

The following motion is made under the following conditions.

1. The Chairman will have the right today to finalize any language and make technical adjustments after consulting with members of the committee and after Rep. Jayne has reviewed the final language. That the language shall conform to the motions made today.
2. That the motions made today shall be biennium amounts and that they shall be placed in the proper fiscal years by staff.
3. That all of these items be restricted and line itemed.
4. That in the narrative for each funding proposal that it be clear what the funding is for, for example, how many people are helped, are still on the waiting list, what the percent increase is etc.
5. That staff be directed to any corresponding federal funds if individual motions add state matching dollars.
6. That legislative staff shall place the appropriations in the proper divisions.

That there is appropriated the following:

1. \$384,000 general fund for the biennium for family foster care parents
2. \$204,000 general fund for the biennium for foster care group homes
3. \$280,000 general fund for the biennium for extended employment -- follow along. That one-half the ESA account is hereby removed from funding this program
4. \$140,000 general fund for the biennium for extended employment - sheltered. That one-half the ESA account is hereby removed for funding this program.
5. \$200,000 general fund for the biennium for independent living. That the ESA account is hereby removed from funding this program.
6. \$130,000 general fund for the biennium for FTE and associated costs for the computer network for the blind and disabled.
7. \$180,000 general fund for the biennium for Part C for new slots in the Family Education and Support.
8. \$100,000 general fund for the biennium for the contingency fund in AMDD for MSHP. That this money must remain in this program. Restricted/OTO

9. \$52,000 general fund for the biennium for an FTE and associated costs for the purpose of a Native Programs person, with language that the person:
 - a. work with tribes to provide technical assistance on gaining Medicaid IHS funding
 - b. become an expert on tribal organization and tribal funding, provide technical assistance to state staff
 - c. identify and solve barriers for tribes/Medicaid in providing pass-through funding, examples include licensure and credentialing, tribal service billing
 - d. work on innovative programs and funding opportunities. Examples include CHIP pass through for IHS, cultural case management for Medicaid; follow through on IHS referral billing, investigate IHS specialty clinics in cities, look at the possibility of linking up CSHS clinics at IHS facilities, etc.
 - e. That there be a report on July 1, 2005 and again on July 1, 2006 and Nov 1, 2006 to members of this subcommittee on progress toward these goals.
10. \$500,000 general fund the biennium to meals on wheels. That is OTO
11. \$600,000 general fund for the biennium to in home services care giver. That this is OTO
12. \$600,000 general fund for the biennium for an energy ombudsman. That is OTO. This includes language that the monies are to be used to fund case management type staff at Human Resource Development Councils whose purpose is to assist low-income customers seeking emergency energy assistance and that general fund monies supporting energy assistance and weatherization may not be used to support energy share of Montana. The department shall provide an annual report to the members of this committee on the successes, failures and impact this effort has on assisting low-income families to move toward self sufficiency in meeting their home heating needs.
13. \$2,400,000 general fund is appropriated to child care the first fiscal year. TANF funds transferred to child care in the amount of \$2,400,000 in the first fiscal year is transferred to TANF cash assistance and shall be used to raise the monthly payments approximately \$50 per month.
14. The funding is transferred from the items listed below within TANF to cash assistance and shall be used to raise the monthly cash assistance benefit. That TANF funding supporting federal temporary assistance for needy families (TANF) funds and general fund monies supporting TANF maintenance of effort may not be expended for the following purposes:
 - (1) abstinence education
 - (2) food banks
 - (3) achievement or incentive awards

- (4) accelerated employment services or diversionary projects
- (5) after school programs

This restriction has been adopted by the legislature in an effort to make funds available to support an increase in the TANF cash assistance benefit level. It is the priority of the legislature to fund increases in the TANF cash assistance benefit level rather than funding items such as those listed above.

- 15. That there is appropriated \$200,000 general fund for the biennium to food banks and that the \$100,000 per year of TANF funds supporting food banks is moved back to TANF to be used to support cash assistance.
- 16. That there is appropriated \$1,400,000 I-149 money plus \$200,000 general fund dollars for the biennium for primary physician care reimbursement to raise the rates to closer to 95% of the medicare payment rate.
- 17. There is appropriated \$2,200,000 general fund dollars for eliminating the asset test for children's Medicaid eligibility contingent upon HB_____ passing. That if this bill does not pass that the \$2,200,000 general fund is transferred to the wage increases for senior long term care and children's mental health providers discussed below (item 23). That the I-149 money that is there for the wage increases in senior and long term care is then transferred back to the I 149 reserve or ending fund balance of I-149 special revenue account.
- 18. The LIEAP general fund appropriation is reduced to \$4,000,000 general fund. That there be language that the USB can be raised by various utilities to help pay more for energy assistance.
- 19. There is appropriated \$1,000,000 general fund for the biennium to AMDD for substance abuse especially meth treatment. That no more than \$200,000 may be used to develop a comprehensive chemical dependency treatment system in coordination with the Department of Corrections. That the remaining dollars must only be spent in the communities for treatment of substance abuse and none of this money may be used for funding MCDC. This is line itemed and restricted and OTO.
- 20. That additional staff and operating funding are hereby added in the Health Resources Division and that the funding is line itemed and restricted. The funding to support the staff and operating costs are removed from Medicaid benefits administered by Health Resources Division. The department must prepare a report by July 1, 2006 for the subcommittee members explaining the results of such expansions. The operating cost increases support:
 - a. Expand team care program
 - b. additional physician program officer
 - c. Additional Hospital program Officer

- d. additional pharmacy program officer
- e. additional passport program officer.

21. Item [\$1,120, general fund for 6.00 new tax auditors – restricted/biennial] must be used by the department of revenue to hire additional tax auditors.

- a. Funds are added to the DPHHS budget to transfer to Department of Revenue to hire six additional auditors, one additional attorney, and one support person who will concentrate on four areas where other states have found significant non compliance with personal income tax and corporate license tax. They are abusive tax shelters, where complicated or fraudulent transactions are used to hide or disguise income earned in the state by nonresidents that is not reported or taxed. This most often applies to capital gains income. Income earned by out of state businesses that have enough economic presence in the state to owe corporation license taxes but do not pay. Income earned in Montana that flows through one or more pass through entities to an out of state recipient who does not pay Montana income tax. Personnel and operating costs for this new compliance unit are projected to be \$500,000 general fund each year. One time only costs for training and consulting services including expert witnesses are projected to be \$40,000 general fund in FY 2006 and \$80,000 general fund in FY 2007. Ultimately this unit is expected to generate revenue of at least ten times this cost. However, it will take time for the staff to be trained and gain experience and for additional taxes due to be collected. Additional revenue is expected to be \$1.1 million in FY 2006 and \$2.3 million in FY 2007. This is restricted and line itemed.

22. Item [\$2,600,000 general fund and \$1,400,000 I-149 funds - \$4,000,000 total direct care wage increases - senior long term care for direct care salary increases - see contingent eliminate asset test above for coordination – restricted/biennial] must be used for direct care worker wage increases. The department shall provide documentation showing that these funds are used solely for direct care worker wage increases. Such documentation shall include initial wage rates, wage rates after the rate increases have been applied, and wage rates every six months after the rate increases have been granted. The legislature intends that direct care salaries be raised \$0.75 per hour and that benefits be raised \$0.26 per hour. If the appropriation is insufficient to cover the intended increases, the lowest paid direct care workers wage rates must be increased first.

- a. That there is strong language made that this money should be used to raise low income salaries in direct care salaries in nursing homes and home health care to a total of \$.75 cents and .26 benefits per hour (this includes the Governor's proposal of .16 cent raise plus benefits). That low wages are raised first and that the minimum wage entry levels be raised if possible so that new entrants do not go to lower wages again. That if there is not enough money that the lowest wages get the increases as stated

above. That the department audit and ensure that the money stays with the wage earners and does not go into the rates or other costs of the providers. That the legislature does not think these wage earners are state employees but seek to raise wages to improve quality of care. This is restricted and line itemed

23. Item [\$1,000,000 I-149 money – children’s mental health providers – health resources division – line itemed/restricted] must be used to raise low-income direct care wage earners in mental health facilities for children. The department must document that funds were used to raise direct care worker wage increases. Such documentation shall include initial wage rates, wage rates after the rate increases have been applied, and wage rates every six months after the rate increases have been granted. The legislature intends that direct care salaries be raised \$0.75 per hour and that benefits be raised \$0.26 per hour. If the appropriation is insufficient to cover the intended increases, the lowest paid direct care workers wage rates must be increased first and the department may also apply funds approved by the legislature to provide a 6% rate increase in fiscal year 2006.
 - a. If the appropriation is insufficient to cover the intended increases, the lowest paid direct care workers wage rates must be increased first. That the department shall have the ability to use a portion of the 6% already given to these employers to help raise these wages if there is not enough money in the appropriation. This is restricted and line itemed. This also is related to the contingent asset test above for coordination.