

**MINUTES**

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

**COMMITTEE ON APPROPRIATIONS**

**Call to Order:** By **CHAIRMAN TOM ZOOK**, on November 30, 1993, at  
8:00 a.m.

**ROLL CALL**

**Members Present:**

Rep. Tom Zook, Chairman (R)  
Rep. Ed Grady, Vice Chairman (R)  
Rep. Francis Bardanouve (D)  
Rep. Ernest Bergsagel (R)  
Rep. John Cobb (R)  
Rep. Roger DeBruycker (R)  
Rep. Marj Fisher (R)  
Rep. John Johnson (D)  
Rep. Royal Johnson (R)  
Rep. Mike Kadas (D)  
Rep. Betty Lou Kasten (R)  
Rep. Red Menahan (D)  
Rep. Linda Nelson (D)  
Rep. Ray Peck (D)  
Rep. Mary Lou Peterson (R)  
Rep. Joe Quilici (D)  
Rep. Dave Wanzenried (D)  
Rep. Bill Wiseman (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Clayton Schenck, Legislative Fiscal Analyst  
Cathy Kelley, Committee Secretary

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

**Committee Business Summary:**

Hearing: HB 4  
HB 6  
HB 8  
HB 9  
HB 10

## HB 12

Executive Action:	HB 2	(not final)
	HB 4	Do Pass
	HB 6	Do Pass
	HB 7	(not final)
	HB 8	Do Pass
	HB 9	Do Pass
	HB 10	Do Pass
	HB 12	Tabled
	HB 14	Do Pass As Amended
	HB 19	(not final)

**HEARING ON HOUSE BILL 4****Opening Statement by Sponsor:**

REP. STEVE BENEDICT, House District 64, Hamilton, stated that this bill would allow the use of inmate labor for construction of the dairy dormitory at the Montana State Prison.

**Proponents' Testimony:**

None at this time.

**Opponents' Testimony:**

John Forkan, President, Montana State Building & Construction Trades Council, composed of 27 affiliated construction unions which represent over 3,000 construction workers in the state of Montana, said that his members were opposed to the concept of taking taxpayer-financed construction projects away from the public sector and giving the work to prison inmates. He said that projects of this nature were covered by state laws guaranteeing public bidding.

He said that proposals of this nature have been defeated at least three times in the past by the legislature. He testified during the 1991 and 1993 legislative sessions that if a proposal such as this were accepted, such proposals would proliferate, rather than be a one-time occurrence. He believes that efforts to pass a prison labor bill have been growing.

Mr. Forkan read portions of a letter from Patrick Costello, President of the Mohawk Valley Building and Construction Trades Council in New York, opposing the use of prison inmate labor. He quoted from an article in the 1991 Washington Labor Report referring to the use of prison inmates in Boston, Massachusetts.

Mr. Forkan reminded the committee that in 1992 the state of Montana sent a busload of prisoners to the prison in Deer Lodge to do remodeling and renovation work at the Warm Springs hospital. The attempt was halted after protests from various workers and hospital employees.

Although this practice is being justified as a way to save money, in actuality the state will pay a price. State laws and regulations will be ignored. It will exempt Montana laws that provide projects of this size to be put out for public bid. It will exempt current Montana laws that prevailing wages will be paid construction workers. It will exempt Montana law that guarantees that properly trained, licensed craftsmen will be used to insure proper installation and safety. The state will be deprived of revenue in lost taxes that would be paid by employers and workers. The state will have to pay unemployment compensation for seasonal workers deprived of this work. The state will pay more in work-related injuries if untrained, inexperienced inmates are used. There will be a heightened possibility of smuggling of contraband into the prison.

Mr. Forkan traced a possible sequence of events that could follow this "one time" use of prison labor. The next step would be to take construction-trained inmate workers from the prison and have them construct bridges and roads to save money. If they can build roads and bridges, they could maintain the facilities. The state could lay off highway workers and let inmate work crews perform this function. Next the state could set up halfway houses for minimum security prisoners, easing the overcrowding situation and utilizing inmate work crews from the houses on such state-owned properties as Job Service centers, college and university campuses, state buildings, etc. Mr. Forkan said that these instances actually take place in other states at the present time.

#### Proponents' Testimony:

CHAIRMAN ZOOK gave another opportunity for proponents who might have missed the beginning of the meeting because of a change of time.

Rick Day, Director, Department of Corrections and Human Services, testified that there were both immediate and long term budget savings in this bill. This bill is part of a three-package group of bills designed to reduce bonding authority at the prison by about \$2 million. This proposal is the most significant portion of that savings. The bill allows the department to save about 40% of what is estimated to be a \$2.2 million dairy dorm. That savings makes good financial sense. This proposal allows the department to concentrate their bonding authority more on the larger projects which will cost about \$4.4 million, i.e. the laundry and vo-ed center. The department intends to isolate the use of inmate labor to appropriate projects. This project is a minimum security dairy dorm for those working on the ranch and dairy operation. That structure will be more stick-built or metal building type construction.

The department does not advocate any long-term or extensive use of inmate labor uniformly or across the state. These types of projects depend on the types of inmates at the institution. The

more technically demanding, professionalized projects have to be performed by construction labor.

Mr. Day stated that numerous Montana citizens have asked him why they don't use inmate labor. This bill will allow the department to meet some of that public expectation. They have tried to meet public expectations, isolate the use of inmate labor, and make long-term savings in the budget.

REP. BARDANOUVE testified as to the long history of using prison labor in the Deer Lodge valley. The original prison was built by a private contractor who used prison labor. Prison labor also built most of the roads in the Deer Lodge valley. The first appropriations bill that REP. BARDANOUVE introduced was money to complete Rocky Hall, one of the main dormitories at the prison. The foreman of that project was a prison inmate who was a graduate of MSU. Only a few years ago, the state built a major part of the new prison with prison labor.

REP. BARDANOUVE believes that these types of projects help prisoners become better members of society rather than letting them 'rot in their cells.' He said that even though some union labor won't be hired, but when money is so short, inmate labor will cost less. If the legislature kills this bill, it will have to make bigger cuts somewhere else, i.e. in education or human services. REP. BARDANOUVE pointed out that the dairy dorm was being built with the \$600,000 that was earned on the prison ranch. The prisoners themselves have provided the money for this project.

#### Opponents' Testimony:

Darrell Holzer, Montana AFL-CIO, testified that this bill was an attempt to take Montana's too few job opportunities away from law abiding citizens and Montana contractors and give these jobs to convicted felons. He said it was nothing more than an anti-worker, anti-job bill. Until we start creating meaningful jobs for taxpayers we will never sustain growth in the state. He opposed exemption from bidding requirements, workers' compensation, wage and hour laws, etc. He believes there is a serious liability problem regarding the potential of injured workers. He believes that one of the main charges of this special session is to restore faith in Montana government. Discussing property tax rebates on one hand and then taking jobs away on the other is not a way to restore faith in state government. Mr. Holzer believes that this bill sets a bad precedent by saying that the state of Montana as an employer does not have to follow its own laws.

Carl Schweitzer, Montana Contractors Association, testified that this bill creates a small financial savings, but establishes a terrible precedent. His organization opposes this bill because inmates will be taking construction jobs away from Montana workers. He also pointed out that when inmate labor is used,

there are no warranties on their work. Contractors have to be bonded.

Ron James, Montana Ironworkers, whose organization does a lot of work at the state prison, said that his organization was opposed to this bill.

**Questions from Committee Members and Responses:**

REP. WANZENRIED asked Rick Day to respond to the question regarding liability -- injury to or death of an inmate during a construction project. Mr. Day said that the department is liable for the care and maintenance of the inmates. REP. WANZENRIED asked if we had any liability above and beyond what there is presently. Mr. Day said that he wouldn't say above and beyond, because we have inmates employed at jobs right now. Because of another job, there would be some increased liability. REP. WANZENRIED said that he believed we were entering into increased liability because of increased risk of injury or death. Mr. Day replied that he would not testify against that. REP. WANZENRIED asked if Mr. Day had checked with the people who handled insurance for the state to find out what kind of risk was there. Mr. Day said that they had not checked on that.

REP. WANZENRIED asked REP. BENEDICT if this bill didn't run counter to trying to put more work into the private sector. REP. BENEDICT said that he didn't think so. The money saved on this particular project could be used in the prison laundry project that is going to require more expertise. The dairy dorm does not require a lot of skilled labor. REP. WANZENRIED asked if he was saying that no skilled labor was going to be required for this job. REP. BENEDICT said that certainly some skilled labor would be required, but it was mostly manual labor.

REP. WANZENRIED said that part of the testimony was that this was prison money, and inmates were going to do the work because of that. REP. BENEDICT said that was not part of his argument. REP. WANZENRIED asked REP. BARDANOUVE whether the corollary to using prison-inmate-labor-generated money for this project would be that we are using taxpayer's money here, so the taxpayers ought to be able to use taxpayer-generated-labor as opposed to prison inmate labor. REP. BARDANOUVE said that there were always two sides to every argument.

REP. WISEMAN said that everything west of the mountains is moving. He wanted to know if there was a shortage of laborers in the Deer Lodge valley. Darrell Holzer, Montana AFL-CIO, responded that there was no shortage of skilled labor. There was a large number of people looking for work.

REP. QUILICI said that he had a question regarding where the department was going to get certified craftsmen to make sure this building was built according to codes if this project is built with inmate labor. Mickey Gamble from the department stated that

they had certified craftsmen on staff. They also recognized that they would have to go out into the community and hire some as they were needed. REP. QUILICI said that if the department was going to have to hire craftsmen to make sure the building was built according to codes, he didn't know what they were doing having this kind of labor in the first place.

REP. GRADY, having served on the prison ranch advisory committee and having been through the buildings at the prison numerous times, has seen good construction and poor construction. He admitted that some of the construction by inmates was probably not the best. He knows that there are also good quality craftsmen behind bars. He asked Carl Schweitzer if there could be a compromise put together where the department would specify using a certain amount of inmate labor, but a contractor could do the supervisory work, making sure that everything was done according to specification. Mr. Schweitzer said that perhaps some of the work could be done by inmates, but there are also a lot of taxpaying workers who could also do the job. REP. GRADY said that testimony showed that if we could save money on this job we could use that money on other projects which probably would be fully done by outside contractors. He asked Mr. Schweitzer would be willing to work on this kind of compromise. Mr. Schweitzer said they would be willing to look at other options.

Closing by Sponsor:

REP. BENEDICT replied to REP. WANZENRIED'S concern about privatization and REP. BARDANOUVE'S comments about the use of prisoners' money. He said that they were not talking about inmate money. They were talking about profits from the prison ranch, i.e. privatization in its best form. Consumers from the state of Montana provide this money, not inmates. He said that he believed that this bill makes sense from a dollars standpoint and from a corrections standpoint. Operating budgets are being cut everywhere in the state. We have to ask some very painful things of all the departments and agencies in state government. This is not particularly painful.

There are over a quarter of a billion dollars in capital projects in the state of Montana that will be performed by contractors, unions, and outside people in the state of Montana. This is not a major threat to the contractors and union labor of Montana. If the Department of Corrections is asked for reductions (and they took a \$5 million hit in the last session), they need the flexibility to get the job done as best they can. This bill is a tool to help them live within their budget.

At this point, in the meeting, former REP. DOROTHY BRADLEY and the Montana Health Care Authority were introduced and asked to make a brief presentation.

Ms. Bradley introduced the members of the Montana Health Care

Authority. **EXHIBIT 1** She also introduced the recently selected executive director, Sam Hubbard, from Helena.

**Ms. Bradley** assured the committee that the Authority was keeping the bureaucracy to an absolute minimum. They believe they can meet their deadlines. **EXHIBIT 1** They believe that since theirs is an ongoing entity, one of their responsibilities is to bring anything they find worthy of consideration. They are very satisfied that their job will be the technical, studious aspect of the subject, while the legislature's job will deal with policy aspects.

The Authority believes Montana has a wonderful health care system. They know the Authority was created because of incredible budget demands and increasing rates of health care budgets that must be address. They believe another part of their job is to try to care for people who have dropped between the cracks of our system.

They believe the whole process that has been created is a most inclusive kind of discussion. Because of that, they have invited people from Project 94 from Great Falls who have some great concerns to meet and present their perspectives at their next meeting in Missoula. They welcome input from everyone.

**Ms. Bradley** said one of the best aspects of the Authority is the establishment of regional authority boards, i.e. five groups composed of one person from every county. Every county will have a person to meet with to discuss concerns. Each of the Authority members represents one of those five regions. They plan to pick the regional board members at their next meeting in Missoula in December, putting them one and a half months ahead of their deadline.

**Ms. Bradley** asked the committee to protect their budget to allow them to be sure and have a participatory group, i.e. the regional board members, that funnels information from the grass roots.

**REP. WISEMAN** stated that one of his concerns was that we don't pay any attention to costs. Medicare around 1990 was estimated to cost \$9 billion. It actually cost \$80 billion. He believes that many elderly people have no concern whatever about going to a doctor because it is free. He asked if the Authority was going to do something to cause people to be concerned about cost.

**Ms. Bradley** responded that she shared his concern. She said that when we passed Medicare/Medicaid in 1965, most services involved nursing home care for the elderly. From 1965 to 1980, that particular piece of the budget rose 72% per year. In the "old days," the elderly stayed in the home. Right now we are being told that 7% of the national economy is based on health. Whenever you change one tiny piece of that system, there are huge reverberations.

Regarding individual responsibility for costs, the Authority has been focusing on the Vermont plan. Vermont's executive director said that the most important part of the program is the informational aspect. People, doctors, providers, everyone will have more information than ever before to base their decisions on. The legislature is here because of concerns about state spending. As the Authority moves forward, they will be concerned about how to make the plan the most financially responsible they can devise. The system the legislature has set up puts the Authority in the position of throwing out ideas, presenting information to make their decisions easier. The legislature will ultimately the policy decisions.

John Molloy, Authority member, told REP. WISEMAN that he thinks a key point is that there are no accurate figures regarding cost of office calls and other medical services. A crucial part of their job will be to gather that information and to make recommendations based on that data.

REP. MENAHAN asked Ms. Bradley whether she could return any of her appropriated budget. Ms. Bradley said that the subcommittee had given them a reasonable budget. Every time money was taken away, part of the job that they have to do is taken away. They have given up \$150,000 and done away with the prescription drug assessment, long term care assessment, and a data retrieval expert to work on information coming into the office. The first place that would go next if more money were taken away is one of the regional meetings. They hope to bring regional boards in four times a year. They don't want to reduce the contracting they are doing.

REP. QUILICI said he had been asked a number of questions concerning health insurance. Large corporations have health insurance for the employees. Small companies are having a hard time getting insurance for their employees. He asked Ms. Bradley if the Authority was looking at anything to help small companies. She responded that they haven't reached that point. They haven't concluded what plans and variations on plans would cost the state. They are sensitive to the fact that Montana is small business. Small business insurance coverage is really under Auditor Mark O'Keefe's office.

Ms. Bradley deferred to Maggie Newman, Authority member, who said that she talks to small businessmen every day about their insurance needs. She felt that most of those businesses do not have health insurance because they can't afford it. Their workers can't afford to share the payment. The working poor is the group not being taken care of.

Ms. Newman said that Auditor O'Keefe's group is working on a plan that she feels will be very harmful to the state. It does not require all employers to participate, but it does mandate that anyone who applies can get insurance. The people who will apply will be those who can't get insurance anywhere else. That will



result in higher premiums for everyone. Some people view this plan as incremental change, but she thinks it is harmful.

REP. ROYAL JOHNSON said he voted against the establishment of the Authority because he thought it was too expensive, too extensive, and had too short a period of time to accomplish the job. He still feels that way. He asked Ms. Bradley if we couldn't come up with a better product more conceived on a local level by not having outside experts and extending the term of the project for another biennium. Ms Bradley replied that she believed her group can do the job. She believes in the time lines that have been established, partly because of the deadlines she sees at the national level. She believes that the Clinton plan gives the states a window of opportunity to put together their own plans. If they don't do it, in 1997 that window of opportunity will close. She believes that Montana is a unique state and that it is absolutely crucial for Montana to put together its own plan.

Lloyd (Sonny Lockrem) said that he also had a concern with the time frame of delivering two specific mandates to the legislature by October 1, 1994: the regulated multiple payer plan and the single payer plan. He explained the Vermont plan which they are investigating as a possible model for Montana. He believes that the Authority needs to be in a position to react and interface with what the federal government does.

Ms. Newman said that she and Mr. Lockrem went to a rural health care conference in Washington, D.C. where 30 states were represented. The main message of the conference was that something was going to happen at the federal level and the states have to be ready to react.

REP. COBB asked Ms Bradley if they were going to incorporate the Medicaid budget into the plan they were going to offer next October. She replied that they were looking at that in response to the legislature's request to incorporate everything to make Montana a unified system, including veterans' programs, Indian programs, Medicaid, and Medicare.

#### HEARING ON HOUSE BILL 8

#### Opening Statement by Sponsor:

REP. STEVE BENEDICT, House District 64, Hamilton, said that this bill allows the staff at Montana State Prison to install and maintain the new prison security fence. The bill saves money and, more importantly, provides for ongoing security on site. It gives the prison staff hands on knowledge of the fence system which is important in terms of maintenance and repair. If something goes wrong with the main means of containing the outside perimeter of the prison, the staff doesn't want to have to wait for a maintenance/repair team to arrive from somewhere else.

**Proponents' Testimony:**

Mickey Gamble, Administrator, Corrections Division, Department of Corrections and Human Services, testified that they had been directed by the last legislature to downsize. Their budget cuts had required some lay-offs. They still recognize the need to upgrade the prison fence. Currently, they have two protection systems. This new project will upgrade an antiquated part of the old protection system. It is called a "taut wire" security fence. They have had extensive discussions with the company that would provide the fence. They have been informed that the most effective way to install and maintain this system is to use their staff. They will be able to tie the new fence in with their already existing systems.

**Opponents' Testimony:**

Ron James, Montana Ironworkers, said that the fence at the prison is a unique fence that has to be maintained, has to have a certain tension, etc. He said that his organization had done that work at the prison for at least 20 years that he knows of. The repair of the fence is even more critical than the installation. His members are Montana taxpayers and stand in strong opposition to this bill as taking jobs away from his membership.

Darrell Holzer, Montana AFL-CIO, also testified in opposition to this bill in agreement with the Montana Ironworkers.

**Questions From Committee Members and Responses:**

REP. BARDANOUVE asked the opponents if the people who would be doing the work were not also members of the union. Ron James responded that they probably are. REP. BARDANOUVE pointed out that this bill would not take work away from union members. Mr. James said that his group did not want to give up jurisdiction.

REP. WISEMAN asked Mr. Gamble how fence installation and maintenance had been done in the past. Mr. Gamble said that they did have experience. Performance has been so questionable in the past that they were almost mandated to become experts. The staff does maintain the system now. Most people in Montana were not experts in this type of work, so that is why the department had gone out of state to a company specializing in these projects.

**Closing by Sponsor:**

REP. BENEDICT closed by saying this is a common sense bill.

**HEARING ON HOUSE BILL 9****Opening Statement by Sponsor:**

REP. BENEDICT opened by saying that his bill was introduced at

the request of the Department of Corrections and the Office of Budget and Program Planning. Its purpose was to save the state \$370,000 in this biennium and even more in future bienniums. The bill changes state law to allow for one single license plate on a vehicle, displayed at the rear rather than front and rear. Twenty other states have a similar law.

#### Proponents' Testimony:

**Steve Turkiewitz, Montana Automobile Dealers Association**, said that one license plate instead of two will complement recent design changes in vehicles designed to promote more fuel efficiency. A front license plate encroaches on the front air flow, requiring a larger radiator and more engine power. As freon for air conditioning is eliminated in 1994, this situation will become more critical. Eliminating the front license plate has potential fuel saving by allowing optimum aerodynamic design.

**Bill Furois, Management Services Division, Department of Corrections and Human Services**, said that his department operates the license plate factory at Montana State Prison. Their current budget for this biennium is approximately \$955,000, all general fund. If HB 9 is passed, their current appropriation will be reduced by about \$355,000. He was there to answer questions relating to cost.

#### Opponents' Testimony:

**Beth Baker, Department of Justice**, said that her department opposes this bill because a front license plate is critical to law enforcement. The Law Enforcement Advisory Council, representing all Montana law enforcement (i.e. sheriffs, chiefs of police, county attorneys, federal law enforcement agencies, etc.) unanimously disapproved this change in the law. She said that there were also a number of national organizations that did not approve of this change to a single license plate. In addition to law enforcement personnel, school bus drivers and Department of Transportation GVW officers also rely on the front license plate.

**Ms. Baker** also asked the committee to consider the fact that because this legislation would take effect immediately, 800,000 registered Montana vehicles would suddenly have an extra valid license plate with a valid decal which would be susceptible to abuse. Her department does not believe that this is a common sense bill.

In the event the committee was favorable to the bill, **Ms. Baker** asked the committee to consider four amendments proposed by the Department of Justice. **EXHIBIT 2** She stated that the sponsor was in agreement with the first three.

**Colonel Bob Griffith, Chief Administrator, Highway Patrol Division, Department of Justice**, spoke on behalf of highway

patrol officers who believe that license plates are one of their most effective, least expensive tools. He stated that over 60% of the crimes committed in this country involve a motor vehicle. He reminded the committee that the last session of the legislature passed a law requiring the registered owner of a vehicle to be responsible for any crimes committed with that vehicle. Illegal passing of school busses usually occurs from the front. School bus drivers would report drivers who passed illegally, but they cannot read rear plates.

Col. Griffith agreed with concerns over aerodynamic considerations, but he said that most Montana vehicles were pickup trucks where that didn't apply. Pickup trucks' rear license plates were often obscured with mud. Last year, the highway patrol issued over 20,000 warnings regarding registration: either regarding one plate or the obstruction of plates.

Col. Griffith also mentioned that the registered owner of a vehicle paid for his plates. If he is only receiving one plate, he should only pay for one plate.

Chuck O'Reilly, Sheriff, Lewis and Clark County; board member, Montana Sheriffs and Peace Officers Association; and member, Attorney General's Law Enforcement Advisory Council, pointed out that this bill does more than just cut down the ability to view suspect license plates by 50%. He said we see more vehicles coming at us than we follow when driving. He said that the front license plate of a lawbreaker's vehicle is generally more visible than the rear. He asked how many crimes would not be solved because they couldn't get a license plate number.

Sheriff O'Reilly brought up the officer safety aspect of the bill. He said that in a stationary road block, officers stop oncoming traffic. These road blocks are used in a felony stop situation where officers are looking for a bank robber or an armed robber - usually a violent criminal with a weapon. Being able to see the front license plate is a safety factor for the officer involved in this type of road block.

Mark Peterson, farmer, taxpayer, and reserve deputy for Hill County, stated his strong opposition to the bill.

Tom Harrison, Montana Sheriffs and Peace Officers Association, handed out letters from numerous groups and individuals opposing this legislation. EXHIBITS 3, 4, 5, 6, 7, and 8. He referred to an article in The Billings Gazette that appeared about 10 days ago where a mother wrote down the front license plate number of a stalker which resulted in his arrest and trial.

Tim Shanks, Montana Police Protective Association, gave an example of a car thief who was caught when an officer noted he had different plates on the front and rear.

Bill Ware, Helena Police Chief, Montana Association of Chiefs of Police, opposed the bill from the viewpoint of officer safety. He also stated that most of his traffic stops were made on the basis of the front plate.

**Questions from Committee Members and Responses:**

None

**Closing by Sponsor:**

REP. BENEDICT closed by stating that no one wanted to create unsafe conditions for Montana law enforcement officers. He felt that the testimony today consisted of "what ifs?" He stated that "what ifs?" are often just resistance to change and urged the committee not to be paralyzed by "what ifs?"

**HEARING ON HOUSE BILL 10**

**Opening Statement by Sponsor:**

REP. DICK SIMPKINS, House District 39, Great Falls, stated that this bill was a short housekeeping bill that rescinded certain appeals sections. EXHIBIT 9 explains the impact of the bill on individual counties. This bill would save the general fund \$265,000 per year.

**Proponents' Testimony:**

Bud Clinch, Commissioner, Department of State Lands, gave a brief history of the development of the trust land. In 1889, the Enabling Act provided that in every township, sections 16 and 36 should become state owned for trust revenue. Two sections of the 36 sections in a township constitute about 5% of the township. At a later date, around 1967, a statute was enacted that provided that any county that had greater than 5.5-6% state-owned land should be paid state land equalization payments. Some areas had greater than 6% state owned land as a result of the federal government developing the land and establishing such things as national forests, national parks, Indian reservations. Due to foreclosures and defaults from the some of the farm programs that Montana was funding through school trust funds, the state of Montana acquired additional land.

Mr. Clinch stated that eighteen counties qualify for these payments by having greater than 6% state owned land. Sixteen of those eighteen counties barely make the minimum, having between 6-10% state land ownership. Chouteau has 11% state ownership and Daniels County has 24% state land. Since 1968, the amount appropriated has always fallen short of the amount requested by counties. The current appropriation of \$265,000 represents about 59% of what the counties bill. The increase is due to the increase in land values as well as the change in mill levies.

**Opponents' Testimony:**

**SEN. JOHN BRENDEN**, Senate District 10, testified in opposition. His district includes Daniels County which contains 225,000 acres of state land out of its total land of slightly less than one million acres. He reminded the committee that counties are continually asked to grant more access to state lands. He said that he, as a private land owner, gives everybody an easement, but the Department of State Lands will refuse to give an easement for power lines to go across state lands. He said there are people who want higher grazing fees and more crop share. He believes the state wants more and more return from the state lands, but doesn't manage them well and doesn't give anything back to the county. He is tired of paying for roads to access state lands.

He believes that if the state really wanted to make some money, it should sell the lands and collect taxes on them. The most Daniels County ever got in equalization payments was \$80,000. He never pays less than \$1 an acre for any land that he has, and some he pays well over \$2.50 an acres. He believes the county's 225,000 acres would bring much more money to the schools and roads of the county if it were collecting just \$1 per acre in tax. Montana has 5.2 million acres of state lands that the state is not getting a good return on. He believes the best thing Montana could do is sell the state lands and put the money in a trust for education or whatever.

**Gordon Morris**, Director, Montana Association of Counties, presented EXHIBIT 10, a comparison of state equalization payments. He pointed out that there are actually twenty counties receiving state equalization payments. Of a total of \$496,594 in payments requested in 1993, there was \$265,000 appropriated, an amount that has basically been frozen for the last ten years. He said if state lands were sold, there would probably be significant tax dollars flowing to each of those counties.

**Mr. Morris** pointed out that the state land equalization payments are sent to the county treasurer who distributes 60% of the money to school elementary districts. The remaining 40% goes to county road programs. He felt that the state should be open to considering **SEN. BRENDEN'S** suggestion that the land would bring in more money if it were sold.

**REP. LINDA NELSON**, who also represents Daniels County, said that she felt this was an unfair bill, as Daniels County didn't ask for all the state land it got. She suggested a compromise of looking at a higher percentage than 6% to be considered for equalization payments.

**Questions from Committee Members and Responses:**

**REP. KASTEN** asked **Mr. Clinch** about the suggestion that the state lands be sold. She understood that there were federal

regulations on the state's trust lands, and she asked Mr. Clinch if that were true. Mr. Clinch said that the regulations vary according to the classification of the trust lands.

REP. BARDANOUVE said that Montana has sold trust lands before. He believes that is a penny wise and pound foolish policy.

REP. WISEMAN asked Mr. Clinch if he knew the percentage of return the state was getting per year on non-forested state land. Mr. Clinch said that he would get that information to REP. WISEMAN.

REP. MENAHAN asked Mr. Clinch if some of the state land was more valuable to the counties and to the state than private land -- that it pays more in taxes back than private land. Mr. Clinch rephrased the question: does the state generate greater revenue on that state land than a comparable amount would be on private land. REP. MENAHAN said it was his understanding that it was cheaper for some people to own the land and pay taxes on it than to pay lease fees to the state. Mr. Clinch said that he thought generally not.

REP. PECK asked Mr. Morris if he was saying this bill would result in a tax shift where local property taxes would increase. He wanted Mr. Morris to comment on REP. MENAHAN'S question. Mr. Morris said the issue is specifically selling excess school trust lands. He said that there would be the issue of whether you could sell school trust lands. The point from a county perspective is that land must be assessed at market rates. A person might be doing something on other state land well below what the appropriate market level valuation for whatever it might be that he was doing. In this case, the Department of State Lands can only get income off that after it is determined to be market value.

For example, a lot of this land in eastern Montana is useful to counties for one purpose: they get gravel from them. Gravel might not be very important for western Montana because it is plentiful, but in eastern Montana, we get gravel from state trust lands. As a consequence, we are required by law to pay the state of Montana the market value per yard for that gravel that we are going to use to put back on school bus roads. So the question of selling it has to be examined from a constitutional standpoint. But this land actually would generate more revenue for the state of Montana than other land that was held in state ownership but was not identified with the school trust program.

REP. PECK asked Mr. Morris to address his original question about the issue of a tax shift. Mr. Morris said that those taxpayers would have to pay more property taxes.

REP. FISHER asked Mr. Clinch about the state return on the timber lands owned by the state. Mr. Clinch said that there was a study that has been completed showing that the return on appropriations for the timber sale programs was approximately 3 to 1: for each

dollar invested, the program returns about \$3.

REP. FISHER said that she had seen a study recently that showed the return off state timber lands was between 1% and 2%. Mr. Clinch said he believed she was referring to a recent study that has been formulated by the Montana Wood Products Association. They were talking about the return on the investment on the per acre value of timberland.

REP. ZOOK said that part of the reason for the low return was that part of the acres recommended for harvest aren't being harvested. He asked Mr. Clinch to comment. Mr. Clinch said there were a number of reasons for the differentiation on return between different states. Montana also comes under an array of environmental laws that states achieving a higher return do not have to contend with. Timber sales in Montana have come under increasing scrutiny.

REP. PECK asked Carl Schweitzer if he was the person who did the study in the LFA office on the issue of the value of lands in the state of Montana in terms of private land vs. state owned land. Mr. Schweitzer replied that he was. REP. PECK said that he thought the basic conclusion there was that the state of Montana would realize more money if the land were sold. Mr. Schweitzer said that he thought that he looked at timber land in particular and concluded that it might make sense to sell some of it.

REP. NELSON asked Mr. Clinch how many would be taken off the list if the state were to raise the qualifications of counties that received these payments to require them to have at least 15% in order to receive state payments. Mr. Clinch thought if they instituted a 15% threshold, 19 of the 20 counties would be removed, leaving Daniels County.

REP. NELSON asked Mr. Clinch what percentage of land they would be dealing with if they wanted to remove the counties receiving under \$10,000. Mr. Clinch said he would have to analyze the figures in order to answer that. He said that 16 of the 20 counties were under 10%. There was only one county that was greater than 10%, i.e. Chouteau at 10.69%, and Daniels County stands alone at 24%. He said that a percentage figure does not equate easily to dollars because of the appraised value of the individual lands in the various counties. For example, Blaine County, which has 6.6% of 181,000 requested \$8,000 in revenue. 6.3% in Musselshell County yields \$668.

REP. NELSON asked Mr. Clinch if he could support what she was trying to do. He answered that someone with a better mathematical mind than he could institute some kind of formula that developed a threshold. He would perhaps have no problem with supporting her measure. REP. NELSON asked him to look the problem over and get back to her.

Closing by Sponsor:



REP. SIMPKINS closed by emphasizing a constitutional mandate to get the best value out of the land. Some of the smaller pockets of land should be considered for sale (while keeping mineral rights). He said the important question is whether the state can earn more money by managing the land some other way. It not a question of what a private person can earn, but what the state earns. He said that this is another example of what is wrong with our property tax system and the overall management of land in the state. He feels that we need to look at total land management in Montana.

#### HEARING ON HOUSE BILL 6

REP. MARY LOU PETERSON, House District 1, Eureka, opened by explaining that this bill would deposit the second \$50 of a \$100 DUI fine into the general fund. She deferred to Al Goke for a further explanation.

#### Proponents' Testimony:

Albert Goke, Administrator, Highway Traffic Safety Division, Department of Justice, explained the attempt of his agency to save general fund monies. He gave a brief history.

In 1987, there was a \$50 reinstatement fee on all DUIs. That money was directed to go to county government in those counties that had a DUI plan. This plan was approved by the governor. The money went back to the counties based upon the convictions within each county. It was simple to administer. In 1991, the law was expanded to increase the reinstatement fee to \$100 and the second \$50 was distributed to county governments who would in turn distribute it to city and county governments within their counties, based on population. The special session in January of 1992 placed the money into the general fund.

Although the law concerning the second \$50 passed in the 1991 session, no local government, specifically cities or towns, has ever received any money under the provisions of the law. In the 1993 session his department was given authority to pass that \$300,000 per year on to county governments who would give it to local governments. He is confident that placing the \$300,000 in the general fund will not disturb the intent of what was behind the first \$50; nor will it disturb the ability of the state to meet the needs of law enforcement agencies across the state.

#### Opponents' Testimony:

Gordon Morris, Director, Montana Association of Counties, testified that he was opposed to this legislation on principle: this \$50 was added to the existing \$50 back in 1991. Even though it never arrived at its original destination, i.e. cities and towns, it was in fact intended to go there. I think it is inappropriate for the legislature to enact laws and subsequently divert funding dollars from their original purpose.

Questions from Committee Members and Responses:

REP. PECK asked Mr. Morris to clarify whether this money was to go to counties, cities, and towns and it had gone to counties, but not to cities and towns. Mr. Morris said he pointed out when this bill was here before the committee in 1991 that counties aren't going to be directly impacted by it. The money goes to the county for distribution to cities and towns. REP. PECK asked if the counties, then, were merely distribution centers. Mr. Morris responded that that was correct. REP. PECK asked if the cities and towns would have looked at the revenue side of their budget and planned for any of this to fund current budget items. Mr. Morris said they would not, based upon the special session in 1992.

Closing by Sponsor:

REP. PETERSON closed by saying that she shared Mr. Morris' concern about original intent, but some of their original intent was to get drunk drivers off the road, which was why they increased the fee from \$50 to \$100 for driver's license reinstatement. The money is there -- it hasn't been used. She encouraged the passing of the bill.

HEARING ON HOUSE BILL 12

REP. BETTY LOU KASTEN, House District 28, Brockway, explained that this bill would take revenue received from the sale of timber on state trust lands and deposit it to the account of the various institutions for which it is intended instead of going into the principal trust. She explained that there are certain state lands put aside as trust lands to empower and to support various institutions, i.e. Pine Hills and the Montana School for the Deaf and Blind (MSDB). The proceeds from the timber sales on these lands now go to the permanent trust for those two institutions.

The intent of this bill is to take that money and put it into their current operating expenses, taking place of the general fund money that is now used, resulting in general fund savings of \$29,100 for FY94 and \$106,100 for FY96. This does not change the lease money on some of these lands; it is only dealing with timber sales. This does not change how the state trust lands for higher education are dealt with. In fact, p. 2, line 13, clarifies that the income from trust lands for higher education will still go into the permanent trust.

REP. KASTEN reiterated that the only thing this bill does is allow the income from the sale of timber (which has been declared a growing crop) to be used for the operational budget of the two institutions. In the case of MSDB, the money would go into the school trust interest and income account. In the case of Pine Hills, it would go into the donations/interest and income account.

REP. KASTEN had one problem when she read the bill and tried to look at all the ramifications. She directed the committee's attention to the Budget Analysis, November 1993 Special Session, Office of the Legislative Fiscal Analyst, EXHIBIT 11A, p. B-27 and E-9. Page B-27 showed that timber sales was the major component still being added to that trust. She pointed out the year to year volatility of those sales. Page E-9 showed the same thing for the MSDB.

To compensate for the volatility of the timber sales, REP. KASTEN explored several options. First, she considered a statutory appropriation. Second, she considered supplemental appropriations. Third, she has an amendment from OBPP that in essence says that if the amount is over-estimated and there is not that type of income from timber sales, then at least next biennium, we would make that up with general funds. To explain her last option, she stated that the total budget for Pine Hills is \$8,970,322. The amount of timber sales is not a great percentage. The total budget for the MSDB is \$3,043,292; again, the timber sales are not a big proportion. Knowing that the heart is always in the right place when it comes to appropriations, we could just depend on that and accept the bill as is without amendments. She was willing to let the discussion address those concerns, knowing what her amendments might be.

#### Proponents' Testimony:

Dave Lewis, Director, Office of Budget and Program Planning, testified that if this change were made, it is a small enough proportion of the budget that the worst exposure for Pine Hills is \$25,000 the first year and \$92,000 the second year out of a total budget of almost \$8,000,000. His office would suggest language in the appropriation act that says that the agency may request a supplemental if the timber sale monies were over-estimated.

#### Opponents' Testimony:

None.

#### Questions from Committee Members and Responses:

REP. PECK referred to the section REP. KASTEN mentioned in the LFA book. He asked if she had a preference among all the options she suggested. REP. KASTEN said she was going to try to put something in the language to insure that the schools are not short-changed. Her preference would be for the statutory, the supplemental, and the budget office amendment, in that order.

REP. PECK asked REP. KASTEN if she wasn't really saying that because of the fluctuation in the revenue, she wanted to guarantee that the revenue, if at all short at the appropriated level, would be guaranteed. She said that was correct.

REP. BARDANOUVE told Mr. Lewis that he had observed no trust was sacred with him. He wanted to know if Mr. Lewis thought that was wise long term policy. Mr. Lewis said he felt the issue was whether the taxpayers would prefer that the money be used at this point or that it be put in the bank for the future. That is a call that the legislature has to make. He felt that an argument could be made for the use of this money at this time as an alternative to paying additional taxes.

REP. BARDANOUVE asked if we had really weighed the short term benefits against the long term results of sabotaging the trust. Mr. Lewis said again that was part of the deliberations the executive and legislative branches go through as they consider the budget. Montana has almost a \$5 billion state investment portfolio in market value right now. Half of it is retirement funds; the other half are other state trusts. He feels that we should not just put all that money off limits thinking about how to use them to mitigate cash flow or budget problems. He agreed with REP. BARDANOUVE that there were reasons to have trust, but there were also valid reasons to consider the impact on the taxpayers of a use of a portion of that \$5 billion pool to offset taxes.

REP. BARDANOUVE asked why the higher education units were not included in this discussion since they receive money from timber sales, also. Mr. Lewis said he thought that in 1987 that money was pledged for repayment of some bonds. He thought that money was tied up in some kind of debt service.

REP. ZOOK asked Mr. Lewis if this were a trust composed of wheat, for example. Mr. Lewis said that we do spend the crop share off state lands. It's a good point to consider dealing with timber on the same basis as any grain crop.

REP. ROYAL JOHNSON asked Mr. Lewis to clarify his understanding that if the committee took positive action on this bill, in the next session, whether these two institutions would come in without any revenue reflected from timber sales. Mr. Lewis said the statute would be changed so that in fact it is revenue for them.

REP. PECK asked Mr. Lewis regarding the \$5 billion investment portfolio if he had a listing by state of the investment portfolios that other states have. Mr. Lewis said there are annual reports that come out from national groups. REP. PECK was interested to see a comparison of Montana's investments vis-a-vis other states. Mr. Lewis was going to ask Carroll South to provide that information.

Closing by Sponsor:

REP. KASTEN in her closing said that if these trusts were not backed by the general fund she might not have been quite as willing to carry this bill. Whether it is trust money or whether

it is general fund, these institutions will be funded.

The committee recessed until 1:15 p.m.

EXECUTIVE ACTION ON HB 7

Motion: REP. GRADY MOVED HB 7 DO PASS.

Motion/Vote: REP. COBB MOVED AMENDMENT 1, EXHIBIT 10A, DO PASS.  
Motion carried unanimously.

Motion: REP. COBB MOVED AMENDMENT 2, EXHIBIT 10A, DO PASS.

Discussion: REP. COBB explained his amendment. REP. KADAS asked REP. COBB if what he was trying to do was not create a disincentive for agencies to generate reversions. REP. COBB said that was correct. This amendment says that your base is still going to be whatever you actually spend plus your reversions.

Vote: APPROVE AMENDMENT 2, EXHIBIT 10A. Motion carried unanimously.

CHAIRMAN ZOOK asked Clayton Schenck to explain amendment hb000701.a03, EXHIBIT 10B, that the Office of Legislative Fiscal Analyst (LFA) had for this bill.

Mr. Schenck said that his office was neither an opponent nor proponent of the bill. They are very much involved in the budget process and feel there is some need for clarification of the bill, which is the intent of the amendment. He pointed out that his office had not been involved in this particular bill and took their first look at it this last week.

He explained the items they were concerned about, beginning with a definition of "current level": "the level of funding required to maintain the operation and services at the level authorized by the previous legislature after adjustment for inflation." Anything above and beyond that, including work load increases, changes of authorized funding, etc. is considered "modified." What this bill is intended to do is simply change where the modified level is as compared with the current level.

In this particular bill, more items would be included in "modified," and "current level" would be a much smaller base to start from. The current process being used fits well within this bill up to the point of establishing the base. The current base is taken from SBAS, the state system, and then certain items are excluded from that to establish the current base for the current level budget. The base would be limited to only the cost of ongoing programs or functions approved by the last legislature and expenditures appropriated by the last legislature. After the reductions that we made, LFA and OBPP were in agreement on what was in the base.

His concern about the bill in terms of the way it is presently written was that it says for the even year, you will start with the expenditures for that current fiscal year and that will be the base to start with. That is being placed in statute. Going back to 1992, which was the base that was used for this particular biennium and established the budget: total expenditures for that particular year were \$2.6 million dollars. After we made the adjustments to the base, it was reduced to \$1.5 million dollars. So \$1.1 million was removed from total expenditures before we got to the current level base. The type of items we removed include appropriation transfers, budget amendments, one time appropriations, statutory appropriations, etc.

Mr. Schenck believes the bill would leave those items in unless we clarify it. At that point in time OBPP and the LFA agreed on the base, and that, I believe, is the intent of this bill -- to establish that base, that everything from that point on would be a modified level. What we currently do is take that current level base and look at entitlements and add them into current level. Both OBPP and LFA add in fixed costs and some other items, including inflation. That is where OBPP and LFA differ on what is current level. A lot of times what gets focused on during the session is just those big ones. If I understand the intent of the bill it would be just simply to establish the base and then anything above and beyond that would be a modified.

Mr. Schenck suggested in this proposed amendment simply that the base used now is very adequate and is agreed upon by all parties. That could be the starting point. Anything above and beyond that would be treated as a modified, and that is what the intent of this amendment would be.

Mr. Schenck recapped the intent of the amendment: instead of putting in the language that says use the base from the prior year, it would basically simply restate what the current level funding is, list what it is exclusive of, and take out those items that LFA and OBPP have in the past been adding into current levels, including entitlements, etc. On page 16, line 16, it would be to add purchase of equipment as one of those items removed from the budget because we have always treated that as a zero-based expenditure and not current level.

However, one item that Mr. Schenck suggested as an option to be retained in current level and not based totally on the prior year's expenditures is personal services increases. The purpose of that is that personal services is built upon authorizing FTE. In the next year, there are probably going to be increases in that based upon pay plan, based upon work comp increases, benefit increases that have been approved by the legislature or by the federal government. To arbitrarily establish the prior year as the current level in personal services would tend to be a rather messy situation. The committee may wish to except this from the prior year expenditures and use the actual base as established in

the PPP system.

REP. BERGSAGEL suggested that since the OBPP and the LFA hadn't had a chance to meet and come to terms on this agreement, they set the bill aside. Everyone agreed.

**EXECUTIVE ACTION ON HOUSE BILL 14**

**Motion:** REP. QUILICI MOVED HB 14 DO PASS. He explained that he and REP. BARDANOUE had discussed this bill and after talking with Greg Petesch, Code Commissioner, Legislative Council, didn't feel there was a lot of problem with the way section 3 is written. Mr. Petesch did suggest an amendment, hb001402.A03, EXHIBIT 10C.

**Motion/Vote:** REP. QUILICI MOVED AMENDMENT hb001402.A03 DO PASS. Motion carried unanimously.

**Motion/Vote:** REP. QUILICI MOVED HB 14 DO PASS AS AMENDED. Motion carried 16-2 with REPS. WANZENRIED and DEBRUYCKER voting no.

**EXECUTIVE ACTION ON HOUSE BILL 12**

**Motion:** REP. KASTEN MOVED HB 12 DO PASS.

**Discussion:** REP. ROYAL JOHNSON asked REP. KASTEN if her bill proposed a one-time change or if she wanted to permanently send those monies to the schools in lieu of general fund monies. REP. KASTEN replied that was correct. She asked for a straw vote of the committee to find out if she would have the votes to amend this bill to insure under either statutory, supplemental, or some other way to insure that the schools are made whole if the estimate does not come through. CHAIRMAN ZOOK said he was not sure that straw votes would be the way to proceed.

REP. KADAS said the issue came up in subcommittee dealing with the MSDB. Looking at the revenue flows, there is clearly going to be a problem because it is impossible to predict how much income will come from timber sales. Then an alternative method is needed to deal with those fluctuations. The subcommittee's thought was that it wasn't worth the bother of going through the whole process. He felt that REP. KASTEN must understand the problem or she wouldn't have so many amendments. REP. KADAS said he thought we should leave the situation as it is -- let the trust continue to grow and use the interest off the trust. He is afraid if we pass this bill, we would be building in wildly fluctuating revenues for relatively small budgets. He doesn't think it is worth going through the process.

CHAIRMAN ZOOK said he was reluctant to begin taking straw votes. He suggested that REP. KASTEN contact the members of the committee individually.

**Motion/Vote:** REP. KASTEN MOVED AMENDMENT hb001201.agp, EXHIBIT

10D. Motion failed 3-15 with REPS. GRADY, COBB, and KASTEN voting yes.

Motion: REP. KASTEN MOVED AMENDMENT HB001202.A09, EXHIBIT 10E.

Discussion: REP. QUILICI said that the two institutions can seek a supplemental appropriation right now. He didn't see a reason to amend the statute. REP. KASTEN said she understood that it was not new money. There were certain things now in the supplemental law that would not allow them to come in for a supplemental. It would probably be at the time of the appropriation process.

CHAIRMAN ZOOK asked REP. KASTEN if she was sure she was talking about a supplemental and not a budget amendment. REP. KASTEN said that if they did not get the full appropriation requested or because of the difference in the timber sales, then they could come in for a supplemental. They could request to be made whole and that request could be denied; then they would have to come in for a supplemental and that is what this would allow.

CHAIRMAN ZOOK asked Mr. Schenck for some clarification. Mr. Schenck said this is amending the supplemental law. He said it exempts this particular item from the requirement that they come in for a supplemental. It exempts them from the law that the legislature passed in the last session. The other thing it does affect the state special revenue appropriation of I-90. In this case it is giving them authorization for a general fund supplemental so that is why the supplemental laws have to be amended.

Vote: AMENDMENT HB001202.A09, EXHIBIT 10E. The motion failed.

Motion/Vote: REP. KADAS MOVED TO TABLE HB 12. Voice vote was taken. Motion carried 12-6 with REPS. GRADY, BERGSAGEL, COBB, FISHER, KASTEN, and PETERSON voting no.

#### EXECUTIVE ACTION ON HB 10

Motion: REP. DEBRUYCKER MOVED HB 10 DO NOT PASS.

Substitute Motion: REP. WANZENRIED MADE A SUBSTITUTE MOTION TO TABLE HB 10.

Discussion: REP. MENAHAN said he really didn't want to vote for this bill, but they had to start saving money somewhere.

REP. BARDANOUVE said he thought we should pass the bill. This was not one of the most painful cuts they would have to make.

REP. NELSON said she was waiting on an amendment to the bill that would eliminate about 15 of the 20 counties.

REP. GRADY reminded the committee that there was \$265,000 savings



in this bill.

Vote: SUBSTITUTE MOTION TO TABLE HB 10. Voice vote was taken. Motion failed 7-11 with REPS. COBB, DEBRUYCKER, ROYAL JOHNSON, KADAS, NELSON, PECK, and WANZENRIED voting yes.

Substitute Motion: REP. KADAS MADE A SUBSTITUTE MOTION THAT HB 10 DO PASS. Voice vote was taken. Motion passed 10-8 with REPS. COBB, DEBRUYCKER, JOHN JOHNSON, ROYAL JOHNSON, NELSON, PECK, WANZENRIED, and WISEMAN voting no.

EXECUTIVE ACTION ON HB 6

Motion/Vote: REP. PETERSON MOVED HB 6 DO PASS.

Discussion: CHAIRMAN ZOOK asked REP. PETERSON what the amount of money involved was. REP. PETERSON replied that it was estimated to be \$300,000 annually.

Vote: DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON HB 4

Motion/Vote: REP. DEBRUYCKER MOVED HB 4 DO PASS. Motion carried 13-5 with REPS. FISHER, MENAHAN, PECK, QUILICI, and WANZENRIED voting no.

EXECUTIVE ACTION ON HB 8

Motion/Vote: REP. GRADY MOVED HB 8 DO PASS. Motion carried 12-6 with REPS. COBB, JOHN JOHNSON, MENAHAN, PECK, QUILICI, and WANZENRIED voting no.

EXECUTIVE ACTION ON HB 9

Motion: REP. MENAHAN MOVED TO TABLE HB 9.

Substitute Motion: REP. PECK MOVED HB 9 DO PASS.

Discussion: REP. GRADY spoke in favor of the bill. He said there were nineteen states that only had one license plate. He believes this bill saves approximately \$400,000.

REP. QUILICI spoke in opposition to the bill. He said that law enforcement has consistently opposed this bill. They have come to the legislature for special tools and been refused. He did not want to take away one of the tools they have.

REP. MENAHAN said one of the issues of concern this special session was taxes. He felt that with this bill the legislature was going to charge people a fee for license plates and then only give them half of it.

REP. PECK closed on his motion by saying that he had talked to

law enforcement officers in his district and they told him they didn't identify vehicles by license plate until they had them stopped. One license plate was all they needed to identify a vehicle. He stated that it was too difficult for officers to identify vehicles by the front license plate as they met them on the road.

**Vote:** DO PASS. Motion carried 11-7 with REPS. BARDANOUVE, FISHER, MENAHAN, NELSON, PETERSON, QUILICI, and WANZENRIED voting no.

#### **EXECUTIVE ACTION ON HB 12**

**Motion:** REP. KASTEN MOVED TO TAKE HB 12 FROM THE TABLE.

**Discussion:** REP. BARDANOUVE asked REP. KASTEN what type of amendment she was going to propose. She explained that her next amendment would provide that general funds would be used to make up the difference if timber sales revenue was insufficient. REP. BARDANOUVE stated that he was opposed to taking the bill from the table.

**Vote:** HB 12 BE TAKEN FROM TABLE. Motion failed 9-9, with REPS. GRADY, BERGSAGEL, COBB, DEBRUYCKER, FISHER, KASTEN, PETERSON, WISEMAN, and ZOOK voting yes.

#### **HEARING ON HOUSE BILL 2**

##### **Opening Statement by Sponsor:**

CHAIRMAN TOM ZOOK, House District 25, Miles City, opened the hearing by asking Fiscal Analyst Clayton Schenck to give an overview of the narrative that goes with the gray bill. EXHIBIT 11

Mr. Schenck explained that HB 2 was the gray enrolled bill that came out of the regular session. The strike-outs and changes on the bill represent subcommittee recommendations. When the bill goes out of the Appropriations Committee, it will go back to the enrolled bill and the strike-outs and changes will reflect the Appropriations Committee changes only. The present bill is a working tool.

Mr. Schenck explained EXHIBIT 11B, a list of those measures that were passed by subcommittees that were not built into the bill. The LC did not change the numbers in the bill because the changes were contingent on legislation. He explained EXHIBIT 12, a statewide summary of all the action taken by the subcommittees, broken down by general fund and total funds. Finally, Mr. Schenck explained the table on p. A-1 of EXHIBIT 11, a narrative report that goes with the gray bill. He then referred to EXHIBIT 11, the table on p. C-6. He used it as an example because it has all three of the types of entries used in the narrative.

Mr. Schenck said that the table on EXHIBIT 11, p. C-6 is part of a larger worksheet that on the left side shows the executive proposal, in the center shows legislative budget action, and on the far right side shows the differences between the two. It is a large, rather confusing spreadsheet, but it is available for any committee members who want to see it.

Mr. Schenck said that he also had a technical amendment to the bill which would simply take out the contingency language from the regular session because all those bills passed and the language is no longer necessary.

CHAIRMAN ZOOK asked Mr. Schenck to clarify that once the bill leaves the Appropriations Committee, the committee having taken action on a particular point, the bill would have Appropriations Committee figures and not the word "contingent." Mr. Schenck said that was correct. Committee action would put the figures in the bill.

CHAIRMAN ZOOK then asked for questions from committee members.

REP. BARDANOUVE asked for a clarification as to when changes made elsewhere would be coordinated. Mr. Schenck replied that the joint House Appropriations and Senate Finance and Claims meeting on November 17 considered what to do with reductions contingent upon legislation. The joint meeting adopted Option 2 at that time which said that to not include changes that require legislation into HB 2 line items, but simply to include contingency language that would enact that change if the bill does not pass. The general agreement was that these items not be built into the bill until it passes both houses; it would be simply contingency language until then.

REP. BARDANOUVE asked for clarification as to what would happen to other areas that contingency language wouldn't cover.

CHAIRMAN ZOOK said that he hoped that when this bill left the Appropriations Committee they would have a balanced presentation to make. He said they had a number of executive recommendations to act on; if they chose not to accept them, he hoped this committee would have a better idea in place of the executive proposal, which he understood was a balanced proposal.

CHAIRMAN ZOOK asked Mr. Lewis, OBPP, to comment. Mr. Lewis said that his office was asked by the chairman of Senate Finance and Claims to ask agencies to prepare a summary of the impact of a 3% cut in their other than general fund appropriations. His office had received that information from most of the agencies and had passed them on to the chairman.

REP. ROYAL JOHNSON asked Mr. Schenck regarding EXHIBIT 11, p. C-6, items 3 and 4, what "LC 21" was. Mr. Schenck said he was not sure what that was. He said that most of those kinds of things would explain what the bill is or the analyst would explain.

REP. ROYAL JOHNSON asked if they were going to eliminate the clean coal program from the conservation and resource department and use that to offset general fund in another department or in another division in their own department? He wanted to know if that was an internal funding switch. Mr. Schenck said that was correct. It was a rather complex move of funds. CHAIRMAN ZOOK said the committee would go over that when they got to section C.

Clayton Schenck then added, regarding items contingent on legislation, that he had simply reported to the committee what the Finance and Claims Committee had expressed. He pointed out that they had agreed that as those bills such as HB 1 and HB 11 pass one committee, they would be built into the general fund status sheet and they will be recorded as being reductions toward reaching the target deficit.

Testimony from Proponents and Opponents:

CHAIRMAN ZOOK stated that since there had been no opportunity for public input into HB 2, they would like to take time at this point to allow the general public to speak on the bill, either pro or con.

REP. BERGSAGEL suggested that the committee consider the non-general fund cuts, and that SEN. JACOBSON would like to speak to that.

SEN. JUDY JACOBSON wanted to clarify what the Senate Select Committee on the Budget was looking at. They discussed that if there are deficiencies in state government, then those deficiencies must exist throughout and not just in general fund agencies. Since we normally come into a budget cutting session and are mainly worried about our checkbook, we cannot look at the non-general fund agencies. In the spirit of the petition that was signed, looking for efficiencies throughout state government, they felt it was appropriate to add the non-general fund agencies, also, i.e. how they might be able to deliver their services more efficiently.

They did not want to be too specific, because some agencies have fees for a particular service, some of them are required by law to provide certain services, etc. In order to get some kind of figure, they decided to use the ballpark figure of 3%. They asked agencies to look at their non-general funds and report their prioritized list. They were specifically looking for the type of things that we have seen in some of the non-general fund agencies who have been able to get rid of their layers of administration. They did not want them to transfer their money into the general fund, because in many instances that, by law, cannot be done. They do think that it is in the best interest of the people of the state to know that all services are being delivered in the most efficient manner. They were not trying to grab gas tax money or do things that would cause us to lose a great deal of federal funds, but they did think that very likely

there were some efficiencies that might provide better service to the people of the state.

REP. BERGSAGEL asked SEN. JACOBSEN if she wanted the cuts that she was proposing placed in HB 2 or somewhere else. She said that it would be most appropriately placed in HB 2. She wanted the committee to focus in with the different agencies on their administration and some of those areas.

REP. BERGSAGEL said that he felt they should look at the non-general fund agencies, but he suggested to CHAIRMAN ZOOK that he was going to have to create a subcommittee to go through all the agency reports because of what a time consuming process it would be. SEN. JACOBSON agreed that it was a daunting workload and she also cautioned the committee that the agencies had had a very short amount of time to put their reports together. She said the 3% figure was to give the agencies something to work from. In some cases it may be totally impractical to look at that.

REP. QUILICI asked SEN. JACOBSON if she had had a chance to talk with two of the main non-general fund agencies: Fish, Wildlife & Parks and the Department of Transportation, and ask them what they have been doing to try to come up with more efficiencies. He felt that we should stress efficiencies, general funded or non-general funded. FWP is funded mostly with sportsmen fees and he thought they were pretty well protected. DOT is funded with gas tax and state special revenues.

SEN. JACOBSON said that she understood from Mr. Lewis that the DOT was looking at some efficiencies in their administration. She did not know about FWP. She had reviewed the documents that FWP had submitted, and the cuts they were suggesting on their list of priorities are all field positions, i.e. nothing in administration that she could find was being suggested.

REP. GRADY said that he was not against what SEN. JACOBSON was trying to do, but he said that the money FWP was going to save couldn't really be taken. It would probably keep that department from having to raise license fees in the future; but since the state couldn't really take any of the money it would just have to sit there and draw interest. SEN. JACOBSON said that there was the possibility of lowering fees.

CHAIRMAN ZOOK, again called for public input.

Annette Jones, graduate student at MSU, asked for utmost compassion and concern for higher education. University students just want their fair share of state money; they realize they will have to take cuts like everyone else.

John Campbell expressed his concern that the Public Service Commission was not using its power to benefit the state. He wanted them to either do the job or quit receiving funding. He was primarily concerned about PSC treatment of Dirk Irvin

**Trucking. EXHIBIT 13**

**Jim Ahrens, President, Montana Hospital Association,** expressed his concern about the area of human services. One primary area of concern was co-payments, to go from \$3 to \$200 for every Medicaid patient who visits the hospital. His other area of concern was out-patient cuts. He testified that the Medicaid budget was a safety valve; and when we started cutting some of those services it was a sad day for the elderly.

**Bob Rowe, Vice Chairman, Public Service Commission,** stated that he was available to answer any questions regarding John Campbell and Dick Irvin Trucking.

**Christina Medina, Montana Low Income Coalition,** asked the committee not to cut human services, especially Medicaid.

**Marcus Corting, Associated Students, University of Montana,** said the students believe that higher education has taken more than its fair share of cuts.

**Paulette Kohman, Montana Council for Maternal and Child Health (MCMCH),** testified that major cuts in the human services system affect all of us. Prevention saves money.

**Sharon Hoff, Executive Director, Montana Catholic Conference,** supported the testimony of Ms. Medina and Ms. Kohman, particularly in the area of Medicaid cuts. She asked the committee to prioritize cuts so that Montana's most vulnerable citizens were not hurt.

**John Schontz, Montana Association of Social Workers, Mental Health Association of Montana,** wanted to address three specific issues raised in the Governor's budget proposal. He called the committee's attention to EXHIBIT 11, p. B-6. He is concerned about the proposal to reducing the number of mental health visits. Currently, community mental health centers provide essentially unlimited therapy to seriously mentally ill people. They charge an average of \$80 per hour for that service. Private providers in Montana are limited to providing only 22 hours of care for those people.

Most of the ongoing mental health care in the community is provided by community mental health centers. This proposal would limit care to 22 hours per year. This cut would result in serious supplementals. There are 580 people in Montana that would be affected. Of those 580, 25% have a history of being in Warm Springs in the past. Ongoing psychotherapy keeps those people out of Warm Springs. Many of these people are single parents and with reduced therapy will have to go back to Warm Springs. Money saved from this budget cut will have to back into the Warm Springs budget, plus an additional amount for foster care.

At any given time in the state hospital, an additional 12 people will require an additional staff person. Mr. Schontz suggested that of the 580 people, in this biennium 100 of them would have to be readmitted to the state hospital under this proposal. The average length of stay is between 45 and 60 days. There would be substantive additional money needed for the Warm Springs budget and the foster care budget under this proposal.

His second concern was about the number of day treatment hours provided in the community. A third of those folks have been in Warm Springs and may well end up back there.

His third concern regarded the state's proposal to put in place a capitation plan. Their concerns under that plan were about private providers, of which there are over 500 across the state providing services in the communities for the mentally ill. Under the anti-trust laws, they may not be able to participate in the program. They cannot band together and provide services for those prices. He wanted the committee to take a hard look at whether capitation would save any money. If this cut is made, his association would ask that private providers charge the rate of \$36 per hour and be allowed to treat that population.

Deborah Schlesinger, Legislative Committee, Montana Library Association, asked the committee to consider its very small amount of money, proposed cuts of \$64,000 in state aid for 1995 and \$18,000 in the state library budget. State aid the legislature gave libraries in 1989 has allowed them to resource-share, to send books all over the state at no cost, etc. The \$64,000 represents significant cuts to state libraries.

Harley Warner, Montana Association of Churches, asked the committee not to make any of the proposed cuts in the human services area.

Kathy McGowan, Director, Montana Council of Mental Health Centers, agreed with Mr. Shontz about the effect of the cuts on the seriously mentally ill. She testified that the joint meeting of the two subcommittees, human services and institutions, was wonderful. She would like to see all mental health issues consolidated into one subcommittee. She believes that capitation of services to seriously mentally ill adults has real possibilities. She thinks a better long term solution than we have now to the problems of the seriously mentally ill could be found.

Rose Hughes, Executive Director, Montana Health Care Association, represented nursing homes throughout the state. She said the Governor's budget had two cuts specifically relating to nursing facilities. The first proposal was a delay in property rate increase. It is simply a decrease in the rate for fiscal year 1995 by about \$1.12 per patient day. Costs that aren't paid by Medicaid are shifted to the private. It wasn't an increase that was funded by general funds.

In order to alleviate the pressure on the state general fund, nursing home increases were funded with a tax on nursing home beds for nursing home patients. That tax did in fact fund the increases that nursing homes were to receive over this biennium. This proposal reduces an increase funded by an increase in the tax. Next July 1, the tax on nursing home residents will go up from \$2 per patient day to \$2.80 per patient day. That additional \$ .80 was to fund increases for FY 1995. Part of that increase is now slated to be taken away to the tune of about \$1.6 million to the nursing homes (about \$460,000 in general funds). The people will still pay the tax, but they won't get the benefit they were supposed to have gotten.

In addition to paying an increased tax, they will also pay an increased cost share. That doesn't seem to be what we all agreed to when we implemented that tax for a very specific purpose. If this were an honest proposal, Ms. Hughes said the legislature wouldn't be cutting general funds. If the state really wanted to not give that increase to the facilities, it would either cut the tax or make this cut out of the special revenue accounts so that the money would still sit there to be able to be used for the purpose at a later date.

Ms. Hughes added that this cut is called a delay, but if it is a delay, they will be asked next time to come up with the money because the money is being used to balance the budget.

The second proposed cut is a nursing home special income limit having to do with the medically needy program. In subcommittee, we came to the conclusion that probably nursing facilities might actually be better off with this, because we'd have fewer Medicaid patients or Medicaid patients would suddenly become private pay patients. The fact is that it isn't really an issue of who's better off or who's paying. The fact is that we have 170 individuals who have actually been identified. They are currently in nursing homes on Medicaid.

SRS has done a study to determine whether these people could be taken care of someplace else or if they have resources to pay for their own care. They basically came to the conclusion that maybe 25 or 30 of the 170 might fit into another setting. Most of them have severe problems, i.e. traumatic brain injuries, etc., and under this cut, the institutions will have to decide how not to serve these people. REP. QUILICI asked the nursing homes in subcommittee what they would do if these cuts went through. Ms. Hughes said the first thing they would probably do is wait for the patients to not pay their bill. Then they would send a notice giving them 30 days notice to move. The fact is that most of these people can't move. Some of them don't have families. Over the long term they would continue to try to find another place for them, but it is unlikely that they would. If the cuts are made, the nursing homes would hope that either Family Services or SRS would be directed to find places for these people.



**Mona Jamison, Montana Chapter, American Physical Therapy Association and Montana Speech Pathologists and Audiologists,** asked the committee to look in their deliberations at the specific cuts being proposed and weigh them against the perceived benefits to the state and the costs to the people who will actually experience firsthand the impacts of those cuts. For example, for physical therapy, speech, and occupational therapy for adults, the proposed cuts over the biennium will save \$63,400. The savings will be achieved by reducing the number of allowed visits from 100 to 35 visits per patient per year. Yet it is stated that if additional services were needed, they would then be provided by other providers, one of which mentioned were hospitals.

When that happens, it would disrupt the continuity of service between the therapist and the patient which has benefits both in terms of the health care provided and in the cost, since the physical therapist in private practice is reimbursed less under Medicaid for those particular services. She asked the committee to consider the actual savings that would be transferrable.

**Ms. Jamison** asked the committee to look at the proposed cut to eliminate hearing aids. The biennial savings for eliminating audiology services and hearing aids for adults is \$10,500. She asked how the state can expect people who need hearing aids to function and work if they are denied that particular benefit. She asked the committee to compare the minimal savings with the impact on the individuals concerned.

She asked the committee to validate the work of the subcommittees by supporting their recommendations which came after hearing the people and seeing the faces of those people affected by the cuts.

**Jim Smith, Federation of Big Brothers and Sisters,** asked the committee to support the subcommittee's recommendation not to eliminate \$180,000 in state support for the program. That recommendation came after persuasive, moving testimony from families and professionals as to the good work of the program.

**SEN. DOROTHY ECK** testified from the perspective of her work on the public health committee in the Senate and the committee on children and families. She felt that the community-based work in human services has been and is being reinvented. She felt that a lot of progress has been made because of the work of this committee and the Senate finance committee where they have looked at ways to reduce high-cost services and provide more beneficial community-based services. She felt that human services agencies have made big strides in coordination and collaboration. By cutting family-based services we would be undermining these efforts and contributing to a greater cost in the long run.

**Questions from Committee Members and Responses:**

**REP. GRADY** commented that the committee's job was not going to be easy. They were going to have to cut someplace. They were going

to try to cut where it least hurt people. If people don't like the proposed cuts, they need to come up with better ideas for places to cut.

REP. ROYAL JOHNSON asked Ms. Hughes regarding EXHIBIT 11, p. B-6, #13, "Limit Services for Medically Needy to Primary and Preventive Care," if she had said there were 170 individuals involved in that program. Ms. Hughes replied that she had testified concerning #16, "Implement a Special Income Limit for Nursing Home Eligibility."

REP. ROYAL JOHNSON was interested in item #13. Kathy McGowan responded. REP. JOHNSON wanted to know how many total people were involved in the category referred to in item #13. She responded that she did not know. She said that her concern was in the area of mentally ill people. In region 4, there are an average of 70 mentally ill people a month.

REP. KASTEN replied that there are 4,000 people involved in the program of concern to REP. JOHNSON.

SEN. MIGNON WATERMAN, Human Services Subcommittee, called REP. JOHNSON'S attention to p. B-19 and B-20 of EXHIBIT 11A, Tables 2, 3, and 4, setting forth "Medically Needy by Age Group," "Medically Needy Services," and "Medically Needy Disabled Persons by County." REP. JOHNSON asked if that would be \$100,000 per person who participates in the program. SEN. WATERMAN said she had not broken it out on an average and she would caution him not to do that because it varies greatly. Some cases are extremely expensive. REP. JOHNSON asked her what an extremely expensive case would be. SEN. WATERMAN gave an example of a 40-year-old quadriplegic traumatic brain injured man in Bozeman Care Center. He is a veteran, so he does receive some benefits and does not fall into the Medicaid category. His income is about \$1,400 per month. His nursing home care alone would be in excess of \$2,500 per month. The state gets the bulk of his \$1,400.

REP. MENAHAN said that when Galen Hospital was functioning there were two or three traumatic brain injury patients. He recalled that the cost to care for them was about half of \$2,500 per month.

CHAIRMAN ZOOK said that neither the administration nor the Human Services Subcommittee enjoyed making the recommendations they did. The Appropriations Committee shares a lot of those feelings. The problem is that there have been several votes taken in the state of Montana and people are not satisfied with what the state has been doing to them or not for them. The legislature has been given a difficult job to do.

REP. BARDANOUVE said that he didn't think the majority of the people of Montana had spoken.

CHAIRMAN ZOOK agreed, but said that they had all taken an oath to

uphold the constitution of the state of Montana.

**EXECUTIVE ACTION ON HOUSE BILL 2**

**REPRESENTATIVE MARY LOU PETERSON**, House District 1, Eureka opened discussion on HB 2, section A. She called the committee's attention to **EXHIBIT 11**, p. A-1, and asked how the committee wanted to handle amendments. The committee decided to take amendments as they went through each section. **REP. PETERSON** then pointed out the net impact figure of \$58,687 on p. A-1, combined cuts that were made in legislative agencies. She said that by reading the narrative, items #1-10, members will see a discussion of where the cuts came and how they happened to come. Some of the cuts were in the Governor's proposal; some were in agencies' proposals.

The first amendment **REP. PETERSON** had was referring to p. A-1. **REP. FISHER** said she had an amendment and asked the committee to look at **EXHIBIT 11A** on p. A-3.

**REP. QUILICI** suggested that the committee members move whatever amendments they had and the committee debate them in the usual way.

**REP. BERGSAGEL** said he had a number of amendments to the gray bill, one of which might suit **REP. FISHER**.

**Motion:** **REP. BERGSAGEL** MOVED OPTION 1 OF AMENDMENT hb21104a.jep, **EXHIBIT 14**.

**Discussion:** **REP. KADAS** asked **REP. BERGSAGEL** why he thought this was an appropriate budget reduction. **REP. BERGSAGEL** said these were tough times and we had to make cuts. This money was used to send representatives to economic development type meetings. **REP. KADAS** said that he had been involved with these groups, and eliminating all participation in outside groups was cutting our nose off to spite our face. He felt they needed to avail themselves of outside expertise.

**REP. ROYAL JOHNSON** asked why the \$146,250 was cut to \$116,341. He wondered why all the money wasn't cut. **REP. BERGSAGEL** said that we had already expended some funds. **REP. PETERSON** called the committee's attention to p. A-3 of the gray bill which listed budget items which totalled \$146,250.

**REP. WANZENRIED** asked **REP. PETERSON** why these cuts were made during the subcommittee's action and the nature of the debate. **REP. PETERSON** said it was a long story. The debate leading up to the final vote had been somewhat reflective of **REP. KADAS'** comments about the good that had come out of national committee meetings, i.e. good ideas and suggestions working with other states.

**CHAIRMAN ZOOK** said that we had to weigh some of these things

against the cuts in human services and other things that the committee was going to have to do later.

**Vote:** AMENDMENT hb21104a.jep, EXHIBIT 14. Motion carried 12-6, with REPS. COBB, JOHN JOHNSON, KADAS, MENAHAN, QUILICI AND WANZENRIED voting no.

**Motion:** REP. BERGSAGEL MOVED AMENDMENT hb21104b.jep, OPTION 1. EXHIBIT 15

**Discussion:** REP. QUILICI said that he had argued in subcommittee to keep this money for the National Conference of State Legislatures (NCSL) in. Every agency in state government is a part of some national organization. He felt that a lot of bills that had come out of this legislature had come as a result of the NCSL. This organization allows legislators to meet with congressional representatives from outside Montana, such as Louisiana Senator Johnson, head of the energy commission, and that was important to Montana.

REP. COBB asked REP. QUILICI if everyone's conferences had been cut or just the legislature's. REP. QUILICI said that they had cut back on most of them, but they hadn't cut everyone's dues or travel. REP. BERGSAGEL said that if it was important to the committee to belong to organizations of like interest, they could take option #2 of his amendment which allows the payment of dues.

**Substitute Motion/Vote:** REP. QUILICI MOVED OPTION 2 OF AMENDMENT hb21104b.jep. The motion carried 12-6, with REPS. BARDANOUE, DEBRUYCKER, FISHER, ROYAL JOHNSON, KASTEN, and WISEMAN voting no.

REP. PETERSON continued with EXHIBIT 11, p. A-3. REP. KADAS asked how the rates were determined in the fixed costs delays, i.e. how the 3/5% reduction of computer processing rates were determined and how the 1.4% and 2.5% Capitol complex rental rate reductions were arrived at. Jon Moe, LFA, replied that they had taken each case and gone through their cost accounting process and determined how much money they needed to operate. Through the budget process they had come to a certain level that drove those rates. Through the legislative session, the dollars didn't agree with the dollars that drove the rates, and they ended up adjusting those rates downward.

REP. KADAS asked Mr. Moe if they had in essence backed into the rates because of other changes that occurred during the regular session. He said that was correct. REP. KADAS asked if it would be possible to enforce that budget reduction and reduce the rates even more.

Connie Griffith, Administrator, Accounting and Management Support Division, Department of Administration, replied that the amounts reduced in the ISD area, the processing area, are a result of reductions they were able to do internally.

REP. KADAS stated that his concern was that the agencies who receive these internal funds generally don't receive budget cuts because they have a guaranteed source of revenue. If we are going to cut their budgets, too, the way to do it is by reducing the reimbursement rates, i.e. for rent, for computers, or whatever. Ms. Griffith said that was what they were going to be doing, i.e. reducing the processing rates for those items to those agencies, so it will be something that they have calculated and tried to estimate for all the agencies, i.e. how much their processing charges will go down. They've estimated it to be about 3.5%.

REP. PETERSON said that one thing that may help clarify this was that on their very first day of meeting they had considered fixed costs. That was given to the subcommittee rather than doing it in the full committee. In computer processing, not only did they have their newer machinery up and running, but they are able to handle volume. As the volume goes up, the price unit goes down. All the way through this, the committee will see the same thing.

REP. KADAS said he understood that, but he wanted to know if the subcommittee had screwed the costs down as tight as they could.

REP. PETERSON said the subcommittee agreed with the people who were presenting where they had been and how they were able to reduce. That doesn't mean to say that somewhere during the biennium they might find again their production going up and price going down.

CHAIRMAN ZOOK said that since 1991 when he was on REP. QUILICI'S General Government Committee, they have seen a continuous decline in the rates from ISD. REP. QUILICI said in answer to REP. KADAS that their costs were down as much as possible. In the event that computer capabilities were maintained without a new mainframe or something like that, they might be able to lower the costs for the next biennium. Mr. Moe said that the inflationary rates applied to computer processing during the development of the budget last session reduced their processing by about 30% each year.

REP. PETERSON continued with EXHIBIT 11, p. A-4, dealing with the Governor's office. REP. KADAS asked REP. PETERSON, regarding item #1, recovery of general fund costs, if they had looked at using the same mechanism for legislative branch agencies. Essentially what they were trying to do was spread the cost of the agency over the whole budget, including federal and state special funds. He thought a case could be made for doing the same thing for legislative agencies and perhaps even the Governor's office. REP. PETERSON thought his point was well taken.

Ms. Griffith said they included in this particular schedule only those centers that provided services to general government operation. Most legislative agencies are providing services to a

specific agency, i.e. the House or Senate. In the case of OBPP, those parts that did not relate to the legislative process were not included in the cost allocation plan. All that is included are those centers that provide services to all state agencies -- general government type services. REP. KADAS said that perhaps other things should be included; the legislature provided service to all agencies, for example.

REP. KADAS said that his understanding was that the items in the narrative (EXHIBIT 11) were the recommendations of the subcommittee, and therefore until the committee acts to change them, that is what they were accepting. CHAIRMAN ZOOK clarified that some items were not adopted by the subcommittee and some were. The committee could adopt all the recommendations or make any changes they desired to make. REP. BARDANOUVE wanted to know when the committee was going to accept or reject the recommendations, i.e. point by point, at the end, etc. REP. KADAS said that the amendments the committee was acting on only affected the original bill; they didn't affect the gray copy. The gray copy was the subcommittee bill. He thought a smoother way of going through the process would be to take a motion at the start of each section to adopt the subcommittee's recommendations. Then the committee would be working from the gray bill and they could amend that. CHAIRMAN ZOOK agreed.

**Motion:** REP. PETERSON MOVED TO ACCEPT THE SUBCOMMITTEE RECOMMENDATIONS FOR HB 2, SECTION A.

**Discussion:** REP. KADAS suggested that a motion to adopt the subcommittee's recommendations as thus far amended might be better.

**Motion/Vote:** REP. PETERSON MOVED TO ADOPT THE SUBCOMMITTEE'S RECOMMENDATIONS AS THUS FAR AMENDED. Motion carried unanimously.

REP. PETERSON continued explaining the narrative, EXHIBIT 11, section A, p. A-5, Secretary of State's office. She said that some of the subcommittee recommendations would be set forth in separate bills, such as item #3, p. A-5, an increase in the filing fee for legislative candidates. She continued with p. A-6, Commissioner of Political Practices and pp. A-7 and A-8, State Auditor's office. She pointed out that item #4 on that page had already been dealt with in a separate bill. Page A-9 dealt with the Board of Crime Control; p. A-10, Highway Traffic Safety; p. A-11, Department of Justice. REP. PETERSON stated that the subcommittee did not accept the Governor's proposal for reduced driver's license stations. It did not accept the reduced freight and express costs, and it did not accept the elimination of a position.

**Motion:** REP. BERGSAGEL MOVED AMENDMENT hb24110b.jep, EXHIBIT 16.

**Discussion:** REP. WANZENRIED asked for the Department of Justice to respond to that amendment. CHAIRMAN ZOOK said the department

had presented their case pretty thoroughly earlier in the day when the committee heard the bill relating to this amendment.

REP. BERGSAGEL said that since there was some confusion on this issue, he would like to talk to the Attorney General before reaching a conclusion. He withdrew his motion.

**Motion:** REP. KADAS MOVED TO ACCEPT THE EXECUTIVE PROPOSAL TO REDUCE DRIVER'S LICENSE SERVICE STATIONS.

**Discussion:** REP. FISHER asked the Department of Justice to address that proposal.

Joe Mazurek, Attorney General, Department of Justice, gave a general presentation of what the Department of Justice is doing to cut funds without eliminating driver's stations. He said that his department had been charged by the legislature in regular session to come up with a plan to do mail renewal of driver's licenses, which they have implemented and which is working well. They were asked to come up with a plan for having driver's education students tested at the schools rather than by the driver's examiners. The department was also charged to try to find a way to retain driver's license services in all the counties but still save an equivalent amount of money. The department has a list of ideas they are considering, such as extending the renewal time, having the renewals contracted out to private businesses, allowing for automatic mail renewal for drivers without points, etc.

Attorney General Mazurek said that the Motor Vehicle Division has a very good track record. FTE numbers have dropped by about 77 since 1985. They believe they can come back to the 1995 session with a way of fulfilling the charges of the legislature without doing away with the stations. The stations do more than take pictures and test eyes. They do individualized testing, etc. He said if the stations are closed now, they will never get them back.

REP. KADAS stated that the problem was that we needed the money now. He said he would be willing to take the money and then give the department flexibility to try to find ways to deal with the loss of funds. Attorney General Mazurek said that was a decision the committee would have to make. He said there was some talk about having sheriffs and peace officers in rural counties perform this service. The problem was that his department had the equipment which didn't sit in individual counties but moved around from office to office. He said it was difficult to do it on a privatization basis right now because we would have to find somebody with enough money to do the service and make a profit. He said that taking the money, wanting them to provide services to 56 counties, and giving them flexibility wouldn't work.

REP. NELSON was opposed to reducing the driver's license service stations. She stated that she felt the money we paid for

driver's licenses amply covers the cost. Unfortunately, that money is diverted: 53% is put in the general fund, 17 1/2% is put into driver's education, and 25% is put into the highway patrol retirement account. The people have a right to expect this service for the amount of money they pay.

REP. PETERSON stated that in the subcommittee it was felt that several charges had been given to the Department of Justice concerning drivers, renewals, etc. They were pleased with the progress the department had made, which was one of the reasons they did not adopt the executive proposal to reduce.

**Substitute Motion:** REP. KADAS MADE A SUBSTITUTE MOTION TO CUT THE DEPARTMENT'S MONEY BUT NOT REQUIRE THE DEPARTMENT TO ELIMINATE DRIVER'S LICENSE STATIONS.

**Discussion:** REP. BERGSAGEL asked Attorney General Mazurek if they could do that. He said no. The money is going for salaries. At this point they would have to lay off the people and close the stations. He felt the department needed more time to come up with a plan.

REP. KADAS said all he was doing was taking the money, not telling the department where it had to come from. If they could find ways to save it, they have the flexibility to do that. Attorney General Mazurek said he understood that, but he believed they would have to lay people off. It will take things like going to a longer renewal period or creating different ways of renewing driver's licenses. To say they didn't have the money now, those options weren't there. It would probably take legislative changes.

REP. NELSON asked if the legislature hadn't begun something like diverting gas tax money to fund the motor vehicle department. She asked whether gas tax is covering driver's license stations at this time. Attorney General Mazurek said that in terms of accounting for the fees that are paid, the department collects \$16, up from \$12 in 1991. Their total cost is \$13.52 per license, so they are making a profit of about \$2.48 on every issuance. That cost includes travel for the examiners, equipment, salaries for people in the division, etc. There is the gas tax money to fund the division, but this is basically a profit center. It is making money now. He said he didn't think it was correct to say gas tax money funds driver's license stations, even though there is gas tax money in the motor vehicle division.

REP. NELSON asked REP. BERGSAGEL to respond to the same question. He said that he believed they used the gas tax money as general fund replacement type money to offset costs of the motor vehicle division.

**Substitute Motion:** REP. BARDANOUVE MADE A SUBSTITUTE MOTION TO REDUCE THE PROPOSED AMOUNT BY 50%.



**Discussion:** REP. BARDANOUVE said the reason he did that was because he thought there were probably some driver's license stations where an examiner was sent out and only one or two people were taking the examination. He felt the Attorney General's office could determine the stations that were least used and cut there.

REP. KASTEN asked REP. BARDANOUVE if his motion was to reduce the number of stations or to reduce the frequency that the examiners appear. He replied that it was to reduce the number of stations.

REP. WISEMAN asked Attorney General Mazurek if his department couldn't do things like establish mail renewal or extend the length of renewal time without legislative action. He said they could do some of those things -- not extend the period, because that was established by statute.

REP. ROYAL JOHNSON said that his understanding of REP. BARDANOUVE'S motion was that he wanted to reduce the funds by one half. REP. BARDANOUVE said that he wanted the Attorney General to determine where to best use the money to provide service.

REP. KADAS said that there was still time to put a bill in this session if there were statutory changes that would allow the department to have more flexibility.

REP. ROYAL JOHNSON said that if the funding is cut in half, the remaining 50% is going to the populated centers and the rural centers would be left off because they would be the least used.

REP. NELSON asked Dean Roberts, Administrator, Motor Vehicle Division, Department of Justice, whether, if the funding were cut in half, there would be a possibility we could keep all the stations open, but just not as often. Mr. Roberts said that would be a possibility, but some other kinds of things would have to be put in place. There is a mail renewal system right now that costs about \$137,000 a year. REP. NELSON asked if we left things in place now, whether the department would come back in the next regular session with a proposal to do away with some expense by handling this on a local level. Mr. Roberts said absolutely. His department is dealing with 155,000 citizens per year, and it takes time to do those kinds of things. He delivered \$200,000 of registration mail renewal. He promised that they would deliver less cost for 56 driver's license stations next session. REP. NELSON reiterated that the people have a right to expect the service they pay for, and she opposed REP. BARDANOUVE'S motion.

REP. BARDANOUVE compared his motion with a program that he put into effect a number of years ago to close the least efficient and smallest liquor stores. A number of stores were eliminated under that program. He felt that his proposal would give the Attorney General the opportunity to use in his best judgment his money most wisely in the areas that serve the most people.

**Vote:** The motion failed 7-11 with REPS. GRADY, BARDANOUVE, ROYAL JOHNSON, KADAS, PECK, WANZENRIED, and WISEMAN voting yes.

REP. KADAS withdrew his motion to accept the executive proposal and eliminate the total proposed number of driver's license stations.

REP. KADAS asked, regarding EXHIBIT 11, p. A-11, item #3, the drug prevention education coordinator position, whether we receive any federal funds. REP. PETERSON said that was the D.A.R.E. program. It had been funded by federal funds for a few years and then the state had to take it over. If we don't have this position training Montana D.A.R.E. officers, then if we are going to have the D.A.R.E. program, we would have to send those people out of state.

REP. ROYAL JOHNSON asked Attorney General Mazurek if there were funds from the Board of Crime Control that would take care of the D.A.R.E. training program. Attorney General Mazurek said he didn't believe so. The position had been federally funded up until this biennium. The department had requested general fund money so they could continue to provide the training for D.A.R.E. officers in Montana. They had their first training program in Billings this past summer. Prior to that time, all the D.A.R.E. officers went to either Los Angeles or Salt Lake City. The cost is \$200 versus \$2,000. They offered up almost twice as much money as is required to fund this position in hopes of keeping the position, he said.

REP. ROYAL JOHNSON asked if there was special training needed for the coordinator position. Attorney General Mazurek replied that the D.A.R.E. officer had to be certified by the D.A.R.E. management program. He said his department was trying to create a D.A.R.E. Montana private non-profit corporation to raise funds to help local communities be able to continue the D.A.R.E. program when the federal funds run out. The D.A.R.E. coordinator does not directly train, but makes all the arrangements for officers to be trained.

REP. KASTEN asked Attorney General Mazurek how many people were trained annually in this program. He replied that there were 120 D.A.R.E. officers in the state in 34 Montana counties. Last year, about 18 officers were trained. REP. KASTEN asked Attorney General Mazurek to clarify his statement that this program allows counties to spend \$200 rather than \$2,000. He said that before last summer when the training was offered in Billings, the officers had to go to Los Angeles or Salt Lake City, and it cost about \$2,000. He said that by providing the D.A.R.E. officer training in Montana, the cost was about \$200. That money comes out of the local police or sheriff's department budget. REP. KASTEN noted that even at \$2,000 per officer trained, that cost would be less than the coordinator's position. Attorney General Mazurek said the difference is that the local government bears the training cost, not the state. The local government can pay

\$200 for an officer to be training in Billings, or the \$2,000 for an officer to be trained in Salt Lake City or Los Angeles. REP. KASTEN asked if we were spending \$50,000+ in order to save \$2,000 per county. Attorney General Mazurek said that in addition we would get coordination services to assist the local government entities.

CHAIRMAN ZOOK said it was his understanding that the Attorney General's office offered up over twice this amount of money in order to save this position, and his hope was that the committee would honor that. REP. PETERSON pointed out that the Attorney General's office thought this program was so important that they were willing to accept substitute reductions, items 4, 5, and 6 on p. A-11, EXHIBIT 11.

Motion: REP. BARDANOUVE MOVED AMENDMENT hb21104b.jep, Option 2, EXHIBIT 15.

Substitute Motion: REP. BERGSAGEL MADE A SUBSTITUTE MOTION TO REDUCE GENERAL FUND FOR POSTAGE IN THE MOTOR VEHICLE DIVISION OF THE DEPARTMENT OF JUSTICE BY \$2,000 IN FY94 AND BY \$4,000 IN FY95, AMENDMENT hb24110b.jep, EXHIBIT 16 (AS CORRECTED).

Discussion: REP. GRADY asked Attorney General Mazurek to explain what the difference was between the original approximate \$13,000 reduction in this amendment and the \$6,000 in the present amendment. Attorney General Mazurek said that this issue was not discussed in subcommittee because the subcommittee had already voted not to accept a single license plate. He said they estimate annual savings for going to a single plate at \$4,000. EXHIBIT 18 His department had disagreed with the LFA as to this estimate.

Vote: SUBSTITUTE MOTION. Motion carried unanimously.

Mr. Schenck suggested that the committee may want to consider contingency language in the amendment just passed. REP. BERGSAGEL said if the committee had no objection, he would like that to be the intention of his motion. There were no objections.

Motion: REP. BERGSAGEL MOVED AMENDMENT hb24110d.jep, EXHIBIT 18A.

Discussion: REP. PETERSON said that there are a number of highway patrolmen ready to retire. The recruit school is run on a regular basis to train patrolmen to fill the slots as people retire. She said there are more slots to fill than usual and that is why the additional school is requested. CHAIRMAN ZOOK said he understood that there were a number of people who had gone through that school and hadn't been hired because of lack of openings. Attorney General Mazurek explained the need for additional recruits. EXHIBIT 19

REP. MENAHAN asked Attorney General Mazurek if the patrolmen were eligible for the current window of opportunity to retire. Attorney General Mazurek said the patrolmen have their own separate retirement system.

REP. ROYAL JOHNSON asked Attorney General Mazurek if highway patrolmen were trained at the Police Academy. Attorney General Mazurek said the Highway Patrol itself runs a Recruit Academy for highway patrol officers at the Law Enforcement Academy.

REP. BERGSAGEL withdrew his motion.

REP. PETERSON pointed out on p. A-13 of EXHIBIT 11 that the Department of Transportation had a reduction in federal funds. She continued with p. A-14, Department of Revenue, noting that the subcommittee did not adopt items 1, 2, 5, and 6.

CHAIRMAN ZOOK asked if there was a bill introduced dealing with audit costs. REP. PETERSON answered that it was SB 10.

REP. KADAS asked if a statutory change was needed to be able to recover audit costs.

Motion: REP. KADAS MOVED THAT THE REDUCTIONS IN ITEMS 1 AND 6, P. A-14, EXHIBIT 11, BE MADE CONTINGENT ON PASSAGE OF SB 10.

Discussion: REP. QUILICI wanted the committee to remember that it would be the counties who would be losing the money under this legislation. REP. KADAS disagreed, saying that the state is doing the work to collect the revenue that the counties are going to get to keep. He said that the counties were getting the benefit from the state's work. He felt the counties that were going to be affected were ones that could afford to pay a little extra.

REP. PETERSON said that there were bills pending to deal with items 1, 2, and 5.

Mr. Schenck asked for clarification on the motion. He said that up to this point, most of the subcommittee action did not put numbers in on these contingencies. They put in language that said if the bill is passed, the numbers are increased. Another way to deal with the problem is to put in numbers and language that says if the bill is not passed, the numbers are reduced. REP. KADAS replied that he thought the best way was to leave the numbers as they are, and if the bill passes, the numbers are decreased. If the cut is contingent upon passage of the bill, you don't support the cut until the bill passes. Mr. Schenck said that was inconsistent with other subcommittee actions, but consistent with what the committee did with their last motion.

REP. BERGSAGEL said it was his understanding that the committee was going to try to achieve a target and a balanced budget. He asked if the committee was going to accept these numbers as if

the bill had passed in order to pass HB 2. REP. KADAS said his understanding was that contingent cuts would not show up in the main budget balance sheet until the bill has passed at least one committee. Prior to that, they will show up on another sheet so that the committee knows they are out there. As soon as a particular bill passes one committee, then it is seen on the overall balance sheet.

REP. BERGSAGEL asked if that was consistent. Mr. Schenck said that it was.

REP. BARDANOUVE agreed with REP. KADAS and disagreed with REP. QUILICI. REP. QUILICI said it was important to remember that the counties where they are extracting minerals are the ones that should derive some benefit, even though the state is carrying some of the audit costs.

**Vote:** RECOVER COLLECTION AND AUDIT COSTS CONTINGENT UPON PASSAGE OF SB 10. Motion passed 15-3 with REPS. MENAHAN, NELSON, and QUILICI voting no.

REP. BARDANOUVE asked for further explanation of item 2 on p. A-14, EXHIBIT 11. REP. PETERSON said that the subcommittee was told that the Department of Revenue would take the deputy assessor's position and use those people in a different way. As a state employee, the person would be able to do that kind of work in several counties or go to a county where work has built up. They would be more flexible in their work schedule, working in a regional way.

REP. QUILICI said he understands from talking with some county assessor that they have worked out an agreement with the Department of Revenue. Mick Robinson, Director, Department of Revenue, said that his department had been working with the assessors' association to consolidate assessment and appraisal functions statewide and accommodate the individuals presently within the division.

REP. BARDANOUVE wanted to know how many dollars were being saved. Mr. Robinson said DOR's projection was \$1.2 million, starting in FY95.

**Motion:** REP. BARDANOUVE MOVED TO ACCEPT ITEM #2, P. A-14, EXHIBIT 11, TO STREAMLINE PROPERTY VALUATION DIVISION.

REP. PETERSON asked Jon Moe, LFA, to comment on the drafting process. Mr. Moe explained that the bills that are being drafted have the changes in HB 2 as part of the bill.

Mr. Schenck explained that the system being used for the general fund status sheet is fairly independent of HB 2. As bills pass committee, the status sheet is changed. The LFA will track the deficit independently of what the committee does, and it will also track HB 2.

REP. BARDANOUVE said he would include contingency language in his motion.

REP. NELSON asked if the Appropriations Committee would hear the bill to deal with the county assessors. REP. GRADY replied that was up to the Speaker.

REP. NELSON asked Cele Pohle, Montana Assessors Association, if the assessors were satisfied with the agreement they had worked out with the DOR. Ms. Pohle said her association felt it was important to allow flexibility for those counties who still wanted an assessor and had the financial resources to support that position. They also felt it was important to allow the deputies to be able to become state employees.

REP. ROYAL JOHNSON asked if this situation was similar to what the committee had done in item #1, p. A-14. REP. GRADY said that was correct.

REP. BERGSAGEL clarified his understanding of REP. BARDANOUVE'S motion -- to authorize the collections in HB 2, contingent upon the passage of LC 107.

Mr. Schenck clarified again that the numbers would not be going in, but would be in contingency language. He said he would assume that for any other similar motions.

**Vote:** STREAMLINE PROPERTY VALUATION DIVISION. Motion carried unanimously.

**Motion:** REP. WISEMAN MOVED ITEM #5, P. A-14, EXHIBIT 11, TO PRIVATIZE RETAIL LIQUOR OPERATIONS, INCLUDING CONTINGENCY LANGUAGE.

REP. COBB asked if the subcommittee had looked at liquor store association figures. REP. PETERSON said the subcommittee didn't have time to really pursue that.

Mr. Schenck said that the liquor store privatization issue was not part of HB 2.

REP. WISEMAN withdrew his motion.

REP. PETERSON continued her explanation of Section A, p. A-15, Department of Administration. She said the subcommittee did not accept item #1, recover costs of state accounting; it did not accept item #2, recover costs of state personnel; and it did not accept federal cost recoveries. Those items will all be heard in separate bills.

**Motion:** REP. BARDANOUVE MOVED TO ADOPT ITEM #1, P. A-15, EXHIBIT 11, RECOVER COSTS OF STATE ACCOUNTING PROGRAM, INCLUDING CONTINGENCY LANGUAGE.

Discussion: REP. QUILICI explained that the subcommittee didn't adopt items #1 and 2 because the agencies who would have to pick up the costs were agencies who couldn't afford it.

REP. PECK objected to the discussion of items that were dealt with in separate bills. He felt it was a duplication of effort.

Vote: RECOVER COSTS OF STATE ACCOUNTING PROGRAM. Motion carried 17-1, with REP. QUILICI voting no.

Motion/Vote: REP. GRADY MOVED TO ADOPT ITEM #2, P. A-15, EXHIBIT 11, RECOVER COSTS OF STATE PERSONNEL, INCLUDING CONTINGENCY LANGUAGE. Motion carried 17-1, with REP. QUILICI voting no.

Motion/Vote: REP. BERGSAGEL MOVED TECHNICAL AMENDMENT hb2-hac.dg2, EXHIBIT 20. Motion carried unanimously.

REP. GRADY asked REP. PETERSON why items #5 and 6, p. A-16 were not adopted. REP. PETERSON said there was considerable concern in the subcommittee that the legislature would be asking various departments to contribute money to pay for the work that is being done for those departments.

Motion/Vote: REP. GRADY MOVED TO ADOPT ITEM #5, P. A-15, EXHIBIT 11, FEDERAL COST RECOVERIES TO STATE SPECIAL REVENUE ACCOUNT. Motion carried unanimously.

Motion: REP. GRADY MOVED TO ADOPT ITEM #6, P. A-15, EXHIBIT 11, FEES FOR STATE PURCHASING CONTRACTS.

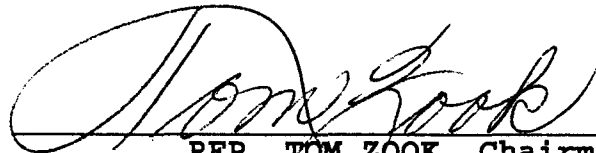
Discussion: REP. PETERSON explained this as a fee for sharing in a good price for a large purchase.

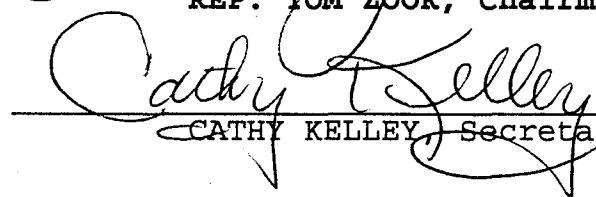
REP. QUILICI said that under this provision other state agencies were charged any time they used the purchasing division, so somebody in state government is going to pick up the tab.

Vote: Motion carried 16-2 with REPS. WANZENRIED and QUILICI voting no.

ADJOURNMENT

Adjournment: 8:30 p.m.

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

  
\_\_\_\_\_  
CATHY KELLEY, Secretary

TZ/cek



HOUSE OF REPRESENTATIVES  
APPROPRIATIONS COMMITTEE

ROLL CALL

DATE 11/30/93

NAME	PRESENT	ABSENT	EXCUSED
REP. ED GRADY, VICE CHAIRMAN	X		
REP. FRANCIS BARDANOUVE	X		
REP. ERNEST BERGSAGEL	X		
REP. JOHN COBB	X		
REP. ROGER DE BRUYCKER	X		
REP. MARJORIE FISHER	X		
REP. JOHN JOHNSON	X		
REP. ROYAL JOHNSON	X		
REP. MIKE KADAS	X		
REP. BETTY LOU KASTEN	X		
REP. WM. "RED" MENAHAN	X		
REP. LINDA NELSON	X		
REP. RAY PECK	X		
REP. MARY LOU PETERSON	X		
REP. JOE QUILICI	X		
REP. DAVE WANZENRIED	X		
REP. BILL WISEMAN	X		
REP. TOM ZOOK, CHAIRMAN	X		

HR:1993  
wp.rollcall.man  
CS-09



## HOUSE STANDING COMMITTEE REPORT

November 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 4 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

*Tom Zook*  
Tom Zook, Chair

Committee Vote:  
Yes 13, No 5.

*sd.*  
*12-1-93*  
*7:45 AM*

21755SC.Hcr



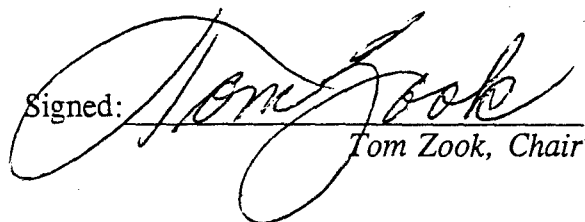
## HOUSE STANDING COMMITTEE REPORT

November 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 6 (first reading copy -- white) do pass.

Signed:

  
Tom Zook, Chair

Committee Vote:  
Yes 18, No 0

*12-1-93  
7:45 AM*

21752SC.Hcr



## HOUSE STANDING COMMITTEE REPORT

November 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 8 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

*Tom Zook*  
Tom Zook, Chair

Committee Vote:

Yes 12, No 6.

*12-1-93  
7:45 AM*

21800SC.Hcr



## HOUSE STANDING COMMITTEE REPORT

November 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 9 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

*Tom Zook*  
Tom Zook, Chair

Committee Vote:  
Yes 11, No 2

*12-1-93  
7:45 AM*

21801SC.Hcr



## HOUSE STANDING COMMITTEE REPORT

November 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 10 (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

*Tom Zook*  
Tom Zook, Chair

Committee Vote:  
Yes 10, No 2

*12-1-93  
7:45 AM*

21748SC.Hcr



## HOUSE STANDING COMMITTEE REPORT

November 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 12 (first reading copy -- white) be tabled.

Signed: \_\_\_\_\_

*Tom Zook*  
Tom Zook, Chair

Committee Vote:  
Yes 12, No 6

*12-1-93  
7:45 AM*

21804SC.Hcr



## HOUSE STANDING COMMITTEE REPORT

November 30, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Appropriations report that House Bill 14 (first reading copy -- white) do pass as amended.

Signed.

*Tom Zook*  
Tom Zook, Chair

And, that such amendments read:

1. Page 2, line 17.  
Strike: "Section 53-9-109(2) "  
Insert: "[This act]"

Explanation: Technical amendment.

-END-

Committee Vote:  
Yes 16, No 2

*12-1-93  
7:45 AM*

21725SC.HCR



HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE  
ROLL CALL VOTE

DATE 11/30/93 BILL NO. HB 2 NUMBER 1

MOTION: REP. ERNEST BERGSAGEL MOVED OPTION 1, AMENDMENT  
hb21104A.jep, EXHIBIT 14.

NAME	AYE	NO
REP. ED GRADY, VICE CHAIRMAN	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB		X
REP. ROGER DE BRUYCKER	X	
REP. MARJORIE FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. "RED" MENAHAN		X
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI		X
REP. DAVE WANZENRIED		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIRMAN	X	

HR:1993  
wp:rlclvote.man  
CS-11

## HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE  
ROLL CALL VOTE

DATE 11/30/93

BILL NO. HB 2

NUMBER

2MOTION: REP. JOE QUILICI MADE A SUBSTITUTE MOTION TO PASS OPTION  
2 OF AMENDMENT hb21104b.jep, EXHIBIT 15.

NAME	AYE	NO
REP. ED GRADY, VICE CHAIRMAN	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB	X	
REP. ROGER DE BRUYCKER		X
REP. MARJORIE FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON		X
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. "RED" MENAHAN	X	
REP. LINDA NELSON	X	
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI	X	
REP. DAVE WANZENRIED	X	
REP. BILL WISEMAN		X
REP. TOM ZOOK, CHAIRMAN	X	

HR:1993

wp:rlclvote.man

CS-11

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE  
ROLL CALL VOTE

DATE 11/30/93 BILL NO. HB 2 NUMBER 3

MOTION: REP. FRANCIS BARDANOUVE MADE A SUBSTITUTE MOTION TO REDUCE DRIVER'S LICENSE SERVICE STATIONS BY 50% OF THE EXECUTIVE PROPOSAL.

NAME	AYE	NO
REP. ED GRADY, VICE CHAIRMAN	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEL		X
REP. JOHN COBB		X
REP. ROGER DE BRUYCKER		X
REP. MARJORIE FISHER		X
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN		X
REP. WM. "RED" MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK	X	
REP. MARY LOU PETERSON		X
REP. JOE QUILICI		X
REP. DAVE WANZENRIED	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIRMAN		X

HR:1993  
wp:rlclvote.man  
CS-11

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE  
ROLL CALL VOTE

DATE 11/30/93 BILL NO. HB 2 NUMBER 4

MOTION: REP. MIKE KADAS MOVED TO RECOVER COLLECTION AND AUDIT COSTS CONTINGENT UPON PASSAGE OF SB 10.

NAME	AYE	NO
REP. ED GRADY, VICE CHAIRMAN	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB	X	
REP. ROGER DE BRUYCKER	X	
REP. MARJORIE FISHER	X	
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. "RED" MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK	X	
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI		X
REP. DAVE WANZENRIED	X	
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIRMAN	X	

HR:1993

wp:rlclvote.mgn

CS-11

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE  
ROLL CALL VOTE

DATE 11/30/93 BILL NO. HB 4 NUMBER \_\_\_\_\_

MOTION: REP. ROGER DEBRUYCKER MOVED HB 4 DO PASS.

NAME	AYE	NO
REP. ED GRADY, VICE CHAIRMAN	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB	X	
REP. ROGER DE BRUYCKER	X	
REP. MARJORIE FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. "RED" MENAHAN		X
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI		X
REP. DAVE WANZENRIED		X
REP. BILL WISEMAN	X	
REP. TOM ZOÖK, CHAIRMAN	X	

HR:1993  
wp:rlclvote.man  
CS-11

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE  
ROLL CALL VOTE

DATE 11/30/93 BILL NO. HB 8 NUMBER \_\_\_\_\_

MOTION: REP. ED GRADY MOVED HB 8 DO PASS.

NAME	AYE	NO
REP. ED GRADY, VICE CHAIRMAN	X	
REP. FRANCIS BARDANOUVE	X	
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB		X
REP. ROGER DE BRUYCKER	X	
REP. MARJORIE FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. "RED" MENAHAN		X
REP. LINDA NELSON	X	
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI		X
REP. DAVE WANZENRIED		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIRMAN	X	

HR:1993  
wp:rlclvote.man  
CS-11

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE  
ROLL CALL VOTE

DATE 11/30/93 BILL NO. HB 9 NUMBER \_\_\_\_\_

MOTION: REP. RAY PECK MOVED HB 9 DO PASS.

NAME	AYE	NO
REP. ED GRADY, VICE CHAIRMAN	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB	X	
REP. ROGER DE BRUYCKER	X	
REP. MARJORIE FISHER		X
REP. JOHN JOHNSON	X	
REP. ROYAL JOHNSON	X	
REP. MIKE KADAS	X	
REP. BETTY LOU KASTEN	X	
REP. WM. "RED" MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK	X	
REP. MARY LOU PETERSON		X
REP. JOE QUILICI		X
REP. DAVE WANZENRIED		X
REP. BILL WISEMAN	X	
REP. TOM ZOÖK, CHAIRMAN	X	

HR:1993  
wp:rlclvote.man  
CS-11

HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE  
ROLL CALL VOTE

DATE 11/30/93 BILL NO. HB 12 NUMBER \_\_\_\_\_

MOTION: REP. BETTY LOU KASTEN MOVED TO TAKE HB 12 FROM THE TABLE.

NAME	AYE	NO
REP. ED GRADY, VICE CHAIRMAN	X	
REP. FRANCIS BARDANOUVE		X
REP. ERNEST BERGSAGEL	X	
REP. JOHN COBB	X	
REP. ROGER DE BRUYCKER	X	
REP. MARJORIE FISHER	X	
REP. JOHN JOHNSON		X
REP. ROYAL JOHNSON		X
REP. MIKE KADAS		X
REP. BETTY LOU KASTEN	X	
REP. WM. "RED" MENAHAN		X
REP. LINDA NELSON		X
REP. RAY PECK		X
REP. MARY LOU PETERSON	X	
REP. JOE QUILICI		X
REP. DAVE WANZENRIED		X
REP. BILL WISEMAN	X	
REP. TOM ZOOK, CHAIRMAN	X	

HR:1993  
wp:rlclvote.man  
CS-11



**MONTANA HEALTH CARE AUTHORITY**

The Montana Health Care Authority was established by SB 285 and given the mandate to propose alternative health care plans that will ensure that all Montanans have access to quality health care services at costs that are affordable. The Authority has until October 1, 1994 to deliver these "Universal Access Plans" to the Legislature. In addition, it is charged with developing a number of related resource planning and cost containment mechanisms designed to meet its overall mission.

**AUTHORITY  
MEMBERS**

Dorothy Bradley, Chair  
Water Program Administrator  
Bozeman

Lloyd (Sonny) Lockrem, Jr., Vice Chair  
Insurance Trust Manager  
Billings

John Molloy, M.D.  
Physician  
Great Falls

Maggie Newman  
Insurance Agent  
Ronan

Donald J. Rush  
Hospital Administrator  
Sidney

**EX-OFFICIO  
MEMBERS**

Joseph P. Mazurek  
Attorney General

Mark O'Keefe  
State Auditor/Insurance Commissioner

Peter S. Blouke, Director  
Dept. of Social and Rehabilitation Services

Robert J. Robinson, Director  
Dept. of Health & Environmental Sciences

**THE  
PROBLEM**

Why is there a need to reform Montana's health care system? Because, in the view of many, the system is not working effectively and efficiently to serve the health care needs of Montana citizens. In passing SB 285, the Legislature recognized the existence of the following basic problems:

- 1 in 5 Montanans is currently without health insurance coverage.
- Many others who have coverage are experiencing growing anxiety and uncertainty over maintaining their coverage and level of benefits.
- The annual rate of growth in health care costs has far exceeded that of the overall economy for the past several years. This has had an especially negative impact on the state share of the Medicaid program.
- High administrative costs and sometimes indiscriminate use of high technology both contribute to high health care cost inflation.
- As currently structured, the system tends to pay the most money for acute and tertiary care and penalizes preventive care.

#### **MHCA MISSION**

- Control the growth in health care spending
- Promote universal health care access
- Develop a unified health care data base focusing on costs and usage of health care
- Encourage and facilitate consumer education regarding the efficient and effective use of health care resources
- Maintain and improve the quality of health care services in Montana

#### **WHAT OTHER STATES ARE DOING**

About 30 other states are currently pursuing health care reform in some manner. Sixteen states have enacted legislation addressing health care delivery and financing mechanisms. Whether their focus is managed competition, market-based, purchasing alliances or single-payer systems (or some combination of all of these), other states' efforts invariably focus on increasing access and controlling costs.

#### **MHCA WORK PLAN**

The Health Care Authority will design two different plans for providing all Montanans with access to health care. These two plans will be submitted to the Legislature on or before October 1, 1994, and will also contain analyses of several proposals for cost containment.

In addition, the Authority will also play an active role in monitoring and attempting to influence the national debate on health care reform, particularly as it affects rural states, in order to maintain a significant role for the state in both the design and management of national health care reform in Montana.

#### **PROGRAM STAFF**

The Authority will achieve its goals during the next 18 months with a small core staff consisting of five full-time FTEs. This effort

to minimize bureaucracy will result in greater emphasis on using contract services. Several consultants are expected to carry out various portions of the work task areas identified and will bring additional expertise and experience to the Authority.

## REGIONAL BOARDS

The Authority is required to appoint members to five regional health planning boards, with each county having at least one representative. The Authority expects these regional boards to play a key role in generating grass roots opinion on health care reform and in providing advice and counsel on developing and implementing a reform plan.

## DOING IT RIGHT

The ambitious timelines in SB 285 require the Authority to complete numerous tasks before *October 1, 1994*, when the statewide plans are submitted to the Legislature. The Authority will submit two plans for consideration: a single payer and a multiple payer approach. However, should the research, public hearings and actuarial analysis and findings suggest that yet another alternative merits attention, the Authority will not hesitate to consider it.

## KEY DATES

Recruit staff and select consultants	12-31-93
Select regional board members	12-17-93
Develop Montana problem statement	1-21-94
Hold town meetings on problem statement	2-11 thru 3-15-94
Regional boards complete regional health resource plans	4-1-94
Conduct public hearings on regional plans	5-1 thru 7-1-94
Complete draft of statewide universal access plans	5-1-94
Complete unified data base design	7-1-94
Conduct town meetings, and public hearings on statewide plans	7-15 thru 9-1-94
Submit final statewide plans to legislature	10-1-94
Final actuarial estimate	11-1-94
Complete certificate of need study	12-1-94
Complete draft of long-term care study	5-1-96
Complete draft of prescription drug study	8-1-96
Submit prescription drug study to legislature	12-15-96
Submit long-term care study to legislature	1-1-97

# APPROPRIATIONS

EXHIBIT 2  
DATE 11/30/93  
HB 9

## Amendments to House Bill 9 Introduced Bill (White)

Prepared by Department of Justice

1. Page 37, line 5.  
Strike: "a"  
Insert: "two"  
Strike: "plate"  
Insert: "plates"
2. Page 40, line 7.  
Following: "plate"  
Strike: "with the same letters"
3. Page 40, line 14.  
Strike: "plate with the same letters"  
Insert: "lettered license plate"
4. Page 63, line 20, through page 64, line 2.  
Strike: Section 40 in its entirety.  
Re-number: Remaining sections.



515 North Washington Street  
Alexandria, Virginia 22314-2357  
Phone (703) 836-6767  
Cable Address IACPOLICE

President  
Steven R. Harris  
Chief of Police  
Redmond, WA

Immediate Past President  
C. Roland Vaughn III  
Chief of Police  
Conyers, GA

First Vice President  
Sylvester Daughtry, Jr.  
Chief of Police  
Greensboro, NC

Second Vice President  
John T. Whetzel  
Chief of Police  
Croftlaw, OK

Third Vice President  
David G. Walchak  
Chief of Police  
Concord, NH

Fourth Vice President  
Darrell L. Sanders  
Chief of Police  
Frankfort, IL

Fifth Vice President  
Thomas A. Constantine  
Superintendent  
New York State Police  
Albany, NY

Sixth Vice President  
Bobby D. Moody  
Chief of Police  
Covington, GA

International Vice President  
Sir Roger Birch  
Chief Constable, CBE QPM  
Sussex Police  
Lewes/Quex, England

Treasurer  
G. H. (Gil) Kleinknecht  
Associate Commissioner  
for Enforcement  
U.S. Immigration and  
Naturalization Service  
Washington, D.C.

Division of State  
and Provincial Police  
General Chairman  
Maunce J. Hannigan  
Commissioner  
California Highway Patrol  
Sacramento, CA

Division of State Associations  
of Chiefs of Police  
General Chairman  
Brian Burke  
Chief of Police  
Lee, NH

Past President and  
Parliamentarian  
Charles D. Reynolds  
Dover, NH

Executive Director  
Daniel N. Rosenblatt  
Alexandria, VA

August 31, 1993

EXHIBIT 3  
DATE 11/30/93  
HB 9  
APPROPRIATIONS

The Honorable Marc Racicot  
Governor, State of Montana  
Room 204, State Capitol  
Helena, MT 59620

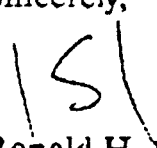
Dear Governor Racicot:

The International Association of Chiefs of Police feel it important that you know that we strongly support the use of two fully reflective license plates on all motor vehicles in the state of Montana.

The two fully reflective license plate system is an extremely important law enforcement tool. While we recognize that budget reductions are needed and important, we feel that the nominal savings involved will more than offset in officer safety and productivity.

We strongly urge you to keep the two fully reflective plate system. A copy of our resolution is attached.

Sincerely,

  
Ronald H. Sostkowski  
Director, Division of  
State and Provincial Police

Attachment: As Stated



1110 North Glebe Road  
Suite 200  
Arlington, Virginia 22201  
Phone (703) 243-6500  
Cable Address IACPOLICE

President  
Eric P. Brown  
Police Commissioner  
New York, NY

Immediate Past President  
Charles A. Gruber  
Chief of Police  
Elgin, IL

First Vice President  
C. Roland Vaughn, III  
Chief of Police  
Conyers, GA

Second Vice President  
Robert L. Sumard  
Secretary of Public Safety  
Richmond, VA

Third Vice President  
Steven R. Hanks  
Chief of Police  
Redmond, WA

Fourth Vice President  
Sylvester Daughtery, Jr.  
Chief of Police  
Greensboro, NC

Fifth Vice President  
John T. Wheelser  
Chief of Police  
Choctawhatchee, OK

Sixth Vice President  
David G. Walchak  
Chief of Police  
Concord, NH

Treasurer  
G. M. Kleinerman  
Associate Commissioner  
for Enforcement  
U.S. Immigration and  
Naturalization Service  
Washington, D.C.

Division of State  
and Provincial Police  
General Chairman  
Thomas A. Constantine  
Superintendent  
New York State Police  
Albany, NY

Division of State Assoc.  
of Chiefs of Police  
General Chairman  
Theodore S. Jones  
Chief of Police  
Ohio University  
Athens, OH

Past President and  
Parliamentarian  
Francis B. Looney  
Farmingdale, NY

Executive Director  
Daniel N. Rosenblatt  
Arlington, VA

## EFFECTIVE MOTOR VEHICLE LICENSE PLATE IDENTIFICATION RESOLUTION

WHEREAS, License plates were developed to readily identify motor vehicles; and

WHEREAS, The International Association of Chiefs of Police adopted resolutions supporting the issuance of both front and rear reflectorized license plates in 1960, 1964, 1975, 1981, 1982, and 1984; and

WHEREAS, Thirty-four states and seven provinces issue both front and rear license plates; and

WHEREAS, Currently many jurisdictions issue a variety of different license plates such as 'vanity' or 'personalized' plates, 'commemorative' plates and government plates; and

WHEREAS, The vehicle-identification value is diminishing to law enforcement, particularly as it relates to witnesses and crimes involving automobiles; and

WHEREAS, Fiscal restraints placed on state and provincial governments have necessitated cost saving measures; and

WHEREAS, One of the methods proposed to cut costs is to require only one license plate on motor vehicles; and

WHEREAS, The International Association of Chiefs of Police Vehicle Identification Study Report on the Utility of License Plates for Law Enforcement, published in 1979, clearly demonstrates the benefits provided to law enforcement and the public by the two license plate system; and

WHEREAS, Rapid identification of vehicle owner and driver are imperative for officer safety in drug interdiction, driving under the influence, police pursuit, and as evidence used in the solving of other criminal acts; and

WHEREAS, Law enforcement officials recognize the need for fiscal restraint and are also faced with the need to cut costs and at the same time maintain necessary levels of service; and



WHEREAS, Reflectorized plates have minimal costs and can be amortized over a number of years; now, therefore, be it

RESOLVED, That the International Association of Chiefs of Police does hereby reaffirm support for the previous resolution passed by the Association urging licensing officials to continue to issue both front and rear reflectorized license plates; and be it further

RESOLVED, That to ensure visibility and legible license plates, the International Association of Chiefs of Police requests that each jurisdiction periodically re-issue both front and rear reflectorized plates to ensure they are performing effectively for vehicle identification; and be it further

RESOLVED, That the International Association of Chiefs of Police recommend to the American Association of Motor Vehicle Administrators, the National Committee of Uniform Traffic Laws and Ordinances, and each licensing jurisdiction to design and adopt a unique license plate system, incorporating any personalized, commemorative or special recognition on that license plate; and be it further

RESOLVED, That a copy of this resolution be forwarded to the American Association of Motor Vehicle Administrators, state licensing officials, the governor, premiers and legislative bodies of the United States and Canadian Provinces, and appropriate governing bodies in the nations represented by members of the International Association of Chiefs of Police.



Seven H. Morris  
Chief of Police  
Redmond, WA

Immediate Past President  
C. Roland Vaughn III  
Chief of Police  
Conyers, GA

First Vice President  
Sylvester Daughtry, Jr.  
Chief of Police  
Greensboro, NC

Second Vice President  
John T. Whetsel  
Chief of Police  
Choctaw, OK

Chief of Police  
Concord, NH

Fourth Vice President  
Darrell L. Sanders  
Chief of Police  
Frankfort, IL

Fifth Vice President  
Thomas A. Constantine  
Superintendent  
New York State Police  
Albany, NY

Sixth Vice President  
Bobby D. Moody  
Chief of Police  
Covington, CA

Chief Constable, CBE QPM  
Sussex Police  
Lewes, Sussex, England

Treasurer  
G. H. (Gil) Kleinkecht  
Associate Commissioner  
for Enforcement  
U.S. Immigration and  
Naturalization Service  
Washington, D.C.

Division of State  
and Provincial Police  
General Chairman  
Maurice J. Hannigan  
Commissioner  
California Highway Patrol  
Sacramento, CA

General Chairman  
Brian Burke  
Chief of Police  
Lee, NH

Past President and  
Parliamentarian  
Charles D. Reynolds  
Dover, NH

Executive Director  
Daniel N. Rosenblatt  
Alexandria, VA

515 North Washington Street  
Alexandria, Virginia 22314-2357  
Phone (703) 836-6767  
Cable Address IACPOLICE

August 31, 1993

EXHIBIT 3  
11-30-93  
HB 9  
APPROPRIATION

Representative William R. Wiseman  
3310 Centennial Court  
Great Falls, MT 59404

Dear Representative Wiseman:

The International Association of Chiefs of Police has long supported the need for two fully reflectorized license plates as noted in our attached resolution. We strongly urge you to support the continuation of this system in Montana.

Attached you will also find a copy of our letter to Governor Racicot supporting the continued use of two fully reflective license plates in Montana.

Sincerely,

Ronald H. Sostkowski  
Director, Division of  
State and Provincial Police

Attachments: As Stated



November 30, 1993

The original of this document is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

EXHIBIT 4



# NATIONAL SHERIFFS' ASSOCIATION

1450 DUKE STREET • ALEXANDRIA, VIRGINIA 22314-3490

Telephone 703-835-7827

FAX 703-683-6541

DATE

11/30/93

HB

9

August 30, 1993

APPROPRIATIONS

Sheriff James Murphy  
1st Vice President  
Newport, Vermont

Sheriff John T. Pierpont  
2nd Vice President  
Springfield, Missouri

Sheriff Don Hathaway  
3rd Vice President  
Shreveport, Louisiana

Sheriff Fred Scoralick  
4th Vice President  
Poughkeepsie, New York

Sheriff Dan Smith  
5th Vice President  
Beaumont, Texas

Sheriff Philip H. McKelvey  
6th Vice President  
Catochesville, Maryland

Sheriff Jerry "Peanuts" Gaines  
7th Vice President  
Bowling Green, Kentucky

Sheriff John Cary Bitlick  
Sergeant At Arms  
Forsyth, Georgia

Sheriff Henry F. Healey, Jr.  
Secretary  
New Haven, Connecticut

Sheriff Lyle W. Swanson  
Treasurer  
Mitchell, South Dakota

Sheriff Frank Policaro, Jr.  
Immediate Past President  
Beaver, Pennsylvania

Sheriff Bob E. Rice  
Immediate Past President  
Des Moines, Iowa

Richard M. Weintraub  
NSA General Counsel  
Washington, D.C.

Mary T. Ross  
NSA Corporate Representative  
Columbus, Ohio

The Honorable Marc Racicot  
Governor  
State of Montana  
Room 204, State Capital  
Helena, MT 59620

RE: Support of two (2) license plates

Dear Honorable Racicot:

Recently, the National Sheriffs' Association received pertinent information stating that the State of Montana is considering a program whereby only one (1) license plate will be issued on all motor vehicles. Our membership has passed several specific resolutions on this issue, which are contained within the cover of this letter for your review and consideration.

## Resolutions

June 27, 1990

Support Of Front/Rear Reflectorized License Plates

June 20, 1989

Reflectorized License Plates

June 4, 1986

Reflectorized License Plates

## News Article

Why two plates are better than one. (Better Law Enforcement with simple arithmetic).  
September/October 1992 - NSA Magazine.

## BOARD OF DIRECTORS

Sheriff G.C. "Buck" Buchanan  
Prescott, Arizona

Sheriff Charles A. Fuseller  
St. Maryville, Louisiana

Sheriff Merrill J. Justus  
Beverly, Illinois

Sheriff Charles S. Robinson  
Hartsville, Tennessee

Sheriff David W. Troutman  
Aaron, Ohio

Sheriff Randal D. Yo  
Goshen, Indiana

Sheriff Charles Dean  
Inverness, Florida

Sheriff Wayne V. Gay  
Wilson, North Carolina

Sheriff Ted G. Kamatchus  
Marshfield, Iowa

Sheriff C. David Stone  
Pigeons, South Carolina

Sheriff Lee Vasquez  
McMinnville, Oregon

Sheriff Larry V. Erickson  
Spokane, Washington

Sheriff Stanley Glanz  
Tulsa, Oklahoma

Sheriff Aaron D. Kennard  
Salt Lake City, Utah

Sheriff Patrick J. Sullivan, Jr.  
Littleton, Colorado

Sheriff Carl Wells  
Bedford, Virginia

Executive Member  
At Past President

Sheriff Tommy Ferrell, Jr.  
Natchez, Mississippi

Sheriff Bill Hutson  
Marietta, Georgia

Sheriff James Plousis  
Cape May Court House, New Jersey

Sheriff Vince Swinney  
Reno, Nevada

Sheriff Kenneth G. Wilkinson  
Anoka, Minnesota

Member of the  
Executive Council



## WHITEFISH POLICE DEPARTMENT

131 Baker Ave.  
Whitefish, Montana 59937  
(406) 862-2521

EXHIBIT 5  
DATE 11/30/93  
HB 9  
APPROPRIATIONS

Chief William J. LaBrie

September 2, 1993

Governor Marc Racicot  
State of Montana  
Room 204  
Capitol Station  
Helena, Montana 59620

Dear Governor,

Recently I received information that the Montana Department of Corrections was going to submit a revised budget in which the Department would recommend that the State of Montana issue one license plate in the future. Currently the State of Montana requires two license plates for motor vehicles.

As Chief of Police for the City of Whitefish, and as President of the Montana Association of Chiefs of Police, MACOP, I would ask that the proposal to issue only one license plate to Montana Motor Vehicles not be accepted.

As per the International Association of Chiefs of Police, IACP, thirty-four states and seven Canadian Provinces issue and require both front and rear license plates. The need for rapid identification of vehicles used in crimes and for Officer Safety are the main reasons for having a two plate requirement.

I understand that the State of Montana is calling for fiscal restraints. I applaud that. I don't believe that Law Enforcement and it's Mission should be held captive to the fiscal problems, especially when all Montana Law Enforcement is experiencing increasing crime problems and calls for service. As I understand the license plate issue, each plate costs approximately \$0.79 to make. The State of Montana charges \$2.00 for a set of plates when one registers one's vehicle. It appears to me that the plates are paying for themselves.

Marc, I urge your support in favor of maintaining a two plate system in Montana. The public deserves every advantage in the fight against D.U.I.'s, Drug Traffickers, Hit & Runs, and other criminal acts where vehicles are used as a means of escape and evasion from Law Enforcement Officers. I know that you also understand the necessity and my concern for Officer Safety. A one

Governor Marc Racicot  
September, 2, 1993  
Page 2

plate system will negatively impact Officer Safety.

If you have any questions of me, I would be more than happy to discuss them with you.

Thank you for your understanding and support.

Sincerely,

*William J. La Brie*  
William J. La Brie  
Chief of Police

cc: Rep. Marjorie I. Fisher



11-30-93  
HB 9

---

MONTANA ASSOCIATION OF WOMEN HIGHWAY SAFETY LEADERS, INC.

August 30, 1993

Senator Judy Jacobson  
330 Black Canyon Rd.  
Butte, MT 59701

Dear Sen. Jacobson:

The Montana Women Highway Safety Leaders, Inc. is an Association of statewide women's organizations working for safer highways. They are affiliated with the National Association.

I am enclosing a copy of a resolution regarding two reflectorized license plates per car which the National passed in 1984 and which has been reaffirmed nationally and state by state since that time.

I certainly agree that Montana need to reduce spending but not at the expense of the safety of our citizens and Law Enforcement officers. I believe that two reflectorized plates are a safety feature and a law enforcement tool and I urge you to think before reducing to one plate per car.

I am not a stranger to highway safety or law enforcement, having retired as Program Manager for the Highway Traffic Safety Division after working there since it's inception in 1968 and a working member of the National Women Highway Safety Leaders Association for 25 years.

Thank you for considering my opinion, which is shared by thousands in our Association.

Sincerely,

*Sylvia Casey*

(Mrs.) Sylvia Casey, President  
Montana Association of Women  
Highway Safety Leaders, Inc.  
2415 West Shore Drive  
Helena, MT 59601



### RESOLUTION

- WHEREAS law enforcement authorities have numerous traffic safety and crime control responsibilities; and
- WHEREAS front and rear fully reflectorized license plates are recognized by law enforcement as a vital and positive tool to the performance of their duties; and
- WHEREAS front and rear fully reflectorized license plates enable more accurate identification of vehicles suspected of being driven by alcohol or otherwise impaired drivers; and
- WHEREAS studies have shown that front and rear fully reflectorized license plates enhances the safety factor of parked, stalled, or disabled vehicles; and
- WHEREAS periodic reissue of front and rear fully reflective license plates protects the fiscal integrity of vehicle registration revenues,
- NOW, THEREFORE, BE IT RESOLVED that the National Association of Women Highway Safety Leaders, Inc., urge all states to issue both front and rear fully reflectorized license plates; and
- BE IT FURTHER RESOLVED that to ensure legible and visible license plates, and to protect registration revenue the National Association of Women Highway Safety Leaders, Inc., urge all states to periodically reissue both front and rear fully reflectorized license plates.

Adopted by vote of the membership this  
twelfth day of September, 1984,  
in general session of the Annual  
Meeting at the Des Moines Marriott,  
Des Moines, Iowa.



# PENNSYLVANIA CHIEFS OF POLICE ASSOCIATION

EXHIBIT 6  
DATE 11/30/93  
HB 9  
APPROPRIATIONS

PAUL M. SABOL, President  
Chief of Police  
Kingston Township  
Municipal Building  
11 Carverton Road  
Trucksville, PA 18706

JOHN M. WATAHOVICH  
President Emeritus  
Former Chief of Police  
Freeland, Retired

## VICE PRESIDENTS

MICHAEL R. VILLANI  
Chief of Police  
South Fayette Township

W. RONALD SEAL  
Chief of Police  
Northern York County  
Regional Police Force

SAMUEL S. ZIBULLO  
Deputy Chief of Police  
Delaware County Courthouse  
and Park Police

LEONARD LOTNICK  
Chief of Police  
Marysville

## EXECUTIVE COMMITTEE

STEPHEN W. OTT, Chairman-1992  
Chief of Police  
Cheltenham Township

LARRY SMITH, Secretary-1993  
Chief of Police  
Bloomsburg

NORBERT L. MICKLO, Treasurer-1993  
Chief of Police  
Fighting Park Borough

THOMAS J. DUNN-1992  
Inspector, Community Relations  
Amrit Police Department

OWEN BURNS, JR.-1992  
Chief of Police  
Monongahela

CHARLES H. DAYES-1992  
Chief of Police  
Butler Township

HENRY E. HANSEN-1993  
Superintendent of Police  
Lower Merion Township

VICTOR A. DINI-1993  
Former Chief of Police  
Wheats Township, Retired

ROY C. BRIDGES-1993  
Chief of Police  
Hummelsburg

CARL W. MIER-1993  
Chief of Police  
Dallas Township

GEORGE R. BRADY-1994  
Chief of Police  
Elizabeth Township

CRAIG A. EBENHOLE-1994  
Chief of Police  
East Coaticum Township

THOMAS H. BATT-1994  
Superintendent of Police  
Tredyffrin Township

KAREN K. GONCHINSKI  
Executive Council  
2041 North Front Street  
Harrisburg, PA 17110  
(717) 636-4559 or 1-800-672-PCPA

THOMAS D. CALDWELL, JR., ESQ.  
Chief Counsel  
350 North Front Street  
Harrisburg, PA 17110  
(717) 232-7341

## RESOLUTION

WHEREAS, it is the policy of the states to assist law enforcement officers in their law enforcement activities; and

WHEREAS, it is an important and necessary activity of law enforcement for officers to be able to readily recognize and read the license plates on motor vehicles both when meeting or following vehicles on the highways and when vehicles are parked on or off the streets or highways both day and night; and

WHEREAS, it is crucial to the effectiveness of the aforementioned law enforcement activity that motor vehicles display fully reflectorized license plates; and

WHEREAS, the requirement that motor vehicles display both front and rear fully reflectorized license plates would aid law enforcement officers in identifying motor vehicles, enforcing traffic violations and controlling street crime;

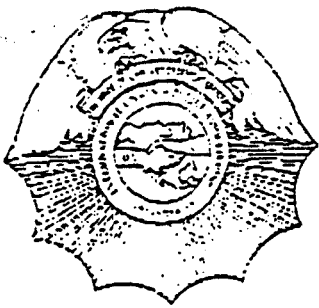
NOW, THEREFORE, BE IT RESOLVED, that the Pennsylvania Chiefs of Police Association supports any legislative or administrative action to provide fully reflectorized front and rear license plates for all motor vehicles.

Adopted July 20, 1992

July 20, 1992

Paul M. Sabol  
President  
Pennsylvania Chiefs of  
Police Association





# INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO

THE ONLY UNION FOR LAW ENFORCEMENT OFFICERS

ROBERT B. KLIESMET  
International President

SAM A. CABRAL  
International Secretary-Treasurer

ARTHUR J. REDDY  
International Vice-President

August 30, 1993

EXHIBIT 7  
DATE 11/30/93  
HB 7  
APPROPRIATIONS

The Honorable Marc Racicot  
Governor, State of Montana  
Room 204, State Capitol  
Helena, Montana 59620

Dear Governor Racicot:

The International Union of Police Associations, AFL-CIO, is asking you to reconsider the removal of the front license plate as a cost saving measure in your budget proposal. The primary purpose of the license plate is to identify the vehicle and registered owner and to assure compliance with all registration laws. I believe it is generally recognized that law enforcement officers have the opportunity to read three front plates, when available, to every rear plate, thereby, significantly improving productivity. This is particularly important when you consider that 70% of all felonies involve the use of motor vehicles.

Front and rear license plates are an essential element needed by our law enforcement officers in their fight against the escalating crime problems facing our nation, by permitting the observation of license plates of oncoming vehicles as well as from the rear. When a law enforcement officer approaches, or observes, a suspect vehicle either from the front or rear, a clearly visible license plate can make a substantial difference in the officer's safety. Our International membership has adopted regular annual resolutions regarding this issue on a nationwide basis. Enclosed please find a recently adopted copy of the Resolution.

The International Union of Police Associations, AFL-CIO, hope you will consider the long term negative impact on law enforcement should this recommendation be put into effect.

Sincerely,

Robert B. Kliesmet  
International President

Enclosure  
cc: Sam Cabral  
Arthur Reddy  
RSK/MJ/Racicot, Mon

FRONT & REAR FULLY REFLECTORIZED LICENSE PLATES  
(title line)

WHEREAS, police officers are charged with numerous enforcement and control responsibilities which frequently involve the use of a motor vehicle, and

WHEREAS, front and rear fully reflectORIZED license plates are rated by police officers to be an important tool to effective law enforcement and the performance of their duties, and

WHEREAS, front and rear fully reflectORIZED license plates enable police officers to more readily identify motor vehicles,

NOW, THEREFORE, BE IT RESOLVED, that the International Union of Police Associations, AFL-CIO, reaffirms its support for the issuance of both front and rear fully reflectORIZED license plates, and

BE IT FURTHER RESOLVED, that to ensure legible and visible license plates the International Union of Police Associations, AFL-CIO, supports a reasonable periodic reissuance of both front and rear fully reflectORIZED license plates to ensure they are performing effectively, and

BE IT FURTHER RESOLVED, that this resolution be sent to the Governor and Attorney General of each State and be brought to the attention of other appropriate State and Federal officials.

SUBMITTED BY: International Headquarters (and amended by the Committee)  
(Name of Union)

Committee Assignment	<u>Resolutions</u>	Committee Recommendation	<u>To adopt as amended</u>	Convention Action	<u>Adopted as amended</u>
-------------------------	--------------------	-----------------------------	----------------------------	----------------------	---------------------------





# INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO

THE ONLY UNION FOR LAW ENFORCEMENT OFFICERS

ROBERT B. KLIESMET  
*International President*

SAM A. CABRAL  
*International Secretary-Treasurer*

ARTHUR J. REDDY  
*International Vice-President*

August 31, 1993

EXHIBIT 8  
DATE 11/30/93  
HB 9  
APPROPRIATIONS

Mr. Dave Lewis, Director  
Office of Budget & Program Planning  
Room 220 State Capitol  
Helena, Montana 59620

Dear Mr. Lewis:

The International Union of Police Associations, AFL-CIO, feels it is important that you know we strongly support the requirement for two fully reflective license plates. A letter of support was sent to Governor Racicot and is attached for your review.

We strongly urge your support on this issue. In view of the escalating crime in our communities today, the two fully reflectorized license plate system is one of the most important law enforcement and officer safety tools you can bestow upon our profession.

Thank you for your time and attention to this matter.

Sincerely,

Robert B. Kliesmet  
International President

Enclosure

cc: Sam A. Cabral  
Arthur J. Reddy

RBK/MJ/Modem.ltr



# INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO

THE ONLY UNION FOR LAW ENFORCEMENT OFFICERS

ROBERT B. KLIESMET  
*International President*

SAM A. CABRAL  
*International Secretary-Treasurer*

ARTHUR J. REDDY  
*International Vice-President*



August 31, 1993

Mr. Joseph P. Mazurek, Attorney General  
State of Montana  
3rd Floor Justice Building  
215 Sanders  
Helena, Montana 59620

Dear Attorney General Mazurek:

The International Union of Police Associations, AFL-CIO, feels it is important that you know we strongly support the requirement for two fully reflective license plates. A letter of support was sent to Governor Racicot and is attached for your review.

We strongly urge your support on this issue. In view of the escalating crime in our communities today, the two fully reflectorized license plate system is one of the most important law enforcement and officer safety tools you can bestow upon our profession.

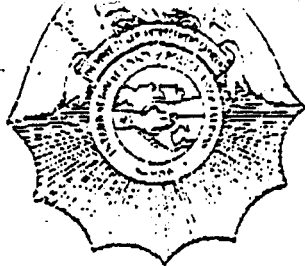
Thank you for your time and attention to this matter.

Sincerely,

Robert B. Kliesmet  
International President

Enclosure

cc: Sam A. Cabral  
Arthur J. Reddy



# INTERNATIONAL UNION OF POLICE ASSOCIATIONS AFL-CIO

THE ONLY UNION FOR LAW ENFORCEMENT OFFICERS

ROBERT B. KLIESMET  
International President

SAM A. CABRAL  
International Secretary-Treasurer

ARTHUR J. REDDY  
International Vice-President



August 31, 1993

EXHIBIT 8

11-30-93

HB 9

The Honorable \_\_\_\_\_  
Montana House of Representatives  
Street Address  
City, Montana 59ZIP

Dear Representative \_\_\_\_\_:

The International Union of Police Associations, AFL-CIO, feels it is important that you know we strongly support the requirement for two fully reflective license plates. A letter of support was sent to Governor Racicot and is attached for your review.

We strongly urge your support on this issue. In view of the escalating crime in our communities today, the two fully reflectorized license plate system is one of the most important law enforcement and officer safety tools you can bestow upon our profession.

Thank you for your time and attention to this matter.

Sincerely,

Robert B. Kliesmet  
International President

Enclosure

cc: Sam A. Cabral  
Arthur J. Reddy

RBC/MJ/Montana Lrr/

DATE 11/30/93  
 HB 10  
 APPROPRIATIONS

STATE EQUALIZATION PAYMENTS  
 Comparison

	1993	1994	1995
County	Requested	Paid	Requested
Beaverhead	43,228	23,067	
Blaine	6,184	3,301	
Carter	4,664	2,490	
Chouteau	143,751	76,706	
Daniels	150,917	80,529	
Fallon	1,302	696	
Golden Valley	1,099	587	
Hill	43,953	23,454	
Judith Basin	26,778	14,289	
Lewis & Clark*	597	320	
Liberty	18,200	9,713	
Musselshell	1,205	644	
Petroleum*	28	16	
Powder River	5,566	2,971	
Prairie	3,384	1,807	
Richland	885	473	
Teton	11,708	6,248	
Toole	16,154	8,621	
Valley	10,601	5,658	
Wheatland	6,390	3,410	
TOTALS	496,594	265,000	
Percentage of Requested paid.		53.35%	

STATE EQUALIZATION PAYMENTS  
Comparison

1987 1988 1989

County	1987 Requested	1987 Paid	1988 Requested	1988 Paid	1989 Requested	1989 Paid
Beaverhead	\$33,620	\$27,077	\$33,701	\$25,053	\$40,110	\$34,240
Blaine	3,574	2,878	3,702	2,752	8,230	7,026
Carter	4,098	3,300	3,312	2,462	3,691	3,151
Chouteau	101,786	81,976	109,069	81,080	93,725	80,009
Daniels	97,620	78,621	116,895	86,897	50,799	43,365
Fallon	860	693	775	576	655	559
Golden Valley	1,025	826	1,008	749	828	710
Hill	18,054	14,540	19,160	14,243	42,191	36,017
Judith Basin	22,693	18,277	22,679	16,859	15,632	13,344
Lewis & Clark*					369	315
Liberty	1,064	8,589	11,077	8,234	6,527	5,572
Musselshell	743	598	567	421	668	570
Petroleum*					180	154
Powder River	2,286	1,841	2,198	1,635	2,002	1,709
Prairie	1,844	1,485	2,500	1,858	2,938	2,508
Richland	430	349	407	304	691	590
Teton	7,923	6,381	8,358	6,213	9,753	8,326
Toole	9,221	7,426	9,089	6,756	11,262	9,614
Valley	7,808	6,288	7,250	5,389	14,850	12,677
Wheatland	4,786	3,855	4,732	3,519	5,323	4,544

TOTALS	\$319,435	\$265,000	\$356,479	\$265,000	\$310,424	\$265,000
Percentage of Requested paid.		83%		74%		85%

# STATE EQUALIZATION PAYMENTS Comparison

1992

1991

1990

County	Requested	Paid	Requested	Paid	Requested	Paid
Beaverhead	\$ 38,482.41	\$26,170.56	\$38,799.00	\$24,134.00	\$37,680.00	\$21,761
Blaine	7,151.42	4,863.43	5,335.42	4,063.00	6,460.08	3,731
Carter	3,895.96	2,649.51	4,501.00	2,667.00	4,492.89	2,595
Chouteau	118,559.78	80,628.41	128,636.00	76,521.00	129,675.00	74,888
Daniels	105,079.84	71,461.16	142,946.00	84,690.00	151,381.00	87,423
Fallon	1,072.02	729.04	1,278.09	684.00	1,110.93	642
Golden Valley	944.01	641.99	1,221.00	573.00	1,054.12	609
Hill	21,510.18	14,628.33	21,013.00	13,222.00	37,853.86	21,862
Judith Basin	24,339.76	16,552.63	26,219.00	15,364.00	22,573.17	13,036
Lewis and Clark						
Liberty	19,499.79	13,261.13	22,616.00	13,384.00	15,519.58	8,963
Musselshell	602.22	409.55	499.00	389.00	1,168.01	675
Petroleum						
Powder River	4,001.08	2,721.00	4,249.47	2,528.00	4,863.83	2,809
Prairie	2,811.79	1,912.20	2,364.00	1,687.00	2,845.65	1,643
Richland	1,133.14	770.61	5,686.80	548.00	965.39	558
Teton	10,731.75	7,298.29	10,102.00	6,511.00	10,992.50	6,348
Toole	14,508.36	9,866.63	14,096.00	8,445.00	14,329.00	8,275
Valley	9,805.57	6,668.43	10,142.09	6,080.00	10,095.24	5,830
Wheatland	\$ 5,539.32	3,767.10	5,931.00	3,510.00	5,802.87	3,352
	\$389,668.40	\$265,000.00	447,337.00	265,000.00	\$458,863.02	\$265,000
		68%		59%		58%

EXHIBIT 10  
DATE 11/30/93  
HB 10 APPROPRIATIONS

# FAX ALERT

TO: Board of County Commissioners

FROM: Gordon Morris, Executive Director

DATE: November 29, 1993

MACo PHONE 442-5209 MACo FAX 442-5238

HB 10, introduced by Richard D. Simpkins, would eliminate state land equalization payments now being paid to counties for excess school trust lands within their borders.

Since 1988, the state has reimbursed 18 counties on a prorata basis because the legislature has not appropriated the full amount according to the formula. The number of affected counties has now risen to 20.

A hearing has been scheduled in the House Appropriations Committee Tuesday, Nov. 30 at 8:30 a.m. in room 312-2. Because interested counties probably won't be able to appear in person, they may wish to telephone their legislators who sit on this committee (444-4800).

Below is a list of the affected counties, their requested reimbursement in 1993, and the actual amount to be paid by December 1:

## MILL EQUIVALENTS

Beaverhead	\$ 43,228.	\$23,067.	1.38
Blaine	6,184.	3,301.	.24
Carter	4,664.	2,490.	.34
Chouteau	143,751.	76,706.	3.10
Daniels	150,917.	80,529.	13.34
Fallon	1,302.	696.	N.A.
Golden Valley	1,099.	587.	N.A.
Hill	43,953.	23,454.	.78
Judith Basin	26,778.	14,289.	1.63
Lewis & Clark*	597.	320.	N.A.
Liberty	18,200.	9,713.	1.06
Musselshell	1,205.	644.	N.A.
Petroleum*	28.	16.	N.A.
Powder River	5,566.	2,971.	.47
Prairie	3,384.	1,807.	.43
Richland	885.	473.	N.A.
Teton	11,708.	6,248.	.42
Toole	16,154.	8,621.	.49
Valley	10,601.	5,658.	.22
Wheatland	6,390.	3,410.	.44

TOTALS: \$496,594. \$265,000.  
% of request paid 53.35%

\* denotes 2 newly eligible counties

Tom Zook, chair	Ed Grady	Francis Bardanouve	Ernest Bergsagel
John Cobb	Roger DeBruycker	Marj Fisher	John Johnson
Royal Johnson	Mike Kadas	Red Menehan	Betty Lou Kasten
Linda Nelson	Ray Peck	Mary Lou Peterson	Joe Quilici
Dave Wanzenried	Bill Wiseman		

HOUSE BILL 7

Amendment 1

p. 5 Line 19  
Following: "biennium"

Insert: "less any transfer authority made  
from the second year to the first year."

p. 5 Line 25  
Following: "biennium"

Insert: "less any transfer authority made  
from the second year to the first year."

Amendment 2

p. 5 Line 16  
Following: "expenditures"

Insert: "plus any reversions from personal  
services, operations or equipment."

p. 5 Line 22  
Following: "expenditures"

Insert: "plus any reversions from personal  
services, operations or equipment."

*yes passed*

*yes passed*



Committee Report on House Bill No. 7  
House Appropriations  
December 7, 1993

EXHIBIT 10 B  
DATE 11/30/93  
HB 7  
APPROPRIATIONS

1. Title, line 9.

Strike: "PROVIDED"

Insert: "REQUIRED TO MAINTAIN OPERATIONS AND SERVICES AUTHORIZED"

2. Page 5, lines 16 through 25.

Following: "~~inflation~~" on line 16

Strike: the remainder of line 16 through line 25 in their entirety.

Insert: "that level of funding required to maintain operations and services at the level authorized by the previous legislature. Personal services are to be based on statutory pay and benefit levels and anticipated unemployment and workers' compensation insurance rates. Expenditures for nonrecurring expenses must be excluded from the current level funding base."

3. Page 6, line 12.

Following: "(9)"

Insert: "(a)"

4. Page 6, lines 13 through 17.

Strike: "workload" on line 13 through "funding." on line 17.

Insert: ":

- (i) changes resulting from workload, caseload, or enrollment increases or decreases;
  - (ii) the provision of new services;
  - (iii) schedules or formulas that increase or decrease funding requirements;
  - (iv) inflationary or deflationary adjustments;
  - (v) changes in sources of funding; and
  - (vi) expenditures or appropriations for equipment.
- (b)"

{Office of Legislative Fiscal Analyst

444-2986}

10:00

hb 000701 7  
G. a03

EXHIBIT 10C  
DATE 11/30/93  
HB 14

Amendments to House Bill No. 14  
First Reading Copy

Requested by \_\_\_\_\_  
For the Committee on House Appropriations

Prepared by Jon Moe  
November 30, 1993

1. Page 2, line 17.  
Strike: "Section 53-9-109(2)"  
Insert: "[This act]"

Explanation: Technical amendment.

{ Office of Legislative Fiscal Analyst

444-2986}

EXHIBIT 10-D  
DATE 11/30/93  
HB 12

DNP  
3-15

Amendments to House Bill No. 12  
First Reading Copy

Requested by Representative Kasten  
For the Committee on Appropriations

Prepared by Greg Petesch  
November 29, 1993

1. Title, line 9.

Following: "FUND;"

Insert: "PROVIDING A STATUTORY APPROPRIATION FOR THE MONTANA  
SCHOOL FOR THE DEAF AND BLIND AND THE PINE HILLS SCHOOL;"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "17-3-1003"

Insert: "AND 17-7-502"

2. Page 2, line 17.

Following: line 16

Insert: "(4)(a) There is statutorily appropriated, as provided  
in 17-7-502, from the general fund to the Montana school for  
the deaf and blind any amount by which revenue received from  
the sale of timber is less than the amount appropriated to  
the Montana school for the deaf and blind from the sale of  
timber in the general appropriations act.

(b) There is statutorily appropriated, as provided in 17-7-  
502, from the general fund to the Pine Hills school any amount by  
which revenue received from the sale of timber is less than the  
amount appropriated to the Pine Hills school from the sale of  
timber in the general appropriations act."

3. Page 3, line 23.

Following: line 22

Insert: "Section 2. Section 17-7-502, MCA, is amended to read:

**"17-7-502. Statutory appropriations -- definition --  
requisites for validity.** (1) A statutory appropriation is an  
appropriation made by permanent law that authorizes spending by a  
state agency without the need for a biennial legislative  
appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective,  
a statutory appropriation must comply with both of the following  
provisions:

(a) The law containing the statutory authority must be  
listed in subsection (3).

(b) The law or portion of the law making a statutory  
appropriation must specifically state that a statutory  
appropriation is made as provided in this section.

(3) The following laws are the only laws containing  
statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 3-5-901;  
5-13-403; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-  
23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-38-202;  
15-65-121; 16-1-404; 16-1-410; 16-1-411; 17-3-106; 17-3-212; 17-  
3-1003; 17-5-404; 17-5-424; 17-5-704; 17-5-804; 17-6-101; 17-6-

201; 17-6-409; 17-7-304; 18-11-112; 19-2-502; 19-6-709; 19-9-1007; 19-15-101; 19-17-301; 19-18-512; 19-18-513; 19-18-606; 19-19-205; 19-19-305; 19-19-506; 20-4-109; 20-6-406; 20-8-111; 20-9-361; 20-26-1403; 20-26-1503; 23-2-823; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 27-12-206; 32-1-537; 37-43-204; 37-51-501; 39-71-503; 39-71-907; 39-71-2321; 39-71-2504; 44-12-206; 44-13-102; 50-5-232; 50-40-206; 53-6-150; 53-24-206; 60-2-220; 61-2-107; 67-3-205; 75-1-1101; 75-5-507; 75-5-1108; 75-11-313; 76-12-123; 77-1-808; 80-2-103; 80-2-222; 80-4-416; 80-11-310; 81-5-111; 82-11-136; 82-11-161; 85-1-220; 85-2-707; 90-3-301; 90-4-215; 90-6-331; 90-7-220; 90-9-306; and 90-14-107.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for supplemental benefit; and pursuant to sec. 15, Ch. 534, L. 1993, the inclusion of 90-14-107 terminates July 1, 1995.)"

Renumber: subsequent section

EXHIBIT 10 E  
DATE 11/30/93  
HB 12

ONP

Amendments to House Bill No. 12  
First Reading Copy

Requested by Representative Kasten  
For the Committee on Appropriations

Prepared by Lois Steinbeck  
November 29, 1993

1. Title, line 9.

Following: "FUND;"

Insert: "ALLOWING THE MONTANA SCHOOL FOR THE DEAF AND BLIND AND  
THE PINE HILLS SCHOOL TO SEEK A SUPPLEMENTAL APPROPRIATION  
FROM THE GENERAL FUND IF TIMBER SALES INCOME APPROPRIATED IN  
THE STATE SPECIAL REVENUE FUND IS LESS THAN ACTUAL INCOME  
RECEIVED;"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "17-3-1003"

Insert: "AND 17-7-301"

2. Page 3, following line 22.

Insert: "Section 2. Section 17-7-301, MCA, is amended to read:

"17-7-301. Authorization to expend during first year of  
biennium from appropriation for second year -- proposed  
supplemental appropriation defined -- limit on second-year  
expenditures. (1) A state department, institution, or agency of  
the executive branch desiring authorization to make expenditures  
during the first fiscal year of the biennium from appropriations  
for the second fiscal year of the biennium shall submit a  
proposed supplemental appropriation to the governor through the  
budget director. The proposal submitted to the governor must  
include a plan for reducing expenditures in the second year of  
the biennium that allows the agency to contain expenditures  
within appropriations. If the governor finds that, due to an  
unforeseen and unanticipated emergency, the amount actually  
appropriated for the first fiscal year of the biennium with all  
other income will be insufficient for the operation and  
maintenance of the department, institution, or agency during the  
year for which the appropriation was made, the governor shall,  
after careful study and examination of the request and upon  
review of the recommendation of the budget director, submit the  
proposed supplemental appropriation to the legislative fiscal  
analyst.

(2) The plan for reducing expenditures required by  
subsection (1) is not required if the proposed supplemental  
appropriation is:

(a) due to an unforeseen and unanticipated emergency for  
fire suppression;

(b) requested by the superintendent of public instruction,  
in accordance with the provisions of 20-9-351, and is to complete  
the state's funding of guaranteed tax base aid, transportation  
aid, or equalization aid to elementary and secondary schools for  
the current biennium; or

(c) requested by the attorney general and:

(i) is to pay the costs associated with litigation in which the department of justice must provide representation to the state of Montana; or

(ii) in accordance with the provisions of 7-32-2242, is to pay costs for which the department of justice is responsible for confinement of an arrested person in a detention center.

(3) The department of family services and the Montana school for the deaf and blind may request supplemental appropriations from general fund appropriations to offset the difference in the amount of timber sales income appropriated in the state special revenue fund for the Pine Hills school and the Montana school for the deaf and blind if actual timber sales income is less than the appropriation. Expenditures supported from timber sales income appropriated for the Pine Hills school and the Montana school for the deaf and blind and any necessary supplemental appropriations from the general fund if timber sales income is below the appropriation are exempt from the requirements of subsections (1) and (8) (b).

~~(3)~~(4) Upon receipt of the recommendation of the legislative finance committee pursuant to 17-7-311, the governor may authorize an expenditure during the first fiscal year of the biennium to be made from the appropriation for the second fiscal year of the biennium. Except as provided in subsection (2), the governor shall require the agency to implement the plan for reducing expenditures in the second year of the biennium that contains agency expenditures within appropriations.

~~(4)~~(5) The department, institution, or agency may expend the amount authorized by the governor only for the purposes specified in the authorization.

~~(5)~~(6) The governor shall report to the next legislature in a special section of the budget the amounts expended as a result of all authorizations granted by the governor and shall request that any necessary supplemental appropriation bills be passed.

~~(6)~~(7) As used in this part, "proposed supplemental appropriation" means an application for authorization to make expenditures during the first fiscal year of the biennium from appropriations for the second fiscal year of the biennium.

~~(7)~~(8) (a) Except as provided in subsections (2), (3), and ~~(7) (b)~~(8) (b), an agency may not make expenditures in the second year of the biennium that, if carried on for the full year, will require a deficiency appropriation, commonly referred to as a "supplemental appropriation".

(b) An agency shall prepare and, to the extent feasible, implement a plan for reducing expenditures in the second year of the biennium that contains agency expenditures within appropriations. The approving authority is responsible for ensuring the implementation of the plan. If, in the second year of a biennium, mandated expenditures that are required by state or federal law will cause an agency to exceed appropriations or available funds, the agency shall reduce all nonmandated expenditures pursuant to the plan in order to reduce to the greatest extent possible the expenditures in excess of appropriations or funding. An agency may not transfer funds between fund types in order to implement a plan."

{Internal References to 17-7-301: None.}

Renumber: subsequent section

DATE 11/30/93HB 2

## Legislative Agencies

## Legislative Budget Action

Description	Pg	Fiscal 1994			Fiscal 1995		
		General Fund	Other Funds	Total Funds	General Fund	Other Funds	Total Funds
House Bill 2 Authority Before Proposal		\$4,375,775	\$3,364,018	\$7,739,793	\$4,545,484	\$2,844,495	\$7,389,979
House Bill 2 Authority After Proposal		\$4,317,088	\$3,361,621	\$7,678,709	\$4,514,904	\$2,841,163	\$7,356,067
House Bill 2 Percent Change		-1.34%	-0.07%	-0.79%	-0.67%	-0.12%	-0.46%
<b>House Bill 2</b>							
1 Audit/Review to Legislative Auditor		Contingent					
2 Peer Review - Leg Auditor	01	(13,000)		(13,000)	0		
3 PPP Modifications - Leg Auditor	01	(10,000)		(10,000)	0		
4 Actuarial Consultant - Leg Auditor	01	0			(12,500)		(12,500)
5 Legislative Audits - Leg Auditor	01	(12,000)		(12,000)	0		
6 OPI Audit - Leg Auditor	01	(20,000)		(20,000)			
7 Operations Reduction - Fiscal Analyst	01	0			(7,500)		(7,500)
8 Eliminate Annual Report - EQC	01	0			(5,000)		(5,000)
9 Fixed Costs - Computer Processing		(2,886)	(2,208)	(5,094)	(4,137)	(2,992)	(7,129)
10 Fixed Costs - DofA Buildings		(801)	(189)	(990)	(1,443)	(340)	(1,783)
<b>House Bill 2 Sub-Total</b>		<b>(\$58,687)</b>	<b>(\$2,397)</b>	<b>(\$61,084)</b>	<b>(\$30,580)</b>	<b>(\$3,332)</b>	<b>(\$33,912)</b>
<b>Other Appropriation Bills</b>							
<b>Total Expenditure Impact</b>		<b>(\$58,687)</b>	<b>(\$2,397)</b>	<b>(\$61,084)</b>	<b>(\$30,580)</b>	<b>(\$3,332)</b>	<b>(\$33,912)</b>
<b>Revenue/Fund Balance Proposals</b>							
<b>Total Revenue/Fund Balance Impact</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Impact</b>		<b>(\$58,687)</b>	<b>(\$2,397)</b>	<b>(\$61,084)</b>	<b>(\$30,580)</b>	<b>(\$3,332)</b>	<b>(\$33,912)</b>

November 30, 1993

The original of this document is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

the  
the  
page

1) Peer Review - Legislative Auditor - The legislature approved a \$13,000 general fund reduction to contracted services in fiscal 1994, originally budgeted for a fiscal 1994 Legislative Auditor peer review which was instead accrued at the end of fiscal 1993.

2) PPP Modifications - Legislative Auditor - The legislature approved reducing general fund contracted services by \$10,000 in fiscal 1994 for a PPP modification that was instead completed in fiscal 1993.

3) Actuarial Consultant - Legislative Auditor - The legislature approved a \$12,500 general fund contracted services reduction in fiscal 1995. These funds were originally budgeted for actuarial work at the State Compensation Insurance Fund, but are no longer needed.

4) Legislative Audits - Legislative Auditor - The legislature approved the reduction of \$12,000 general fund in fiscal 1994 for contracted audits of the Legislative Branch which were accrued instead at the end of fiscal 1993.



---

**BUDGET ANALYSIS**  
**Special Session**  
**1995 BIENNIUM**

---

Presented to the 53rd Legislature

Submitted by

The Office of the Legislative Fiscal Analyst

Helena, Montana

November 1993

---



# BUDGET MEASURES CONTINGENT ON LEGISLATION

DATE 11/30/93  
HB 2

29 - Nov - 1993

Agency Code	Agency Name	Bill Nbr	Description of Proposal	Fiscal 1994			Fiscal 1995		
				General Fund	Other Funds	Total Funds	General Fund	Other Funds	Total Funds
HOUSE BILL 2									
1102	Legislative Auditor	LC27	Audit/Review to Legislative Auditor				744,416		744,416
3201	Secretary of State	SB7	Election Bureau Reduction -- Meeting	(5,000)		(5,000)	(17,500)		(17,500)
3401	State Auditor	LC60	Automate Insurance Agent Filings				(7,500)		(7,500)
		LC60	Automate Insurance Agent Filings				(9,800)		(9,800)
4108	Highway Traffic Safety	HB11	Pay & Retiree Warrants Electronically	(2,500)	(6,090)	(8,590)			
		HB6	Elim. \$50 DUI Fee Distrib. to Counties		(300,000)	(300,000)			
5201	Dept. of Fish, Wildlife & Parks	LC54	Delay Lower Missouri River EIS		(46,250)	(46,250)		(24,585)	(34,385)
5706	DNRC	LC21	Eliminate Clean Coal Program		(53,425)	(53,425)		(300,000)	(300,000)
		LC21	Eliminate Clean Coal Program	(53,425)	53,425		(3,425)	(3,425)	(3,425)
		SB2	Postpone Lower Missouri EIS	(126,445)	(46,250)	(172,695)		3,425	
6501	Dept of Commerce	LC27 or 75	Transfer Audit/Review to OLA	(65,936)		(65,936)		(744,416)	(75,390)
3501	Office of Public Instruction	LC91	Eliminate Driver's Education				65,936	(110,620)	(744,416)
		LC36	Increase Teacher Certification Fees				(150,000)	150,000	(44,684)
			SUB-TOTAL	(\$253,306)	(\$398,590)	(\$651,896)	(\$197,679)	(\$285,205)	(\$482,884)
OTHER APPROPRIATION BILLS									
3501	Office of Public Instruction	LC91	Eliminate Driver's Education	\$0	\$0	\$0		(1,489,380)	(1,489,380)
			SUB-TOTAL	\$0	\$0	\$0	\$0	(\$1,489,380)	(\$1,489,380)
REVENUE/FUND BALANCE PROPOSALS									
3201	Secretary of State	SB6	Legislator Filing Fee Increase	10,080		10,080			
3202	Comm. of Political Practices	SB5	Increase Lobbyist Registration Fees				10,500		10,500
3401	State Auditor	LC60	Incr. Fees-Insurance Agent Filings				23,000		23,000
		SB8	Bad Debts to Delinquent Prop. Taxes				100,000		100,000
4107	Board of Crime Control	HB14	Crime Victims Account Fund Balance	250,000	(250,000)				
4108	Highway Traffic Safety	HB6	\$50 of DUI Reinstatement Fee to GF	300,000	(300,000)		300,000	(300,000)	
3501	Office of Public Instruction	LC91	Eliminate Driver's Education				1,600,000	(1,600,000)	
6107	Long Range Planning	HB13	Reduce Bonding at Prison				192,000		192,000
			SUB-TOTAL	\$560,080	(\$550,000)	\$10,080	\$2,225,500	(\$1,900,000)	\$325,500
NET IMPACT TO GENERAL FUND DEFICIT				(\$813,386)			(\$2,423,179)		

11-30-93  
HB 2

# APPROPRIATIONS

EXHIBIT 12  
DATE 11/30/97

HB 2

9999 Statewide Summary

## Legislative Budget Action

Description	Pg	Fiscal 1994			Fiscal 1995		
		General Fund	Other Funds	Total Funds	General Fund	Other Funds	Total Funds
House Bill 2 Authority Before Proposal		\$470,581,261	\$1,388,248,259	\$1,858,829,520	\$468,681,512	\$1,385,201,539	\$1,853,883,051
House Bill 2 Authority After Proposal		\$460,481,523	\$1,396,264,687	\$1,856,746,210	\$466,354,578	\$1,386,797,085	\$1,853,151,663
House Bill 2 Percent Change		-2.15%	0.58%	-0.11%	-0.50%	0.12%	-0.04%
<b>House Bill 2</b>							
1 All Agencies		(\$10,099,738)	\$8,016,428	(\$2,083,310)	(\$2,326,934)	\$1,595,546	(\$731,388)
<b>House Bill 2 Sub-Total</b>		<b>(\$10,099,738)</b>	<b>\$8,016,428</b>	<b>(\$2,083,310)</b>	<b>(\$2,326,934)</b>	<b>\$1,595,546</b>	<b>(\$731,388)</b>
<b>Other Appropriation Bills</b>							
2 All Agencies		(\$50,000)	\$1,000	(\$49,000)	(\$100,000)	\$0	(\$100,000)
<b>Total Expenditure Impact</b>		<b>(\$10,149,738)</b>	<b>\$8,017,428</b>	<b>(\$2,132,310)</b>	<b>(\$2,426,934)</b>	<b>\$1,595,546</b>	<b>(\$831,388)</b>
<b>Revenue/Fund Balance Proposals</b>							
3 All Agencies		\$56,250	(\$182,366)	(\$126,116)	\$100,000	(\$219,588)	(\$119,588)
<b>Total Revenue/Fund Balance Impact</b>		<b>\$56,250</b>	<b>(\$182,366)</b>	<b>(\$126,116)</b>	<b>\$100,000</b>	<b>(\$219,588)</b>	<b>(\$119,588)</b>
<b>Net Impact</b>		<b>(\$10,205,988)</b>	<b>\$8,199,794</b>	<b>(\$2,006,194)</b>	<b>(\$2,526,934)</b>	<b>\$1,815,134</b>	<b>(\$711,800)</b>

SPECIAL SESSION 1 FISCAL YEARS 1994-1995

Agency: Public Service Commission

EXHIBIT 13  
DATE 11/30/93  
HB 2  
APPROPRIATIONS

I feel it appropriate to reduce the funding for the PSC; by at least \$25,000.00. Below are three (3) proposals to substantiate this request.

1) HB-356 was signed into law, and became effective on 3-24-93. This " act clarifying the Public Service Commission's authority to regulate motor carrier fitness and to investigate and hear complaints concerning violations of Title 69, Chapter 12, MCA; and providing an immediate effective date."

This bill was supported by the Montana Motor Carriers Association, (MMCA). The PSC needs to use this bill, to police the carriers within the state. The proper use of this bill would provide funds cut from their budget; as well as enforce the safety and preformance records of the carriers within the state. It would no longer be a policy of "so what, if they violate the regulations set by the PSC." See attached page PENALTIES; this will indicate the need for the PSC, to get busy and use the HB-356; not let it get covered with dust on the shelf.

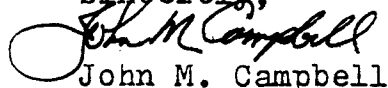
2) DEREGULATE the PSC. This was done with Class E motor carrier category, and the regulations related to transporting logs. This would reduce the work load for the PSC, thus reduce the funding required. At present the PSC refuses to enforce HB-356. This can be found in the hearing entitled John M. Campbell v. Dick Irvin Inc, Docket Nos. T-93.10.COM and T-93.67.COM. If and when the PSC has a hearing; the fines are minimal; they do not want the hearing to appear in the carriers fitness record; and the PSC refuses to do a follow up investigation, when violations are to numerous to count. The MMCA does not really care if carriers violate the regulations. This is clearly noted with the fact of Dwayne Irvin, being president of the MMCA; and also on the executive board of Dick, Irvin Inc. The deregulation of the Class E; log carriers, has not disrupted the rates and or competition of the carriers involved. Deregulation would stop the carriers from hideing behind the PSC; preventing their getting any authority.

3) Simply reduce the funding. There is no need in providing funding for services not being properly conducted by the PSC. The time has come to STOP the waste of each and every state agency. The PSC is not willing to STOP the constant violations, of the tariff regulations; comitted daily. It is time the PSC is told to get out from behind their desk; and use the tools of their trade to increase the effectiveness, and economy of this state. The MMCA would actually prefer HB-356 stays law; especially when the PSC will not enforce it.

SUMMARY) It is obvious there are many questions, both to be ask and to be answered. The main questions at this time concerns the state budget. What funds can be cut from which agencies? I feel it best to reduce the PSC budget; and follow choice 1. This would help promote the regulation section; and insure proper fitness records for carriers within the state. At present the carriers can, (and do) violate the regulations; without regard to fines or compition. No enforcement is the same as deregulation. This is like telling the law enforcement officers, to know of the regulations, but don't enforce them. Let the speeders go, don't stop the wreckless drivers, simply turn your back and no one will know the difference. It is time the PSC makes the decision; of which side of the fence are they on. They ask for HB-356; and it is granted. Now they have to be told to use it. Look at the fines imposed on carriers from other states. These fines are to STOP the violations; not a mear \$25.00, just to say; the carrier was found guilty and fined. A law with no teeth will not be followed by the carriers involved.

I will be more than happy to answer any and all questions with facts. Should the PSC or MMCA, wish to discuss this matter; with the legislative body, please contact me. Make sure they are told they will answer any and all questions I may ask them also.

Sincerely,



John M. Campbell

1752 E. Lincoln Rd.

Helena, Mt. 59601

458-9366

# PENALTIES

- ALTL, Hudsonville, MI, \$8,700 for hours of service violations.
- ASA Freight Systems, Milwaukee, WI, \$8,600 for inspection/maintenance, hazardous materials regulation and Commercial Drivers License violations.
- Eastern Express, Highland, IN, \$10,400 for driver qualification, hours of service, controlled substances and accident reporting violations.
- Dutch Maid Produce, Willard, OH, \$8,000 for hours of service violations.
- Emelander Welding Co., Grand Rapids, MI, \$5,000 for hazardous materials regulation violations.
- Independent Operator, Cottage Grove, WI, \$9,200 for driver qualification, hours of service and controlled substances violations.
- Lake State Transport, St. Cloud, MN, \$12,500 for hours of service violations.
- Mid City Supply Co., Elkhart, IN, \$6,000 for hazardous materials regulation violations.
- North American Sign, South Bend, IN, \$6,500 for driver qualification, controlled substances and hazardous materials regulations.
- Novak Trucking Service, Laona, WI, \$5,300 for hours of service and controlled substances violations.
- Rainbow Transport, Hammond, IN, \$6,800 for driver qualification, hours of service and controlled substances violations.
- Ratliff Trucking Corp., Canton, MI, \$18,000 for hours of service violations.
- Regal Packing, Detroit, MI, \$7,500 for hours of service violations.
- Riteway Transportation Co., Taylor, MI, \$6,000 for controlled substances violations.
- The Tauro Brothers Trucking Co., Girard, OH, \$5,400 for hours of service violations.
- Temstar Inc., Downers Grove, IL, \$5,400 for hours of service violations.
- Willey Freight Ways, Hammond, IN, \$5,500 for hours of service violations.
- Wills Cargo, Stoutsville, OH, \$7,700 for hours of service violations.
- Brattleboro Haulage, Brattleboro, VT, \$15,500 for hours of service violations.
- Gosselin Express, Quebec, Canada, \$8,625 for driver qualification and hours of service violations.
- Travelers Transportation Services, \$5,250 for hours of service violations.

# PENALTIES

- Promotions Unlimited Corp., Racine, WI, \$6,300 for hours of service violations.
- Regal Transportation, Niles, OH, \$18,100 for hours of service and accident reporting violations.
- Sisbro, Quincy, IL, \$8,100 for hours of service violations.
- Star Delivery and Transfer, Norton, IL, \$10,000 for hours of service violations.
- Tom Joy & Son, Pound, WI, \$5,250 for hours of service violations.
- Walsh Construction Co. of Illinois, Chicago, IL, \$5,900 for driver qualification, hours of service and inspection/maintenance violations.
- Ecklund Carriers Inc., Neenah, WI, \$6,000 for hours of service violations.
- Exel Logistics, Westerville, OH, \$7,700 for hours of service violations.
- Garland Gehrke Trucking, Lincoln, IL, \$15,900 for driver qualification and hours of service violations.
- G&T Trucking, Eldo, MN, \$6,000 for hours of service violations.
- Holm Industries, Scottsburg, IN, \$9,700 for driver qualification and hours of service violations.
- Illinois Bulk Carriers, Thornton, IL, \$6,300 for hours of service, controlled substances, inspection/maintenance and accident reporting violations.
- King of All Manufacturing, Flint, MI, \$10,000 for hazardous materials regulations violations.
- Kost Inc., Moorhead, MN, \$5,350 for driver qualification and controlled substances violations.
- Lakehead Pipe Line Co., Superior, WI, \$6,700 for driver qualification, hours of service and hazardous materials regulations violations.
- M&B Transportation Services, Cleveland, OH, \$8,800 for hours of service violations.
- MC VanKampen Trucking, Wyoming, MI, \$15,200 for hours of service violations.
- Ormsby Trucking, Uniondale, IN, \$13,000 for hours of service and controlled substances violations.
- Western Transport, Terre Haute, \$5,500 for driver qualification, hours of service, controlled substances and accident reporting violations.

J u n e 1 9 9 3

# PENALTIES

- Chicago Freight Systems, Chicago, IL, \$5,100 for driver qualification, controlled substances and inspection/maintenance violations.
- Churchill Transportation, Detroit, MI, \$8,600 for hours of service violations.
- Equity Transportation Co., Grand Rapids, MI, \$15,000 for hours of service violations.
- Hills Enterprises of SW Michigan, St. Joseph, MI, \$7,800 for hours of service violations.
- J&J Services of St. Paul, St. Paul, MN, \$5,300 for driver qualification and controlled substances violations.
- Lippold and Arnett, Carlinville, IL, \$9,800 for hours of service, controlled substances and accident reporting violations.
- L&L Leasing, Waterloo, IN, \$8,400 for hours of service violations.
- Monroe Leasing and Transportation Co., Millstadt, IL, hours of service, inspection maintenance violations.
- Safeway Transportation Corp., Harrisburg, IL, \$6,000 for driver qualification, hours of service and inspection maintenance violations.
- Snowball Express, North Branch, MN, \$7,600 for financial responsibility, hours of service and controlled substances violations.
- Town & Country Gas Service, Coloma, MI, \$5,000 for hours of service violations.
- Wayne-Dalton Corp., Mt. Hope, OH, \$6,000 for hours of service violations.
- Arrow Moving & Storage, Augusta, ME, \$5,800 for controlled substances and hours of service violations.
- Crompton & Knowles Corp., Stamford, CT, \$10,000 for hazardous materials regulations violations.
- DeCoster Egg Farms, Turner, ME, \$7,350 for controlled substances and hours of service violations.
- Future Fast Freight, Ontario, Canada, \$24,000 for consent agreement & order and hours of service violations.
- JLC Industries, Rochester, NY, \$6,250 for controlled substances, hours of service and inspection/maintenance violations.
- Medical and Hazardous Waste Management Corp., Bronx, NY, \$6,100 for controlled substances, hours of service and inspection/maintenance violations.



U.S. Department  
of Transportation

Federal Highway  
Administration

Region Eight

## MONTANA DIVISION

400 Seventh St., S.W.  
Washington, D.C. 20590

301 S. Park  
Drawer 10056  
Helena, MT 59626

July 8, 1993

Mr. John M. Campbell  
1752 E. Lincoln Road  
Helena, MT 59601

Dear Mr. Campbell:

In your letter of May, 1993, concerning the safety compliance of Dick Irvin, Inc., Shelby, Montana, you refer to safety violations occurring in the transportation of cement from Montana City, Montana, and Townsend, Montana, to Anaconda, Montana. It appears that the transportation is conducted wholly within the State of Montana and falls under the jurisdiction of state agencies.

The U.S. Department of Transportation, Federal Highway Administration, Office of Motor Carriers does not have jurisdiction over intrastate safety violations. If you have knowledge of and can provide documented violations of the Federal Motor Carrier Safety Regulations during interstate transportation, please forward the information to this office for follow up investigation.

In the meantime, for safety-related intrastate violations, you should contact Mr. Larry Barton, Montana Highway Patrol, Office of Motor Carrier Safety, Scott Hart Building, 303 North Roberts, Helena, MT 59620-1422. Mr. Barton can be reached by telephone at 406-444-3300. For size and weight violations--whether intrastate or interstate, you should contact Mr. Dave Galt, Montana Motor Carrier Service Division, Transportation Building, 2701 Prospect Avenue, Helena, MT 59620-9726. Mr. Galt can be reached by telephone at 406-444-6130.

Your interest in motor carrier safety is appreciated. If you need any further assistance, feel free to contact me.

Sincerely,

  
Gerald K. Clay  
State Director

cc: Larry Barton  
Dave Galt

11-30-93

HB 2



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

Region Eight

## MONTANA DIVISION

**OFFICE OF MOTOR CARRIERS  
FEDERAL OFFICE BUILDING  
301 SOUTH PARK DRAWER 10056  
HELENA MT 59626  
(406) 449-5224**

400 Seventh St., S.W.  
Washington, D.C. 20590

301 S. Park  
Drawer 10056  
Helena, MT 59626

September 23, 1993

Mr. John M. Campbell  
1752 E. Lincoln Road  
Helena, Montana 59601

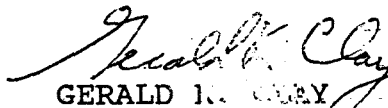
Dear Mr. Campbell:

This is in reference to the complaint information you supplied concerning the safety compliance of Dick Irvin Inc., Shelby, Montana.

The carrier has been investigated and instances of noncompliance as you alleged were discovered. An enforcement action against the carrier is currently being prepared to remove the carrier's compliance.

Thank you for your interest in motor carrier safety.

Sincerely,

  
GERALD R. GRAY  
State Director

AMENDMENTS TO HOUSE BILL 2  
Grey Copy

For the House Appropriation Committee

Prepared by the Office of Budget and Program Planning  
November 30, 1993

Option 1

1. Page A-2, line 15.  
Strike: "146,250"  
Insert: "116,341"
2. Page A-3, line 8.  
Strike: " 30,584"  
Insert: " 675"

This amendment eliminates \$29,909 in general fund in the Legislative Council for participation in the Pacific Northwest Economic Region (PWNER). \$675 of the biennial appropriation has been expended.

*Optim 1 Passes*

Option 2

3. Page A-2, line 15.  
Strike: "146,250"  
Insert: "131,341"
4. Page A-3, line 8.  
Strike: " 30,584"  
Insert: " 15,675"

This amendment eliminates \$14,909 in general fund in the Legislative Council for the Pacific Northwest Economic Region. \$15,000 is retained to pay dues and \$675 of the original appropriation has been expended.



EXHIBIT 15  
DATE 11/30/93  
HB 2  
APPROPRIATIONS

AMENDMENTS TO HOUSE BILL 2  
Grey Copy

For the House Appropriation Committee

Prepared by the Office of Budget and Program Planning  
November 30, 1993

Option 1

1. Page A-3, line 12.  
Strike: "125,000"  
Insert: " 6,228"

This amendment eliminates remaining reappropriated general fund for the National Conference of State Legislatures. \$6,228 has been expended during FY94.

Option 2

2. Page A-3, line 12.  
Strike: "125,000"  
Insert: " 66,875"

This amendment eliminates \$58,125 in reappropriated general fund for activities with the National Conference of State Legislatures. \$60,647 is retained for dues and \$6,228 has been expended during FY94.

*option 2  
passed*

EXHIBIT 16  
DATE 11/30/93  
HB 2  
APPROPRIATIONS

AMENDMENTS TO HOUSE BILL 2  
Grey Copy

For the House Appropriation Committee

Prepared by the Office of Budget and Program Planning  
November 30, 1993

1. Page A-14, line 20  
Strike: "4,987,149" 1,884,753"  
Insert: "4,982,749" 1,875,953"

*4/100* This amendment reduces general fund for postage in the Motor Vehicle Division of the Department of Justice by ~~\$4,400~~ <sup>2000</sup> in FY94 and ~~\$8,800~~ in FY95 attributable to passage and approval of House Bill 9. House Bill 9 changes the requirement for vehicle license plates to a single plate on the rear of the vehicle. The postage savings results primarily from individual mailing of personalized plates. *P 100*

*+ Contingency language*

DEPARTMENT OF JUSTICE  
DRUG PREVENTION EDUCATION/STATEWIDE D.A.R.E. COORDINATOR

**Project DARE**

Drug Abuse Resistance Education is the alcohol and drug abuse prevention program of choice for law enforcement agencies throughout the United States. Initiated in Los Angeles in 1983, the program is now available in all 50 states and in seven foreign countries. A uniformed law enforcement officer who is carefully selected and trained teaches a 17-week program to elementary and middle school children. The comprehensive curriculum provides young people with the skills and abilities to make decisions, to manage stress and to stand up to negative peer pressure to use alcohol, illegal drugs and tobacco. DARE recently updated its curriculum to include discussion of such "gateway" drugs as alcohol and tobacco and to include strategies for reducing and avoiding violence, thus addressing an issue of growing concern nationwide. Montana's DARE officers plan to be trained in this new curriculum by next fall.

A recent national Gallup survey showed that 93 percent of students 11 to 18 years of age who had completed the DARE program have never tried marijuana, cocaine, heroin, crack or inhalants. More than 90 percent of the students polled said they believe DARE has helped them avoid drugs and alcohol and deal effectively with peer pressure, while increasing their self-confidence. Seventy percent said they have never tried alcohol.

**Montana's DARE Programs**

In Montana, DARE has been reaching out to young people since 1988. Currently, 40 projects serve children and communities throughout the state. Nearly 120 Montana law enforcement officers are now certified to teach the curriculum. In the past four years, more than 30,000 fifth- and sixth-graders throughout the state have studied the DARE core curriculum.

**Statewide DARE Coordinator**

While DARE programs are conducted on a local basis, the DARE Coordinator works with local sheriff's offices and police departments in 34 Montana communities to ensure that local drug education programs are consistent and effective and meet certification standards. The DARE Coordinator provides several statewide benefits, including:

- ▶ working with local sheriff's offices and police departments, particularly in rural areas that have fewer resources to contribute to the program. For example, the coordinator can help arrange the bulk purchase of DARE materials;

- ▶ working with service groups to encourage their involvement in the program. For example, the American Legion has -- with the DARE Coordinator's involvement -- instituted a statewide effort to make contributions to local programs;
- ▶ assisting programs in seeking and obtaining grant funding or corporate sponsorship to continue their work;
- ▶ ensuring that the programs provide consistent, clear messages, so the education provided to students in Sidney is the same as that provided to students in Great Falls;
- ▶ developing training opportunities for DARE officers in Montana that otherwise would not be available. For example, the State sponsored its first two-week basic training course this summer, at one-third the cost of sending officers out of state to be trained; and
- ▶ assisting the DARE Officers' Association, the statewide group for DARE officers that works on quality assurance and develops standards for officers and programs.

In addition, the DARE coordinator would work on issues involving the interagency coordinating council for state prevention programs, established by the 1993 Legislature in SB34. By acting as a liaison between the council and local law enforcement agencies, prosecutors, probation officers and district judges, the coordinator would also foster the development of a cohesive prevention strategy statewide.

EXHIBIT

18

DATE

11/30/93

Projection -- Possible Program 17 Postage Savings

Change To Single License Plate --

B2

2

Individual Mailings of Personalized Plates

APPROPRIATIONS

13,800 personalized plates were issued in mailed in 1992.

3rd Class postage to mail 1-plate issuance \$1.21 per mailing

3rd Class postage to mail 2-plate issuance \$1.44 per mailing

Savings -- difference between mailings \$0.23 per mailing

Estimated postage budget savings \$3,175 on annual basis  
(13,800 X \$.23/ mailing)

Additional freight expenditure \$ 825 on annual basis

Estimated total savings projected \$4,000 on annual basis  
due to change to 1-plate issuance

DEPARTMENT OF JUSTICE  
HIGHWAY PATROL RECRUIT SCHOOL

EXHIBIT 17  
DATE 11/30/93  
2  
APPROPRIATIONS

The Montana Highway Patrol faces the potential loss of a significant number of its uniformed patrol officers in the near future. Over the past eight years, the Patrol has lost an average of 13.5 officers each year. For the last three years, that average has been 14.3 officers every year.

In the first six months of this fiscal year alone, 19\* patrol officers have retired or have indicated they will leave before the end of the fiscal year. Additionally, 43 officers -- or 23.3 percent of all patrol officers -- will be eligible for retirement on Jan. 1, 1994, while another 20 will be eligible if they buy their military, state or other local service time.

While we cannot predict the exact number of patrol officers who will choose to retire in the next 18 months, the current retirement trend and our inability to replace those retiring with trained recruits are cause for serious concern.

This concern is based on the fact that the Highway Patrol puts on a 14-week Recruit School only once every two years. A training session is currently underway, with 27 potential recruits scheduled to graduate on Dec. 17. If these 27 successfully complete the training program, 19 will be hired almost immediately.

Should the Patrol's current attrition rate of over one patrol officer per month continue, the reserve list will be exhausted by July 1994. Without action by the 1993 Special Session, the Patrol will not receive funding for another Recruit School until the 1995 Legislature meets and appropriates the necessary funding. A new pool of recruits would therefore not be available to fill vacancies until December 1995.

Such a delay in funding would result in a minimum of 18 months of accumulated vacancies in the Patrol's ranks, potentially reducing the number of patrol officers on the road by between 20 and 30 officers.

During the special session, the Department of Justice is seeking \$170,000 in state special funds as a Fiscal Year 95 appropriation to conduct another Highway Patrol Recruit School before Jan. 1, 1995. This funding is necessary to provide a pool of trained recruits to fill Patrol vacancies as they occur.

\* This number includes two deaths

EXHIBIT 18 A  
DATE 11/30/93  
FD 2  
APPROPRIATIONS

AMENDMENTS TO HOUSE BILL 2  
Grey Copy

For the House Appropriation Committee

Prepared by the Office of Budget and Program Planning  
November 30, 1993

1. Page A-15, line 5.  
Strike: "170,000"  
Insert: " -0- "

This amendment eliminates \$170,000 in modified level highways special revenue in FY95 for an additional highway patrol recruit school. This expenditure was not included in cash flow projections for the highways special revenue account and would put additional pressure on the account.

*work drawn*

Amendment to House Bill No. 2  
Gray Copy

Prepared by Office of Budget and Program Planning  
November 29, 1993

1. Page A-17, line 18.  
Following: "review the"  
Insert: "cost-"
2. Page A-22, line 11.  
Following: "review the"  
Insert: "cost-"
3. Page A-31, line 12.  
Following: "review the"  
Insert: "cost-"
4. Page B-12, line 10.  
Following: "review the"  
Insert: "cost-"
5. Page B-21, line 3.  
Following: "review the"  
Insert: "cost-"
6. Page C-8, line 14.  
Following: "review the"  
Insert: "cost-"
7. Page D-3, line 10.  
Following: "review the"  
Insert: "cost-"

Explanation:

This is a technical amendment to correct a typographical error. The executive budget proposes bill language to encourage state agencies which operate in-house facilities for mail or duplicating services to review the cost-effectiveness of their in-house operations relative to services provided by the Department of Administration. The current version requires agencies to review the effectiveness of their in-house mail or duplicating operations. The primary emphasis of the review is intended to be a cost comparison.

*pad*



HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

Appropriations COMMITTEE H.R. 2  
DATE 11/30/93 SPONSOR(S) Rep. Tom Zerk

**PLEASE PRINT**

**PLEASE PRINT**

**PLEASE PRINT**

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Chris Deaning	DMA		
Diane SANDS	MT Women Lobby		
BILL YAEGER	DMA		
Mona Jamison	Physical therapy assoc. speech pathology + audiology assoc.		
Arthur Fishbaugh	MT Arts Council		
Nancy Jumper	Madida Deaf Community		

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



HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

Appropriations

DATE 11-30-93 SPONSOR(S) Steve Benedict

COMMITTEE

BILL NO.

HB 4

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
JOHN FARKAN BOX 3172 BUTTE	MONTANA STATE BUILDING TRADES COUNCIL		✓
RON H. JAMES 915-16 BUTTE	MONTANA IRONWORKER LO 841		✓
Darrell Holzer	AFL-CIO		✓
BOB SLETTER	SLETTER CONST		✓
JIM WHALEY	A/E	X	
Jim Crane	Montana Contractors Assn		✓
Don Rush	MHCA		
Myrle Newman	MHCA	-	
Dorothy Bradley	"	-	
Jack McChesney	MHCA	✓	
Terry Milner	MT Fed State Employees		X
Art Palmer	mhie/pt		

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

HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

*Appropriations*

COMMITTEE

BILL NO.

*HB 6*

DATE

*11-30-93*

SPONSOR(S)

*M. L. Peterson*

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<i>Albert L. Lee</i>	<i>Highway Traffic Safety - Justice</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Ken McWhan</i>	<i>Highway Traffic Safety - Justice</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Allan Stricker</i>		<input type="checkbox"/>	<input type="checkbox"/>
<i>Betty Dean</i>		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

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

HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

Appropriations COMMITTEE BILL NO. HB 8  
DATE 11-30-93 SPONSOR(S) Steve Benedict  
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
JOHN FORKAN Box 3172 BUTTE	MONTANA STATE BUILDING TRADES COUNCIL		✓
RON H. JAMES 915-16 ST BUTTE	MONTANA IRONWORKER LO 841		✓

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

HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

*Appropriations* COMMITTEE BILL NO. *HB 9*  
DATE *11-30-93* SPONSOR(S) *Steve Benedict*  
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Tim Shanks-GT Falls	MT Police Prot Assn		X
Dean Rubenetz	motor veh. Div Dept of Justice		X
BUD SCHOEN	MOTOR VEHICLE DIV		X
Chuck O'Reilly	Sheriff's & Co & MSPCA		X
Col. Bob Griffith	M.H.P.		X
Steve Turkiewicz	MT Auto Dealers Assn	X	
Beth Baker	Dept of Justice		✓
David Guff	OP1		✓
Bill WARE 221 Breckenridge Helena, MT	MT. ASSO. of Chiefs of Police		✓
Brad Griffin	MT Retail Assoc		
Cort Harrington Mont. County Treasurers Ass		X	
C. A. Hanson	Private citizen		✓
Mark Peterson	Private citizen		✓

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

HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

Appropriations COMMITTEE BILL NO. HB 10  
DATE 11-30-93 SPONSOR(S) R. Simpkins  
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Sea John C. Breuden			X
Gordon Morris	MA Co.		X
BUD CLINCH	DSL	X	
Robert Othem	Westly School		X

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