Deferred Decision Packages

EXHIBIT 1
DATE 2/13/09
HB 2

Department of Environmental Quality

C-86	**2005- Planning Division Operations Adjustment**				
	62000 Operating Expenses	1,492,896	1,511,683	3,004,579	Detail on C-87 or handout provided by agency.
	01100 General Fund	(37,119)	(35,801)	(72,920)	Economic Stimulus for TMDL program
	02000 State Special	73,646	88,581	162,227	
	03000 Federal Special	1,456,369	1,458,903	2,915,272	
C-88	**2004 Technical Assistance for Wastewater Treatment**				
	61000 Personal Services	64,055	65,988	130,043	Unallocated expenses leaves the budgeting of the expense to the agency.
	62098 Unallocated Operating Expenses	34,842	35,262	70,104	
	02223 Wastewater SRF Special Administration	98,897	101,250	200,147	Economic Stimulus - 2% set aside funds
C-88	**2051 State Buildings Energy Conservation Program**				
	62000 Operating Expenses	808,842	612,749	1,421,591	Contingent on passage and approval of HB5.
	02174 GO FY06 SPB Bond Proceeds	808,842	612,749	1,421,591	Fund # needs to be changed.
					Fund to be established with a GF transfer.
					Economic Stimulus
C-99	**4005 Basin Creek Mine Closure Plan B/OTO**				
	62000 Operating Expenses	750,000	0	750,000	LFD policy is to enter Biennial appropriations split between both years.
	02520 CERCLA Bond Proceeds	750,000	0	750,000	Pending additional information - Closure Plan
C -100	**4006 -Beal Mountain Mine Closure B/OTO**				
	62000 Operating Expenses	260,000	0	260,000	LFD policy is to enter Biennial appropriations split between both years.
	02438 Pegasus - Beal Mountain	260,000	0	260,000	Pending additional information - Closure Plan
C-102	**4016 Remediation New Leased Vehicles**				
	62000 Operating Expenses	14,814	17,507	32,321	
	03000 Federal Special	14,814	17,507	32,321	
C 109	**5004 Area Source MACT Registration**				
	61000 Personal Services	84,197	84,228	168,425	1.0 FTE
	62000 Operating Expenses	46,623	45,667	92,290	Pending information - TopTen Permit Payers
	02201 Air Operating Fees	130,820	129,895	260,715	

Department of Livestock

C-218	**315 Brucellosis Herd Plan**				
	61000 Personal Services	26,853	26,865	53,718	0.5 FTE Additional lab molecular tech
	02426 Livestock Per Capita	26,853	26,865	53,718	Funding switch in 12/15 executive adjustment
C-223	**409 Brucellosis Herd Plan**				
	61000 Personal Services	119,873	119,918	239,791	2.0 FTE - Vet & Support Specialist
	62000 Operating Expenses	299,574	585,356	884,930	See Requested Spreadsheet for NEW DP
	02426 Livestock Per Capita	419,447	705,274	1,124,721	
C-232	**601 Brands - 10 year re-record - OTO**				
	61000 Personal Services	0	70,521	70,521	
	62000 Operating Expenses	0	109,460	109,460	
	02425 Inspection and Control	0	179,981	179,981	

Department of Agriculture

C-310	**3005 Invasive Species Council**				Contingent on passage and approval of SB 343
	61000 Personal Services	89,196	86,424	175,620	SB 343 does not contain a provision for a statutorily created advisory council, such
	62000 Operating Expenses	139,111	141,883	280,994	council could be created in rule.
	63000 Equipment	63,600	63,600	127,200	
	66000 Grants	41,593	41,593	83,186	
	01100 General Fund	333,500	333,500	667,000	

Department of Transportation

C-142	**PL 1503 Computer Services Contract**				
	62000 Operating Expenses	202,357	225,108	427,465	LFD Issue on page C-143, **Enhancements Drive Up Maintanance Costs**
	02422 Highways Special Revenue	202,357	225,108	427,465	

C-143	**PL 1506 IT Maintenance Costs**				
	62000 Operating Expenses	40,952	40,952	81,904	
	02422 Highways Special Revenue	40,952	40,952	81,904	
C-165	**Proprietary rates for: Highway Equipment Fund 06508**				LFD issue: 60-day working capital is not a rate, it is an accounting term
C-178	**NP 2212 MCS Enforcement Bureau Realignment**				LFD issue: May be a candidate for performance monitoring
	61000 Personal Services	464,306	480,932	945,238	
	62000 Operating Expenses	35,508	35,508	71,016	
	02422 Highways Special Revenue	499,814	516,440	1,016,254	
C-191	**NP 5006 Highway Traffic Safety Section 408**				
	61000 Personal Services	81,575	83,838	165,413	
	62000 Operating Expenses	450,000	300,000	750,000	
	03828 Traffic Safety	531,575	383,838	915,413	

No Written Decision Packages

Department of Fish, Wildlife and Parks

C- 50	**801 Regulation Production**				
	62000 Operating Expenses	50,000	50,000	100,000	
	02409 General License	50,000	50,000	100,000	

Department of Livestock

C-208	**104 - Out of State Travel - Ex. Officer**				
	62000 Operating Expenses	3,021	3,021	6,042	
	02426 Livestock Per Capita	3,021	3,021	6,042	

Requested Decision Packages

Department of Environmental Quality

C-102	**4015 DEQ-DNRC Reliance Refinery B/OTO/R**				Senator Tropila	7-0
	62000 Operating Expenses	17,500	17,500	35,000		2/9/2008
	62098 Unallocated Operating Expenses	4,482,500	4,482,500	8,965,000	DEQ-DNRC Reliance Refinery is restricted for the purpose of paying the Department of	
	02472 Orphan Share	**4,500,000**	**4,500,000**	**9,000,000**	Natural Resources and Conservation's liability share of the cost of cleanup of the Reliance Refinery site.	
NEW	**5050 RIT Reduction - Environmental Mgm**					
	62000 Operating Expenses	0	(25,000)	(25,000)	OBPP	
	02576 Natl Resources Operations	0	(25,000)	(25,000)	To balance the Natural Resources Operations Fund	
NEW	**5055 RIT Reduction - Industrial Energy Mgm**	0				
	62000 Operating Expenses	0	(25,000)	(25,000)	OBPP	
	02576 Natl Resources Operations	0	(25,000)	(25,000)	To balance the Natural Resources Operations Fund	

Department of Livestock

NEW	**160 Half Restoration of Personal Services Funding Reduction**				Represenative Mehlhoff
	61000 Personal Services	13,496	13,500	26,996	
	02029 Bd of Horseracing	13,496	13,500	26,996	This would restore one-half of the funding for the vacant Bd of Horseracing Technician Position
C-223	**409 Brucellosis Herd Plan** 409 A				Sub Committee Discussoin
	61000 Personal Services	119,873	119,918	239,791	2.0 FTE - Vet & Support Specialist
	62000 Operating Expenses	299,574	585,356	884,930	
	01100 General Fund	250,000	250,000	500,000	Request LRP - Replace like amount of GF transferring to FWP for Access MT to General License Fees in HB 5
	02426 Livestock Per Capita	169,447	455,274	624,721	

Department of Natural Resources and Conservation

NEW	**3550 NC Montana Rural Fire Coordinator**				Represenative Mehlhoff
	61000 Personal Services	39,880	39,930	79,810	1.0 FTE Rural fire coordinator for north central Montana.
	01100 General Fund	13,294	13,310	26,604	
	02039 Forestry Protection Taxes	26,586	26,620	53,206	

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C-165	**Proprietary rates for: Highway Equipment Fund 06508**				LFD issue: 60-day working capital is not a rate, it is an accounting term
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	62000 Operating Expenses	450,000	300,000	750,000	
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No Motion Decision Packages

Department of Fish, Wildlife and Parks

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Department of Livestock

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Requested Decision Packages

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	02576 Natl Resources Operations	0	(25,000)	(25,000)	To balance the Natural Resources Operations Fund	
NEW	**5055 RIT Reduction - Industrial Energy Mgm**	0				
	62000 Operating Expenses	0	(25,000)	(25,000)	OBPP	
	02576 Natl Resources Operations	0	(25,000)	(25,000)	To balance the Natural Resources Operations Fund	

Department of Livestock

NEW	**160 Half Restoration of Personal Services Funding Reduction**				Represenative Mehlhoff
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Department of Natural Resources and Conservation

NEW	**3550 NC Montana Rural Fire Coordinator**				Represenative Mehlhoff
	61000 Personal Services	39,880	39,930	79,810	1.0 FTE Rural fire coordinator for north central Montana.
	01100 General Fund	**13,294**	**13,310**	**26,604**	
	02039 Forestry Protection Taxes	26,586	26,620	53,206	

Actions needed to implement OBPP recommendation to balance the RIT Operations Fund.

1- Approve DEQ – DP 5050 – RIT Reduction Environmental Management & DP 5055 – Industrial Energy Mgmt, (wrap up spread sheet page 2 under Requested)
2- Approve DNRC – DP 2308 – State Special Revenue Funding Switch (page C-265)
3- Approve by a super majority a committee bill to transfer $2.064,139 from the water adjudication fund to the natural resources operations fund. (See Below)

85-2-280. (Temporary) Water adjudication account. (1) There is a water adjudication account within the state special revenue fund created in 17-2-102.

(2) (a) For the period beginning July 1, 2005, and ending June 30, 2015, there is allocated to the department and the water court up to $2.6 million, plus the approved inflation factor contained in the revenue estimating resolution, each fiscal year from the water adjudication account for the sole purpose of funding the water adjudication program. These funds may not be used for the purpose of updating or maintaining a computer database.

(b) For the period beginning July 1, 2015, and ending June 30, 2020, there is allocated to the department and the water court up to $1 million, plus the approved inflation factor contained in the revenue estimating resolution, each fiscal year from the account for the sole purpose of funding the water adjudication program.

(c) The allocations in subsections (2)(a) and (2)(b) are subject to appropriation by the legislature.

(3) Interest and income earnings on the water adjudication account must be deposited in the account.

(4) Money remaining in the water adjudication account on June 30, 2020, must be transferred to the water right appropriation account provided for in 85-2-318.

(5) If the accountability benchmarks contained in 85-2-271 are not met, expenditures from the account in the previous biennium may not be included in the department's base budget, as defined in 17-7-102, for the current biennium.

(6) For the biennium beginning July 1, 2009, $2,064,139 shall be transferred to the natural resources operating account as defined in 15-38-301

(Terminates June 30, 2020--sec. 18, Ch. 288, L. 2005; sec. 11, Ch. 319, L. 2007.)

History: En. Sec. 7, Ch. 288, L. 2005; amd. Sec. 5, Ch. 319, L. 2007.

Actions need to implement OBPP recommendation to balance the CST fund.

1- Approve DNRC – DP 2308 – State Special Revenue Funding Switch (page C-265)
2- Approve DNRC – DP 2307 – CD Grants OTO (page C-264) at $100,000 per year
3- Coordinate with section E to reduce Library OTO grants to $100,000 per year.

Revenue estimates as of 1/23-NOT APPROVED	02010	02022	02070	02107	02162	02216	02289	02472	02576
Related Funds	Oil & Gas	Future Fish	HazWas	ECA	EQPF	Wa Sto	GRW	Orphan Share	Operations
Beginning FY2009 Fund Balance	$312,433	$1,113,055	$429,779	639,501	$2,987,113	$1,420,433	$0	$10,632,358	$4,192,776
RIT Interest		$500,000	$287,820	175,000	$99,630	$0	$300,000		$719,550
Excess coal tax proceeds from debt service and STIP	10,000		10,000	15,000					
RIGWA			293,711		293,711	150,000	366,000		
Metal Mines Tax									832,123
Oil and Gas Tax								3,532,456	1,713,064
Other Income	67,000				3,750,000				
FY 2009 Total Revenues & Fund Balance	$389,433	$1,613,008	$1,021,310	$829,501	$7,130,454	$1,570,433	$666,000	$14,164,814	$7,457,513
FY 2009 Appropriations	(174,194)	(1,613,008)	(494,755)	0	(3,008,135)	(520,628)	(666,000)	(2,747,882)	(5,324,833)
FY 2009 Budget Amendment									(992,037)
Transfers	25,000								
Reserved for Capital Appropriations									
Grant Reversion									
Projected Fund Balance Ending FY 2009	$240,239	$0	$526,555	$829,501	$4,122,319	$1,049,805	$0	$11,416,932	$1,140,643
Revenues for 2011 Biennium									
RIT Interest - Direct	50,000	1,000,000	436,280	350,000	151,020	500,000	600,000	-	1,090,700
RIGWA			820,422		820,422		732,000		
Anticipated reversions									350,000
Short Term Investment Pool - Interest	20,000		20,000		70,000	35,000			
Admin Fees						120,000			6,000
Metal Mines Tax									802,105
Oil and Gas Tax								6,201,621	3,007,476
Agency Generated Revenues	100,000				7,500,000				
Transfers - From Water Adjudication Account									2,064,139
Fiscal Note - SB 62									113,000
Projected Fund Balance Beginning FY 2010	$410,239	$1,000,000	$1,803,257	$1,179,501	$12,663,761	$1,704,805	$1,332,000	$17,618,553	$8,574,063
Appropriations for 2011 Biennium									
RRGL and RDGP Programs									
UM-Bureau of Mines							(1,332,000)		(351,772)
DNRC - Centralized Services									34
DNRC - Conservation and Resource Devel.									(1,337,702)
DNRC-Water Resources Division						(535,000)			(255,899)
DNRC-Flathead Basin Commission									(195,788)
DNRC - Board of Oil & Gas	(200,000)								
DNRC - Forestry/Trust Lands									(199,762)
DEQ-Central Management									(116,526)
DEQ-Planning, Prevention & Assistance			(181,100)						
DEQ-Enforcement									(10,192)
DEQ-Remediation			(42,517)		(9,333,307)			(28,566)	
DEQ-Permitting & Compliance			(864,134)						(4,026,723)
Future Fisheries		(1,000,000)							
Judiciary-Water Court									(2,064,139)
Library Commission-State Library									10
Governor's Office - Emergency Authority				(1,179,501)					
HB 13 Pay Plan			0		0			0	-
Total Appropriations	($200,000)	($1,000,000)	($1,087,751)	($1,179,501)	($9,333,307)	($535,000)	($1,332,000)	($28,566)	($8,558,459)
Ending Fund Balance	$210,239	$0	$715,506	$0	$3,330,454	$1,169,805	$0	$17,589,987	$15,604

Note: This plan requires statutory change to transfer funds from the adjudication account to the operations account. This could be done with a committee bill or in the companion bill to HB 2. OBPP recommends reductions in DEQ to include $25,000 in the Hard Rock contracted services (Environmental Management Bureau) in FY 2011 and a $25,000 reduction in the Coal contracted services (Industrial energy Minerals Bureau) in FY 2011. This plan is also based on funding DNRC - CARDD from the coal tax shared acct. (DNRC DP 2308)