

**HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY**

Helena, Montana  
March 10, 1999

House Chambers  
State Capitol

House convened at 1:00 p.m. Speaker Pro Tempore Mood in the Chair. Invocation by Representative Jore. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

**REPORTS OF STANDING COMMITTEES**

**BILLS** (Rehbein, Chairman): 3/10/1999  
Correctly printed: **HB 2, HB 524, HB 652, SB 27, SB 40, SB 60, SB 63, SB 64, SB 72, SB 87, SB 112, SB 114, SB 165, SB 176, SB 214, SB 222, SB 230, SB 288, SB 290, SB 299, SB 428, SJR 3.**  
Correctly engrossed: **SB 48, SB 49, SB 162, SB 187, SB 191, SB 201, SB 231, SB 246.**  
Correctly enrolled: **HB 123, HB 200, HB 274, HB 387.**  
Signed by the Speaker at 4:30 p.m., March 9, 1999: **HB 10, HB 12, HB 48, HB 66, HB 75, HB 82, HB 101, HB 120, HB 151, HB 176, HB 214, HB 233, HB 245, HB 391, HB 480.**  
Delivered to the Governor for his approval at 2:00 p.m., March 10, 1999: **HB 10, HB 12, HB 38, HB 48, HB 66, HB 73, HB 75, HB 82, HB 101, HB 119, HB 120, HB 151, HB 170, HB 176, HB 179, HB 214, HB 233, HB 237, HB 245, HB 391, HB 480.**

**APPROPRIATIONS** (Zook, Chairman): 3/9/1999  
**HB 2**, introduced bill, be amended as follows:

Strike everything after enacting clause and insert attached.

NEW SECTION. Section 1. Short title. [This act] may be cited as "The General Appropriations Act of 1999".

NEW SECTION. Section 2. First level expenditures. The agency and program appropriation tables in the legislative fiscal analyst narrative accompanying this bill, showing first level expenditures and funding for the 2001 biennium, are adopted as legislative intent.

NEW SECTION. Section 3. Severability. If any section, subsection, sentence, clause, or phrase of [this act] is for any reason held unconstitutional, the decision does not affect the validity of the remaining portions of [this act].

NEW SECTION. Section 4. Appropriation control. An appropriation item designated as "Biennial" may be spent in either year of the biennium. An appropriation item designated "Restricted" may be used during the biennium only for the purpose designated by its title and as presented to the legislature. An appropriation item designated "One Time Only" or "OTO" may not be included in the present law base for the 2003 biennium. The office of budget and program planning shall establish a separate appropriation on the statewide budgeting and accounting system for any item designated as "Biennial", "Restricted", "One Time Only", or "OTO". The office of budget and program planning shall establish at least one appropriation on the statewide budgeting and accounting system for any appropriation that appears as a separate line item in [this act].

NEW SECTION. Section 5. Program definition. As used in [this act], "program" has the same meaning as defined in 17-7-102, is consistent with the management and accountability structure established on the statewide budgeting and accounting system, and is identified as a major subdivision of an agency ordinarily numbered with an arabic numeral.

NEW SECTION. Section 6. Personal services funding -- 2003 biennium. (1) Except as provided in

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

subsection (2), present law and new proposal funding budget requests for the 2003 biennium submitted under Title 17, chapter 7, part 1, by each executive, judicial, and legislative branch agency must include funding of first level personal services separate from funding of other expenditures. The funding of first level personal services by accounting entity or equivalent for each fiscal year must be shown at the fourth reporting level or equivalent in the budget request for the 2003 biennium submitted by October 30 to the legislative fiscal analyst by the office of budget and program planning.

(2) The provisions of subsection (1) do not apply to the Montana university system.

**NEW SECTION. Section 7. Personal services line item.** Funds appropriated for personal services or indicated in legislative intent as having been appropriated for personal services may not be expended under any other category.

**NEW SECTION. Section 8. Use of contingent historic percentages for funding purposes.** It is the view of the legislature that the use of contingent historic percentages to determine the level of general fund support in a department is not good public policy and should not be used as a methodology for determining that level of support in the 2001 biennium or in the 2003 biennium budget request submitted to the 2001 legislature.

**NEW SECTION. Section 9. Consumer price index changes.** If the federal government reformulates the consumer price index, each state agency that uses the consumer price index as an integral part of any contract, grant, benefit, rate, reimbursement, payment, or negotiation shall use the reformulated index unless otherwise prohibited by law.

**NEW SECTION. Section 10. Computer replacement cycle.** It is the intent of the legislature that the replacement cycle for state personal computers be every 6 years and that the legislature will fund computer replacements only at a 6-year replacement rate in the 2003 biennium and beyond. The executive is encouraged to fund the replacement of computers in the 2003 biennium budget based on a 6-year replacement cycle. Further, the executive is requested to reconsider the information technology advisory council's current policy of a 4-year computer replacement cycle.

**NEW SECTION. Section 11. Totals not appropriations.** The totals shown in [this act] are for informational purposes only and are not appropriations.

**NEW SECTION. Section 12. Effective date.** [This act] is effective July 1, 1999.

**NEW SECTION. Section 13. Appropriations.** The following money is appropriated for the respective fiscal years:

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
<b>A. GENERAL GOVERNMENT AND TRANSPORTATION</b>											
<b>LEGISLATIVE BRANCH (1104)</b>											
1.	Legislative Services (20)										
	3,666,443	991,817			4,658,260	3,735,579	441,236				
	4,176,815										
2.	Legislative Committees and Activities (21) (Biennial)										
	576,435				576,435						
	a.	Districting and Apportionment Commission (Biennial/OTO)									
	50,316				50,316						
3.	Fiscal Analysis and Review (27)										
	1,009,775				1,009,775	1,033,891					
	1,033,891										
	a.	Legislative Request Work (Biennial)									
	5,000				5,000						
4.	Audit and Examination (28)										
	1,689,046	1,271,941			2,960,987	1,713,212	1,221,541				
	2,934,753										
<hr/>											
Total	6,997,015	2,263,758			9,260,773	6,482,682	1,662,777				
	8,145,459										
<b>CONSUMER COUNSEL (1112)</b>											
1.	Administration Program (01)										
		1,067,191			1,067,191		1,080,293				
	1,080,293										
<hr/>											
Total		1,067,191			1,067,191		1,080,293				
	1,080,293										
<b>JUDICIARY (2110)</b>											
1.	Supreme Court Operations (01)										
	2,479,202				2,479,202	2,482,245					

	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
2,482,245												
a.												
27,041						27,041						
b.												
9,000						9,000	9,000					
9,000												
c.												
35,000						35,000	35,000					
35,000												
d.												
35,239			108,725			143,964	35,239	108,725				
143,964												
e.												
147,152			75,000			222,152	146,356	75,000				
221,356												
2.												
Boards and Commissions (02)												
245,070						245,070	245,051					
245,051												
a.												
Judicial Standards Commission (Biennial)												
5,000						5,000	5,000					
5,000												
3.												
Law Library (03)												
648,661						648,661	647,448					
647,448												
4.												
District Court Operations (04)												
4,214,905						4,214,905	4,193,037					
4,193,037												
5.												
Water Courts Supervision (05)												
636,739						636,739	629,998					
629,998												
a.												
Telephone System (OTO)												
10,000						10,000						
6.												
Clerk of Court (06)												
271,774						271,774	270,200					
<b>STATE INTERNET/BBS COPY</b>						986						

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
270,200											
<hr/>											
Total	8,118,044	646,739	183,725		8,948,508	8,068,576	629,998	183,725			
	8,882,299										
<p>Item 1c is intended to provide imaging services for all programs in the department.  The supreme court is encouraged to work with the department of public health and human services to develop joint rules, regulations, and procedures for the foster care review process.  The supreme court is requested to report to the 57th legislature regarding policies and procedures established by the citizen review board program to:</p> <ol style="list-style-type: none"> <li>(1) operate the citizen review boards; and</li> <li>(2) clarify the oversight role of the citizen review boards.</li> </ol>											
<b>MONTANA CHIROPRACTIC LEGAL PANEL (2115)</b>											
1.	Legal Panel Operations (01)										
		17,266			17,266		17,193				
	17,193										
<hr/>											
Total		17,266			17,266		17,193				
	17,193										
<b>GOVERNOR'S OFFICE (3101)</b>											
1.	Executive Office Program (01)										
	1,186,102	233,352			1,419,454	1,140,911	239,542				
	1,380,453										
	a.	Legislative Audit (Restricted/Biennial)									
	24,788				24,788						
2.	Mansion Maintenance Program (02)										
	75,172				75,172	72,411					
	72,411										
3.	Air Transportation Program (03)										
	164,060	15,903			179,963	145,836	15,874				
	161,710										
4.	Office of Budget and Program Planning (04)										

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
	993,777				993,777	988,317					
	988,317										
	a.	Legislative Audit (Restricted/Biennial)									
	18,929				18,929						
5.	Indian Affairs (05)										
	118,057				118,057	113,163					
	113,163										
6.	Lieutenant Governor (12)										
	203,541				203,541	202,297					
	202,297										
7.	Citizens' Advocate Office (16)										
	67,198		14,658		81,856	62,025		14,618			
	76,643										
8.	Mental Disabilities Board of Visitors (20)										
	166,620	9,180			175,800	166,609	9,180				
	175,789										
<hr/>											
Total	3,018,244	258,435	14,658		3,291,337	2,891,569	264,596	14,618			
	3,170,783										
COMMISSIONER OF POLITICAL PRACTICES (3202)											
1.	Administration (01)										
	270,804				270,804	264,090					
	264,090										
	a.	Legislative Audit (Restricted/Biennial)									
	4,507				4,507						
	b.	Legal Fees (Restricted/Biennial)									
	148,000				148,000						
<hr/>											
Total	423,311				423,311	264,090					
	264,090										

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
<p>The legislature recognizes that the appropriation for legal fees for the commissioner of political practices may not be sufficient to meet all costs in the 2001 biennium and that the commissioner may have to seek supplemental authority to pay those costs.</p> <p>OFFICE OF THE STATE AUDITOR (3401)</p>											
1.	Central Management (O1)										
	369,975	78,545			448,520	368,830	77,917				
	446,747										
	a.	Legislative Audit (Restricted/Biennial)									
	3,718				3,718						
2.	Insurance Program (O3)										
	1,490,976	919,552			2,410,528	1,490,992	895,184				
	2,386,176										
	a.	Legislative Audit (Restricted/Biennial)									
	16,360				16,360						
	b.	Contract Examinations (Restricted)									
		117,600			117,600		181,500				
	181,500										
3.	Securities (O4)										
	399,563	115,541			515,104	405,615	99,616				
	505,231										
	a.	Legislative Audit (Restricted/Biennial)									
	4,710				4,710						
	b.	Contract Examinations (Restricted)									
		12,000			12,000		12,000				
	12,000										
<hr/>											
Total											
	2,285,302	1,243,238			3,528,540	2,265,437	1,266,217				
	3,531,654										

The state auditor shall establish the following goals for the new fraud investigator FTE position:

(1) In fiscal year 2000, the investigator shall open 10 fraud investigations.

(2) In fiscal year 2001, the investigator shall open an additional 10 investigations, must have closed at least two investigations, and must have recovered at least \$100,000 in fines.

The office shall notify the office of budget and program planning and the legislative fiscal division at the end of each fiscal year about the degree to which the

	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
goals were met.												
DEPARTMENT OF TRANSPORTATION (5401)												
1. General Operations Program (01)												
	13,712,971	13,275,988	462,132			13,738,120		13,255,403	457,568			
a. Legislative Audit (Restricted/Biennial)		101,405				101,405						
b. American Association of State Highway and Transportation Officials Training (OTO)		16,030				16,030	16,030					
	16,030											
c. Computer Equipment and Software (OTO)		509,062				509,062		391,512				
	391,512											
d. Investigative Services (Restricted/Biennial)		62,500				62,500		62,500				
	62,500											
e. Electronic Commerce (Biennial)		45,230				45,230		54,595				
	54,595											
f. Advisory Commission (Biennial/OTO)		12,370				12,370		12,370				
	12,370											
2. Construction Program (02) (Biennial)												
	317,234,024	75,257,770	259,849,785			335,107,555		72,410,530	244,823,494			
a. Safety Management Development System (Biennial/OTO)		25,000	225,000			250,000						
b. Microfilm Conversion Contract (Biennial/OTO)		350,000				350,000						
c. Contractor Payment System (Biennial/OTO)		20,000	80,000			100,000		10,000	40,000			
	50,000											
d. Construction Management System (Biennial/OTO)		20,000	80,000			100,000		5,000	20,000			



	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
	25,000											
e.		Computer System for Contract Plans (Biennial/OTO)										
		100,000				100,000	25,000					
	25,000											
f.		Preconstruction Management System (Biennial/OTO)										
		50,000	200,000			250,000	50,000	200,000				
	250,000											
3.	Maintenance Program (03) (Biennial)											
		69,704,448				69,704,448	70,520,143					
	70,520,143											
a.		Rest Area Year-Round Conversion (Biennial/OTO)										
		324,000				324,000						
b.		Road Reporting and Traveler Services (Biennial/OTO)										
		200,767	101,349			302,116	196,116	102,269				
	298,385											
c.		Noxious Weed Control (Restricted/Biennial)										
		1,092,100				1,092,100	1,092,100					
	1,092,100											
d.		Maintenance Manual Update (Biennial/OTO)										
		37,500				37,500	37,500					
	37,500											
4.	Motor Carrier Services Division (22)											
		4,788,099				4,788,099	4,771,335					
	4,771,335											
a.		Internet Permit Program (OTO)										
		30,000				30,000	17,000					
	17,000											
5.	Aeronautics Program (40)											
		529,008	69,615			598,623	527,122	69,615				
	596,737											
a.		Airport Development Grants (Biennial)										
		450,000				450,000						
6.	Transportation Planning Division (50)											
	250,000	1,605,828	8,382,085			10,237,913	250,000	1,625,827	8,613,093			

General Fund	Fiscal 2000					Total	General Fund	Fiscal 2001				
	State Special Revenue	Federal Special Revenue	Proprietary	Other	State Special Revenue			Federal Special Revenue	Proprietary	Other	Total	
10,488,920												
a.	Computer Equipment (OTO)											
	6,000	24,000			30,000							
b.	Urban Transportation Plan Update (OTO)											
	24,000	96,000			120,000		16,000	64,000				
80,000												
c.	Census Transportation Planning Package (OTO)											
							1,800	7,200				
9,000												
d.	State Truck Activities Reporting System (Biennial/OTO)											
	25,027	100,108			125,135		24,851	99,403				
124,254												
e.	Montana State Rail Plan Update (OTO)											
	14,600	65,400			80,000							
f.	Acquiring Vehicles and Equipment for Disadvantaged (Restricted)											
	75,000				75,000		75,000					
75,000												
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Total	250,000	168,751,732	269,735,474		438,737,206		250,000	165,197,734	254,496,642			
	419,944,376											

The FTE for which funding was added in decision package number 1 in the construction program, number 10 in the general operations program, and number 16 in the transportation planning division as listed in the legislative fiscal division narrative accompanying [this act] are one-time only in the 2001 biennium and must be requested in a new proposal in the 2003 biennium budget presented to the 2001 legislature. The department shall submit a list of all position numbers established for these FTE to the office of budget and program planning and the legislative fiscal division prior to April 1, 2000, so that these positions can be removed from the listing used to calculate the personal services base budget.

The department may adjust appropriations in the construction, maintenance, and transportation planning programs between state special and federal special revenue fund types if the total state special revenue authority for these programs is not increased by more than 10% of the total appropriations established by the legislature for each program. All transfers between fund types must be fully explained and justified on budget documents submitted to the office of budget and program planning, and all fund transfers of more than \$1 million in any 30-day period must be communicated to the legislative finance committee in a written report.

The equipment program may charge rates necessary to establish and maintain a 60-day working capital balance to operate the program.

Up to \$75,000 of the amount of the appropriations in item 6f is contingent upon receiving a transfer of the equivalent amount of funds from the department of public health and human services and is restricted to acquiring vehicles and other equipment used to provide services to the transportation disadvantaged.

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
<p>All federal special revenue appropriations in the department are biennial appropriations.</p> <p>It is the goal of the department to assist and help provide the opportunity for current or previous families achieving independence in Montana (FAIM) participants to receive highway construction jobs. The department's goal is for 200 FAIM participants to be employed on highway construction jobs by the end of fiscal year 2000 and for 300 FAIM participants to be employed on highway construction jobs by the end of fiscal year 2001.</p> <p>It is the goal of the department to assist and help provide the opportunity for current or previous FAIM participants from tribal reservations to receive highway construction jobs that are located off of tribal reservations. The department's goal is for 100 FAIM tribal member participants to be employed on off-reservation highway construction jobs by the end of fiscal year 2000 and for 200 FAIM tribal member participants to be employed on off-reservation highway construction jobs by the end of fiscal year 2001.</p> <p>The legislature has considered and chosen not to fund the production of Montana state highway maps with revenue from highway users fees and motor fuel taxes. It is the intent of the legislature that funding for Montana state highway maps come from lodging facilities use tax revenue in the department of commerce.</p>											
DEPARTMENT OF REVENUE (5801)											
1. Director's Office (01)											
2,354,959	574	805	137,746		2,494,084	2,377,657					137,746
2,515,403											
a. Legislative Audit (Restricted/Biennial)											
114,926					114,926						
2. Information Technology (02)											
1,625,271		178,505	318,537		2,122,313	1,621,609		178,174			318,537
2,118,320											
3. Resource Management (05)											
1,034,443			198,009		1,232,452	1,032,954					198,009
1,230,963											
4. Compliance Valuation and Resolution (08)											
19,747,173	251,874	1,860,660			21,859,707	19,189,828	251,624	1,857,503			
21,298,955											
<hr/>											
Total											
24,876,772	252,448	2,039,970	654,292		27,823,482	24,222,048	251,624	2,035,677		654,292	
27,163,641											

To implement efficiencies within the department and to reflect the elimination of the OFLT, the department is to identify to the office of budget and program planning and the legislative fiscal division the position numbers of 12 FTE at the beginning of fiscal year 2000 and an additional 17 FTE at the beginning of fiscal year 2001 for elimination. The department shall provide this information by April 1 each fiscal year.

DEPARTMENT OF ADMINISTRATION (6101)

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
1.	Governor-Elect Program (02)										
	a. Governor-Elect Expenses (Restricted)						50,000				
	50,000										
2.	Accounting and Management Support Program (03)										
	1,079,899	9,402	32,327	40,307	1,161,935	1,050,950	11,376	32,332	36,745		
	1,131,403										
	a. Legislative Audit (Restricted/Biennial)										
	44,849				44,849						
3.	Architecture and Engineering Program (04)										
	1,017,560	1,019,358			1,019,358		1,017,560				
	a. Legislative Audit (Restricted/Biennial)										
		1,628			1,628						
	b. Legal Fees (OTO)										
		3,314			3,314		3,641				
	3,641										
4.	Procurement and Printing Division (06)										
	494,997				494,997	493,664					
	493,664										
5.	Information Services Division (07)										
	388,358				388,358	415,251					
	415,251										
	a. Geographic Information Systems Cadastral Expenses (OTO)										
	9,158	750,000			759,158	9,158		750,000			
	759,158										
6.	General Services Program (08)										
	341,760				341,760	356,350					
	356,350										
7.	State Personnel Division (23)										
	1,159,394				1,159,394	1,154,821					
	1,154,821										
8.	State Tax Appeal Board (37)										
	384,501				384,501	383,793					

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
383,793											
<hr/>											
<u>Total</u>	3,902,916	1,033,702	782,327	40,307	5,759,252	3,913,987	1,032,577	782,332	36,745		
	5,765,641										
<p>In addition to the 22 FTE authorized in the MT PRRIME operations bureau budget, the legislature authorizes the executive to transfer up to 4 existing FTE to the operations bureau. Funding associated with any transferred FTE must also transfer to the operations bureau, and personal services costs for any transferred FTE must be recorded in the base expenditures of the MT PRRIME operations bureau and not in the agency transferring the FTE.</p> <p>The legislature also encourages the executive to explore ways to recruit Montana college students to work in the MT PRRIME operations bureau, including ways to offer college credits or other methods as allowed by law.</p>											
<p>APPELLATE DEFENDER COMMISSION (6102)</p>											
1.	Appellate Defender (01)										
	185,100	186,140			186,140		185,100				
<hr/>											
<u>Total</u>	185,100	186,140			186,140		185,100				
<hr/>											
<b>TOTAL SECTION A</b>											
	49,871,604	175,720,649	272,756,154	694,599	499,043,006	48,358,389	171,588,109	257,512,994	691,037		
	478,150,529										

	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
<b>B. HEALTH AND HUMAN SERVICES</b>												
<b>DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES (6901)</b>												
1.	Public Assistance (02)											
	17,792,658	3,913,310	76,480,628			98,186,596	17,675,072	3,901,577	78,539,235			
	100,115,884											
	a.	Federal Temporary Assistance for Needy Families Block Grant (Biennial)										
			33,724,228			33,724,228						
	b.	Food Stamp Contract										
	184,499		184,499			368,998	183,787		183,787			
	367,574											
2.	Child and Family Services Division (03)											
	18,892,894	3,056,787	17,059,834			39,009,515	19,395,212	3,085,531	17,557,732			
	40,038,475											
	a.	Provider Rate Increase - Foster Care										
	98,961	13,548	57,866			170,375	204,926	27,639	119,794			
	352,359											
	b.	Direct Care Worker Wage Increase (Restricted)										
	1,321,056	206,403	749,516			2,276,975	2,679,389	416,934	1,524,320			
	4,620,643											
3.	Director's Office (04)											
	625,009	996,832	655,013			2,276,854	624,047	998,094	652,701			
	2,274,842											
4.	Child Support Enforcement Division (05)											
	242,367	2,762,586	6,172,696			9,177,649	254,379	2,714,580	6,141,405			
	9,110,364											
5.	Health Policy and Services Division (07)											
	42,579,222	10,192,722	166,780,401			219,552,345	43,523,754	9,891,740	174,138,555			
	227,554,049											
	a.	Health Services for Low-Income Children (Biennial)										
	100,000					100,000	100,000					
	100,000											
	b.	Medicaid Nonhospital Provider Rate Increase										
	168,810		437,548			606,358	333,373		891,361			
	1,224,734											

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
	c.	Tobacco Prevention and Control									
			504,465		504,465			499,968			
499,968	d.	Chronic Disease Epidemiologist									
			40,675		40,675			36,396			
36,396	e.	Trauma System Development									
			239,093		239,093			238,770			
238,770	6.	Quality Assurance Division (08)									
1,262,178			404,783	3,758,765	5,425,726	1,256,274	411,638	3,748,977			
5,416,889	7.	Operations and Technology Division (09)									
10,058,262			2,300,814	13,590,365	25,949,441	10,153,468	2,311,884	13,781,268			
26,246,620	a.	Legislative Audit (Restricted/Biennial)									
			41,391	171,479	295,653						
82,783	b.	Legacy System Renovation (Biennial/OTO)									
			22,651	117,832	165,483	25,000	11,325	58,917			
25,000	8.	Disability Services Division (10)									
95,242			72,691	54,755,954	95,090,334	40,012,285	72,554	58,172,673			
40,261,689	a.	Provider Rate Increase - DD									
98,257,512				245,048	548,982	611,225		497,718			
303,934	b.	Direct Care Worker Wage Increase (Restricted)									
1,108,943				446,526	910,000	919,275		900,725			
463,474	c.	Eastmont Human Services Equipment (OTO)									
1,820,000					44,720	32,960					
44,720	d.	Vocational Rehabilitation 4% Tuition Increase									
32,960				102,430	130,153	57,108		211,006			
27,723											

	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
268,114												
e. Developmental Disabilities Emergency Capacity (OTO)	25,000		61,820			86,820	25,000		61,820			
86,820												
f. Donated Dental (OTO)	25,000					25,000	25,000					
25,000												
9. Senior and Long-Term Care Division (22)	39,364,384	2,659,421	113,647,210			155,671,015	39,530,761	2,635,857	117,311,073			
159,477,691												
a. Direct Care Worker Wage Increase (Restricted)	1,249,421		2,817,163			4,066,584	2,536,944		5,896,668			
8,433,612												
b. Provider Rate Increase - Nursing Homes	265,226		687,451			952,677	523,848		1,400,647			
1,924,495												
c. Provider Rate Increase - Waiver Services	40,528		105,048			145,576	79,648		212,961			
292,609												
d. Provider Rate Increase - Aging Services	54,178					54,178	108,897					
108,897												
e. Provider Rate Increase - Home-Based Services	56,542		146,555			203,097	120,819		323,043			
443,862												
10. Addictive and Mental Disorders Division (33)	6,740,436	1,628,219	6,544,750			14,913,405	7,009,068	1,647,579	6,594,949			
15,251,596												
a. State Incentive Grant (OTO)			2,996,448			2,996,448			2,996,474			
2,996,474												
b. Provider Rate Increases (CD, PASAAR)	1,808	1,342	4,074			7,224	3,634	1,376	4,873			
9,883												



	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
c.	Single Statewide Mental Health Managed Care Contract											
12,717,093	5,539,771	12,010,706			30,267,570							
d.	Regional Mental Health Managed Care Contracts											
25,879,298	11,247,414	24,385,374			61,512,086	39,189,563	16,320,408	38,428,016				
93,937,987												
<hr/>												
Total	220,954,153	45,060,685	539,681,460		805,696,298	227,194,716	44,448,716	531,125,832				
	802,769,264											

Funds appropriated for personal services or indicated in legislative intent as having been appropriated for personal services may not be expended under any other category.

The department shall furnish to the legislative audit division by July 1, 1999, specific data for each program listed below to answer the following questions:

- (1) Who are the recipients of program benefits?
- (2) What is the result to recipients of the benefits received?
- (3) What is the specific cost for personal services, operating costs, and benefits and claims for each program?
- (4) How are program outcomes measured in the effect on recipients' lives?
- (5) What would be the effect if no appropriation were made for the program?

The programs to be reviewed are: refugee program; diabetes control; baby your baby; community services block grant benefits and administration; domestic violence; emergency shelter; food stamp job search; handicapped migrant grant; lead poisoning; social security supplement (SSI) welfare reform; and partnership.

Funds may not be expended for these programs until the department provides a copy to the office of budget and program planning of the information submitted to the legislative auditor.

The legislative auditor shall consult with the legislative fiscal division to determine any budget concerns raised by the legislature. The legislative audit division may perform a limited scope audit for each program and submit a report to the 2001 legislature. A copy of each report that is done must be submitted to the legislative fiscal division by September 1, 2000. Each report must review and summarize the data submitted by the department and address the following areas:

- (1) What is the program impact, if any, on the recipients of services under each program?
- (2) What percentage of funds expended for each program is used for personal services and operating costs?
- (3) Can program benefits be distinguished from other funding and the impact of other programs?
- (4) Is there a more effective and efficient way to provide benefits to recipients for each program?

The legislative auditor shall bill and the department shall pay the actual costs of the limited scope performance reviews in an amount not to exceed the legislative audit division's federally approved billing rate.

If there is a social security contribution account reversion to the state general fund under 19-1-602(4), there is appropriated \$150,000 from the general fund to the department for the biennium to pay for the limited scope performance reviews. These funds may be used only for this purpose.

The department shall present a report to the appropriate legislative committee every 6 months of the 2001 biennium on the governor's council on children and

<u>Fiscal 2000</u>					<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>		<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>		
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	
					<u>Total</u>					<u>Total</u>

families. The report must contain, at a minimum, the goals, functions, expenditures, and funding of the council.

Expenditures for all provider rate increases approved by the legislature must be limited to the dollar amounts appropriated rather than a percentage increase.

The department will be in compliance with this provision if:

- (1) it estimates the total cost for each medicaid service category in June prior to the beginning of each fiscal year of the 2001 biennium; and
- (2) the percentage increase or base adjustments approved by the department are limited to the dollar amount appropriated for each provider rate increase.

The department shall distribute the funds in items 2b, 8b, and 9a in a way that provides reasonable assurance that the funds are used solely for direct care wage and benefit increases. Not all providers must receive the same rate of increase each year of the biennium. Funds appropriated in items 2b, 8b, and 9a must be used for direct care worker wage increases and family foster care rate increases. Funds in items 2b, 8b, and 9a may not be used to fund other programs.

The department may add FTE instead of contracting for services if it certifies to the office of budget and program planning that FTE are more cost-effective than contracting. FTE added through this language are modified FTE and may not be included in the 2003 biennium base budget.

Items 2, 4, 6, 8, and 10 have been reduced by \$716,431 in total funds in the 2001 biennium to reflect a reduction in the personal service budgets of these divisions. It is the intent of the legislature that the following positions be eliminated from the department because they have been vacant at least 10 months:

<u>Position No.</u>	<u>Title</u>	<u>Last Filled</u>
00430	case aide	06/20/97
05200	child support enforcement technician	12/12/97
05136	child support investigator	11/14/97
05173	child support investigator	11/28/97
08130	auditor	04/10/98
95103	resident care aide	01/24/97
32013	fiscal officer	07/02/97
32479	resident care aide	03/25/98
32517	resident care aide	03/27/98
32735	treatment unit supervisor	04/27/98
32266	chaplain	08/17/97
32637	resident care aide	04/30/98
42281	LPN	11/06/97

All state and federal prevention funds identified in the unified prevention budget under the department, department of labor and industry, department of justice, office of public instruction, board of crime control, department of corrections, office of state coordinator of Indian affairs, and children's trust fund must be reviewed and commented on by the interagency coordinating council for state prevention programs (ICC) before being expended. The ICC shall make recommendations to the various ICC member agencies and the joint oversight committee on children and families regarding how the money may be spent to promote ICC goals and benchmarks. Beginning July 1, 1999, and every 6 months thereafter, the ICC shall identify the goals and benchmarks for the next 2 years as presented to the legislature and shall report to the joint oversight committee on children and families on the progress of the ICC in meeting those goals. The ICC in these reports shall recommend changes to the various ICC member agencies and the legislature for appropriations in future bienniums to meet ICC goals. The ICC will maintain the posting of goals and benchmarks for the next 2 years on the internet as well as post followup reports. Montanans will be encouraged to use the feedback form available on the website to

Fiscal 2000						Fiscal 2001					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

register comments.

The department shall place all goals, benchmarks, and objectives for each division on the department's website. Beginning July 1, 1999, and every 6 months thereafter, the divisions shall review and report on the website their progress in meeting their goals, benchmarks, and objectives.

Benefits for temporary assistance for needy families (TANF) are set at 40.5% of the poverty rate for each year of the biennium.

The provider rate increase for child care should reflect local markets.

If families achieving independence in Montana (FAIM) caseloads increase to a level greater than the projected level of 5,612 for the 2001 biennium or if the department is unable to meet federally mandated work participation requirements because of the lack of resources, the department may access excess TANF funds held by the federal government and referred to by the state to be Montana's "TANF reserve" to fund services that further the goals of FAIM. Therefore, there is appropriated TANF reserve funds up to \$8.35 million for the biennium. Prior to accessing these funds, the department shall review with the office of budget and program planning current FAIM caseload statistics and trends in caseload.

The department shall present a plan to the 57th legislature to create a uniform statewide system of funding for the TANF maintenance of effort, eligibility determination for cash assistance, food stamps, and medicaid programs, and foster care program costs. This plan must provide a predictable and adequate source of funding and eliminate the historic distinction in funding human services costs between assumed and nonassumed counties. The department shall include county commissioners and select members of the joint oversight committee on children and families established in 5-22-101 in development of the plan.

The department shall provide semiannual reports beginning July 1, 1999, to the appropriate legislative committee, as identified in Senate Bill No. 11, and make the reports available on the internet. The reports must include:

- (1) what coordinated guidance is being provided to communities and reservations in taking advantage of existing transportation resources available to help move FAIM clients from welfare to work;
- (2) the number of communities applying for job access and reverse commute Transportation Equity Act for the 21st Century (TEA-21) funds;
- (3) the number and dollar amounts of communities successful in obtaining job access and reverse commute grants; and
- (4) innovative approaches or new services to promote access to jobs.

Item 1 includes \$493,522 in general fund money in fiscal year 2000 and \$493,523 in fiscal year 2001 to replace lost federal matching funds for food stamps, medicaid, and the former aid to families with dependent children. The department is appealing the loss of these federal funds. If the department is successful in the appeal, the appropriation in item 1 is reduced by \$493,522 in general fund money in fiscal year 2000 and \$493,523 in fiscal year 2001.

Item 1 includes a reduction of \$1,750,000 in general fund money in fiscal year 2000 and \$2,105,177 in fiscal year 2001 and an increase in federal TANF funds of a like amount in each fiscal year. This funding switch is contingent on passage of House Bill No. 470.

The human and community services division is authorized to use up to \$2.96 million in TANF funds for the biennium for expenditures related to the following efforts:

- (1) The division shall increase job training, recruitment, and support service efforts in order to secure highway construction or equivalent paying jobs for 200 FAIM recipients in fiscal year 2000 and another 300 FAIM recipients in fiscal year 2001. The dollars must follow the client.
- (2) The division shall provide FAIM recipients funds to purchase items including but not limited to car insurance, car repairs, gasoline, and special work clothes. The division shall direct up to \$1.5 million of the \$2.96 million toward efforts specified in subsection (1). If the division is not able to use all of the \$1.5 million for those efforts, the division may redirect remaining funds to the purpose specified in subsection (2).

The division shall report progress every 6 months on the department's internet virtual pavilion site.

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>

It is the intent of the legislature that the department provide quarterly reports beginning July 1, 1999, to the appropriate legislative committee, as identified in Senate Bill No. 11, and make the reports available on the internet through the department's virtual pavilion. The reports must include:

- (1) the human and community services division's means for identifying FAIM recipients who may be qualified for social security disability and supplemental security income (SSI);
- (2) the number of FAIM recipients who might meet SSI criteria;
- (3) the division's progress in getting people moved from FAIM to SSI; and
- (4) the number of FAIM recipients actually moved from FAIM to SSI.

The department may use, in addition to other FAIM dollars, up to \$300,000 in TANF funds for the biennium to determine SSI eligibility, including psychological examinations, and to move those who are SSI eligible from FAIM to SSI.

The goal for the number of TANF cases may be no greater than 4,900 in fiscal year 2000 and 4,000 in fiscal year 2001. To meet these goals, the department shall:

- (1) assist a minimum of two tribes in leaving the state's FAIM welfare reform program and assist them in running their own welfare reform program;
- (2) assist TANF clients in obtaining better paying jobs in highway construction or equivalent paying jobs; and
- (3) move both tribal and nontribal FAIM clients that meet social security disability and SSI criteria from FAIM to SSI. Beginning July 1, 1999, and every 6 months thereafter, the department shall report its progress in meeting these goals on the department's internet virtual pavilion site. If the goals are not being met, the department shall state in the 6-month report how the goals will be met.

Contingent on the receipt of the social security contribution account reversion to the general fund under 19-1-602(4), general fund money of \$17,000 is appropriated in fiscal year 2000 for the Montana food bank network to use as setup funds in the use of Montana state prison's meat processing plant for the processing of meat donated to the Montana food bank. This money is to be used for this purpose only.

The department may not use general fund money to support a program developed to facilitate noncustodial parents' access to their children. It is the intent of the legislature that the child and family services division coordinate participation in this program with the child support enforcement division.

The legislature approved funding for 2 new FTE in item 2. These 2 FTE may not be transferred to any other division.

It is the intent of the legislature that the department provide the following information to the proper committee, as identified in Senate Bill No. 11, by July 1, 1999, and make it available on the department's internet virtual pavilion:

- (1) the child and family services division's plan to use all TANF funds appropriated to the division; and
- (2) details on the division's plan to implement a system to determine foster care clients' eligibility for the TANF funds transferred to Title XX.

The following are child and family services division service goals and measures for children and families for fiscal year 2000 and fiscal year 2001:  
Family, Support, and Preservation

- (1) to expand family-based services from three rural and seven urban areas to six rural and eight urban areas;
- (2) to expand partnership services from 13 rural and 8 urban areas to an additional 4 rural areas;
- (3) to maintain the current level of success at the fiscal year 1998 level of 93% in family-based services and 97% in partnership services, while expanding the delivery area;

Intervention and Treatment

- (4) to increase by 2% each year of the biennium the number of children whose permanent placement is in the home from which they were removed;

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>

(5) to decrease the length of time that cases remain open by 5% over the biennium as measured against the fiscal year 1998 baseline;  
 Legal Intervention

(6) to conduct approximately 10,000 investigations in each year of the biennium;

(7) to complete 90% of all investigations within 60 days and to complete 100% of all investigations within 120 days;

Out-of-Home Care

(8) to retain a base of at least 900 foster placement facilities during the biennium;

(9) to increase the number of available foster placement facilities by 5% in each year of the biennium;

(10) to achieve a statewide standard for foster care licensure of 180 days by the end of the biennium;

(11) to increase the number of children placed in kinship care over the biennium as measured against the fiscal year 1998 baseline of 13.6%;

(12) to decrease the average number of temporary placements for each child by 10% in the biennium as compared to the fiscal year 1998 average of 3.72 placements;

(13) to decrease the average number of days that children spend in temporary care by 10% in the biennium compared to the fiscal year 1998 average of 731 days;

Permanency

(14) to develop a concurrent plan for every child in care over 90 days;

(15) to conduct at least 100 family group conferences in each year of the biennium and to conduct a family group conference for 50% of the Indian children in department custody;

(16) to complete and finalize 200 adoptions over the biennium;

(17) to finalize 80 legal guardianships over the biennium.

The department shall work with the supreme court to develop joint rules, regulations, and procedures for the foster care review process.

Item 4 includes general fund money of \$242,367 in fiscal year 2000 and \$254,379 in fiscal year 2001 to replace a shortfall in state special revenue from child support collections. This appropriation is one-time only.

Beginning July 1, 1999, and every 6 months thereafter, the child support enforcement division shall make a report available on the internet through the department's virtual pavilion on its progress in collecting child support on tribal reservations.

The child support enforcement division (CSED) may not charge enforcement and handling fees or recover costs related to enforcement or handling of cases from clients not on FAIM who receive CSED services.

General fund costs of medicaid benefits may not exceed:

(1) a 2.5% annual compounded rate of growth in fiscal year 2000 from the fiscal year 1998 base amount of \$99,317,700; and

(2) 3.5% in fiscal year 2001 from the fiscal year 1998 base amount of \$99,317,700.

The department is authorized to use up to \$50,000 of general fund money from other appropriations within the department for expenditures related to disease outbreaks and other public health emergencies that may occur during the 2001 biennium.

The department shall provide detailed information on the services provided and results of MIAMI programs on reservations to the appropriate legislative committee by September 1, 2000.

The department shall prepare and present a report to the appropriate legislative committee on activities funded by the federal abstinence education grant. The

<u>Fiscal 2000</u>					<u>Fiscal 2001</u>				
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>		<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>
				<u>Total</u>					<u>Total</u>

department should present the report at the first committee meeting convened after the end of fiscal year 2000. The report must:

- (1) enumerate and explain how grant funds were expended by type of expenditure in fiscal year 1999 and fiscal year 2000;
- (2) explain the status of training for communities and other entities;
- (3) explain other information pertinent to federal grant requirements and outcomes; and
- (4) identify measurable program goals and objectives for fiscal year 2001 and the 2003 biennium.

Item 5 includes \$62,899,987 in fiscal year 2000 and \$63,781,717 in fiscal year 2001 for medicaid-funded hospital services.

Funds in item 5a must be used to contract with public or private entities for the administration and provision of primary and preventive health care benefits to children who are uninsured and not eligible for medicaid benefits. To qualify, the family income may be no greater than 185% of the federal poverty level. Funds in item 5a may be allocated only to those programs that have established a statewide network of medical providers who have agreed to accept reimbursement at a rate lower than would normally be charged for their services. Funds in item 5a may not be used to pay the state share of children's health insurance program costs.

Implementation of the resource-based relative value scale (RBRVS) provider rate system must be phased in over the 2001 biennium. The department shall use funds in item 5b to raise rates paid to those codes that are paid the lowest percentage of medicare reimbursement. The department shall freeze reimbursement for all other procedure codes previously decreased under the phasein of the RBRVS reimbursement system at the fiscal year 1999 level of reimbursement.

The department shall use \$430,000 of funds each year of the biennium in item 5c to increase grants to local governments and communities.

Item 5d includes funds for a chronic disease epidemiologist FTE. If the federal grant funds supporting this position decline or are eliminated, the department shall reduce the FTE from its budget request for the 2003 biennium. Federal grants supporting this position include the behavioral risk surveillance grant, the diabetes control grant, the tobacco control grant, and the tumor registry grant.

If federal grant funds supporting item 5e decline or are discontinued, the department shall remove funding for the FTE supported by this federal grant in its 2003 biennium budget request.

If the federal tumor registry grant is not received, it is the intent of the legislature that no general fund money be approved for tumor registry and that the general fund appropriation in item 7 be reduced by \$77,810 in fiscal year 2000 and \$77,810 in fiscal year 2001.

Item 7 includes \$676,680 in fiscal year 2000 and \$676,343 in fiscal year 2001 for laboratory services. It is the intent of the legislature that the department not increase fees if revenue is not sufficient to fund the amounts appropriated.

The disability services division is authorized to pursue up to \$2 million in federal funding over the biennium to enhance and improve services to persons with developmental disabilities. These additional federal funds may be expended by the division on services as long as those actions do not require or commit the state to additional general fund expenditures beyond the amount appropriated for the 2001 biennium by the legislature for the developmental disabilities community.

Item 8 contains an appropriation of \$7,581,094 in federal funds each year of the biennium for the Title XX grant. If the department receives less funds in the Title XX grant than the appropriated amount, the department shall transfer up to \$2.3 million in general fund money over the biennium from medicaid appropriations in the department to the disability services division. General fund money transferred to offset the Title XX shortfall must be used to serve individuals being moved from state institutions to community services and individuals from the community waiting list.

Item 8 contains an appropriation of \$7,581,094 in federal funds each year of the biennium for the Title XX grant. If the department receives less funds in the Title XX grant than the appropriated amount, up to \$2.8 million in TANF funds for the biennium must be transferred to the disability services division. The TANF funds transferred to offset the Title XX shortfall must be used to serve individuals being moved from state institutions to community services and individuals from the community waiting list.

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>

Item 8 contains an appropriation of \$7,581,094 in federal funds each year of the biennium for the Title XX grant. If the department receives less funds in the Title XX grant than the appropriated amount, \$43,000 in general fund money is appropriated for fiscal year 2001 to implement a means test for TANF eligibility determination.

Provider, consumer, and department representatives of the strategic planning across Montana followup committee shall provide a written report every 6 months to the legislative fiscal division on the progress of the design and implementation of the individualized community support approach to service delivery in the developmental disabilities system.

The disability services division is directed to develop a proposal for the 2001 legislature that considers the following options:

- (1) moving individuals from the Montana developmental center and Eastmont human services center to community settings if it is determined that a person may benefit from services in a community setting and if the services appropriate for the person's needs are available;
- (2) based on the population remaining at both institutions, determine if an institution could be closed;
- (3) if an institution is proposed to be closed, explore and recommend alternative uses for that institution; and
- (4) develop a reduction in force plan that takes into consideration a reasonable way to reduce the staff at the institutions through normal attrition and planned layoffs and calculate the cost for paying out sick leave, vacation, and severance pay.

Item 8 contains a general fund appropriation of \$27,723 in fiscal year 2000 and \$57,108 in fiscal year 2001 for anticipated increases by the board of regents in tuition of 4%. If the board of regents approves college tuition increases of less than 4%, the general fund appropriation is reduced a proportionate amount.

Up to \$1 million of the general fund share from lien and estate recoveries pursuant to Title 53, chapter 6, part 1, in excess of the first \$600,000, and up to \$2 million in federal funds is appropriated over the biennium on a one-time basis in the amount of 50% to the medicaid home and community waiver program and 50% to the medicaid nursing home program. Lien and estate funds allocated to the medicaid nursing home program must be used for staff training, bonuses for direct care staff, or other one-time benefits for staff.

The department may supplement funds appropriated for nursing home rate increases with funds appropriated for increased nursing home bed days in order to address the increased staffing needs associated with caring for a more difficult nursing home patient population and to avoid inappropriate decreases in the department's current nursing home reimbursement formula, as long as total program expenditures do not exceed the appropriation for nursing homes.

Money appropriated in item 10c may not be expended unless the department has given the 180-day notice of termination provided in the mental health access plan contract.

Money appropriated in item 10d may be used only to implement the regional mental health care plan provided for in [LC 1913].

If the occupancy date for the new Montana state hospital is delayed beyond October 1, 1999, the department and the department of administration shall pursue the assessment of any penalties allowable under the construction contract because of contractor liability for delays. The department is appropriated up to \$700,000 in state special revenue funds over the biennium from penalties collected from the contractor.

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TOTAL SECTION B

220,954,153	45,060,685	539,681,460	805,696,298	227,194,716	44,448,716	531,125,832
802,769,264						

General Fund	Fiscal 2000				Total	General Fund	Fiscal 2001			
	State Special Revenue	Federal Special Revenue	Proprietary	Other			State Special Revenue	Federal Special Revenue	Proprietary	Other
<b>C. NATURAL RESOURCES AND COMMERCE</b>										
<b>DEPARTMENT OF FISH, WILDLIFE, AND PARKS (5201)</b>										
1.	Administration and Finance Division (01)									
	3,970,834	540,168			4,511,002		3,990,737	538,266		
4,529,003										
a.	Legislative Audit (Restricted/Biennial)									
	53,632	9,465			63,097					
b.	Information Technology--Budget Allocation System (Biennial/OTO)									
	250,000				250,000					
c.	Mule Deer Permit Hunting (Biennial)									
	30,000				30,000		30,000			
30,000										
d.	Automated Licensing System (Biennial)									
	1,156,059	1,443,516			2,599,575					
e.	Information Technology (Biennial)									
	401,000	100,000			501,000					
f.	Legislative Contract Authority (Restricted/OTO)									
		50,000			50,000			50,000		
50,000										
2.	Field Services Division (02)									
	4,820,359	679,120			5,499,479		4,791,063	677,982		
5,469,045										
a.	Public Wildlife Interface (Restricted/Biennial)									
	65,000				65,000					
b.	Legislative Contract Authority (Restricted/OTO)									
		30,000			30,000			30,000		
30,000										
3.	Fisheries Division (03)									
	3,118,291	3,432,925			6,551,216		3,049,634	3,358,013		
6,407,647										
a.	Equipment (Restricted/OTO)									
	28,364	55,092			83,456		34,114	72,342		
106,456										
b.	Hatchery Trucks (Restricted)									



	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
		12,000	36,000			48,000		6,250	18,750			
25,000												
c.		Legislative Contract Authority (Restricted/OTO)										
			1,851,019			1,851,019			1,851,019			
1,851,019												
4.	Law Enforcement Division (04)											
127,840	5,699,614	227,230			6,054,684	123,882	5,653,314	225,213				
6,002,409												
a.	Game Farm Environmental Assessment/Environmental Impact Statement (Biennial)											
					208,000			208,000				
b.	Legislative Contract Authority (Restricted/OTO)											
			10,000		10,000			10,000				
10,000												
5.	Wildlife Division (05)											
	3,089,053	3,271,320			6,360,373		3,037,711	3,252,687				
6,290,398												
a.	Upland Game Bird Habitat (Restricted/Biennial)											
					1,335,000			1,335,000				
b.	Predator Research (Restricted/OTO)											
			29,979	89,921	119,900		29,979	89,921				
119,900												
c.	Big Horn Sheep Operations											
					84,287			84,287				
84,287												
d.	Blackfooted Ferret Reintroduction (OTO)											
			18,750	56,250	75,000		18,750	56,250				
75,000												
e.	Legislative Contract Authority (Restricted/OTO)											
			220,500		220,500			220,500				
220,500												
6.	Parks Division (06)											
285,620	4,324,689	867,852			5,478,161	285,620	4,268,905	867,876				
5,422,401												
a.	Land and Water Conservation Fund (Restricted/OTO)											

General Fund	Fiscal 2000					General Fund	Fiscal 2001				
	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total		State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
		50,000			50,000			50,000			
50,000	b.	Fishing Access Site and Motorboat Site Maintenance (Restricted/OTO)									
		51,000			51,000			51,000			
51,000	c.	Snowmobile Equipment (Biennial)									
		335,000			335,000						
	d.	Legislative Contract Authority (Restricted/OTO)									
		25,000			25,000			25,000			
25,000											
7.		Conservation Education Division (08)									
		2,698	1,540,877	437,513	1,981,088	2,698	1,534,116	437,538			
1,974,352	a.	Shooting Range Grant Program (Biennial)									
		119,800			119,800						
	b.	Off-Highway Vehicle Education (Restricted/OTO)									
		6,700			6,700		6,700				
6,700	c.	Aquatic Education (Restricted/OTO)									
		189,705			189,705			202,423			
202,423	d.	Legislative Contract Authority (Restricted/OTO)									
		20,000			20,000			20,000			
20,000											
8.		Department Management (09)									
		2,605,290	689,124		3,294,414		2,586,369	686,190			
3,272,559	a.	Montana Cadastral Database Project (Restricted/OTO)									
		9,000			9,000		9,000				
9,000	b.	Legislative Contract Authority (Restricted/OTO)									
		150,000			150,000			150,000			
150,000											

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>etary</u>			<u>Fund</u>	<u>Special</u>	<u>Special</u>	<u>etary</u>		
	<u>Revenue</u>	<u>Revenue</u>					<u>Revenue</u>	<u>Revenue</u>			
<hr/>											
Total	416,158	33,311,578	14,582,720		48,310,456	412,200	29,130,929	12,940,970			
	42,484,099										
The appropriations for legislative contract authority are subject to all of the following provisions:											
(1) Legislative contract authority applies only to federal funds.											
(2) Expenditures must be reported on state accounting records and kept separate from present law operations. In preparing the 2003 biennium budget for legislative consideration, the office of budget and program planning may not include the expenditures from this item in the present law base.											
(3) A report must be submitted by the department to the legislative fiscal division following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures and FTE for each project.											
For the 2001 biennium, the paddlefish roe program is to be funded entirely with proceeds from the sale of paddlefish roe and not subsidized from the general license account.											
No more than \$30,000 each year of the appropriation provided in item 5a is to be used for the purpose of 87-1-247(2)(a).											
The department is to report to the natural resources and commerce appropriations subcommittee of the 57th legislature on projects funded with federal Sikes Act money and state match money. The report is to include an analysis of the viability for continuance of the program and a list of projects funded with the money.											
DEPARTMENT OF ENVIRONMENTAL QUALITY (5301)											
1.	Central Management Program (10)										
	15,001				15,001	15,001					
	15,001										
2.	Planning, Prevention and Assistance Division (20)										
	1,812,169	1,054,339	5,606,832		8,473,340	1,805,219	1,052,021	5,643,137			
	8,500,377										
	a.	Particulate Matter 2.5 Monitoring (Restricted/OTO)									
			267,961		267,961			267,981			
	267,981										
	b.	Federal Clean Water Action Plan (Restricted/OTO)									
			1,220,303		1,220,303			1,221,159			
	1,221,159										
	c.	Air Quality Database Conversion (Restricted/OTO)									
			50,000		50,000			50,000			
	50,000										
3.	Enforcement Division (30)										
	500,130	183,367	402,426		1,085,923	497,419	183,099	399,953			
	1,080,471										

Fiscal 2000						Fiscal 2001				
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>			<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>	<u>Total</u>	<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>	<u>Other</u>
										<u>Total</u>
4.	Remediation Division (40)									
		2,663,300	1,576,754		4,240,054		2,644,880	1,599,052		
	4,243,932									
	a.	Leaking Underground Storage Tank Trust Contracted Services (Restricted/Biennial/OTO)								
			300,000		300,000			300,000		
	300,000									
	b.	Underground Storage Tank One-Stop Licensing (Restricted/OTO)								
					12,000		12,000			
	12,000									
	c.	Abandoned Mine Reclamation (Biennial)								
			4,179,549		4,179,549			4,290,642		
	4,290,642									
	d.	Leaking Underground Storage Tank Trust Program (Biennial)								
		137,082	926,973		1,064,055		136,866	925,035		
	1,061,901									
	e.	Orphan Share Program (Biennial)								
					500,000		500,000			
	500,000									
	f.	Underground Storage Tank Database Development (Restricted/OTO)								
		22,073	16,250		38,323		22,073	16,250		
	38,323									
	g.	Underground Storage Tank Database Development (Restricted/Biennial/OTO)								
			14,277		14,277			14,277		
	14,277									
5.	Permitting and Compliance Division (50)									
		1,075,905	7,097,568	3,012,973	11,186,446	1,069,772	7,062,057	3,004,816		
	11,136,645									
	a.	Subdivision Application Review (Restricted)								
			113,408		113,408		106,831			
	106,831									
	b.	Subdivision Database (Restricted/OTO)								
			50,000		50,000		40,000			
	40,000									
	c.	Subdivision Contracts/Operating (Restricted)								

General Fund	Fiscal 2000					General Fund	Fiscal 2001				
	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total		State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	93,000				93,000		97,000				
97,000											
d.	Hard-Rock Bond Forfeitures (Restricted/Biennial)										
	57,000,000				57,000,000						
e.	Hard-Rock Database Conversions (Restricted/OTO)										
	200,000				200,000		200,000				
200,000											
f.	Major Facility Siting Act Projects (Restricted/Biennial)										
	78,675				78,675						
g.	Montana Environmental Policy Act Projects (Restricted/Biennial)										
	1,000,000				1,000,000						
h.	Pegasus Gold Bond Litigation (Restricted/Biennial)										
116,000					116,000	78,000					
78,000											
i.	Water Protection Database (Restricted/OTO)										
	68,250	6,750			75,000		1,820	180			
2,000											
j.	Asbestos Database (Restricted/OTO)										
	23,000				23,000		23,000				
23,000											
k.	Hazardous Waste Database (Restricted/OTO)										
	6,200	13,800			20,000		6,200	13,800			
20,000											
l.	Hazardous Waste Office Configuration (Restricted/OTO)										
	11,007	18,743			29,750						
m.	Coal, Uranium, Open Cut Database (Restricted/OTO)										
1,000	11,500	37,500			50,000	1,000	11,500	37,500			
50,000											
n.	Drinking Water SRF Database (Restricted/OTO)										
		120,000			120,000			120,000			
120,000											
6.	Petroleum Tank Release Compensation Board (90)										
	616,356				616,356		614,768				
614,768											

	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
<b>Total</b>	3,520,205	70,941,125	17,771,091			92,232,421	3,466,411	12,714,115	17,903,782			
	34,084,308											
<p>The department is appropriated up to \$172,000 of additional federal spending authority during each year of the 2001 biennium for the purpose of complying with the clean water action plan when the use of the funds is identified and when the funds become available from EPA. These funds are awarded through the water pollution 106 section of the EPA performance partnership grant.</p> <p>If the \$285,000 long-term advance due to the environmental quality protection fund is not repaid in fiscal year 1999, appropriations for the 2001 biennium from this account are restricted to this account only for purposes of 75-10-704 and may not be transferred for other uses.</p>												
<b>DEPARTMENT OF LIVESTOCK (5603)</b>												
1.	Centralized Services Program (01)											
	37,468	976,976	51,473			1,065,917	37,468	957,505	53,030			
	1,048,003											
	a.	Legislative Audit (Restricted/Biennial)										
	2,929	24,608	1,758			29,295						
2.	Diagnostic Laboratory Program (03)											
	155,926	1,062,539				1,218,465	158,702	1,047,648				
	1,206,350											
3.	Disease Control Program (04)											
		698,743				698,743		657,814				
	657,814											
	a.	Bison Control (Restricted/OTO)										
		177,823	225,000			402,823		178,143	225,000			
	403,143											
4.	Milk and Egg Program (05)											
		242,088	20,668			262,756		240,989	20,670			
	261,659											
5.	Inspection and Control Program (06)											
		2,599,746				2,599,746		2,523,012				
	2,523,012											
	a.	Brand Rerecord (Restricted/OTO)										
		44,633				44,633		43,798				
	43,798											

	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
b.		Record Rebinding (Restricted/OTO)										
		8,000				8,000						
6.		Predator Control Program (08)										
		512,201				512,201			512,201			
	512,201											
7.		Meat and Poultry Inspection Program (10)										
	396,423	1,772	396,611			794,806	404,657	1,762	404,845			
	811,264											
a.		Leased Vehicles (Restricted/OTO)										
	28,982		28,983			57,965	26,982		26,983			
	53,965											
b.		Inspector Training (Restricted/OTO)										
	1,154		1,155			2,309	1,154		1,155			
	2,309											
8.		Milk Control Bureau (37)										
		175,084				175,084			174,246			
	174,246											
<hr/>												
Total	622,882	6,524,213	725,648			7,872,743	628,963	6,337,118	731,683			
	7,697,764											

It is the view of the legislature that the use of contingent historic percentages to determine the level of general fund support in a department is not good public policy and should not be used as a methodology for determining that level of support in the 2001 biennium or in the 2003 biennium budget request submitted to the 2001 legislature.

The department shall record separately all operating expenses, equipment, and capital expenditures related to bison control for all programs in which any resources are expended for that purpose on the statewide budgeting and accounting system in a manner so that those expenditures can be readily derived and shall create a summary report. The department shall provide an annual report, by program, to the legislative fiscal analyst and the office of budget and program planning of all direct expenditures related to bison control.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)

1.		Trust Land Management Division (04)										
	3,542,079	3,873,567	12,413			7,428,059	3,528,609	3,899,886	12,386			
	7,440,881											
a.		Crow Land Exchange (Restricted/OTO)										

	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
			100,035			100,035			100,017			
	100,017											
2.	Centralized Services (21)											
	1,782,580	182,475	108,512			2,073,567	1,785,942	175,724	96,844			
	2,058,510											
	a.	Legislative Audit (Restricted/Biennial)										
	72,110					72,110						
	b.	Field Office Network (Restricted/OTO)										
	83,625	3,000				86,625						
3.	Oil and Gas Conservation Division (22)											
			1,183,283			1,183,283		1,171,221				
	1,171,221											
4.	Conservation and Resource Development Division (23)											
	1,331,199	1,237,142	176,074			2,744,415	1,330,405	1,239,527	176,015			
	2,745,947											
	a.	Conservation Districts--Federal Riparian/Wetland (Restricted/OTO)										
			30,000			30,000						
	b.	Vison 2005, Irrigated Acres (Restricted/OTO)										
	150,000					150,000	150,000					
	150,000											
	c.	Eastern Plains Resource Conservation and Development Grant to Conservation Districts (Restricted/OTO)										
			25,000			25,000		25,000				
	25,000											
5.	Water Resources Division (24)											
	5,625,797	1,042,327	106,954			6,775,078	5,610,936	1,051,266	106,964			
	6,769,166											
	a.	Water Well Bond Forfeitures (Restricted/OTO)										
			16,000			16,000		16,000				
	16,000											
	b.	Water Rights Inspections (Restricted/OTO)										
			85,856			85,856		85,868				
	85,868											
	c.	Bair and Nevada Creek Dam Study (Restricted/Biennial/OTO)										
			550,000			550,000						



General Fund	Fiscal 2000				Total	General Fund	Fiscal 2001				Total
	State Special Revenue	Federal Special Revenue	Proprietary	Other			State Special Revenue	Federal Special Revenue	Proprietary	Other	
	d.	Federal Emergency Management Agency Flood Mitigation Assistance (Restricted/OTO)									
47,500		130,000			177,500	47,500		130,000			
177,500	e.	Broadwater Arbitration (Restricted/Biennial/OTO)									
		300,000			300,000						
	f.	Rocky Boy's/North Central Water System (Biennial/OTO)									
		100,000			100,000						
	g.	Fort Peck/Dry Prairie Water System (Biennial/OTO)									
		100,000			100,000						
6.	Reserved Water Rights Compact Commission (25)										
667,105					667,105	663,884					
663,884											
7.	Forestry Division (35)										
5,338,059	2,588,316	855,745			8,782,120	5,341,110	2,572,699	862,924			
8,776,733											
	a.	Communication Equipment (Restricted/OTO)									
7,240					7,240						
	b.	Nursery Spending Authority (Restricted/OTO)									
		10,000			10,000		10,000				
10,000											
	c.	Protective Fire Gear (Restricted/OTO)									
13,333	6,667				20,000	13,333	6,667				
20,000											
	d.	Federal Fire Reimbursements (Restricted)									
		350,000			350,000			350,000			
350,000											
<hr/>											
Total											
18,660,627	11,303,633	1,869,733			31,833,993	18,471,719	10,253,858	1,835,150			
30,560,727											

The department may combine trust land management division (program 04) and forestry division (program 35) data for accounting and financial reporting purposes beginning July 1, 1999. It is understood that the 2003 biennium budget for these two programs will be presented separately.

The department is authorized to decrease state special revenue money in the underground injection control program and increase federal special revenue money

<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>

by a like amount when the amount of federal EPA funds available for the program becomes known. Any federal special revenue funds are to be spent before state special revenue funds.

All funds held in the state special revenue account in accordance with 76-16-106(2) are appropriated to the department for administration of grazing district activities in an amount of up to \$15,000 in each fiscal year for the 2001 biennium.

The department is appropriated up to \$700,000 for the 2001 biennium from the account established in 76-14-112 for rangeland loans during the 2001 biennium.

The department is appropriated up to \$600,000 for the 2001 biennium from the state special revenue account established in 85-1-604 for the purchase of prior liens on property held as loan security as required by 85-1-618.

During the 2001 biennium, up to \$1 million of funds currently in or to be deposited in the Broadwater replacement and renewal account are appropriated to the department for repairing or replacing equipment at the Broadwater hydropower facility.

During the 2001 biennium, up to \$20,000 of interest earned on the Broadwater water users account is appropriated to the department for the purpose of repair, improvement, or rehabilitation of the Broadwater-Missouri diversion project.

During the 2001 biennium, up to \$500,000 of funds currently in or to be deposited in the state project hydropower earnings account are appropriated for the purpose of repairing, improving, or rehabilitating department state water projects.

Item 7e are those funds received from nonstate entities for the use of department personnel and for equipment to assist them in managing emergency incidents, such as fire suppression activities. Only funds up to \$100,000 received as reimbursement of personnel expenses credited against the department's operational budget and up to \$250,000 of funds received as payment under equipment use agreements are considered fire reimbursement funds. All other funds received must be deposited in the general fund. It is the intent of the legislature that funds reimbursed for the use of department equipment be expended for the repair, maintenance, and replacement of equipment that supports the state-county cooperative fire program. The department shall report fire reimbursement expenditures on state accounting records, and the records must be separate from present law operations.

DEPARTMENT OF AGRICULTURE (6201)

1.	Central Management Division (15)										
	209,945	313,320	92,576	32,044	647,885	195,754	308,576	91,974	31,787		
	628,091										
	a.	Legislative Audit (Restricted/Biennial)									
	31,548				31,548						
	b.	Programmer/Analyst (Restricted/OTO)									
	17,427	26,063	7,670	2,654	53,814	14,528	23,507	6,737	2,380		
	47,152										
2.	Agricultural Sciences Division (30)										
	61,945	4,817,176	420,303		5,299,424	63,628	4,750,250	420,735			
	5,234,613										
	a.	Environmental Protection Agency Grants (OTO)									
			150,000		150,000			150,000			
	150,000										

	<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
b.		Laboratory Computer and Rewiring (OTO)										
		25,000				25,000						
3.		Agricultural Development Division (50)										
	244,002	3,530,520	48,136	251,704		4,074,362	239,528	3,554,347	48,054	251,122		
	4,093,051											
<hr/>												
Total	564,867	8,712,079	718,685	286,402		10,282,033	513,438	8,636,680	717,500	285,289		
	10,152,907											
DEPARTMENT OF COMMERCE (6501)												
1.		Weights and Measures Bureau (02)										
		631,087				631,087		619,804				
	619,804											
a.		Legislative Audit (Restricted/Biennial)										
		1,195				1,195						
2.		Banking and Financial Division (36)										
		1,522,083				1,522,083		1,541,681				
	1,541,681											
a.		Legislative Audit (Restricted/Biennial)										
		2,565				2,565						
3.		Professional and Occupational Licensing Bureau (39)										
		5,243,754				5,243,754		5,237,348				
	5,237,348											
a.		Legal Contingency (Restricted/OTO)										
		70,000				70,000		70,000				
	70,000											
4.		Economic Development Division (51)										
	1,163,941	199,711	3,652,716			5,016,368	1,159,932	199,718	3,652,804			
	5,012,454											
a.		Legislative Audit (Restricted/Biennial)										
	5,598					5,598						
b.		Census 2000 (Restricted/OTO)										
	11,664					11,664	37,262					

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
37,262											
c.	Made in Montana Trade Show (Restricted)										
	15,000				15,000		15,000				
15,000											
5.	Montana Promotion Division (52)										
	730,000				730,000		750,000				
750,000											
a.	Legislative Audit (Restricted/Biennial)										
	15,939				15,939						
6.	Community Development Bureau (60)										
376,524	1,798,904	8,320,963			10,496,391	381,106	1,495,771	8,315,918			
10,192,795											
a.	Legislative Audit (Restricted/Biennial)										
5,994					5,994						
b.	Hard-Rock Mining Impact Account Reserve (Restricted)										
	100,000				100,000		100,000				
100,000											
7.	Local Government Services Audit and Systems Bureau (62)										
373,089					373,089	372,079					
372,079											
a.	Legislative Audit (Restricted/Biennial)										
766					766						
8.	Building Codes Bureau (65)										
	2,987,734				2,987,734		3,043,186				
3,043,186											
a.	Legislative Audit (Restricted/Biennial)										
	5,475				5,475						
9.	Housing Division (74)										
		21,848,946			21,848,946			22,626,615			
22,626,615											
a.	Legislative Audit (Restricted/Biennial)										
		10,885			10,885						
b.	Section 8 Housing Contract Expiration (Restricted)										
		8,150,811			8,150,811			10,594,110			

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
10,594,110											
c.	Section 8 Housing Contract Administration (Restricted)										
		215,832			215,832			171,676			
171,676											
10.	Board of Investments (75)										
		30,000			30,000		30,000				
30,000											
11.	Board of Horse Racing (78)										
		237,550			237,550		236,655				
236,655											
a.	Legislative Audit (Restricted/Biennial)										
		410			410						
12.	Consumer Affairs (79)										
153,565	87,131				240,696	149,616	71,982				
221,598											
a.	Legislative Audit (Restricted/Biennial)										
276					276						
<hr/>											
Total											
2,091,417	13,678,538	42,200,153			57,970,108	2,099,995	13,411,145	45,361,123			
60,872,263											

The department is appropriated in each of the fiscal years 2000 and 2001 up to \$1 million of state special revenue that is deposited in the foreign capital depository account for the purpose of processing charter applications and for the chartering, examination, and regulation of each foreign capital depository that obtains a charter under the provisions of 32-8-205.

The appropriation in item 9b is restricted to providing federal housing grants and for providing administrative assistance to existing housing assistance recipients as their housing and urban development administration section 8 contracts expire and are renegotiated as tenant-based assistance. The addition of funding for up to 1.5 FTE in fiscal year 2000 and up to 2.5 FTE in fiscal year 2001 is contingent upon the housing division experiencing the anticipated volume of expiring contracts. The FTE may not be added until the workload justifies the addition.

The appropriation in item 9c is restricted to administering housing and urban development (HUD) administration housing assistance payment contracts that HUD anticipates no longer administering but passing to others through devolution. The appropriation, including funding for up to 4.5 FTE in each year, is contingent upon the housing division being the successful bidder for this function.

It is the intent of the legislature that funding for the production and distribution of Montana state highway maps come from lodging facilities use tax revenue.

It is the legislature's desire that no revenue from the lodging facilities use tax be used to fund the superhost program during the 2001 biennium.

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u> <u>Fund</u>	<u>State</u> <u>Special</u> <u>Revenue</u>	<u>Federal</u> <u>Special</u> <u>Revenue</u>	<u>Propri-</u> <u>etary</u>	<u>Other</u>	<u>Total</u>	<u>General</u> <u>Fund</u>	<u>State</u> <u>Special</u> <u>Revenue</u>	<u>Federal</u> <u>Special</u> <u>Revenue</u>	<u>Propri-</u> <u>etary</u>	<u>Other</u>	<u>Total</u>
<hr/>											
TOTAL SECTION C											
25,876,156	144,471,166	77,868,030	286,402		248,501,754	25,592,726	80,483,845	79,490,208	285,289		
185,852,068											

General Fund	Fiscal 2000				Other	Total	General Fund	Fiscal 2001			Other	Total
	State Special Revenue	Federal Special Revenue	Proprietary					State Special Revenue	Federal Special Revenue	Proprietary		
D. CORRECTIONS AND PUBLIC SAFETY												
CRIME CONTROL DIVISION (4107)												
1.	Justice System Support Service (01)											
	776,282		560,030		1,336,312	775,917			560,064			
	1,335,981											
	a.	Juvenile Detention Centers (Biennial)										
	1,134,942				1,134,942	1,134,942						
	1,134,942											
	b.	Crime Victim Compensation (Biennial)										
	611,600		317,000		928,600	611,600		317,000				
	928,600											
	c.	Federal Grants Pass Through (Biennial)										
			9,154,405		9,154,405			9,154,405				
	9,154,405											
<hr/>												
Total	2,522,824		10,031,435		12,554,259	2,522,459		10,031,469				
	12,553,928											
Reimbursements to counties for daily cost for each youth in county or regional detention centers may not exceed \$50 a day.												
All remaining federal pass-through grant appropriations for the 1999 biennium are authorized to continue into fiscal year 2000 and fiscal year 2001.												
DEPARTMENT OF JUSTICE (4110)												
1.	Legal Services Division (01)											
	2,228,902	275,537	121,614		2,626,053	2,224,838	274,960	121,360				
	2,621,158											
2.	Gambling Control Division (07)											
	504,014	1,970,162			2,474,176	499,736	1,953,785					
	2,453,521											
	a.	Out-of-Country Travel (Restricted)										
			15,000		15,000		15,000					
	15,000											
3.	Motor Vehicle Division (12)											
	7,657,546	403,053			8,060,599	7,498,142	403,053					
	7,901,195											

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
4.	Highway Patrol Division (13)										
	1,042,073	14,741,652	819,838		16,603,563	1,083,606	14,826,203	817,968			
	16,727,777										
5.	Division of Criminal Investigation (18)										
	2,185,944	356,207	1,280,437		3,822,588	2,186,417	341,578	1,285,488			
	3,813,483										
6.	County Attorney Payroll (19)										
	1,582,054				1,582,054	1,618,318					
	1,618,318										
7.	Law Enforcement Academy Division (22)										
	1,076,716	50,000	100,000		1,226,716	1,056,371	50,000	100,000			
	1,206,371										
8.	Central Services Division (28)										
	229,237	283,328		10,494	523,059	228,877	282,882			10,478	
	522,237										
	a.	Legislative Audit (Restricted/Biennial)									
	23,797	29,205		1,081	54,083						
9.	Justice Information Systems Division (29)										
	2,448,776	697,260	530,654	10,214	3,686,904	2,468,273	697,238	365,879		10,214	
	3,541,604										
10.	Extradition and Transportation of Prisoners (30)										
	163,934				163,934	163,939					
	163,939										
11.	Forensic Science Division (32)										
	1,868,208	303,205	175,002		2,346,415	1,863,165	300,912	174,721			
	2,338,798										
<hr/>											
Total	21,011,201	19,124,609	3,027,545	21,789	43,185,144	20,891,682	19,145,611	2,865,416	20,692		
	42,923,401										

Legislative contract authority applies only to federal and private funds.

Legislative contract authority expenditures must be reported on state accounting records and kept separate from present law operations. In preparing the 2003 biennium executive budget, the office of budget and program planning may not include expenditures from this item in the present law base.



<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
<p>A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year, listing legislative contract authority grants received and the amount of expenditures and FTE for each grant.</p> <p>The legislature recognizes that the cost associated with litigation in which the legal services division is required to provide representation to the state of Montana may exceed the appropriation provided. In that event, the department may need to request a supplemental appropriation from the 2001 legislature to adequately represent the state.</p> <p>There is appropriated from the highway patrol retirement clearing account for payments to the Montana highway patrol pension fund the amount required for this transfer, not to exceed \$750,000 each fiscal year.</p>											
PUBLIC SERVICE REGULATION (4201)											
1.	Public Service Regulation Program (01)										
		2,436,048	18,647		2,454,695		2,294,851	19,393			
2,314,244											
a.	Legislative Audit (Restricted/Biennial)										
		15,774			15,774						
<hr/>											
Total		2,451,822	18,647		2,470,469		2,294,851	19,393			
2,314,244											
<p>It is the intent of the legislature that remaining funds up to \$650,000 collected for the Montana universal access program in fiscal year 1998 and fiscal year 1999 be carried forward into the 2001 biennium, to be used only for functions of that program.</p>											
DEPARTMENT OF CORRECTIONS (6401)											
1.	Administration and Support Services (01)										
13,357,166	105,019		55,151		13,517,336	13,631,305	99,541			50,308	
13,781,154											
a.	Legislative Audit (Restricted/Biennial)										
76,167					76,167						
b.	Victims Officer (OTO)										
		31,890			31,890			31,673			
31,673											
2.	Community Corrections (02)										
29,898,358	222,505	279,539			30,400,402	30,536,924	229,705	260,761			
31,027,390											
a.	Prerelease Sex Offender Beds (Restricted/OTO)										
73,000					73,000	73,730					

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
73,730											
b. Equipment (OTO)											
7,823					7,823						
3. Secure Facilities (O3)											
28,116,262	1,369,815	268,072			29,754,149	28,334,524	1,370,363	321,341			
30,026,228											
a. Adult Contract Beds (Biennial)											
13,077,305					13,077,305	15,821,432					
15,821,432											
4. Montana Correctional Enterprises (O4)											
1,028,033			290,213		1,318,246	1,035,485			290,419		
1,325,904											
a. Industries Present Law Increase (OTO)											
22,004			124,687		146,691	21,974			124,517		
146,491											
<hr/>											
Total											
85,656,118	1,697,339	579,501	470,051		88,403,009	89,455,374	1,699,609	613,775	465,244		
92,234,002											

The department shall report to the 2001 legislature by January 15, 2001, on the use of sex offender treatment in prerelease centers and the effectiveness of the prerelease sex offender treatment.

The department is authorized to distribute any savings realized by participation in the juvenile placement pilot project to the judicial districts that generate these savings.

When contracting for secure custody beds, the department shall use all beds of the three regional prisons at Glendive, Great Falls, and Missoula before using private secure custody facilities.

DEPARTMENT OF LABOR AND INDUSTRY (6602)

1. Job Service Division (O1)											
448,123	7,015,178	24,440,281	8,155		31,911,737	447,252	6,995,376	22,923,622	8,053		
30,374,303											
a. Jobs for Montana Graduates (OTO)											
140,000					140,000	140,000					
140,000											
2. Unemployment Insurance Division (O2)											

Fiscal 2000						Fiscal 2001					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
	282,060	4,840,386		434,383	5,556,829		281,648	4,832,953		431,805	
5,546,406											
a.	Unemployment Insurance Increased Workload (OTO)										
		98,846			98,846			98,167			
98,167											
3.	Commissioner's Office/Centralized Services Division (O3)										
153,176	658,400	496,726	38,357		1,346,659	152,713	668,033	495,386	38,252		
1,354,384											
4.	Employment Relations Division (O4)										
878,964	4,615,359	424,440			5,918,763	877,709	4,779,832	422,773			
6,080,314											
a.	Human Rights Administrative Office (OTO)										
16,817		3,934			20,751	16,708		3,919			
20,627											
5.	Montana Community Services (O7)										
24,895	5,000	1,920,961			1,950,856	24,894	5,000	1,960,281			
1,990,175											
6.	Workers' Compensation Court (O9)										
		389,976			389,976		388,824				
388,824											
a.	Judge and Hearings Examiner Payout (Restricted/OTO)										
		33,500			33,500						
<hr/>											
Total	1,661,975	12,999,473	32,225,574	46,512	434,383	47,367,917	1,659,276	13,118,713	30,737,101	46,305	431,805
45,993,200											

All anticipated revenue from the workers' compensation assessment of 2.6% is included in items 1, 3, 4, and 6. If the 2.6% cap on the workers' compensation assessment is not removed, the department may redistribute the workers' compensation regulation revenue among all divisions to allocate corresponding personal services reductions, except that the workers' compensation court appropriation may not be changed.

Items 1 through 4 include employment security account funds. Because of reductions in the funds, the department may redistribute the employment security account funds among programs in order to allocate corresponding program reductions.

The appropriations in the job service division, centralized services division, and employment relations division include anticipated available funds from the employment security account. As such, the legislature has considered replacing, and has specifically chosen not to replace, any reduced employment security funds

<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>

with general fund money. It is therefore the legislature's intent that the programs affected reduce operations to the level required to operate within the appropriation and that the department not seek a supplemental appropriation from the next legislature except in the case of an unexpected or unanticipated emergency.

Item 2 includes capital project funds of \$434,383 in fiscal year 2000 and \$431,805 in fiscal year 2001 and a decrease in federal funds of \$343,096 in fiscal year 2000 and \$343,096 in fiscal year 2001 for telephone claims annualization. This appropriation is one-time only.

Item 3 includes \$21,848 in general fund money, a reduction of \$11,132 in state special revenue funds, a reduction of \$8,185 in federal funds, and a reduction of \$2,531 in proprietary funds in both fiscal year 2000 and fiscal year 2001 for a one-time only human rights cost allocation adjustment.

Item 4 includes \$65,852 in general fund money, a reduction of \$57,292 in state special revenue funds, a reduction of \$1,976 in federal funds, and a reduction of \$6,584 in proprietary funds in both fiscal year 2000 and fiscal year 2001 for a one-time only human rights cost allocation adjustment.

Item 4 includes \$62,300 in general fund money and a reduction of \$62,300 in federal funds in fiscal year 2000 and fiscal year 2001 for a one-time only general fund replacement of lost federal funds.

Excluding the state match, it is the legislature's intent that the welfare-to-work program not be supported with state funds if the federal government reduces or terminates its support.

The department may not use general fund money to support the one-stop workforce center system or the unemployment insurance telephone claims center.

It is the legislature's intent that the centralized services functions of the department be provided to the department's programs and that the rates charged for these functions be the rates agreed upon by the United States department of labor federal cost negotiator. The applied rate for fiscal year 2000 may not exceed 9.6% of a program's actual personal services costs incurred in that fiscal year and in fiscal year 2001 may not exceed 8.9% of a program's actual personal services costs incurred in that fiscal year.

It is the legislature's intent that the input/output control operations functions continue to provide the services to department users. The charge an hour to the users may be no more than \$50 an hour for the 2001 biennium. This rate must be analyzed throughout the biennium, and particular consideration must be given to the time spent providing this function to the customers and to the cash balance of the fund.

DEPARTMENT OF MILITARY AFFAIRS (6701)

1.	Operations Support (01)										
		332,031	33,636		365,667	331,222		33,405			
		364,627									
	a.	Legislative Audit (Restricted/Biennial)									
		1,442			1,442						
2.	Army National Guard Program (12)										
		1,120,858	25,000	3,363,662	4,509,520	1,137,782	25,000	3,381,010			
		4,543,792									
	a.	Legislative Audit (Restricted/Biennial)									
		4,283	11,581		15,864						
	b.	Armory Programmed Painting (OTO)									
		137,627			137,627	137,627					
		137,627									

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
3.	Air National Guard Program (13)										
	211,297		1,812,886		2,024,183	210,888		1,812,549			
	2,023,437										
	a.	Legislative Audit (Restricted/Biennial)									
	912		7,381		8,293						
4.	Disaster Coordination Response (21)										
	268,011	18,804	1,218,861		1,505,676	265,843	18,791	1,216,104			
	1,500,738										
	a.	Legislative Audit (Restricted/Biennial)									
	1,082		6,129		7,211						
5.	Veterans' Affairs Program (31)										
	646,897	147,404			794,301	643,155	147,139				
	790,294										
	a.	Legislative Audit (Restricted/Biennial)									
	2,888	357			3,245						
	b.	World War II Memorial (OTO)									
	66,000				66,000						
	c.	Eastern Montana Veterans' Administration Cemetery Equipment (Biennial/OTO)									
		150,000			150,000						
<hr/>											
<u>Total</u>											
	2,793,328	191,565	6,604,136		9,589,029	2,726,517	190,930	6,443,068			
	9,360,515										
<p>If federal authorities determine that federal money may not be used to pay for audit costs in item 2a, general fund money up to \$11,537 is appropriated to pay those costs.</p> <p>If federal authorities determine that federal money may not be used to pay for audit costs in item 3a, general fund money up to \$7,391 is appropriated to pay those costs.</p>											
<hr/>											
<u>TOTAL SECTION D</u>											
	113,645,446	36,464,808	52,486,838	538,352	434,383	203,569,827	117,255,308	36,449,714	50,710,222	532,241	431,805
	205,379,290										

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
E. EDUCATION											
OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION (3501)											
1. OPI Administration (06)											
4,075,516	472,878				4,548,394	4,057,881	472,325				
4,530,206											
a. Computers (OTO)					6,143						
6,143											
b. Federal Funds (Biennial)		6,230,195			6,230,195			6,336,765			
6,336,765											
c. Improving Montana Schools (Restricted/Biennial/OTO)					314,499	475,768					
314,499											
475,768											
d. School to Work (Biennial)		161,827			161,827			87,286			
87,286											
e. Automated System Development (Restricted/Biennial/OTO)					183,035	177,279					
183,035											
177,279											
2. Distribution to Public Schools (09)											
	1,000,003				1,000,003		1,000,003				
1,000,003											
a. General Fund (Biennial)					4,286,640	4,790,775					
4,286,640											
4,790,775											
b. School District Federal Aid (Biennial)		70,555,027			70,555,027			73,050,875			
73,050,875											
c. Transportation Aid (Restricted/Biennial)					10,709,950	10,809,950					
10,709,950											
10,809,950											
d. Timber Harvest for Technology (Restricted/Biennial/OTO)					1,640,000	1,760,000					
1,640,000											
1,760,000											

General Fund	Fiscal 2000					General Fund	Fiscal 2001				
	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total		State Special Revenue	Federal Special Revenue	Proprietary	Other	Total
e.	Base Aid (Restricted/Biennial)										
407,429,061					407,429,061	401,495,784					
401,495,784											
f.	New Teachers for Reduced Class Size (Restricted/Biennial/OTO)										
		5,630,000			5,630,000						
g.	Comprehensive School Reform (Restricted/Biennial/OTO)										
		554,925			554,925		663,061				
663,061											
h.	School to Work (Biennial)										
		2,720,000			2,720,000		2,340,000				
2,340,000											
i.	In-State Treatment (Biennial)										
974,897					974,897	974,897					
974,897											
j.	Adult Basic Education (Biennial)										
250,000					250,000	250,000					
250,000											
k.	Secondary Vocational Education (Biennial)										
714,999					714,999	714,999					
714,999											
l.	Gifted and Talented (Biennial)										
150,000					150,000	150,000					
150,000											
m.	Special Education (Biennial)										
32,974,268					32,974,268	33,468,883					
33,468,883											
<hr/>											
Total											
463,709,008	1,472,881	85,851,974			551,033,863	459,126,216	1,472,328	82,477,987			
543,076,531											

Items 1b and 1c are biennial appropriations.

The office of public instruction may distribute funds from the appropriation in item 2i to public school districts for the purpose of providing educational costs of day-treatment services.

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
<p>Items 2a through 2m are biennial appropriations.  Item 2d is for school technology as provided in 20-9-534. The amount expended may not exceed the amount paid into the general fund under the provisions of 20-9-343(3)(a)(ii).</p>											
<b>BOARD OF PUBLIC EDUCATION (5101)</b>											
1.	Administration (01)										
	134,023	11,252			145,275	133,525	11,216				
	144,741										
	a.	Legislative Audit (Restricted/Biennial)									
	1,452	126			1,578						
	b.	Standards Adoption (OTO)									
	7,384	616			8,000	7,384	616				
	8,000										
2.	Advisory Council (03)										
		172,534			172,534		172,042				
	172,042										
	a.	Legislative Audit (Restricted/Biennial)									
		1,577			1,577						
<hr/>											
<b>Total</b>											
	142,859	186,105			328,964	140,909	183,874				
	324,783										
<b>SCHOOL FOR THE DEAF AND BLIND (5113)</b>											
1.	Administration Program (01)										
	270,526				270,526	269,373					
	269,373										
	a.	Legislative Audit (Restricted/Biennial)									
	26,140				26,140						
2.	General Services Program (02)										
	304,020				304,020	303,490					
	303,490										
	a.	Maintenance Pickup (Restricted/OTO)									
	15,000				15,000						
3.	Student Services (03)										



<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
	919,806	24,644			944,450	915,383		24,644			
	940,027										
4.	Education (04)										
	1,630,201	228,068	56,750		1,915,019	1,629,160	228,068	56,750			
	1,913,978										
	a.	Frequency Modulator Training Systems (Restricted/OTO)									
	73,206				73,206						
	b.	Interpreters Salary Increase (Restricted)									
	7,965				7,965	16,331					
	16,331										
<hr/>											
Total	3,246,864	228,068	81,394		3,556,326	3,133,737	228,068	81,394			
	3,443,199										
MONTANA ARTS COUNCIL (5114)											
1.	Promotion of the Arts (01)										
	257,899	132,440			390,339	261,791	129,399				
	391,190										
	a.	Legislative Audit (Restricted/Biennial)									
	18,028				18,028						
	b.	Federal Grants (Biennial)									
		426,471			426,471			416,673			
	416,673										
<hr/>											
Total	275,927	132,440	426,471		834,838	261,791	129,399	416,673			
	807,863										
All funds in item 1b are biennial appropriations.											
MONTANA STATE LIBRARY COMMISSION (5115)											
1.	State Library Operations (01)										
	1,660,096	181,673	1,300,694		3,142,463	1,404,012	182,173	750,685			
	2,336,870										

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>						
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	
a.	Legislative Audit (Restricted/Biennial)											
15,774					15,774							
b.	Periodical Electronic Database (Biennial/OTO)											
100,000	100,000				200,000	100,000	100,000					
200,000												
2.	Natural Resource Information System (07)											
22,662	503,656	45,000			571,318	22,356	503,928	45,000				
571,284												
a.	Legislative Contract Authority (Biennial)											
	150,000	350,000			500,000							

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<b>Total</b>											
1,798,532	935,329	1,695,694			4,429,555	1,526,368	786,101	795,685			
3,108,154											

Item 1 includes biennial appropriations of \$251,138 in general fund money and \$950,000 in federal funds for grants to local libraries.

Item 1b is provided to give local libraries the option to:

- (1) use their share of the funding, along with a local match, to participate in a statewide periodical electronic database; or
- (2) use their share of the funding to purchase periodicals or books locally.

Funding to local libraries is based upon the formula used by the state library commission to identify the cost for each library to participate. The state library commission shall provide funds to participating libraries in accordance with 22-1-103.

Item 2a includes \$500,000 for legislative contract authority as a biennial appropriation, subject to the following provisions:

- (1) Legislative contract authority applies only to state special revenue funds received from the Montana university system, federal funds, and private funds.
- (2) Legislative contract authority expenditures must be reported on the state accounting system. The records must be separate from present law operations.

In preparing the 2003 biennium budget for legislative consideration, the office of budget and program planning may not include the expenditures from this item in the present law base.

(3) A report must be submitted by the state library commission to the legislative fiscal division following the end of each fiscal year of the biennium. The report must include a listing of projects with the related amount of expenditures for each project.

**MONTANA HISTORICAL SOCIETY (5117)**

1.	Administration Program (01)											
730,041	210,408	55,900			996,349	738,711	208,046	55,464				
1,002,221												
a.	Legislative Audit (Restricted/Biennial)											
20,363					20,363							

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		
	b.	Security Equipment (OTO)			20,000						
	20,000				20,000						
2.	Library Program (O2)										
	546,188	4,289	68,627		619,104	532,934	4,289		55,468		
	592,691										
	a.	Purchase Storage Units (OTO)									
	13,612				13,612	3,200					
	3,200										
3.	Museum Program (O3)										
	274,587	21,278	9,017		304,882	268,593	21,218		9,031		
	298,842										
	a.	Curator (OTO)									
	31,898				31,898	31,651					
	31,651										
4.	Publications (O4)										
	53,652		724,691		778,343	53,650			716,520		
	770,170										
	a.	Legislative Audit (Restricted/Biennial)									
			811		811						
5.	Historical Sites Preservation (O6)										
	22,368	461,561			483,929	22,836		459,878			
	482,714										
	a.	Legislative Audit (Restricted/Biennial)									
	600	5,267			5,867						
	b.	Antiquities Database Development (OTO)									
	20,321	20,750			41,071	20,265	20,689				
	40,954										
<hr/>											
Total	1,733,630	256,725	522,728	803,146	3,316,229	1,671,840	254,242	515,342	781,019		
	3,222,443										

MONTANA UNIVERSITY SYSTEM, INCLUDING OFFICE OF THE COMMISSIONER OF HIGHER EDUCATION AND EDUCATIONAL UNITS AND AGENCIES (5100)

1. OCHE -- Administration (O1)

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>
1,126,823					1,126,823	1,120,527					
1,120,527											
a.	Legislative Audit (Restricted/Biennial)										
24,788					24,788						
b.	Performance Audit (Restricted/Biennial/OTO)										
80,000					80,000						
2.	OCHE -- Student Assistance (02)										
7,451,310		140,599			7,591,909	7,649,469		140,599			
7,790,068											
3.	OCHE -- Dwight D. Eisenhower Mathematics and Science Education Act (03)										
		264,449			264,449			264,449			
264,449											
4.	OCHE -- Community College Assistance (04)										
4,884,541					4,884,541	4,884,541					
4,884,541											
a.	Legislative Audit (Restricted/Biennial)										
32,640					32,640						
5.	OCHE -- Talent Search (06)										
93,760		473,736			567,496	93,760		539,583			
633,343											
6.	OCHE -- C.D. Perkins Administration (08)										
80,000		8,890,000			8,970,000	80,000		8,090,000			
8,170,000											
7.	OCHE -- Appropriation Distribution Transfers (09)										
90,572,751	14,809,000				105,381,751	90,848,210	15,280,000				
106,128,210											
a.	Legislative Audit (Restricted/Biennial)										
366,851					366,851						
b.	National Guard Fee Waivers (Restricted/Biennial)										
250,000					250,000						
c.	Agricultural Experiment Station										
8,639,885					8,639,885	8,561,006					
8,561,006											
d.	Extension Service										

General Fund	Fiscal 2000				Total	General Fund	Fiscal 2001				Total
	State Special Revenue	Federal Special Revenue	Proprietary	Other			State Special Revenue	Federal Special Revenue	Proprietary	Other	
3,689,573					3,689,573	3,689,573					
3,689,573											
e.	Montana Beef Network (Restricted/Biennial/OTO)										
90,000					90,000	90,000					
90,000											
f.	Forestry and Conservation Experiment Station										
840,714					840,714	840,044					
840,044											
g.	Bureau of Mines and Geology										
1,441,082	656,000				2,097,082	1,438,306	656,000				
2,094,306											
h.	Fire Services Training School										
334,868					334,868	363,403					
363,403											
i.	Nonbeneficiary Students at the Tribal Colleges (Restricted)										
417,000					417,000	417,000					
417,000											
8.	OCHE -- Guaranteed Student Loan (12)										
		28,073,718			28,073,718			29,332,010			
29,332,010											
a.	Legislative Audit (Restricted/Biennial)										
		3,718			3,718			3,718			
3,718											
9.	OCHE -- Board of Regents (13)										
43,825					43,825	43,825					
43,825											
<hr/>											
Total											
120,460,411	15,465,000	37,846,220			173,771,631	120,119,664	15,936,000	38,370,359			
174,426,023											

Items 1 through 3, 5 through 7a, 8, and 9 are a single biennial lump-sum appropriation.

Audit costs for the office of the commissioner of higher education are estimated to be \$32,224.

Total audit costs are estimated to be \$64,000 for the community colleges for the biennium. The general fund appropriation for each community college provides

Fiscal 2000						Fiscal 2001					
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Other	Total

51% of the total audit costs in fiscal year 2000. The remaining 49% of these costs must be paid from funds other than those appropriated in item 4a. Audit costs for the biennium may not exceed \$20,000 each for Dawson and Miles community colleges and \$24,000 for Flathead Valley community college.

Total Summitnet costs are estimated to be \$25,000 each year for the community colleges. The general fund appropriation for the community colleges provides 51% of the total Summitnet costs. The remaining 49% of these costs must be paid from funds other than those appropriated in item 4. Summitnet costs for each year may not exceed \$8,000 each for Dawson and Miles community colleges and \$9,000 for Flathead Valley community college.

Because certain employee benefit plans require a large number of individual premiums for a variety of benefit options, because the portion of these premiums paid by the state is statutorily established in 2-18-703, and because the employee-paid portion of these premiums must be adjusted from time to time to maintain employee group benefit plans on an actuarially sound basis, the legislature defines rates and fees for Montana university system employee benefit programs to mean the state contribution toward employee group benefits provided for in 2-18-703 and the employee contribution toward employee group benefits necessary to maintain the employee group benefit plans on an actuarially sound basis.

Revenue appropriated to the Montana university system units and colleges of technology includes: (1) state special revenue from interest earnings of \$1,608,019 each year of the 2001 biennium; and (2) tuition and other revenue of \$107,119,523 in fiscal year 2000 and \$109,011,916 in fiscal year 2001. These amounts are appropriated for current unrestricted operating expenses as a biennial lump-sum appropriation and are in addition to the funds shown in item 7.

Included in state special revenue appropriations in item 7 is \$14,809,000 in fiscal year 2000 and \$15,280,000 in fiscal year 2001 from revenue generated under the provisions of 20-25-423. Revenue received by the university system under the provisions of 20-25-423 that exceeds \$14,809,000 in fiscal year 2000 and \$15,280,000 in fiscal year 2001 is appropriated to the board of regents, to a maximum of \$4,911,000 (total \$35 million) for the biennium. If revenue received under the provisions of 20-25-423 is less than \$30,089,000 in the 2001 biennium, it is the intent of the legislature that the commissioner of higher education reduce the university system expenditures by corresponding amounts.

Item 7 includes \$399,060 in each year of the biennium that must be transferred to the energy conservation program account and used to retire the general obligation bonds sold to fund energy improvements through the state building energy conservation program. The costs of this transfer in each year of the biennium are: university of Montana-Missoula, \$207,300; Montana tech of the university of Montana, \$28,000; Montana state university-northern, \$97,000; Montana state university-Billings, \$56,000; and western Montana college of the university of Montana, \$10,760.

Total audit costs are estimated to be \$549,842 for the university system other than the office of the commissioner of higher education. Each unit shall pay a percentage of these costs from funds other than those appropriated in item 7a.

At the direction of the legislative audit committee, the legislative auditor shall conduct at least three performance audits of university and college of technology campus physical plant and grounds and maintenance operations during the 2001 biennium. When deciding which campuses to audit, the legislative audit committee shall consider comments from representatives from each campus, the commissioner of higher education, and the architecture and engineering division. The legislative audit committee shall rank each campus in order of audit priority, considering maintenance needs, current maintenance and physical plant expenditures, and other information that the committee considers relevant. The commissioner of higher education shall pay the audit costs of up to \$80,000 from the one-time only, biennial general fund appropriation restricted to that purpose. The legislative auditor shall report the results of the performance audits to the legislative audit committee and to the public prior to the 2001 legislative session.

The legislature recommends that a minimum of 13% of the total current unrestricted operating funds for the units and the colleges of technology be spent on operations and maintenance in program 7 because an increasing level of deferred maintenance has followed: (1) construction of a substantial number of new buildings in recent years; and (2) a decline in the proportional amount of the current unrestricted funds spent on operations and maintenance. This percentage is recommended

<u>Fiscal 2000</u>						<u>Fiscal 2001</u>					
<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>	<u>General Fund</u>	<u>State Special Revenue</u>	<u>Federal Special Revenue</u>	<u>Proprietary</u>	<u>Other</u>	<u>Total</u>

to ensure more timely maintenance that should result in a lower level of deferred maintenance in university system buildings.

University system units are defined in 17-7-102(13). For all university system units, except the office of the commissioner of higher education, all funds (other than plant funds appropriated in House Bill No. 5 relating to long-range building and current unrestricted operating funds) are appropriated contingent on approval of the comprehensive program budget by the board of regents by October 1 of each year. For all university system 4-year units and colleges of technology, all funds, other than funds appropriated in House Bill No. 5 for long-range building programs, are appropriated as a lump sum for the biennium contingent upon approval of the comprehensive program budget by the board of regents by October 1 of each year. The board of regents shall allocate the appropriations to the individual units according to board policy. The budget must contain detailed revenue and expenditure and anticipated fund balances of current funds, loan funds, endowment funds, and plant funds. After the board of regents approves operating budgets, transfers between units may be made only with the approval of the board of regents. Requests for transfer and related justification must be submitted to the office of budget and program planning and to the legislative fiscal analyst prior to approval by the board of regents. All movement of funds between the current unrestricted subfund and the designated subfund accounts must be clearly identified in the state budgeting and accounting system.

All university system units, except the office of the commissioner of higher education, shall account for expenditures consistently within programs and funds across all units and shall use the national center for higher education management systems program classifications structure, along with the college and university business administration (CUBA) system, as a minimum standard for achieving consistency.

The Montana university system, except the office of the commissioner of higher education and the community colleges, shall provide the office of budget and program planning and the legislative fiscal division with banner training and online electronic access to the entire university system's banner information system by May 1, 2000, except:

- (1) the ability to change data;
- (2) portions of the banner information system that are the property of third parties (such as alumni associations or foundations); and
- (3) information pertaining to individual students or individual employees that is protected by Article II, sections 9 and 10, of the Montana constitution, 20-25-515, or the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g.

Items 1 through 3 in no way limit the power of the budget director or the legislative fiscal analyst to receive and examine copies of any state government information, including confidential records, in accordance with 5-12-303 and 17-1-132.

By fiscal yearend 2000 and thereafter:

- (1) the actual personal services data for all funds on banner must tie to the actual expenditures as recorded on the state accounting and human resource systems; and
- (2) the budgeted personal services for current unrestricted operating funds on banner must tie to the operating plan for expenditure of funds appropriated in [this act] and other bills, as approved by the board of regents.

The Montana university system shall provide the electronic data required to upload human resource data for the current unrestricted operating funds into the MBARS system by program number, cost center, and position, including but not limited to the budgeted salary and benefits, grade and step, FTE, position title and position type, longevity dates and increments, years of service, benefit factors, workers' compensation code, final ending hourly salary, and class code.

The legislature requests that the Montana university system use reimbursements for indirect costs associated with a grant to or contract with the Montana university system to fund current unrestricted operating costs of \$417,000 each year of the 2001 biennium.

Revenue appropriated to the agricultural experiment station includes: (1) state special revenue from interest earnings of \$79,332 each year of the 2001

<u>Fiscal 2000</u>					<u>Fiscal 2001</u>						
<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>	<u>General</u>	<u>State</u>	<u>Federal</u>	<u>Propri-</u>	<u>Other</u>	<u>Total</u>
<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>			<u>Fund</u>	<u>Revenue</u>	<u>Revenue</u>	<u>etary</u>		

biennium; (2) federal revenue of \$1,986,061 in fiscal year 2000 and \$2,045,643 in fiscal year 2001; and (3) proprietary revenue from sales of \$975,379 in fiscal year 2000 and \$972,946 in fiscal year 2001. These amounts are appropriated for current unrestricted operating expenses and are in addition to the funds shown in item 7c.

Revenue appropriated to the extension service each year of the biennium includes: (1) state special revenue from interest earnings of \$40,739; and (2) federal revenue of \$2,187,516. These amounts are appropriated for current unrestricted operating expenses and are in addition to the funds shown in item 7d.

General fund money of \$90,000 each year of the 2001 biennium in item 7e is a biennial, one-time only appropriation for one staff person and for expenses for the Montana beef network within the extension service.

Interest revenue of \$4,923 in fiscal year 2000 and \$4,959 in fiscal year 2001 is appropriated to the forestry and conservation experiment station for current unrestricted operating expenses. This amount is in addition to that shown in item 7f.

Proprietary revenue of \$59,000 each year of the biennium is appropriated to the bureau of mines and geology for current unrestricted operating expenses. This amount is in addition to that shown in item 7g.

Interest revenue of \$4,097 each year of the biennium is appropriated to the fire services training school for current unrestricted operating expenses. This amount is in addition to that shown in item 7h.

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TOTAL SECTION E

591,367,231	18,676,548	126,424,481	803,146		737,271,406	585,980,525	18,990,012	122,657,440	781,019		
728,408,996											

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TOTAL STATE FUNDING

1,001,714,590	420,393,856	1,069,216,963	2,322,499	434,383	2,494,082,291	1,004,381,664	351,960,396	1,041,496,696	2,289,586	431,805	
2,400,560,147											



**NEW SECTION. Section 14 Rates.** Internal service fund type fees and charges established by the legislature for the 2001 biennium in compliance with 17-7-123(6)(b) are as follows:

SECRETARY OF STATE (3201)	<u>2001 Biennium</u>
1. Administrative Rules of Montana Fees	
a. Administrative Rules of Montana	\$350.00/set
b. Quarterly Updates of ARM	\$250.00/year
c. Extra Titles	\$50.00/book
d. Quarterly Updates of Extra Titles	\$50.00/year/title
e. Montana Administrative Register	\$300.00
f. Agency Filing Fee for Pages for Register Publication	\$35.00/page
2. Records Management Fees (based on 2-6-203)	
a. <b>16MM Microfilm</b> Less than 250,000	\$30.00
Nontypical extreme weight & size	\$36.75
8 ½ x 11"; 8 ½ x 14" paperwork	\$25.00
8 ½ x 11"; 11 x 14" computer printout	\$22.05
Extreme size & weight variance	\$27.50
Cards - fixed weight & color	\$15.00
Cards - mixed weight & color	\$25.00
b. <b>35MM Microfilm</b> L (per 12 x 12") aerial photos	\$65.00
16 x 20" bound books	\$60.00
24 x 34" newspapers	\$110.00
24 x 34" bound newspapers	\$130.00
48 x 48" blueprints/maps	\$275.00
c. <b>105MM Microfilm</b> 8 ½ x 11" paperwork	\$65.00
8 ½ x 11"; 11 x 14" computer printout	\$73.50
Cards (per 1000)	\$73.50
Minimum filming charge	\$37.50
d. <b>Film Processing</b> 16mm, 100 foot roll	\$3.45
16mm, 215 foot roll	\$6.76
35mm, 100 foot roll	\$6.05
16mm, 3M cartridges	\$4.50
e. <b>Film Inspecting</b> 100 foot roll inspection	\$3.50
215 foot roll inspection	\$4.98
film splicing	\$0.75
3M cartridge loading	\$2.25
f. <b>Duplication</b> 16mm, 100 foot roll	\$6.48
16mm, 215 foot roll	\$12.41
35mm, 100 foot roll	\$8.77
105mm, microfiche or jackets	\$0.15
Reader/printer copies	\$0.50

Photocopies/own labor	\$0.10
Photocopies/our labor	\$0.50
16mm, 100 foot roll	\$9.45
35mm, 100 foot roll	\$13.85
g. <b>Jacket Loading</b> 16mm, 5 channel jacket	\$0.30
Agency's own jacket	\$0.275
35mm, 1 & 2 channel jacket	\$0.30
Loading 16mm aperture card	\$0.25
Jacket title	\$0.25
Jacket notching	\$0.05
h. <b>Miscellaneous</b> Fiche title	\$0.25
Indexing and document prep/hour	\$14.00
Camera rental/day	\$95.00
i. <b>Supplies</b> NMI reader bulbs	\$10.75
16mm, 100 foot roll film	\$6.68
16mm, 215 foot roll film	\$12.95
35mm, 100 foot roll film	\$12.95
j. <b>Records Center Services</b> Storage by square foot/month	\$0.19
Storage by cubic foot	\$0.2950
Retrievals	\$1.00
Emergency retrievals	\$5.00
Large retrievals, delivery, interfiling	\$16.00
Records disposal/hour	\$16.00
Shredding confidential records/hour	\$21.95
k. <b>Records Center Boxes</b>	
Records storage box: standard size A	\$1.34
Drawings & map storage boxes size C	\$1.34

DEPARTMENT OF JUSTICE (4110)

Fiscal Year 2000

Fiscal Year 2001

1. Agency Legal Services

a. Attorney (per hour)	\$62	\$62
b. Investigator/Paralegal (per hour)	\$35	\$35

DEPARTMENT OF TRANSPORTATION (5401)

1. State Motor Pool

a. Class 02	\$0.381/mile	\$0.348/mile
b. Class 06	\$0.291/mile	\$0.275/mile
c. Class 07	\$0.34/mile	\$0.32/mile
d. Class 12	\$0.365/mile	\$0.353/mile
e. Daily rate	\$9.20/day	\$8.70/day

A daily rate charge will be assessed if a vehicle runs under approximately 33 miles a day (1,000 miles a month). The larger of either the daily rate or the applicable per-mile rate is charged.

2. Equipment Program

The equipment program's rate structure includes both assigned time rates and usage rates for 121 classes of equipment used by other programs within the department. Because of the enterprise-like nature of this program's operations and the large number of individual rates, the legislature defines rates as the following:

The equipment program may charge rates necessary to establish and maintain a 60-day working capital reserve to operate the program.

DEPARTMENT OF REVENUE (5801)

1. Customer Service Center

a. One-Stop Licensing	\$4.51 per license
b. Input Manual Cash	\$1.21 per document
c. Input Mail	\$0.19 per document
d. Capture Image	\$3.91 per document
e. Capture Paper	\$4.97 per document
f. Validation	\$0.18 per document
g. Retention	\$0.21 per document
h. Coupon Payment	\$0.25 per document
i. Bad Debt Collection	10% of the amount collected

DEPARTMENT OF ADMINISTRATION (6101)

1. Accounting and Management Support

a. Network Support per Computer	\$668	\$685
b. Programming per Hour	60-day working capital reserve	60-day working capital reserve
c. Mailer Warrants (Per Warrant)	\$0.50277	\$0.50143
d. Nonmailers (Per Warrant)	\$0.18230	\$0.18190
e. Emergency Warrants (Per Warrant)	\$3.3019	\$3.3006
f. Duplicate Warrants (Per Warrant)	\$0.50360	\$0.50320
g. Direct Deposits (Per Warrant)	\$0.09540	\$0.09380
h. Procord Program	60-day working capital reserve	60-day working capital reserve
i. Legal Services Unit	<u>Share of Total Revenue Each Program or Division Will Pay</u>	

Program or Division	Share
Information Services Division	27%
Teachers' Retirement Division	20%
Employee Benefits Program	26%
Risk Management and Tort Defense Program	2%
Architecture and Engineering Program	18%
General Services Division	7%
Total	100%

2. General Services Program (per square foot)

a. Office Rental Rate	\$5.13	\$5.37
b. Warehouse Rental Rate	\$2.12	\$2.12

3. Professional Development Center

a. Workshops	\$50.91/hr	\$52.84/hr
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4. Information Services Division

- a. 60-day working capital, except that the data network rate may not exceed \$64.59 per connection per month.
- b. MT PRRIME Operations Bureau Amount Allocated in Agency Budgets  
Fiscal year 2000: \$2,680,238; Fiscal year 2001: \$2,722,253

- 5. Procurement and Printing
  - a. Publications & Graphics 60-day working capital reserve
  - b. Central Stores 60-day working capital reserve
  - c. Natural Gas Procurement break-even (no reserve)
  - d. Statewide Fueling Network 60-day working capital reserve
  - e. Mail Program 60-day working capital reserve

- 6. Mail Program
  - a. Deadhead Mail Amount Allocated in Agency Budgets  
Fiscal Year 2000: \$163,704; Fiscal Year 2001: \$163,704
  - b. Regular Mail 60-day working capital reserve

- 7. Payroll 60-day working capital

8. Risk Management	<u>Total Amounts Allocated to Agencies</u>	
a. General Liability	\$3,834,842	\$3,834,842
b. Auto Liability	1,244,420	1,244,419
c. Property	1,147,684	1,147,684
d. Airport/Aircraft	122,108	122,108
e. All Other Lines	202,742	212,029

9. Because state employee benefit plans require a large number of individual premiums for a variety of benefit options, because the portion of these premiums paid by the state is statutorily established in 2-18-703, and because the employee-paid portion of these premiums must be adjusted from time to time to meet the requirements of 2-18-812(1) to maintain state employee group benefit plans on an actuarially sound basis, the legislature defines "rates and fees" for state employee benefit programs to mean the state contribution toward employee group benefits provided for in 2-18-703 and the employee contribution toward employee group benefits necessary to meet the requirements of 2-18-812(1).

DEPARTMENT OF FISH, WILDLIFE, AND PARKS (5201)

1. Administration and Finance (% markup)		
a. Warehouse Overhead	4%	4%
2. Vehicle Account Rates Per Mile		
a. Sedans	\$0.15	\$0.15
b. Suburban - 4X4 (New)	0.36	0.37
c. Van 1/2 Ton	0.16	0.16
d. Van 1/2 Ton Window	0.22	0.23
e. Pickup 1/2T 2X4 V8	0.29	0.30
f. Pickup 1/2T 4X4 V8	0.22	0.22
g. Pickup 3/4T 4X4 V8	0.16	0.17
h. Pickup 1/2T 4X4 6 Cyl	0.22	0.23
i. Bronco 4X4 6 Cyl	0.20	0.21
j. Pickup 1/2T 4X4 Smalls	0.21	0.27
k. Pickup 3/4T 4X4 HD	0.23	0.24

l. Pickup 3/4T 4X4 HD XC	0.28	0.29
m. Pickup 3/4T 4X4 460	0.30	0.31
n. Pickup 3/4T 4X4 MD	0.20	0.21
o. Pickup 3/4T 4X4 MD XC	0.24	0.26
p. Pickup 3/4T 4X4 LD XC	0.24	0.26
3. Aircraft Per Hour Rates		
a. 2 Place Single-Engine Aircraft	59.78	68.74
b. Parnavia	245.83	258.12
c. Turbine Helicopter	271.50	312.23
4. Parks - Capitol Grounds Maintenance	\$0.3446/sq. ft.	\$0.3446/sq. ft.
5. Duplicating - Number of copies (includes paper)		
a. 1 to 20	.045	.050
b. 21 to 100	.030	.035
c. 101 to 1000	.025	.030
d. 1001 to 5000	.020	.025
6. Bindery		
a. Collating Machine (per sheet)	\$.005	\$.005
b. Stapling Hand (per set)	.015	.015
c. Saddle Stitch (per set)	.030	.030
d. Folding (per sheet)	.005	.005
e. Punching - 3 hole (per sheet)	.001	.001
f. Cutting (per min)	.550	.550
DEPARTMENT OF ENVIRONMENTAL QUALITY (5301) (admin. formula negotiated with fed. govt.)		
1. Central Management		
a. Expenses Against Personal Services	23.0%	23.0%
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)		
1. Air Operations Program		
a. Fixed Wing (per hour)	\$90	\$90
b. Light Helicopters (per hour)	\$345	\$345
c. Medium Helicopters (per hour)	\$850	\$850
DEPARTMENT OF COMMERCE (6501)		
1. Professional and Occupational Licensing		
a. House Bill No. 2 Programs Recharge Rate	35.61%	35.68%
2. Local Government Services Bureau		
a. LGA Administrators Recharge	1.33%	1.33%
3. Board of Investments		
For purposes of [this act], the legislature defines "rates" as the total collections necessary to operate the board of investments as follows:		
a. BOI Administration Charge (total)	\$2,150,000	\$2,000,000
4. Director's Office/Management Services		
a. Federal Programs IDC Rate	9.85%	9.85%

b. State Programs IDC Rate	9.85%	9.85%
DEPARTMENT OF CORRECTIONS (6401)		
1. Montana Corrections Enterprises		
a. Laundry Rate to MSP	\$0.37/lb	\$0.37/lb
b. Laundry Rate to MSH	0.36/lb	0.36/lb
c. Laundry Rate to MDC	0.46/lb	0.46/lb
DEPARTMENT OF LABOR AND INDUSTRY (6602)		
1. Centralized Services Division		
a. Cost Allocation Plan	9.6%	8.9%
Applied against actual personal services costs incurred		
2. Information Services Bureau		
a. Input/Output Function	≤ \$50/hr	≤ \$50/hr
3. Career Information System		
a. User Fees-MCIS License Revenue (total)	\$1,500	\$1,500
\$1,500 larger schools - discounts for smaller		
OFFICE OF PUBLIC INSTRUCTION (3501)		
1. OPI Indirect Cost Pool		
a. Indirect Cost Draws	17%	17%

OPI funds its indirect cost pool with 17% of all personal services and operations expenditures in its administration program.

**MONTANA UNIVERSITY SYSTEM (5100)**

Because certain employee benefit plans require a large number of individual premiums for a variety of benefit options, because the portion of these premiums paid by the state is statutorily established in 2-18-703, and because the employee-paid portion of these premiums must be adjusted from time to time to maintain employee group benefit plans on an actuarially sound basis, the legislature defines "rates and fees" for Montana university system employee benefit programs to mean the state contribution toward employee group benefits provided for in 2-18-703 and the employee contribution toward employee group benefits necessary to maintain the employee group benefit plans on an actuarially sound basis.

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

And, as amended, do pass. Report adopted.

**HB 79**, introduced bill, be amended as follows:

3/10/1999

1. Page 17, line 19.

**Following:** "(2)"

**Insert:** "(a)"

2. Page 17, line 21 through line 22.

**Strike:** "Before" on line 21 through the first "the" on line 22

**Insert:** "The"

3. Page 17, line 23.

**Strike:** "for the immediately preceding fiscal year"

4. Page 17, line 24.

**Following:** "system's"

**Insert:** "or plan's"

5. Page 17, line 25.

**Strike:** "system."

**Insert:** "system's defined benefit plan in a manner that ensures that the public employees' retirement system's defined benefit plan trust fund is fully compensated for expenditures made on behalf of other systems or plans so that there is no actuarial impact on the fund. (b)"

6. Page 17, line 27.

**Following:** "paid."

**Insert:** "(3)"

**Renumber:** subsequent subsections

7. Page 17, line 27.

**Following:** "OF"

**Strike:** "THIS SECTION" through "DOES"

**Insert:** "calculating the percentage specified in subsection (2)(b), administrative expenses do"

8. Page 17, line 28.

**Following:** "INCLUDE"

**Strike:** "AN EXPENDITURE"

**Insert:** ": (a) expenditures to purchase intangible assets for plan administration;  
(b) expenses of the defined contribution plan; or  
(c) expenditures"

9. Page 17, line 29 through line 30.

**Strike:** "OR" on line 29 through "SECTION 411" on line 30

10. Page 35, line 8 through line 9.

**Strike:** "the following" on line 8 through "amounts" on line 9

**Insert:** "0.1% of covered payroll from the employer contributions made pursuant to 19-3-316"

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

11. Page 35, line 9 through line 13.

**Following:** "(a)"

**Strike:** ":" on line 9 through "payroll" on line 13

12. Page 35, line 26.

**Following:** "plan"

**Insert:** "or the optional retirement program"

13. Page 36, line 29 and line 30.

**Following:** "plan" in both places

**Insert:** "or the optional retirement program"

14. Page 36, line 30.

**Following:** "the"

**Insert:** "defined contribution"

15. Page 38, line 27.

**Strike:** "from fees collected by the vendor"

**Insert:** "for the plan"

16. Page 38.

**Following:** line 28

**Insert:** "(4) Expenditures from state general fund appropriations for fiscal years 2000 and 2001 must be repaid from plan assets within 6 years of the start date of the plan.

(5) Costs for the board to provide for contract oversight are included as part of the administrative expenses of the plan."

17. Page 50, line 9.

**Strike:** "(a)"

18. Page 50, line 11 through line 19.

**Strike:** "for" on line 11 through "." on line 19

**Insert:** ":(a) for fiscal year 2000, \$1 million; and (b) for fiscal year 2001, \$700,000."

19. Page 50, line 20.

**Strike:** "Of the"

**Insert:** "The"

**Following:** "(1)"

**Strike:** ", \$2.48 million"

20. Page 50, line 20 through line 21.

**Strike:** "over" on line 20 through "assets" on line 21

21. Page 50.

**Following:** line 22

**Insert:** "(3) Amounts not spent from the appropriation for fiscal year 2000 may be carried over to fiscal year 2001."



HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

22. Page 51, line 30.

**Strike:** "CHOOSE"

**Insert:** "elect either"

**Following:** "PLAN"

**Insert:** "or the optional retirement program"

23. Page 52, line 3.

**Strike:** "CHOSEN"

**Insert:** "elected"

24. Page 52, line 5.

**Following:** "Sections"

**Insert:** "41(1)(b),"

**Following:** "62"

**Insert:** ", "

And, as amended, do pass. Report adopted.

**HB 524**, introduced bill, be amended as follows:

3/9/1999

1. Page 3, line 8.

**Insert:** "NEW SECTION. Section 3. Agreements with tribal governments. (1) Agreements with tribal governments in Montana entered into under this part must contain, in addition to other appropriate terms and conditions, the following conditions:

(a) a requirement that in the event that a dispute or claim arises under the agreement, state law will govern as to the interpretation and performance of the agreement and that any judicial proceeding concerning the terms of the agreement will be brought in the district court of the first judicial district of the state of Montana;

(b) an express waiver of the tribal government's immunity from suit on any issue specifically arising from the transaction of a loan or grant; and

(c) an express waiver of any right to exhaust tribal remedies signed by the tribal government.

(2) Agreements with tribal governments must be approved by the secretary of the United States department of the interior whenever approval is necessary."

**Renumber:** subsequent section

2. Page 3, line 12.

**Insert:** "NEW SECTION. Section 5. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 90, chapter 6, part 7, and the provisions of Title 90, chapter 6, part 7, apply to [section 3]."

And, as amended, do pass. Report adopted.

**HUMAN SERVICES** (Soft, Chairman):

3/9/1999

**SB 176**, be amended as follows:

1. Title, lines 12 through 14.

**Strike:** "; REQUIRING" on line 12 through "EXPLOITATION" on line 14

2. Page 5, line 23 through page 6, line 13.

**Following:** "subsection (1)" on line 23

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

**Strike:** "including" on page 5, line 23 through "service" on page 6, line 13

3. Page 10, lines 17 through line 19.

**Strike:** subsection (3) in its entirety

And, as amended, be concurred in. Report adopted.

**SB 290**, be concurred in. Report adopted.

**JUDICIARY** (Clark, Chairman):

3/9/1999

**SB 87**, be concurred in. Report adopted.

**SB 165**, be amended as follows:

1. Title, line 4.

**Strike:** "ON A MOTOR VEHICLE"

2. Title, line 5.

**Strike:** "ON THE MOTOR VEHICLE"

3. Page 1, line 23.

**Following:** "article"

**Insert:** "or tows or stores the article as directed under authority of law"

4. Page 1, line 26.

**Following:** "service is"

**Strike:** "the"

**Following:** "towing"

**Strike:** "and"

**Insert:** "or"

**Strike:** "of a motor"

5. Page 1, line 27.

**Strike:** "vehicle"

**Strike:** "and"

**Insert:** "or"

6. Page 1, line 28 through line 30.

**Strike:** subsection (3) in its entirety

And, as amended, be concurred in. Report adopted.

**SB 222**, be amended as follows:

1. Title, line 8.

**Following:** "37-61-101,"

**Insert:** "37-61-202,"

**Following:** "37-61-204,"

**Insert:** "37-61-205,"

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

2. Page 1, line 16.  
**Following:** "37-61-101,"  
**Insert:** "37-61-202,"  
**Following:** "37-61-204,"  
**Insert:** "37-61-205,"

And, as amended, be concurred in. Report adopted.

**NATURAL RESOURCES** (Tash, Chairman):  
**SB 40**, be concurred in. Report adopted.  
**SB 64**, be concurred in. Report adopted.  
**SB 72**, be amended as follows:

3/9/1999

1. Title, line 15.  
**Following:** "PROVIDING"  
**Insert:** "AN IMMEDIATE"  
**Strike:** "DATES"  
**Insert:** "DATE"

2. Page 2, line 10 through line 17.  
**Strike:** section 3 in its entirety  
**Renumber:** subsequent sections

3. Page 2, line 27 through page 3, line 20.  
**Strike:** section 5 in its entirety  
**Renumber:** subsequent sections

4. Page 9, line 5 through line 7.  
**Strike:** section 12 in its entirety  
**Renumber:** subsequent section

5. Page 9, line 9.  
**Strike:** "-- contingent effective date"

6. Page 9, lines 9 and 10.  
**Strike:** "(1)" on line 9 through "[this" on line 10  
**Insert:** "[This"

7. Page 9, line 11 through line 12.  
**Strike:** subsection (2) in its entirety

And, as amended, be concurred in. Report adopted.

**SJR 3**, be concurred in. Report adopted.

**REPORTS OF SELECT COMMITTEES**

CONFERENCE COMMITTEE

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

on House Amendments to Senate Bill 10  
Report No. 1, March 9, 1999

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 10** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 10** (reference copy -- salmon) be amended as follows:

1. Title, line 10 through line 11.

**Strike:** "ELIMINATING" on line 10 through "REQUIREMENTS;" on line 11

2. Page 2, line 17.

**Following:** "miles"

**Insert:** "for a distance of not more than 100 miles"

3. Page 2, line 22.

**Following:** "hay" on line 22

**Insert:** "within 100 miles of the farming operation of the owner of an implement of husbandry or a vehicle used for hauling hay"

4. Page 3, line 8.

**Following:** "miles"

**Insert:** "for a distance of not more than 100 miles"

For the Senate:

Mohl, Chairman  
Cole  
Jergeson

For the House:

Hanson, Chairman  
Beck  
Hedges

**MESSAGES FROM THE SENATE**

**HB 110**, introduced by Johnson, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

3/9/1999

Yeas - 50

Nays - 0

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/9/1999

**HB 99**, introduced by Hagener

House bills concurred in and returned to the House:

3/9/1999

**HB 23**, introduced by Kitzenberg

**HB 70**, introduced by Hurdle

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

**HB 156**, introduced by Tropila  
**HB 190**, introduced by Soft  
**HB 231**, introduced by Witt  
**HB 241**, introduced by Ryan  
**HB 454**, introduced by Soft  
**HB 467**, introduced by Hibbard

House joint resolution concurred in and returned to the House: 3/9/1999

**HJR 22**, introduced by Masolo

Senate bill passed and transmitted to the House for concurrence: 3/9/1999

**SB 198**, introduced by Christiaens

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 665**, introduced by T. Facey, referred to Taxation.  
**HB 666**, introduced by K. Ohs, C. Ahner, T. Beck, L. Grosfield, D. Mood, P. Sliter, F. Thomas, referred to Natural Resources.

The following Senate bill was introduced, read first time, and referred to committee:

**SB 198**, introduced by C. Christiaens, T. Beck, J. Bohlinger, P. Clark, J. Harp, B. McCarthy, D. McGee, A. Mohl, D. Shea, referred to Judiciary.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Representative Grinde moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Krenzler in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 128** - Representative Gillan moved **HB 128** do pass.

**HB 128** - Representative Gillan moved **HB 128**, second reading copy, be amended as follows :

1. Page 5, line 4.

**Following:** "tax."

**Insert:** "(1)"

2. Page 5, line 8.

**Insert:** "(2) An incumbent local exchange carrier that is not a cooperative providing retail telecommunications services in an area served by a rural telephone cooperative is not required to collect the retail telecommunications

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

excise tax imposed by [sections 1 through 19] from customers in the rural telephone cooperative service area."

Amendment adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McGee, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 97

Noes: McCann, Tuss.  
Total 2

Excused: None.  
Total 0

Absent or not voting: Krenzler.  
Total 1

**HB 128** - Representative Molnar moved **HB 128**, second reading copy, be further amended as follows :

1. Title, line 7.  
**Strike:** "3.75"  
**Insert:** "1.25"

2. Page 4, line 11.  
**Strike:** "3.75%"  
**Insert:** "1.25%"

Amendment failed as follows:

Ayes: Adams, Ahner, Barnett, Barnhart, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Curtiss, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Jore, Kasten, Lawson, Masolo, McCann, McGee, McKenney, Molnar, Mood, Orr, Raney, Sliter, Smith, Stovall, Tash, Taylor, Tuss, Vick, Wagner, Walters, Witt, Zook.  
Total 42

Noes: J. Andersen, S. Anderson, Beck, Buzzas, P. Clark, Cobb, Dale, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lenhart, Lindeen, Mangan, Matthews, McCulloch, Menahan, Noennig, Ohs, Peck, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Soft, Somerville, Squires, Story, Swanson, Thomas, Trexler, Tropila, Williams, Wyatt, Younkin, Mr. Speaker.  
Total 57

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

Excused: None.  
Total 0

Absent or not voting: Pavlovich.  
Total 1

Motion that **HB 128**, as amended, do pass carried as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, Bitney, Buzzas, E. Clark, Dale, Davies, Dell, Erickson, Ewer, Facey, Fisher, Gallus, Galvin-Halcro, Gillan, Guggenheim, Haines, Harper, Harrington, Hedges, Hibbard, Holden, Jackson, Johnson, Juneau, Krenzler, Lawson, Lindeen, Masolo, Matthews, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Schmidt, Simon, Sliter, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Thomas, Trexler, Tropila, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 62

Noes: Adams, Barnhart, E. Bergsagel, P. Bergsagel, Bookout-Reinicke, Brainard, Brown, P. Clark, R. Clark, Cobb, Eggers, Golie, Grinde, Gutsche, Hagener, Hanson, Hurdle, Jore, Kasten, Kitzenberg, Lenhart, Mangan, McCann, McGee, Molnar, Orr, Peck, Raney, Rehbein, Shockley, Smith, Taylor, Tuss, Vick, Wagner, Walters.  
Total 36

Excused: None.  
Total 0

Absent or not voting: Curtiss, Fuchs.  
Total 2

Representative Grinde moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Krenzler moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Trexler, Tropila, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 88

Noes: Brainard, R. Clark, Cobb, Molnar, Peck, Rehbein, Tuss, Vick, Wagner.  
Total 9

Excused: None.  
Total 0

Absent or not voting: Grinde, Kasten, Thomas.  
Total 3

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**SB 48** concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Dell, Eggers, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Walters, Williams, Witt, Younkin, Zook, Mr. Speaker.

Total 77

Noes: Adams, P. Bergsagel, Cobb, Davies, Erickson, Ewer, Facey, Galvin-Halcro, Harper, Jore, Lindeen, Molnar, Orr, Peck, Raney, Rehbein, Swanson, Wagner, Wyatt.

Total 19

Excused: None.

Total 0

Absent or not voting: Barnhart, Bookout-Reinicke, Kasten, Vick.

Total 4

**SB 49** concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Beck, E. Bergsagel, P. Bergsagel, Bitney, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Fisher, Fuchs, Gallus, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Quilici, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Walters, Witt, Younkin, Zook, Mr. Speaker.

Total 79

Noes: Adams, Barnhart, Bookout-Reinicke, Cobb, Erickson, Ewer, Facey, Galvin-Halcro, Harper, Jore, Lindeen, Molnar, Orr, Peck, Raney, Swanson, Wagner, Williams, Wyatt.

Total 19

Excused: None.

Total 0

Absent or not voting: Johnson, Kasten.

Total 2



HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

**SB 162** concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brown, Buzzas, E. Clark, P. Clark, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tuss, Vick, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 83

Noes: Adams, Brainard, R. Clark, Cobb, Curtiss, Davies, Holden, Jore, Kasten, Mangan, McCann, McGee, Orr, Rehbein, Tropila, Wagner.  
Total 16

Excused: None.  
Total 0

Absent or not voting: Peck.  
Total 1

**SB 187, as amended by the House**, concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Jore, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 96

Noes: P. Bergsagel, McGee, Orr.  
Total 3

Excused: None.  
Total 0

Absent or not voting: Story.  
Total 1

**SB 191** concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee,

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 92

Noes: Adams, Davies, Jore, Kasten, Orr, Rehbein, Story, Vick.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 201** concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McKenney, Menahan, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 91

Noes: Adams, P. Bergsagel, Jore, McGee, Molnar, Orr, Rehbein, Vick.

Total 8

Excused: None.

Total 0

Absent or not voting: Brown.

Total 1

**SB 231** concurred in as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCulloch, McKenney, Menahan, Molnar, Mood, Noennig, Ohs, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.

Total 96

Noes: Jore, McCann, McGee, Orr.

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SB 246** concurred in as follows:

Ayes: Ahner, J. Andersen, S. Anderson, Barnett, Barnhart, Beck, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, Buzzas, E. Clark, P. Clark, R. Clark, Curtiss, Dale, Davies, Dell, Eggers, Erickson, Ewer, Facey, Fisher, Fuchs, Gallus, Galvin-Halcro, Gillan, Golie, Grinde, Guggenheim, Gutsche, Hagener, Haines, Hanson, Harper, Harrington, Hedges, Hibbard, Holden, Hurdle, Jackson, Johnson, Juneau, Kasten, Kitzenberg, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Masolo, Matthews, McCann, McCulloch, McGee, McKenney, Menahan, Mood, Noennig, Ohs, Orr, Pavlovich, Peck, Quilici, Raney, Rehbein, Rose, Ryan, Schmidt, Shockley, Simon, Sliter, Smith, Soft, Somerville, Squires, Story, Stovall, Swanson, Tash, Taylor, Thomas, Trexler, Tropila, Tuss, Vick, Wagner, Walters, Williams, Witt, Wyatt, Younkin, Zook, Mr. Speaker.  
Total 96

Noes: Adams, Cobb, Jore, Molnar.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**MOTIONS**

Representative Swanson moved that **SB 100** be taken from the Committee on Appropriations and be placed on 2nd reading on Legislative Day 55.

Representative Mercer moved that the previous motion be laid on the table. Motion carried as follows:

Ayes: Adams, Ahner, J. Andersen, S. Anderson, Barnett, E. Bergsagel, P. Bergsagel, Bitney, Bookout-Reinicke, Brainard, Brown, E. Clark, R. Clark, Cobb, Curtiss, Dale, Davies, Fisher, Fuchs, Grinde, Haines, Hanson, Hedges, Hibbard, Holden, Jackson, Johnson, Jore, Kasten, Kitzenberg, Masolo, McGee, McKenney, Molnar, Mood, Noennig, Ohs, Orr, Rehbein, Rose, Shockley, Simon, Sliter, Soft, Somerville, Story, Stovall, Tash, Taylor, Thomas, Trexler, Vick, Wagner, Walters, Witt, Younkin, Zook, Mr. Speaker.  
Total 58

Noes: Barnhart, Beck, Buzzas, P. Clark, Dell, Eggers, Erickson, Ewer, Facey, Gallus, Galvin-Halcro, Gillan, Golie, Guggenheim, Gutsche, Hagener, Harper, Harrington, Hurdle, Juneau, Krenzler, Lawson, Lenhart, Lindeen, Mangan, Matthews, McCann, McCulloch, Menahan, Pavlovich, Peck, Quilici, Raney, Ryan, Schmidt, Smith, Squires, Swanson, Tropila, Tuss, Williams, Wyatt.  
Total 42

HOUSE JOURNAL  
FIFTY-FOURTH LEGISLATIVE DAY - MARCH 10, 1999

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**ANNOUNCEMENTS**

Committee meetings were announced by committee chairmen.

Majority Leader Grinde moved that the House adjourn until 1:00 p.m., Thursday, March 11, 1999. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER  
Chief Clerk of the House

DOUG MOOD  
Speaker Pro Tempore of the House