EXHIBIT 10
DATE 2/11/09
HB 309

OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING
STATE OF MONTANA

BRIAN SCHWEITZER
GOVERNOR

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HELENA, MONTANA 59620-0802

MEMORANDUM

To: Representative Henry
Representative Sesso, Chair
Members of the Appropriations Committee

From: David Ewer, Budget Director

Re: Opposition to HB 309, Public health nursing service for foster children

Date: February 11, 2009

Dear Representative Henry and members of the committee: Given budget constraints, I respectfully go on record as opposing HB 309 for fiscal reasons. My opposition is not based on any intrinsic merits of HB 309.

The Executive Budget currently has a structural surplus, however, unlike the 2007 Session, which had over $80 million in projected revenues over the Administration's ongoing general fund expenditure proposals, the current budget is very tight. While the Administration insisted on a spending cap to preserve the structural surplus of $80 million, the modification or rejections of some Administration proposals created substantial fiscal 'space' for other legislative priorities.

The Schweitzer Administration fully understands and respects the legislative process and a legislator's prerogative to achieve any legislation he or she so desires. Given that it is very early in the 2009 session and this bill's hearing date, it is certain that the legislature will take later action that will either free up or additionally constrain budget capacity. But again, the importance of maintaining a basic level of public safety, health, and education service levels require this opposition.

This letter is intended to benefit, not impede communications. I am eager for any feed back as to how we can maximize effective communications.

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