

MINUTES

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

JOINT SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Roger DeBruycker, on November 18, 1993, at 9:00 a.m.

ROLL CALL

Members Present:

Rep. Roger DeBruycker, Chairman (R)
Sen. Cecil Weeding, Vice Chairman (D)
Sen. Gerry Devlin (R)
Sen. Greg Jergeson (D)
Rep. John Johnson (D)
Rep. William Wiseman (R)

Members Excused: None

Members Absent: None

Staff Present: Roger Lloyd, Legislative Fiscal Analyst
Terri Perrigo, Legislative Fiscal Analyst
Florine Smith, Office of Budget & Program
Planning
Karmen Tuttle, Committee Secretary

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

Committee Business Summary:

Hearing: Commerce
DNRC
Agriculture
Executive Action: None

HEARING ON THE DEPARTMENT OF COMMERCE

Tape No. 3 Side 1

Flo Smith, Office of Budget and Program Planning, said the Economic Development Division has already reorganized. The legislation for that is LC 27 being requested by Rep. Brandewie. Under the executive proposal on the local government audit, it is supposed to take effect on July 1, 1994. The audit and audit review functions would be moved to the Legislative Auditor with 17 FTE; 8.5 FTE and approximately \$269,000 authority would be eliminated. The Department of Commerce would retain 3.5 FTE for the systems function should this proposal go through. **Exhibit 1**

Jon Noel, Director, Department of Commerce, said there have been many things done since the last meeting. The department has reorganized the Economic Development Division. The International Trade function has been put into an Economic Development Division. The only general fund remaining in that function is less than \$22,000 and the department has removed the general fund. The transfer of local government is an administration-backed bill. The CPA community would like to see audits prioritized to a greater extent; all audits are based on competitive bid. **Mr. Noel** recommended removing all general fund from the local audit function, but not eliminating the local audit function because they only get the audits in which they are the low bid. If that bidder was eliminated from the equation, the net result will not decrease the general fund but in fact could increase the cost to local governments. The department has already reduced \$144,180 in general fund and \$36,545 in state special revenue. In the Executive Budget recommendations \$268,923 was eliminated in proprietary funds, which represents the transfer of the Local Government Audit and Revenue functions to the Legislative Auditor's office. The Commerce Department has two early retirements in December, and these two positions will not be replaced; that will eliminate \$110,713 in proprietary funds. The Department of Commerce has no general fund for administration. The reductions Commerce has made to date are \$523,361. The Department of Commerce would like the committee to approve the removal of the Economic Development Administrator, International Trade Manager, and the Economic Development Program Specialist. The department would not like the removal of the Microbusiness Manager. They asked the committee to move the Local Government Audit to the Legislative Auditor's Office; to eliminate the Administrator of Management Services and the Administrator of Business Regulations Assistance; and to add a Bureau Chief of Weights and Measures. At this point the Department of Commerce has eliminated all of the division administrators with the exception of Local Government Services.

Exhibits 2 & 3

Andy Poole, Deputy Director, Department of Commerce, said the Manager of International Trade is no longer in existence. Depending upon the committee's action, it will not be in the budget either. There is approximately \$22,000 general fund in International Trade. The operation running today is \$144,000 more efficient than last January.

Sen. Jergeson said that he could not dispute or take a stand on this position.

Mr. Poole said none of the positions except the Program Officer position have been filled.

Sen. Devlin asked if the department administratively sets fees for local government audits. **Mr. Poole** said fiscal notes are prepared on bills that have an effect on local government. Commerce provides audit service to local governments.

Newell Anderson, Department of Commerce, said the Single Audit Act determines entities and receives the annual report from all taxing jurisdictions in Montana. It then determines on the basis of that report those entities required by state or federal law to be audited and notifies jurisdictions that they are required to do an audit. The fees are based on the revenues from taxing jurisdiction and are based on a sliding scale.

Motion/Vote: Sen. Jergeson moved that under item A the committee approve reductions of the first three positions. The motion passed unanimously.

Motion/Vote: Sen. Jergeson, under item B I, moved the reduction with the contingent language, contingent upon passage and approval of LC 27. The motion passed unanimously.

Motion/Vote: Sen. Jergeson moved to accept items under item C. The motion carried unanimously.

Motion/Vote: Sen. Weeding moved to close the section. The motion carried unanimously.

HEARING ON THE DEPARTMENT OF NATURAL RESOURCES COMMITTEE

Tape No. 3A:.4

Terri Perrigo, LFA, said the executive is proposing to restructure Centralized Services, restructure legalized services, eliminate Clean Coal program, use Clean Coal funds to offset general fund in Water Resources, reduce the Water Adjudication program, use Bureau of Mines RIT funds to offset general fund in Water Resources, postpone the Lower Missouri River Environmental Impact Statement, and eliminate a position in Energy Division.
Exhibit 4

Flo Smith, Department of Budget and Program Planning, said the reorganization of Centralized Services will be an elimination of 1.0 FTE in FY 93 and 2.0 FTE in FY 94. RIT funds appropriated in the last session are approximately \$53,000 in the first year and \$3,000 in the second year. The Executive is withdrawing its proposal to use Bureau of Mines RIT funds to offset general fund in water resources, but Bureau of Mines and Geology can do a funding switch if they so choose in their own reduction. The adjudication program elimination is proposing to eliminate 2.0 FTE in FY 94 and 4.0 FTE in FY 95. They are looking at substantial savings in the general fund. The Energy Division has a reduction of 1.0 FTE. **Exhibit 5**

Mark Simonich, Director, Department of Natural Resources and Conservation, said the DNRC is in complete agreement with what the Executive is suggesting in eliminating the switch from the Ground Water Program over to the Bureau of Land Management. DNRC believes they are at a point where they can postpone the Lower Missouri Reservation process. The draft EIS will be done by the

end of the year. There will be two cuts to Centralized Services; one position is a graphic artist and the other is an attorney. The department has moved some supervisory positions into staff positions. In the Energy Division they are proposing to eliminate an individual in an energy education program, which is entirely funded through federal monies. The budget office proposes to eliminate the clean coal statutes.

Terri Perrigo, LFA, asked the DNRC whether, if elimination of the clean coal statutes was not approved, the department would be able to offer up the clean coal money to offset general fund. **Mr. Simonich** said there is an option on how to do that. DNRC is tied right now to the administration proposal for how they would like DNRC to use it for clean coal trust funds. Regardless of how that goes, DNRC would like to see legislation that would remove their responsibility to administer this program.

Chairman DeBruycker asked if DNRC has a draft request. **Mark Simonich** said no they do not.

Sen. Weeding asked if there was a deadline for completion of the Lower Missoula EIS that the committee was looking at last session. **Mr. Simonich** said the application deadline is December 1994. Their proposal was to extend that one year; the department's recommendation would be to extend it two years.

Marvin R. Miller, Montana Bureau of Mines and Geology, said, in regard to the Executive's withdrawal of the proposal to use Bureau of Mines RIT funds to offset general fund in water resources, that he was in full agreement.

Mr. Jim Stimson, Natural Resources Information System, State Library, said the assessment steering committee really does not care who asks for the money. As they understand the Ground Water Assessment Act, the money is to go to ground water assessment activities in the state of Montana. They would view that money being diverted to any agency as inappropriate. **Mr. Stimson** said he is standing behind the Governor's proposal. **Exhibit 5**

Sen. Jergeson said that last night the Senate Subcommittee on the budget had discussed and decided to encourage a reduction in the expenditures of the state special revenue funds for agencies. The committee is always making cuts to the general fund. The committee would like agencies to make cuts in funds that are not a general fund portion of their budget. He asked if DNRC had looked at ways to save money and to reduce non-general fund appropriations.

Motion/Vote: **Sen. Weeding** moved items 1, 2, 3, with contingency language for LC 21, 4 with contingency language for LC 21, 5,7, with contingency language for LC 54, and 8. Motion was passed unanimously.

Motion: **Sen. Devlin** moved that this committee correspond with

all of the agencies and the departments to look at their budgets for non-general fund reductions; and to return that to the Appropriations Committee when the session convenes.

Motion/Vote: Sen. Jergeson moved that non-general fund budget reductions are up to three percent. Motion passed unanimously.

Motion/Vote: Motion to close the section was passed unanimously.

HEARING ON THE DEPARTMENT OF AGRICULTURE

Roger Lloyd, LFA, said the Department of Agriculture analysis is on page C-22. The Executive proposes just one item: to reduce the pesticide program in the Agricultural Sciences Program. There are a couple of other issues to be aware of: the Agriculture Department has reorganized; originally the department had requested a budget amendment to gain additional authority for the grain laboratory in Great Falls; because of unusual weather conditions, the budget office has since pulled that budget amendment. As understood, the department will ask this committee for additional appropriation for the grain laboratory.

Mr. Lloyd said that pesticide registration fees, the primary funding source, are now earmarked for state special. They are no longer deposited in the general fund; they are used directly as a funding source for this program.

Flo Smith said there is a modification; the department did come in with a budget amendment which was submitted to the Legislative Fiscal Analyst. There was a concern about this particular request meeting the emergency criteria; therefore, it was pulled.
Exhibits 7 & 8

Informational Testimony:

Ralph Peck, Administrator, Department of Agriculture, said the State Grain Laboratory runs totally on demand from services from producers. When producers have a high production year and protein is worth a lot of money and crop quality deteriorates, a lot of people use the State Grain Lab because they want to know what they have before they go to market. Basically what the department did is a projection of what an average grain lab production would be. They are requesting a budget amendment because they do not have the resources to provide the services. This year producers had a high production year with a lot of frost damage. The department has prepared a budget amendment and submitted that through the process. The budget office concurred that they did establish an emergency. But the Legislative Fiscal Analyst questioned whether it met the emergency criteria. The department believes it is an emergency because farmers and ranchers need this service. In this Special Session the budget office agreed to withdraw that and present this proposal to the

committee today. The Department of Agriculture has projected what they believe is a realistic projection in order to keep the State Grain Laboratory open with this request. It is a large amount and the department does not like coming before the committee to ask for more authority when the state is in a situation having to look at reducing the budget. If the department is unable to do this, the only option they have is to shut the State Grain Lab. There are a lot of people dependent on that service in order to market their grain in Montana. Exhibit 8

Sen. Gerry Devlin asked how the extra money spent affects the fund itself. Ralph Peck said the fund is okay; they just need the authority to spend it.

Motion/Vote: Sen. Devlin moved the modification. The motion was passed unanimously.

Motion/Vote: Sen. Weeding moved the executive budget proposal. The motion carried unanimously.

Motion/Vote: Sen. Devlin moved to close the section. Motion passed unanimously.

ADJOURNMENT

Adjournment: 3:30 p.m.


REP. ROGER DEBRUYCKER, Chairman



KARMEN TUTTLE, Secretary



RD/KT

HOUSE OF REPRESENTATIVES

NATURAL RESOURCES SUB-COMMITTEE

ROLL CALL

DATE November 18, 1993

NAME	PRESENT	ABSENT	EXCUSED
REP. ROGER DE BRUYCKER, CHAIRMAN	X		
SEN. CECIL WEEDING, VICE CHAIRMAN	X		
SEN. GERRY DEVLIN	X		
SEN. GREG JERGESON	X		
REP. JOHN JOHNSON	X		
REP. WILLIAM WISEMAN	X		

Natural Resources & Commerce Subcommittee in Special Session

Department of Commerce
November 18, 1993

See LFA Budget Analysis page C-25.

Executive Budget Proposals

1. Economic Development Reorganization
2. Transfer Local Government Services (LGS) Audit & Review Functions to the Office of the Legislative Auditor

Other Issues

1. Leave LGS Audit & Review in Commerce and increase fees charged to local governments to reduce general fund support of the functions
2. Use accommodations tax funds to replace general fund in International Trade.

InterOffice Memo

To: Governor Marc Racicot
From: Jon Noel; Director 
Department of Commerce
Date: November 12, 1993
Subject: Secretary of State Proposal - Eliminate the Department of
Commerce

As you requested, I have analyzed the proposal of the Secretary of State to eliminate the Department of Commerce by moving programs to various other agencies - primarily those of other elected officials with the bulk of the programs moving to the Secretary's office. I am presuming at this point that the bill draft introduced by Senator Jergeson (LC75) reflects the plan outlined by the Secretary of State. We have been given that indication by the Secretary of State's Office in a meeting held with the Lieutenant Governor. The Proposal offered by the Secretary of State provides two basic reasons why the reorganization should be accomplished during the special session - money and efficiency. I have examined their proposal and find it to be deficient on both counts. My reasoning is presented below.

I: MONEY

The latest information received from the Secretary of State's Office assumes credit for reducing positions in government by 18.5 with corresponding reductions in funding of anywhere from \$500,000 to \$750,000. All we currently have to go on is a faxed spreadsheet provided by the Secretary of State's Office which shows reductions of 18.5 positions with some indication of where those positions are located.

THE FACTS:

The personnel reductions identified by the Secretary of State's Office in their proposal fall into three main categories which include; *1. Reductions already identified by the Department of Commerce; 2. Reductions identified in the Executive Budget for the Special Session; and 3. Reductions of existing positions - primarily in the Director's Office.* The following analysis shows that the Secretary of State's proposal standing by itself will save slightly over \$20,000 with an increase in general fund expense of \$62,311.

- DEPARTMENT OF COMMERCE/EXECUTIVE BRANCH REDUCTIONS -

A. Already Identified Commerce Reductions - (August 3 memo to Governor)

	General Fund	Proprietary	State Special
<i>Administrator - Economic Development</i>	(59,561)		
<i>Manager - International Trade</i>	(46,369)		
<i>Economic Dvlpmt. Prog. Specialist - (Note 1)</i>	(38,250)		
<i>Micro Business Program Off. - (Note 2)</i>			(36,545)
TOTALS:	(\$144,180)	\$0	(\$36,545)

Note 1 - This position is under consideration to be used as a sixth Regional Development Officer. State coverage is weak for this function with only five regional people.

Note 2 - The Micro Business Advisory Council and the Legislative Liaison Committee may not want to eliminate this position - the Department is still analyzing this position.

B. Executive Budget Reduction Recommendations - 1993 Special Session

	General Fund	Proprietary	State Special
<i>Local Govt. Audit - 8.5 Positions (Note)</i>		(268,923)	
TOTALS:	\$0	(\$268,923)	\$0

Note - See LC27 - "Transfer Local Govt. Audit to Legislative Auditor's Office"

C. Already Planned Commerce Reductions due to Early Retirement

	General Fund	Proprietary	State Special
<i>Administrator - Management Services</i>		(50,065)	
<i>Administrator - Business Reg. Assistance</i>		(60,648)	
<i>Add Weights & Measures Program Mgr. (Note)</i>			37,000
TOTALS:	\$0	(\$110,713)	\$37,000

Note - A manager of Weights & Measures will need to be created when the Administrator position is eliminated. The Administrator manages this program along with the rest of the division. The manager position was eliminated last session. The program consists of 7 field inspectors (grade 12), 1 lab technician and a secretary.

D. Total Reductions

	General Fund Decrease	Proprietary Decrease	State Special Increase
Total By Fund:	(\$144,180)	(\$379,636)	\$455
Total All Funds:			Decrease (\$523,361)

- SECRETARY OF STATE PROPOSAL -

A. Reductions due to Secretary of State Proposal

	General Fund	Proprietary	State Special
<i>POL Attorney</i>			(36,027)
<i>Director</i>		(65,756)	
<i>Deputy Director</i>		(63,920)	
<i>Chief Legal Counsel</i>		(47,716)	
TOTALS:	\$0	(\$177,392)	(\$36,027)

B. Increased Costs Due to Secretary of State Proposal

	General Fund	Proprietary	State Special
<i>Legal Contracts - POL (note 1)</i>			36,027
<i>Economic Development Manager (note 2)</i>	59,561		
<i>Financial Division - Legal (note 3)</i>			65,000
<i>Reduction in Force Payouts (note 4)</i>	2,750	29,250	
TOTALS:	\$62,311	\$29,250	\$101,027

Note 1 - This position was created by the last legislature at the request of a number of POL Boards because of the legal backlog in the POL Bureau. Elimination of this position would require contracts with outside counsel at an even greater expense. Attorney's in the Bureau have backlogs of 60 to 100 cases.

Note 2 - All management positions have been eliminated in this division. Eliminating the Director and the Deputy Director who are proprietarily funded will require the re-creation of the management position eliminated by the Department of Commerce.

Note 3 - The Chief Legal Counsel for the department is eliminated above. This individual acts as counsel for the Financial Division. This division was given authority to hire an attorney during the last session which the department has not filled. Elimination of the Chief Counsel will require the hiring of the vacant attorney position in the State Auditor's Office. In addition, the Secretary of State's Office will have to hire or contract for counsel for representation of the following programs - Montana Capital Companies, Micro Business, Travel Promotion, and Economic Development. The Attorney General may incur costs for the assumption of duties related to Indian Affairs, Horse Racing and Consumer Protection.

Note 4 - Reduction in force payouts are for the Director, Deputy Director, and Chief Counsel for the agency.

C. Total Reductions

	General Fund Increase	Proprietary Decrease	State Special Increase
Total By Fund:	\$62,311	(\$148,142)	\$65,000
Total All Funds:			Decrease (\$20,831)

II: EFFICIENCY

The primary reason for improved efficiency cited by the Secretary of State relates to the issue of combining areas which provide similar services to the public.

"The basic theory behind this undertaking is the streamlining of government to put similar services under one heading. In so doing, the state can effectuate short and long term savings, particularly at the management, financial administration and legal levels."

The proposal goes on to say that;

"the office conducted a review of state agencies that conduct similar operations. As a result of that review, the agencies listed above (Department of Commerce, Historical Society, State Library) were identified as presenting significant opportunities for real savings in the form of streamlined government."

Having reiterated the focus of what the Secretary of State's proposal includes, we can now discuss the real issue and one that truly does what the Secretary says he desires to accomplish.

THE FACTS:

The issue of business licensing and regulation which plays so prominent a role in the proposal offered by the Secretary of State is indeed an issue ripe for analysis. During September of this year, this agency forwarded to you several proposed "initiatives" for reinventing government. One of those proposals suggested that business regulation which occurs in a number of state agencies needed to be studied so that proposed legislative changes could be recommended to the next regular session of the legislature. Unfortunately, the Secretary's proposal would have the legislature "reorganize" only a few of those similar programs to accomplish the worthy objective of "reinventing government." Business licensing and regulation takes place not only in the Department of Commerce but also in the following agencies;

The Departments of Agriculture; Family Services; Fish, Wildlife & Parks; Health & Environmental Sciences; Corrections & Human Services; Justice; Labor & Industry, Livestock; Natural Resources & Conservation; Public Service Commission; Revenue; State Lands; and Transportation. (See "Montana Business Licensing Handbook")

A better example than that offered by the Secretary of State would be the licensing requirements for a grocery store. A typical grocery store opening business in the state of Montana would require the following licenses and permits;

Department of Revenue: Beer & Wine Retailers License

Department of Revenue: Cigarette Dealers License

Department of Health & Environmental Sciences: Food Purveyor's License

Department of Livestock: Egg Dealers License

Department of Commerce: Weighing Device License

Department of Livestock: Meat Establishment License

Secretary of State: Assumed Business Name or Corporation License

(This list assumes that the store would not be building a new building which may require zoning review, building permits and licenses, water and sewer review etc.)

If a serious effort is made at reinventing government to make it responsive to the citizens of the state and to make it cost effective, then some study of the issues, procedures, clients, effectiveness and organization of numerous agencies will be required. The Secretary of State should be invited to participate in the analysis to truly improve the organization and service of state government. This will require some study and then concerted action on behalf of all of our elected leaders in Montana. One of the most serious mistakes we can make is to prematurely assume that a minor reorganization such as that proposed by the Secretary of State will in fact improve government efficiency. To our consternation, we may find ourselves ~~undoing this proposal in less than a years time~~ while having spent considerable time, energy and money in a fruitless effort.

This same issue extends to a number of "functions" carried on within state government including economic development programs, infrastructure programs for water, sewer and housing, natural resource functions... all of these issues need to be studied and acted on. Yet, the Secretary of State's proposal includes functions related to all of these issues without the essential, dispassionate, scientific analysis to do it the right way instead of the expedient way.

III; CONCLUSION

State government operations need to be analyzed, efficiencies can then be realized, and the citizens of Montana will be well served. This is a process that requires some commitment on the part of all of us including the Secretary of State's Office. Let's do it right the first time!

CC: Lt. Governor Rehberg, Dave Lewis

Enclosures: 1. Budget Reduction Memo - Noel to Governor - August 3, 1993; 2. Executive Budget Proposal/Department of Commerce; 3. Bill Drafting Report - LC27; 4. Secretary of State spreadsheet showing eliminated FTEs; 5. Montana Business Licensing Handbook



MONTANA DEPARTMENT OF COMMERCE

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August 3, 1993

MEMORANDUM

TO: Marc Racicot, Governor
Dave Lewis, Budget Director

FROM: Jon Noel, Director 

I now have been in the Department of Commerce for seven months and have had reasonable opportunity to analyze the department's focus and its operations. In light of the pending special session I am prepared to implement some changes that should be made in any case but would be necessary to meet target budget reductions. The changes will cause the department to run more efficiently and provide better service to our clients. You have already approved the first step in this process, the creation of regional representatives which has been very well received. That step did not result in any cost reductions. Those being recommended now do reduce costs and I feel that they should be made whether or not the special session becomes a reality.

ECONOMIC DEVELOPMENT DIVISION

Through reorganization, the Business Development Division is taking on a new economic development focus and will be managed directly by Andy Poole and myself. I propose to flatten the organization by eliminating two management levels, the Division Administrator position, and the managers of Microbusiness, Trade, and the Office of Research & Information Services (ORIS). ORIS will be restructured to a level that will include only the Census and Economic Information Center. Trade is an important part of economic development and I will continue that effort through an International Affairs Coordinator and through the newly created Regional Development Officers. We have already closed the Canadian Trade Office and the Tokyo Office. Kumamoto and Taipei will remain open if results prove the offices are effective and if Growth through Agriculture and Accommodation Tax funds

Governor Marc Racicot
 Dave Lewis
 August 3, 1993
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continue to support the program. The Microbusiness Program is now in place and is self-supporting. The program can effectively be continued by utilizing the Local Development Organizations and HRDCs. All of the Coal Tax Trust funds have been invested with the local MBDCs. Our function now is to monitor the contracts. I proposed to eliminate the program manager position.

Savings - \$37,143 state special revenue
 \$121,636 general fund

LOCAL GOVERNMENT AUDIT PROGRAM

I propose to eliminate general fund subsidies of local government audits. Currently, state government competes with the private sector for all local government audits with the private sector contracting for more than 60%. Generally these are the larger communities where audit firms have offices or those which are near larger cities. Commerce generally contracts for the audit work in communities that are geographically remote and poorly funded. More than \$90,000 of this work is budgeted to be done below cost or free because of the assumption that the community cannot afford to pay. A combination of bidding all work at or above cost and eliminating a layer of management will eliminate any general fund requirement and still permit a small amount of "pro bono" work. The Audit and Systems programs were merged by the last legislative session and we are not proposing the elimination of the general fund attached to Systems portion of the program because of the importance of the BARS System which is the accounting and planning system developed to provide consistency throughout the state. Turnover in local offices and changes in legislation require ongoing support if the system is to be maintained. This maintenance cannot be built into the audit fee because Commerce does such a small percentage of the audits. All of the audit function could be privatized but the smaller, remote communities would be penalized because audit firms really don't want to do those jobs.

Savings - \$91,698 general fund

You will note that we have exceeded the 10% reductions you have requested from this department, however the plan I have given you is an appropriate one given the fiscal condition of the state. Employees whose positions are targeted in the above recommendations will be offered other positions in the department as vacancies occur. General fund payouts, should these employees choose to terminate, as well as payouts under the "Early Retirement Option" will affect the general fund reversion.

General Fund Reversion - \$213,334

Governor Marc Racicot
Dave Lewis
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I would appreciate a response as soon as possible so we can curtail further general fund expenditures if you are in agreement. The longer we wait the larger the cuts will have to be and while I expect to identify further opportunities as time passes I do not have any more at present.

cc: Flo Smith
Budget Analyst

Department of Commerce

ECONOMIC DEVELOPMENT

6501-51

Budget Item	FY94		Difference	FY95		Difference
	Appropriated	Recommended		Appropriated	Recommended	
FTE	19.00	18.00	(1.00)	19.00	18.00	(1.00)
Personal Services	673,631	616,609	(57,022)	687,247	630,225	(57,022)
Operating Expenses	787,995	735,017	(52,978)	776,650	723,672	(52,978)
Equipment	17,783	17,783	0	17,783	17,783	0
Grants	2,218,037	2,218,037	0	2,158,037	2,158,037	0
Transfers	0	0	0	0	0	0
Total Costs	3,697,446	3,587,446	(110,000)	3,639,717	3,529,717	(110,000)
General Fund	636,446	526,446	(110,000)	643,751	533,751	(110,000)
State Special	581,835	581,835	0	513,711	513,711	0
Federal Special	2,479,165	2,479,165	0	2,482,255	2,482,255	0
Non-expendable Trust	0	0	0	0	0	0
Total Funding	3,697,446	3,587,446	(110,000)	3,639,717	3,529,717	(110,000)

ITEM

FY94

FY95

- Economic Development Division Reorganization (110,000) (110,000)

Through reorganization, the Economic Development Division (formerly the Business Development Division) is taking on a new economic development focus and will be managed directly by the department's director and deputy director. International and domestic trade office activities will continue through an international affairs coordinator and newly-created regional development officers. The Canadian and Tokyo trade offices have been closed. Kumomoto and Taipei will remain open as long as the offices are effective, and if Growth Through Agriculture grants and accommodation tax funds are available to support the program. General fund savings will be \$110,000 each year of the biennium and 1.00 FTE has been eliminated.

LOCAL GOVT AUDIT & SYSTEMS BUR

6501-62

Budget Item	FY94		Difference	FY95		Difference
	Appropriated	Recommended		Appropriated	Recommended	
FTE	29.00	29.00	0.00	29.00	3.50	(25.50)
Personal Services	946,831	946,831	0	963,411	183,381	(800,030)
Operating Expenses	335,800	335,800	0	346,231	147,414	(198,817)
Equipment	9,321	9,321	0	9,420	0	(9,420)
Transfers	150,620	150,620	0	151,140	146,068	(5,072)
Total Costs	1,442,572	1,442,572	0	1,470,202	456,863	(1,013,339)
General Fund	144,918	144,918	0	146,068	146,068	0
Proprietary Fund	1,297,654	1,297,654	0	1,324,134	310,795	(1,013,339)
Total Funding	1,442,572	1,442,572	0	1,470,202	456,863	(1,013,339)

- **Local Government Services - Audit and Systems**

It is being proposed that effective July 1, 1994, the audit and audit review functions of the Local Government Services program be transferred to the Office of the Legislative Auditor (OLA). There are transferred 17.00 FTEs and operating expenses supported with \$744,416 of proprietary funds. It is anticipated that, with the transfer of the audit and audit review functions to OLA and with an increase in the number of local government audits contracted to private CPA firms, there could be a reduction of 8.50 FTE and \$268,923 of proprietary account authority.

The accounting and management systems functions would remain with the Department of Commerce with a staffing level of 3.50 FTE. The systems function has responsibility for the uniform budgeting, accounting, and reporting systems used by local governments, school districts, and other special jurisdictions.

MONTANA LEGISLATURE
1993 SPECIAL SESSION

Last updated on 11/10/93 at 12:00

= BILL DRAFT REQUEST REPORT =

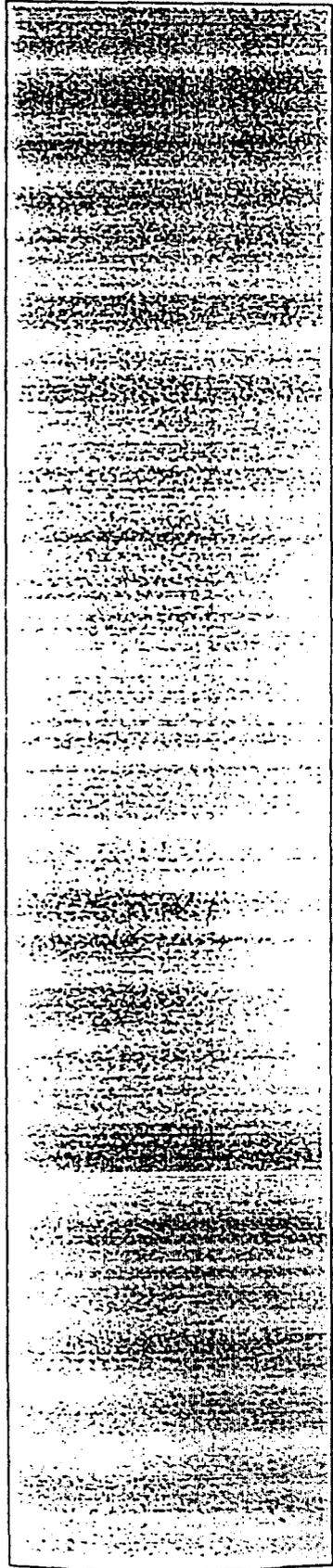
C #	BILL #	DATE REQ	REQUESTOR	DRAFTER	SHORT TITLE
C 1 FR		10/12/93	ELLIOTT, JIM	MARTIN, JEFF	PROPERTY TAX EXEMPTION FOR CERTAIN HOMEOWNERS
C 2		10/08/93	SWIFT, BERNIE	HEIMAN, LEE	(REAPPRAISAL CIRCUIT BREAKER)
C 3 F		10/12/93	RANEY, BOB	NISS, DAVID	URGE COMMERCE TO REVIEW COST-EFFECTIVENESS OF LICENSING BOARDS
C 4 F		10/12/93	BOHARSKI, WILLIAM	MCCULLURE, EDDY	REQUIRING VOTER APPROVAL FOR SCHOOL LEVIES
C 5 F		10/13/93	KLAMPE, TERRY	MCCULLURE, EDDY	REQUIRE CONTRACT RENEGOTIATION FOR CONSOLIDATED OR UNIFIED DISTRICT
C 6 F		10/13/93	KADAS, MIKE	MCCULLURE, EDDY	REQUIRING VOTER APPROVAL FOR SCHOOL LEVIES AND LIMITING BUDGET INCREASE
C 7 F		10/13/93	MILLS, NORM	MERRILL, ANDREA	ELIMINATE STATE FUNDING AND SUPERVISION OF SCHOOL DISTRICT TRAFFIC EDUCAT
C 8 R		10/13/93	MILLS, NORM	HEIMAN, LEE	(FREEZE RESIDENTIAL PROPERTY TAXES)
C 9		10/13/93	FOSTER, MIKE	MERRILL, ANDREA	PROVIDE GTB SUBSIDY TO DISTRICTS WITH 10% CHANGE IN TAXABLE VALUE
C 10 F		10/13/93	FOSTER, MIKE	MERRILL, ANDREA	EXTEND BUDGET GROWTH PHASE IN FOR SCHOOL DISTRICTS WITH LOSS OF TAXABLE VA
C 11		10/13/93	FOSTER, MIKE	MERRILL, ANDREA	REDUCE SCHOOL DISTRICT ENTITLEMENTS; EXTEND BUDGET GROWTH PHASE IN TO 10
C 12		10/13/93	FOSTER, MIKE	HEIMAN, LEE	(TIE VALUATION TO PURCHASE PRICE OR PREVIOUS REAPPRAISAL)
C 13		10/13/93	FOSTER, MIKE	MARTIN, JEFF	(TAX INCENTIVE FOR MIDDLE INCOME HOUSING)
C 14		10/14/93	RANEY, BOB	HEIMAN, LEE	(CONSTITUTIONAL AMENDMENT TO ALLOW FREEZE OF CERTAIN PROPERTY VALUE)
C 15 F S		10/14/93	RANEY, BOB	MCCULLURE, EDDY	INTERIM STUDY AND PLAN TO CONSOLIDATE SCHOOL DISTRICTS
C 16		10/14/93	COBB, JOHN	MARTIN, JEFF	(REVISE TAX RATE TO REFLECT VALUATION CHANGE)
C 17		10/15/93	LARSON, DON	HEFFELFINGER, SHERI	REQUIRE THAT MANDATED PROGRAMS BE IDENTIFIED IN AGENCY BUDGET SUBMISS
C 18		10/19/93	FOSTER, MIKE	MCCULLURE, EDDY	(ELIMINATE FUNDING FOR DUPLICATE DEGREE PROGRAMS)
C 19		10/20/93	RANEY, BOB	HEIMAN, LEE	(NON-RESIDENT FEE IMPLEMENTATION)
C 20 R		10/21/93	DAILY, FRITZ	HEIMAN, LEE	(SURTAX ON NON-RESIDENT PROPERTY)
C 21 P		10/21/93	PAVLOVICH, BOB	LANE, VALENCIA	DIVERT COAL TAXES TO SCHOOL FINANCE AND BUILDING MAINTENANCE
C 22 R		10/21/93	TOOLE, HOWARD	MARTIN, JEFF	(STATE INCOME TAX AS PERCENTAGE OF FEDERAL)
C 23		10/21/93	TOOLE, HOWARD	MARTIN, JEFF	(REVISE PROPERTY TAX)
C 24		10/21/93	TOOLE, HOWARD	HEIMAN, LEE	(EXEMPT SENIORS FROM SCHOOL LEVIES ON RESIDENCES)
C 25		10/21/93	BOHARSKI, WILLIAM	NISS, DAVID	(COST REDUCTIONS IN LONG-TERM HEALTH CARE)
C 26		10/21/93	MESAROS, KEN	HEIMAN, LEE	(FREEZE PROPERTY VALUE UNTIL TRANSFER; ALLOW INFLATIONARY FACTOR)
C 27		10/22/93	BRANDWIE, RAY	CAMPBELL, BART	(TRANSFER LOCAL GOV'T AUDIT TO LEGISLATIVE AUDITORS)
C 28 FR		10/22/93	GALVIN, PATRICK	CAMPBELL, BART	INCREASE BED TAX TO 8%; ALLOW LOCAL GOVERNMENT TO IMPOSE 1% BED TAX
C 29 F		10/25/93	HARPER, IAL	PETESCH, GREG	AUTHORIZE LEGISLATIVE CENTRALIZED SERVICES
C 30 F		10/25/93	BURNETT, JIM	STERNBERG, DOUG	ELIMINATE STATE MEAT AND POULTRY INSPECTION PROGRAM
		10/26/93	STREIBICH, RUT	MCCULLURE, EDDY	(REVISE UNIFICATION OF SCHOOL DISTRICTS)

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RECURSIVE
CUBCOMMITTEE

Current Agency #	Current Agency Name	Pr. #	Program Name	FY 94 Author. FIE	FY 94 Propose FIE	FY 94 Authorized Personnel Services	FY 94 Authorized Operating Expenses	FY 94 Authorized Equipment	FY 94 Local Assistance	FY 94 Grants	FY 94 Benefits & Claims
6501	Commerce	1	Public Safety Division	14.00	10.00	295,134	82,819	0	0	0	0
6501	Commerce	2	Weights & Measures	10.00	10.00	153,165	153,165	95,400	0	0	0
6501	Commerce	37	Milk Control	6.00	6.00	377,937	84,108	0	0	0	0
6501	Commerce	39	POL	43.03	42.03	1,321,507	3,086,883	110,414	0	0	0
6501	Commerce	51	Business Development Division	19.00	15.00	493,455	787,995	17,782	0	2,216,037	0
6501	Commerce	52	Montana Promotion Division	19.33	19.33	577,337	5,053,499	0	0	0	0
6501	Commerce	60	Community Development Bureau	25.50	25.50	343,052	992,339	36,595	0	28,983,451	0
6501	Commerce	61	Office of Res. & Inf. Serv.	6.33	6.03	210,907	33,529	5,600	0	0	0
6501	Commerce	62	Loc Govt Serv - Admin	3.50	3.50	163,381	147,414	9,321	0	0	0
6501	Commerce	64	Loc Govt Serv - Admin	2.50	2.50	115,637	12,997	0	0	0	0
6501	Commerce	65	Building Codes Bureau	35.00	35.00	1,876,597	457,591	4,400	0	0	0
6501	Commerce	173	Mt. Science & Tech. Alliance	7.00	7.00	301,110	153,347	0	0	0	0
6501	Commerce	74	Board of Housing	14.00	14.00	418,784	1,049,205	14,600	0	0	0
6501	Commerce	88	Director/Management Services	29.59	16.94	476,563	135,711	113,509	0	0	0
Total Proposed Budget				233.28	203.53	6,473,402	12,271,362	407,782	1,368,750	31,201,188	0
Transferred to other Agencies											
6501	Auditor	36	Financial Division	25.25	25.00	774,348.00	316,971.66	35,100.00	0	0	0
6501	LAD	62	Loc Govt Serv - Audit	25.50	17.00	531,107.00	168,386.00	9.00	0	0	0
6501	Justice	70	Indian Affairs Coordinator	4.00	4.00	126,914.00	67,276.00	0	0	0	0
6501	Health	71	Health Facilities Authority	1.00	1.00	49,298	122,533	0	0	0	0
6501	Administration	75	Investments Division	28.00	28.00	1,196,506	642,904	26,190	0	0	0
6501	Revenue	77	Mt. Lottery	35.00	35.00	1,092,143.00	6,028,434.00	44,774.00	0	0	0
6501	Justice	78	Kd of Horse Racing	3.76	3.76	199,719.00	123,791.00	2,000.00	0	0	0
6501	Justice	81	Consumer Protection	2.00	2.00	71,274.00	0	0	0	0	0
Total				124.53	115.78	3,943,316	7,492,357	116,064	0	0	0
Site Reduction				537.81	319.31	10,416,718	19,763,459	525,766	1,569,750	31,201,100	0

TR: ANDY POOLE
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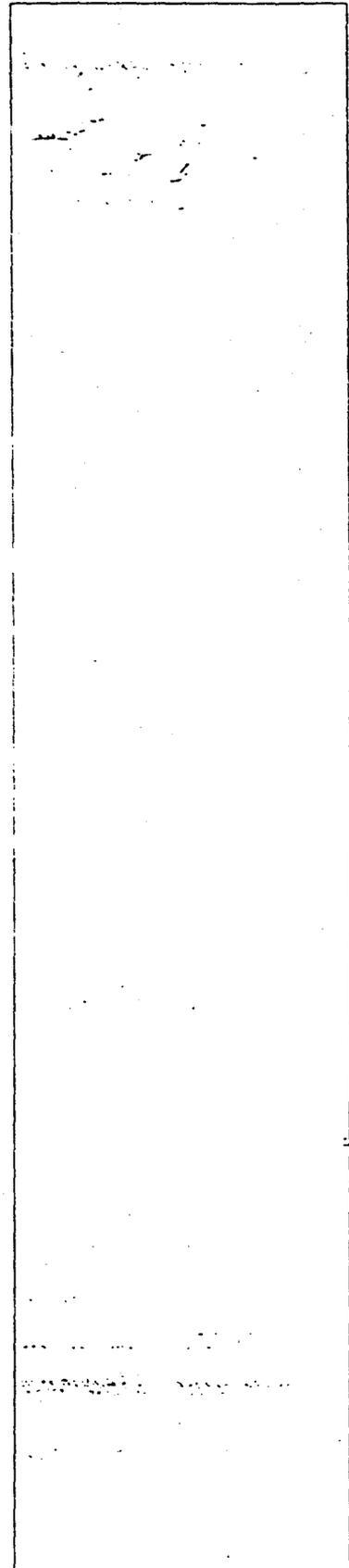
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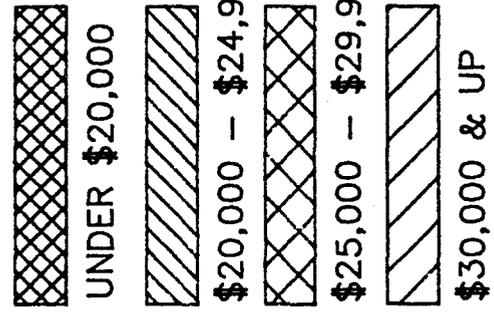
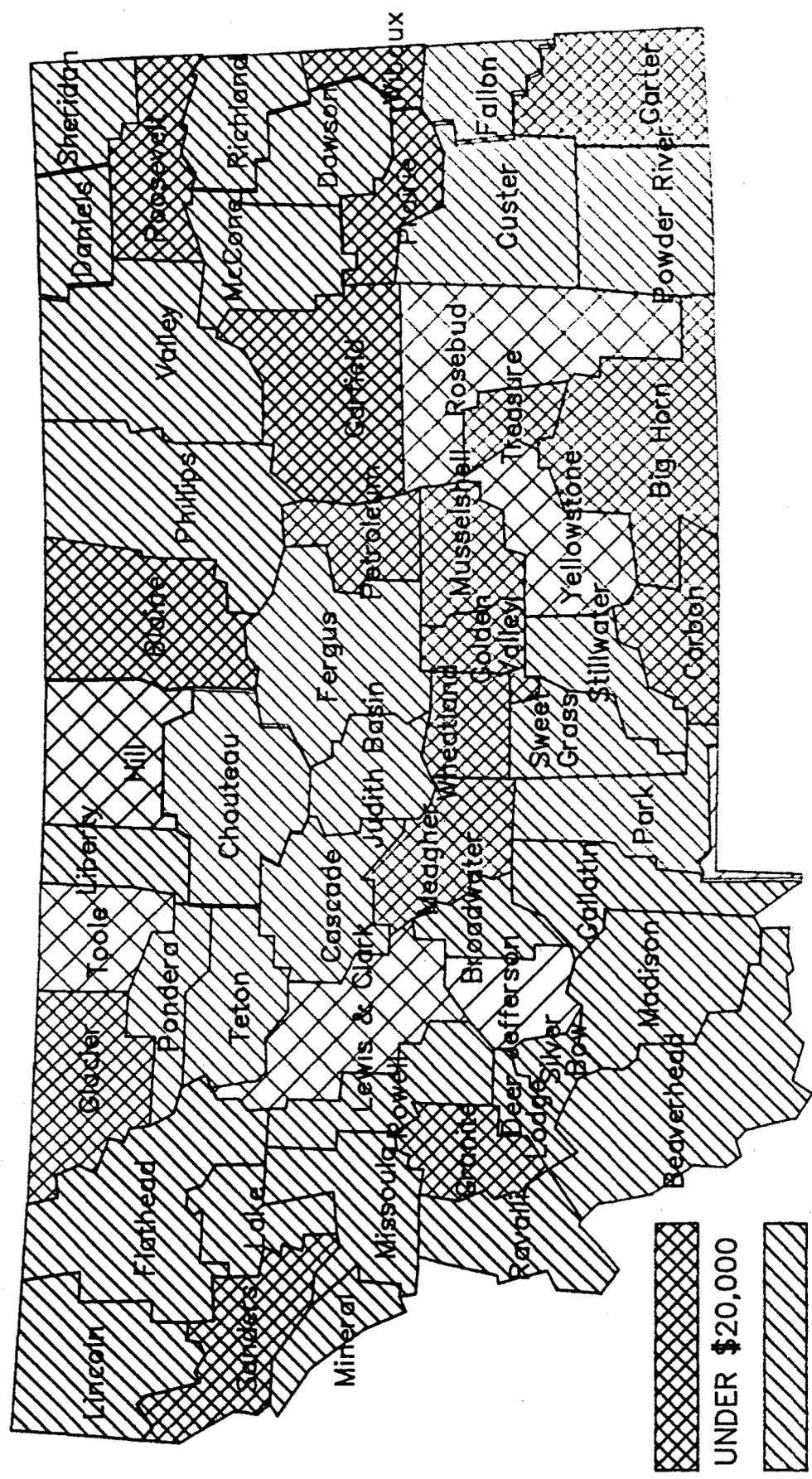
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MONTANA MEDIAN HOUSEHOLD INCOME



RDO	# Counties	MEAN INCOME:
Jerry T	7	ALL HOUSEHOLDS \$26,618 FAMILIES \$32,739 NONFAMILIES \$17,227
Gary M	9	ALL HOUSEHOLDS \$26,671 FAMILIES \$34,693 NONFAMILIES \$17,018
Karen H	10	ALL HOUSEHOLDS \$27,953 FAMILIES \$34,065 NONFAMILIES \$18,238
Gary F	14	ALL HOUSEHOLDS \$25,817 FAMILIES \$30,298 NONFAMILIES \$15,927
Gary Mariestad	16	ALL HOUSEHOLDS \$27,863 FAMILIES \$33,873 NONFAMILIES \$17,922

Natural Resources & Commerce Subcommittee in Special Session

Department of Natural Resources & Conservation
November 18, 1993

See LFA Budget Analysis page C-16.

Executive Budget Proposals

1. Restructure Centralized Services
2. Restructure Legal Services
3. Eliminate Clean Coal program (CARD Budget)
4. Use Clean Coal funds to offset general fund in Water Resources
5. Reduce the Water Adjudication program
6. Use Bureau of Mines RIT funds to offset general fund in Water Resources
7. Postpone Lower Missouri River Environmental Impact Statement (EIS)
8. Eliminate position in Energy Division

Other Issues

1. Use RIT projected ending fund balance to offset general fund in Centralized Services or Water Resources

MONTANA
GROUND WATER ASSESSMENT STEERING COMMITTEE

DATE 11/18/93
HB NATURAL
RESOURCES
SUBCOMMITTEE

STATE OF MONTANA

November 16, 1993

Mr. David Lewis
Director
Office of Budget and Program Planning
Room 237 State Capitol Building
Helena, MT 59620-0802

Dear Mr. Lewis,

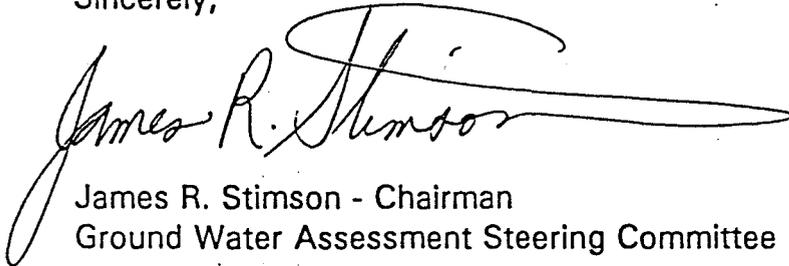
The Ground Water Assessment Steering Committee asked me to contact you again concerning the proposal to reduce funding for the Ground Water Assessment Act programs. The Ground Water Assessment Steering Committee strongly opposes any proposal which will result in reduced funding for Montana's Ground Water Assessment effort. On two separate occasions, the Legislature thoroughly examined the Ground Water Assessment Act, its funding mechanism, and its two ground water programs; and moved to provide full funding. This examination included consideration of a similar proposal by the DNRC during the 1992 Special Session to divert Assessment Act funds to offset General Fund reductions. The opinion of the Steering Committee is that diverting any funds from the Ground Water Assessment Account would be inappropriate. Furthermore, the work of the Steering Committee and Montana's Ground Water Assessment programs are seriously compromised if funding is diverted for activities that are unrelated to the Ground Water Assessment Act.

In addition, the Executive Budget Item is misleading in stating, "Though the program was begun in the previous biennium, it is dramatically expanded in FY94." The Ground Water Assessment Act programs were not dramatically expanded but were implemented as specified in the Ground Water Assessment Act and as directed by the Legislature. It is also erroneous to state that the "expenditures in the early part of the year were below the level in the proposed budget." Full funding authority was only recently established according to the Assessment Act (July 1, 1993). Staffing of the programs was scheduled to coincide approximately with the establishment of the budget authority and was part of the advanced planning by the Montana Bureau of Mines and Geology (MBMG) and the Ground Water Assessment Steering Committee. Expenditures increased, as scheduled, when full staffing was achieved in September, 1993.

It is disconcerting that this funding issue has arisen again, especially in light of the Legislature's strong support for the Ground Water Assessment Act during two previous sessions, and in light of the fact that the programs are now fully staffed

and operational. I request an opportunity to meet with you to discuss this issue further. Thank you for your time and consideration of this matter.

Sincerely,

A handwritten signature in cursive script, reading "James R. Stimson". The signature is written in black ink and features a long, sweeping horizontal stroke at the end.

James R. Stimson - Chairman
Ground Water Assessment Steering Committee

cc

Senator Thomas Beck, Sponsor, Ground Water Assessment Act
Representative Hal Harper, Chair, Legislative Water Policy Committee
Senator William P. Yellowtail, Chair, Environmental Quality Council
Mr. Glen Marx, Natural Resources Policy Advisor, Governor's Office

EXHIBIT
DATE 11/18/93
HB

Natural Resources & Commerce Subcommittee in Special Session

Department of Agriculture
November 17, 1993

See LFA Budget Analysis page C-22.

Executive Budget Proposals

1. Reduce the pesticide program in the Agricultural Sciences Program.

Other Issues

1. Reorganization
2. Supplemental funding for the Grain Laboratory.
 - a. For fiscal 1994? fiscal 1995 (excluding equipment)?
 - b. Consider a restricted appropriation with language: "Item 2a is to be used only for expenditures relating to the state grain laboratory program."
 - c. Expenditures would be included in the 1997 biennium budget base.
3. The following language in House Bill 2 can be struck:

Strike: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 1 is increased by \$35,597 in fiscal 1994 and by \$35,749 in fiscal 1995 and the state special revenue appropriation is decreased by like amounts."

Strike: "Item 3e is contingent on passage and approval of Senate Bill No. 334."

Strike: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4 is increased by \$228,396 in fiscal 1994 and by \$222,508 in fiscal 1995 and the state special revenue appropriation is decreased by like amounts."

Strike: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4a is increased by \$40,736 in fiscal 1994 and by \$40,736 in fiscal 1995 and the state special revenue appropriation is decreased by like amounts."

Strike: "If House Bill No. 193 is not passed and approved or is passed and approved in a form in which revenue generated by that bill is deposited in the general fund, the general fund appropriation in item 4c is increased by \$8,969 in fiscal 1994 and by \$8,969 in fiscal 1995 and the state special revenue appropriation is decreased by like amounts."

General Fund Budget Modifications

1. Ag. Inspectors Reclassification - \$1,794 in fiscal 1994, \$1,794 in fiscal 1995

DEPARTMENT OF AGRICULTURE

MODIFICATION

PROGRAM 50 AGRICULTURAL DEVELOPMENT DIVISION

	<u>FY94</u>	<u>FY95</u>
FTE	9.9	9.9
PERSONAL SERVICES	232,143	232,143
OPERATIONS	24,450	24,450
EQUIPMENT	<u>65,203</u>	<u> </u>
TOTAL	321,796	256,593

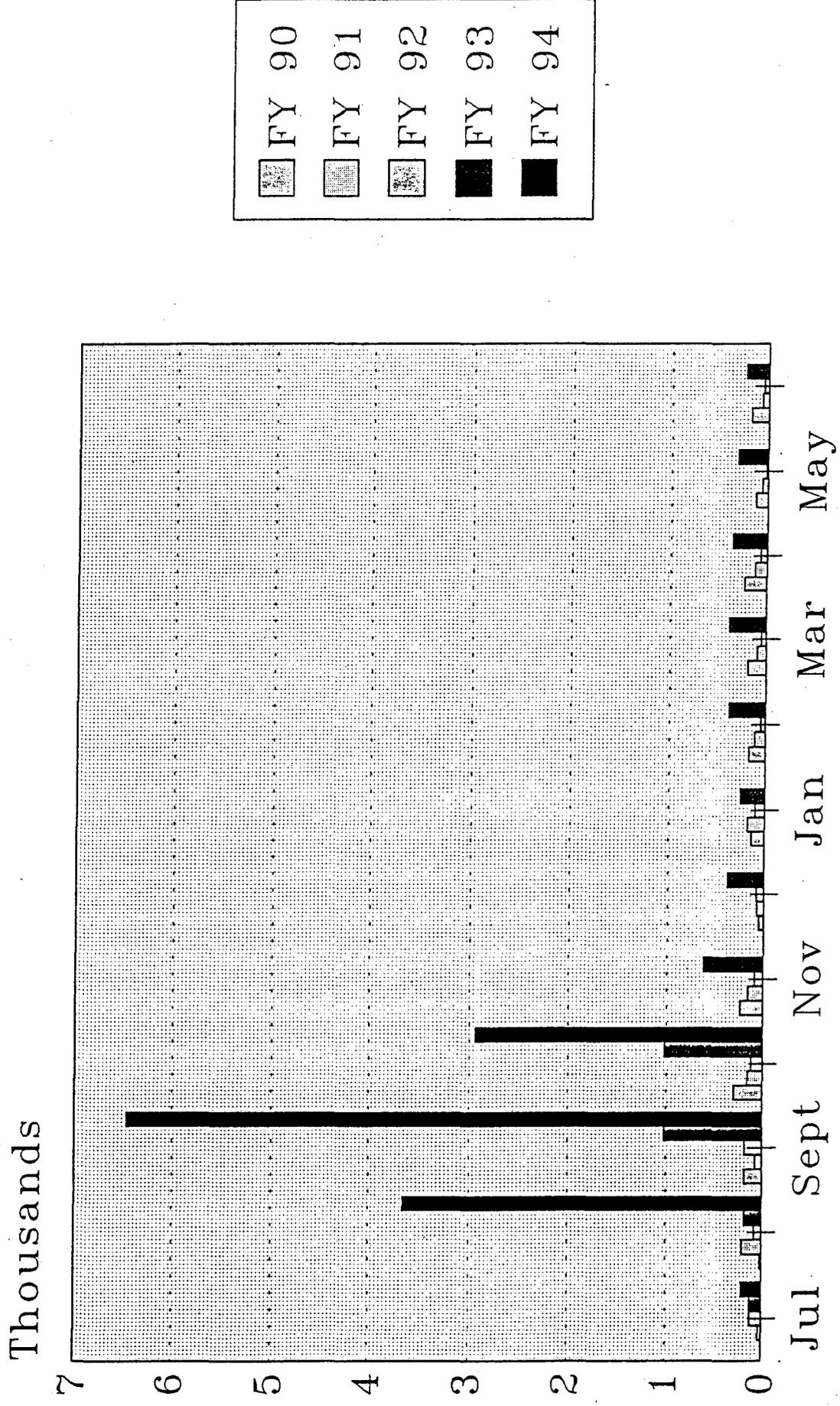
FUNDING SOURCE: STATE SPECIAL REVENUE - ST GRAIN LABORATORY

The Montana State Grain Laboratory provides Federal Grain Inspection Services to Montana grain producers and the grain industry. This modification will provide the authority to effectively operate the state grain laboratory due to increased workload and a demand for additional services which exceeds existing current level appropriation authority.

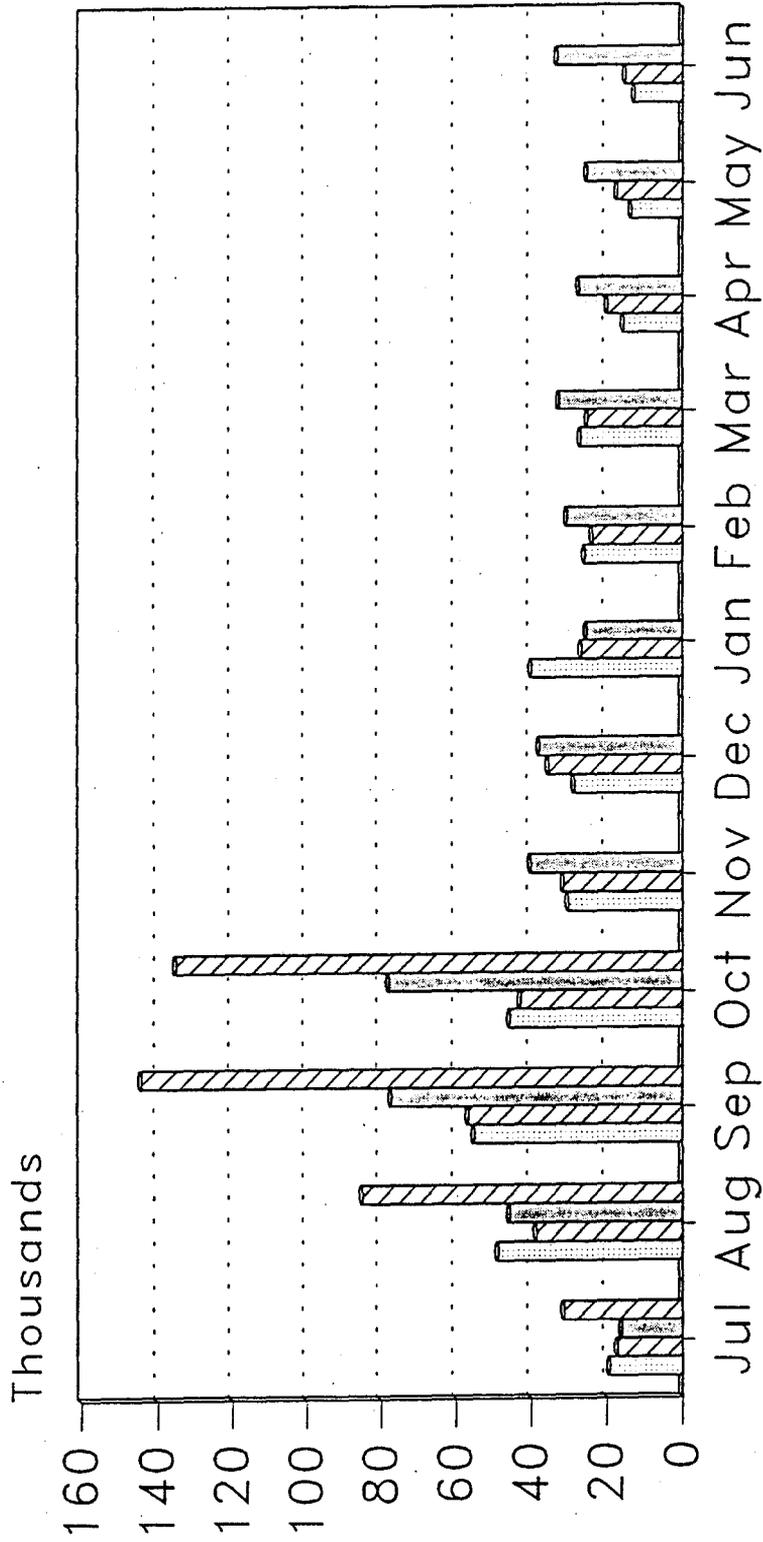
During the last legislative session, the department had no indication of a pending workload increase as the state was still faced with drought conditions. Utilization of the state grain laboratory services had been drastically reduced in FY91 and FY92 because of these conditions.

In August 1993, at the beginning of harvest, the state grain laboratory became inundated with samples. During September the laboratory was required to operate up to twenty four hours per day, employing 26 temporary employees. Permanent staff work days have been extended to 10.5 hour days, seven days a week, in order to provide the increased services.

FALLING NUMBER



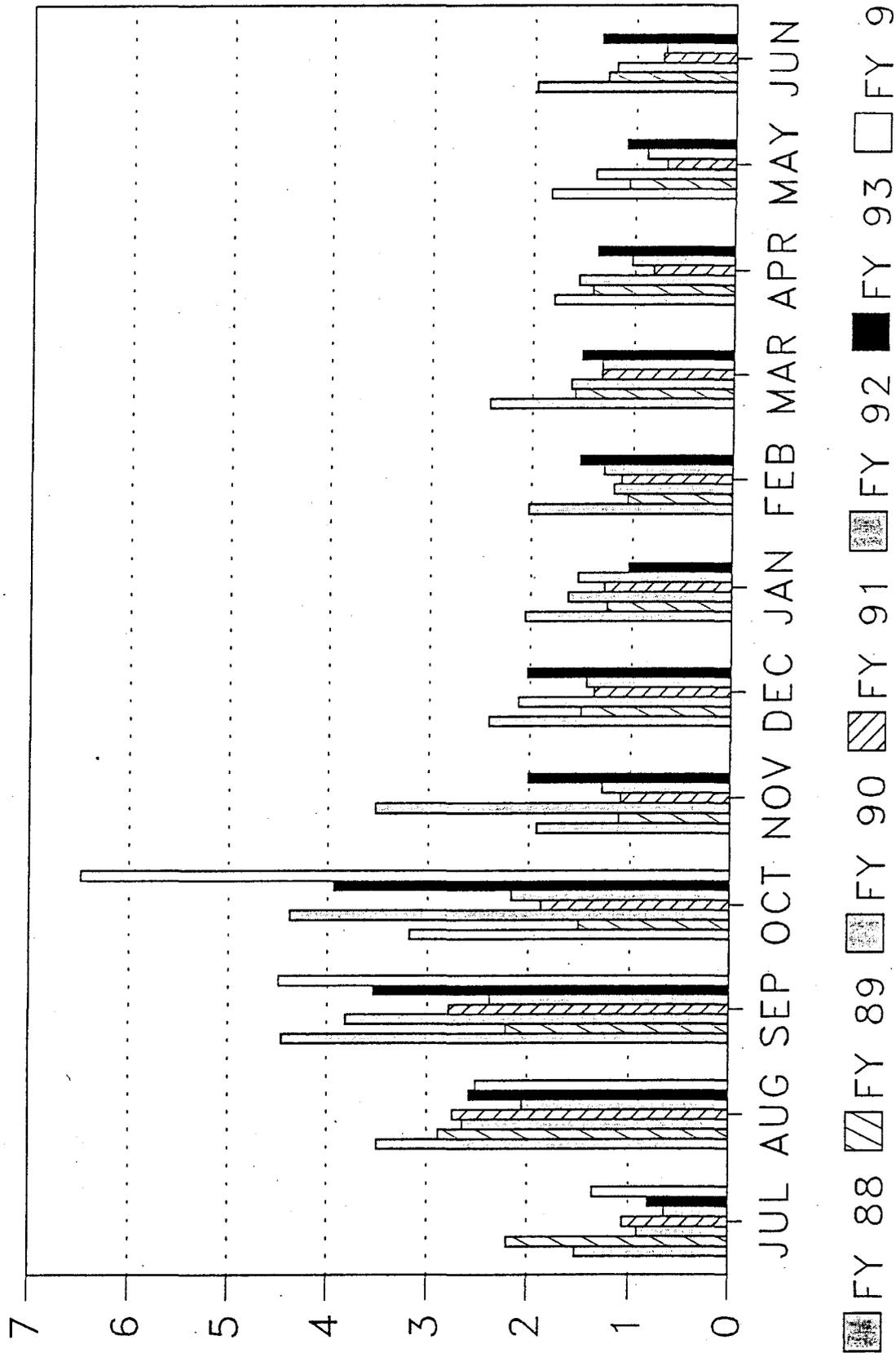
Accounts Receivable Billed by the Laboratory



FY 91
 FY 92
 FY 93
 FY 94

GRAIN LAB

Submitted Samples



Inundated grain-testing lab running 24 hours a day

JACQUE LONG
June Staff Writer

It's been the busiest period that Williams can remember.

And perhaps the busiest the State Laboratory in Great Falls has

been: When farmers' grain is

ed for several quality factors

Other characteristics, has been

rating 24 hours a day, seven

s a week for the past month

s Williams, the lab's director

has been processing up to 650

in samples each day. It's added

eral pieces of new equipment

hired and trained 28 temporary

employees.

And, except for a few slow days

this past weekend, Williams sees

no lull in the work.

"I'm anticipating a lot more sam-

ples coming in since the weather's

been good," he said last week.

"We'll be extremely busy again."

Across the lab, workers can be

seen measuring, counting, grinding

and studying a grain. Others are

placing test tubes in a cleaner, or

checking tags in the triangular

few extra Saturdays, Williams said.

The lab was busier last year, oper-

ating two 10-hour shifts at the peak

of harvest. But this year's stormy

weather has prompted enough

worries about grain quality that the

lab has been inundated with sam-

ples.

The place hasn't been unusually

busy only because of wet weather

See GRAIN, 6A.



Tribune photo by Monica M. Armon
Terri Maurer studies germinations on barley at the grain lab.

Grain: More farmers seeking out testing

FROM 1A

within the state's borders. Concerns nationwide also have prompted Montana farmers to seek grain testing, Williams said, because buyers pay premiums for high-quality grain and take discounts for poor quality.

Plus, there's more grain than usual. With the state's wheat harvest estimated at a record of 186.9 million bushels and barley at 67.2 million bushels, there's additional grain to be tested. Some farmers request a test before selling any grain.

The lab tests for a number of characteristics, some required by federal or state standards and some sought by Montana's grain-buying customers. For example, Montana wheat generally is strong in protein and elevators pay protein premiums. And, the lab recently has devoted two employees, working around the clock, to testing for falling numbers, a measure of wheat's milling and baking quality.

Handling the huge volume of business hasn't been easy. Williams credits Job Service with sending him capable temporary employees. But then the workers must be trained — and teaching them the precision behind consistent testing has taken a big chunk of time from the lab's nine permanent employees.

"We have a good staff, but it's taken us a little while to get fully geared up," Williams said.

Also helping handle the flood of

Grain lab

■ **What:** The State Grain Laboratory, at 821 17th St. N. in Great Falls, has been busier than ever in the past several weeks.

■ **How it's handled:** The lab has hired 28 temporary employees. In an average year the lab hires four to five extra workers during the summer. And since July 1, the lab has acquired almost \$100,000 in new testing equipment.

■ **About the lab:** It's a non-profit, state-run venture that was started in 1920. The Legislature mandated that the lab be self-sufficient; in other words, the lab's budget relies on the fees it takes in. That means the budget can fluctuate wildly, depending on crop conditions.

samples are four pieces of new equipment — almost \$100,000 worth — that the lab has purchased since July 1, Williams said. Some of it has come in slowly, taking as long as two months to arrive after ordered. And some of the equipment just arrived in the past two weeks, leaving the lab a little behind schedule for a few days.

He said the lab was caught up again by last week and some workers even got a weekend off.

EXHIBIT
11-18-93
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