bonds needed are small in comparison to other projects. The General Fund maintenance would not increase for this project, and may even decrease.

REP. ZOOK expressed concern that if the building is built, Congress could then make cutbacks that leave the building empty. Col. Stricker stated that the DMA has no anticipation of long-term cuts that would force the National Guard out of any area of Montana.

CHAIRMAN BERGSAGEL asked if there was still the possibility that if a new Libby Armory is not built, the troops would be stationed in Kalispell. Col. Stricker stated that at this time the National Guard plans to have the Guard stay in Libby regardless.

CHAIRMAN BERGSAGEL stated that no formal action will be taken today. If formal action needs to occur before the special session, he will request that all members meet in Helena, otherwise they will meet during the special session.

REP. BARDANOUVE requested that the projects at the Men's Prison be prioritized. **Mr. Pomeroy** stated that the highest priority would be the construction of a new fence, at \$600,000. Other priorities would be:

remodeling highside kitchen, \$1,854,000 construction of dairy dorm, \$1,446,600

construction of vocational training, laundry, \$2,900,000 laundry equipment, \$1,274,000

REP. BARDANOUVE requested that the list be sent to committee members.

REP. ZOOK suggested it would be beneficial to have a meeting the latter part of August. Based on committee decisions, a bill could then be drafted to present to a special session of the legislature. This would speed the process of a special session, which was his intent in requesting these committee meetings.

Mr. Haubein stated that it would be a simple task to amend HB 5 and HB 2. There would be no separate bill required.

CHAIRMAN BERGSAGEL stated that he would consult with the Speaker of the House, the Speaker of the Senate, and Rep. Zook, and determine what the committee can do to expedite a special session, and will contact committee members as necessary.

HOUSE LONG-RANGE PLANNING SUBCOMMITTEE
July 29, 1993
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ADJOURNMENT

Adjournment: 11:10 AM

REP. ERNEST BERGSAGEL, Chairman

SANDRA BOGGS, Secretary

EB/SB



STATE OF MONTANA

Office of the Legislative Discal Analyst

EXHIBIT.

STATE CAPITOL HELENA, MONTANA 59620 406/444-2986

July 15, 1993

Representative Ernest Bergsagel Box 8045 Malta, MT 59538

Dear Representative Bergsagel:

As you requested, the following information is provided for the Long Range Planning Committee members as discussion items in preparation for special session.

CAPITAL PROJECTS

Following is the status of the major long range building projects as of July 1, 1993.

Eastern Montana Veterans' Home

The Architecture and Engineering Division (A&E) is currently advertising for bids for the project. The bid opening date is August 4, 1993, and there is a 60 day review period before a contract will be let for construction. The 60 day review period is necessary because the bids must be sent to the Veterans Administration for approval before the bid is let. It will also allow for negotiations between A&E and the contractor in the event the bids come in over the appropriation.

As of July 1, \$383,721 of cigarette tax monies have been spent or committed for the project. There have been no federal funds spent for the project to date.

Start-up operating costs (\$325,000) for the facility are appropriated from the two-House Bill 5 requires that the state contract with a private cent cigarette tax. provider to operate the home.

Libby Armory

The plans for this project are complete and it is ready to be let for bid. However, the Governor has directed A&E to delay the bid until after the potential special session.

DATE 7/39/93

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The expenditures and commitments for the project as of July 1, 1993 are \$73,303. Since the project is funded from bond proceeds and the bonds have not been sold, expenses to date have been paid with a general fund loan.

Operating costs are appropriated from the general fund and federal funds. The Department of Military affairs stated there would be no increase in operating costs as a result of the new construction.

Women's Correctional Center

The contract with the architect was terminated by letter on July 9, 1993. No further planning is being done until the Department of Corrections and Human Services (DCHS) has implemented the community corrections plan and determined the size of facility needed.

As of July 1, \$730,410 has been spent or committed for the project. As with the Libby Armory, the appropriation for the project is from bonding proceeds. Since the bonds have not been sold, the costs to date have been paid from a general fund loan.

There is no estimate of increased operating costs for the new facility.

Miscellaneous Prison Projects

DCHS is in the process of establishing priorities for these projects. The appropriation will not be sufficient to fund all the approved projects since the cost projections were based on using inmate labor. The Governor has authorized \$600,000 of bonds to be sold in August for, one of the authorized projects, the new fence.

As of July 1, \$970,631 has been spent or committed for the Prison Expansion. Most of the expenditures were for planning the expanded prison housing units. Of these expenditures, \$877,500 are from the capital projects fund and the remaining \$93,131 from a general fund loan.

There is no estimate of increased operating costs for the new facility.

MSU Engineering/Physical Science Building

Montana State University (MSU) and A&E have completed the financial agreement which requires the university to have all private funds committed before the project is sent out for bid. The planning is expected to be completed by September or October and the bidding to be done in November. After a six-week bid period, contracts will be awarded 30 days after bids are opened (providing the bids are within the appropriation). The Governor has directed that the bonds not be sold until after the potential special session.

DATE 7/29/93

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As of July 1, \$835,669 had been spent or committed for the project. The funding is from the capital projects fund and private funds donated to the university for the project.

There were no additional operating costs appropriated for the new facility in the 1995 biennium. However, MSU estimates the additional operating costs to be approximately \$1.2 million for the 1997 biennium.

UM Business Administration Building

The University of Montana (UM) and A&E have completed the financial agreement, which requires UM to have all private funds committed before the project is sent out for bid. The planning is expected to be completed by December and the bid requests to be sent out in January. After a six week bid period, contracts will be awarded 30 days after bids are opened (providing the bids are within the appropriation). The Governor has directed the bonds not be sold until after the potential special session.

As of July 1, \$888,549 had been spent or committed for the project. The funding is from the capital projects fund and private funds donated to the university for the project.

There were no additional operating costs appropriated for the new facility in the 1995 biennium. However, UM estimates the additional operating costs to be approximately \$828,000 for the 1997 biennium.

Refinance Bonds for Butte Vo-Tech Center

The Governor has authorized the sale of \$1,990,000 of bonds for this project in August. It was estimated this project will save approximately \$104,000 in general fund costs in the 1995 biennium.

Other Major Projects

A&E has not started work on the \$260,000 improvements at the Women's Correctional Center at Montana State Hospital, the \$1 million improvements at Montana State Hospital, the \$1.5 million Job Service buildings, and the \$1.7 million SRS Commodities Warehouse. However, the Governor has authorized \$260,000 of bonds for the Women's Correctional Center improvements to be issued in August.

NEW GENERAL FUND DEBT SERVICE

Attachment A is a tentative schedule prepared by the Department of Administration (DofA) showing the anticipated dates and amounts of new bonding to be issued during the 1995 biennium. The schedule shows the additional costs for the 1995 biennium as well as the total debt service costs over the life of the bonds. However, this schedule does not reflect the delay of debt service costs and bond

DATE 7/29/93

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proceeds interest revenues required in House Bill 5 to minimize the increased debter service costs for the 1995 biennium. DofA is working on how to structure the bonds so that interest on the bond proceeds will match the new debt service costs.

GENERAL FUND APPROPRIATED IN HOUSE BILL 5

House Bill 46 passed during the 1993 session authorized two-cents of the cigarette tax revenue (approximately \$2.6 million for the biennium) for the maintenance and operation of veterans' homes. Anticipating this loss of revenue to the capital projects fund, the Appropriations Committee amended House Bill 5 prioritizing projects funded with capital projects fund. Subsequently, the legislature appropriated \$2.6 million of general fund to the capital projects fund in House Bill 5 to offset the loss of the cigarette tax revenue. However, the projects are still priorities in the bill. If the general fund appropriation were reduced, the projects would be reduced accordingly.

RESOURCE INDEMNITY TRUST INTEREST

House Bill 6 appropriated funds from this interest for water development and renewable resources grants. This interest is also used to fund operations in the Department of Natural Resources (DNRC), primarily in the Water Resources Division. For the 1995 biennium, approximately \$4.2 million of general fund is appropriated for division operations. However, House Bill 608 passed during the 1993 session statutorily appropriated \$1,025,000 for the grants, which was \$747,379 less than the grants approved by the legislature in the bill. To divert any of the funds to replace general fund operating expenses in DNRC would require a change in statute.

House Bill 7 appropriated the interest for reclamation grants. These funds also provide operating expenses for the Reclamation Division in the Department of State Lands (DSL). There are no general fund operating expenses in this division.

CULTURAL AND AESTHETIC TRUST INTEREST

House Bill 9 appropriates \$1.3 million of the interest from this trust for Cultural and Aesthetics grants. Interest from the trust is also used to fund a portion of the operations of the Montana Arts Council. The Arts Council is also appropriated \$252,728 of general fund for operations during the 1995 biennium. If the grants in House Bill 9 were reduced, it would require a statutory change to replace the remaining general fund in the Arts Council's operating budget with this interest. The funding switch would have to be done by the Institutions and Cultural Education subcommittee.

I have not included information for the Treasure State Endowment program or the Oil Overcharge funds. Reductions in these programs would not result in any general fund savings. Information for these two programs as well as all the other programs for Long Range Planning are in Section F, Volume II of the LFA Appropriation Report, 1995 Biennium.

DATE 729/93

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I am also attaching a copy of the memo sent to all agencies by the Budget Subcom.

Please call me if you need additional information or have any questions. If I am not in the office the secretaries will be able to get in touch with me and I will call you as soon as I can.

Sincerely,

Jim Haubein Principal Fiscal Analyst

JH3C:mb:RB7-14.ltr

DATE___ LONG- RANGE PLAN
SUBCOMMITTEE

TENTATIVE DEBT SERVICE INCREASES TO FY94/95 - LRBP PROJECTS EXCLUDES MDC, JOB SERV, SRS WAREH, WARM SPR GO DEBT - GENERAL FUND PORTION - 7/12/93	NCHEASES TO FY94/95 SRS WAREH, WARM SI PORTION - 7/12/93	- LABP PROJECTS PR	L	
MAJOR PROJECTS	BOND AMT	TENTATIVE DEBT PAYMT/NEED		
WOMEN'S CORR CTR	10.075.600	AFTER 1/95	ш.	Ĺ
MT ST PRISON	6,705,000	FROM 1/94-9/94	i	
U of M (BusAd)	13,022,975	FROM 1/94-7/94	,	
MSU (Engr)	18,401,510	FROM 2/94-4/94		
LIBBY ARM	400,000	12/93	<u> </u>	1 =:
BUTTE VO-TECH	1,990,000	3/94	1	
IMPROVE WCC/WARM SP	260,000	2/94		
MISC IMPROV/WARM SP*	1,000,000	UNKNOWN		
10101			_	

SMALL PROJECTS	BOND AMT	8/93 ISSUE
BUTTE VO-TECH	1,990,000	2/94
IMPROVE WCC/WARM SP	260,000	2/94
MT ST PRISON	000'009	2/94
GF LOAN REPAYM**	95,000	2/94
TOTAL	2,945,000	

1,000,000

TOTAL

LARGE PROJECTS	BOND AMT	1/94 ISSUE
LIBBY ARM	400,000	7/94
MSU (Engr)	18,401,510	7/94
MT ST PRISON	6,010,000	7/94
U of M (BusAd)	13,022,975	7/94
MISC IMPROV/WARM SP*	1,000,000	UNKNOWN
TOTAL	38,834,485	,

41.779,485	
4 ISSUE	
GRAND TOTAL/FY94 ISSUE	
GRA	

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INCREASE IN BEHT SERVICE TOTAL. \$51,855,085		68.753	4,252,111	4,986,784	4,978,783	4,977,644	4,967,945	4,968,675	4,962,997	4,967,506	4,965,024	4,970,839	4,969,101	4,854,450	4,968,224	4,955,184	4.844.365	941635	0	C	0	0	74,800,001
WCC BOND ISSUE JUL 94 (FY95 DEBT) \$10,075,600	0	0	235,221	962,576	962,603	959,452	958,697	955,632	955,497	953,207	953,747	951,877	952,595	950,834	946,525	949,404	944,365	941,635	0	0	0	0	14,533,867
LG PROJECT BOND ISSUE JAN 94 (FY95 DEBT) \$38,834,485	0	0	3,735,538	3,742,848	3,735,742	3,737,975	3,729,926	3,733,761	3,728,887	3,735,528	3,733,052	3,740,528	3,738,586	3,726,955	3,744,198	3,729,732	3,724,771	0	0		0	0	56,018,026
SM PROJECT BOND ISSUE AUG 93 (FY94 DEBT) \$2,945,000	0	68,753	281,352	281,359	280,438	280,218	279,322	279,282	278,613	278,771	278,224	278,434	277,920	276,660	277,501	276,029	275,231	0	0	0	0	0	4,248,108
£	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2002	2006	2007	2008	2009	2010	2011	2012	2013	2014	Totals

EXHIBIT_	/
DATE	7/29/52
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20B	DMMITTEE

NOTE:

JOB SERVICE SRS WAREHOUSE * GF LOAN Repayment estimate includes funds expended through Apr 93 only. Will be revised upwards over time.

9/94 UNKNOWN UNKNOWN

NOT INCLUDED BY REQUEST OF LFA:

MDC

10,500,000 1,500,000 1,700,000 Assumes repayment of GF loan for \$418,991 in WCC projects is not allowable under HB5, includes only \$95,000 for MSP projects.

** Included \$1M Warm Springs project in large debt issue though its shown with unknown issue date.

Assumptions:

Level debt payments, 15 yrs. Average coupon 5.010264%. (Schedules reflecting a current NIC of 5.11% are also available.)

Source: DAIN BOSWORTH level debt service schedules of 5/93.

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OFFICE OF THE GOVERNOR

BUDGET AND PROGRAM PLANNING EXHIBIT

STATE OF MONTANA

PO Box 200802 HELENA, MONTANA 59620-0802

DATE

MARC RACICOT GOVERNOR

MEMORANDUM

TO:

All Agencies

FROM:

Dave Lewis, Director

SUBJECT:

Preparations for special session

DATE:

July 8, 1993

The Governor has asked this office to begin to prepare a series of budget recommendations for a special session, if one is needed, this fall. Our objective will be to propose a balanced budget in case the income tax increase is suspended. Obviously, this will involve reducing general fund spending by enough to offset the lost revenue. There will also be the possibility that some form of refund action may be necessary to deal with the U.S. Supreme Court decision on taxation of federal retirement pay. The total general fund spending reduction required to offset both of these revenue adjustments could approach \$100 million.

We intend to meet with each agency during the next two months and discuss elimination of general fund spending for the lowest priority activities of the agency. We want to avoid, to the greatest extent possible, across-the-board cuts or the use of one-time money to deal with the revenue reduction. This means that we should be looking at permanent reductions in general fund spending in every area of state government.

Please examine the functions of your agency and prepare a prioritized list for discussion. Your budget analyst will be contacting you to set up meetings to discuss priority setting.

The legislative leadership is setting up two sessions for appropriations sub-committees to meet with this office and agencies to brainstorm possible areas to reduce spending. The first meeting of your sub-committee in July will be a general discussion of your budget and the second meeting in late August will be a more detailed discussion of our preliminary recommendations. Once we have a tentative schedule for these meetings we will contact you

DATE 77960 SUBCOMMITTEE

All Agencies Page 2 July 8, 1993

and set up times for you to appear before the sub-committees. The purpose of this exercise is to reduce the time needed for the full legislature to revise the budget when they meet.

We all have to make these preparations so that we can move quickly when and if a special session is needed. This can be an opportunity for us to creatively reduce spending. We want to retain the ability to provide the highest priority services in the most efficient way possible. This can only be accomplished with the joint efforts of the agencies, this office, and the legislature. We look forward to working with you on this project.

One last word to the wise. You should carefully consider your spending priorities over the next three months so that any reductions that you may have to make this fiscal year do not force drastic measures in the last half of the fiscal year.

PAGE 1 OF 1 7-29-93 LONG-RANGE DUINNE Montana Univ System norce MT Cultural Celvoing me ark Coun Colym Fishbaugh Mr. auto Council