

**HOUSE JOURNAL
58TH LEGISLATURE
FIFTY-SECOND LEGISLATIVE DAY**

Helena, Montana
March 12, 2003

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Rome. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Lenhart, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 3/12/2003
Correctly printed: **SB 16, SB 55, SB 70, SB 71, SB 78, SB 88, SB 94, SB 125, SB 144, SB 151, SJR 21, SJR 24.**
Correctly engrossed: **HB 698, SB 26, SB 36.**
Correctly enrolled: **HB 321.**
Examined by the sponsor and found to be correct: **HB 36, HB 45, HB 65, HB 77, HB 194, HB 321, HB 353, HB 364, HB 366, HB 601, HJR 18, HJR 22.**
Signed by the Speaker at 9:30 a.m., March 12, 2003: **HB 36, HB 45, HB 65, HB 77, HB 194, HB 353, HB 364, HB 366, HB 601, HJR 18, HJR 22.**
Delivered to the Secretary of State at 11:53 a.m., March 12, 2003: **HB 128.**

AGRICULTURE (Rice, Chairman): 3/11/2003
SB 22, be concurred in and be placed on the consent calendar. Report adopted.
SB 23, be concurred in and be placed on the consent calendar. Report adopted.
SB 87, be concurred in and be placed on the consent calendar. Report adopted.

APPROPRIATIONS (Lewis, Chairman): 3/12/2003
HB 2, introduced bill, be amended as follows:

1. Page 1.

Following: line 8

Strike: everything after the enacting clause and insert:

NEW SECTION. **Section 1. Short title.** [This act] may be cited as "The General Appropriations Act of 2003".

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 2005 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 2007 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 -- 2007 biennium. (1) Except as provided in subsection (2), present law and new proposal funding budget requests for the 2007 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 2007 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. Totals not appropriations. The totals shown in [this act] are for informational purposes only and are not appropriations.

NEW SECTION. Section 8. Effective date. [This act] is effective July 1, 2003.

NEW SECTION. Section 9. Appropriations. The following money is appropriated for the respective fiscal years:

	<u>Fiscal 2004</u>					<u>Fiscal 2005</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. GENERAL GOVERNMENT AND TRANSPORTATION												
LEGISLATIVE BRANCH (1104)												
1.	Legislative Services (20) (Biennial)											
	3,988,490		937,141		0	0	0		4,925,631		4,270,415	379,019
	0		0		0	4,649,434						
2.	Legislative Committees and Activities (21) (Biennial)											
	627,894		0		0	0	0		627,894		0	0
	0		0		0	0						
3.	Fiscal Analysis and Review (27) (Biennial)											
	1,252,091		0		0	0	0		1,252,091		1,298,957	0
	0		0		0	1,298,957						
4.	Audit and Examination (28) (Biennial)											
	2,094,056		1,402,859		0	0	0		3,496,915		2,198,861	1,304,460
	0		0		0	3,503,321						
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Total	7,962,531		2,340,000		0	0	0		10,302,531		7,768,233	1,683,479
	0		0		0	9,451,712						
Item 1 includes a reduction in general fund money of \$80,430 in fiscal year 2004 and \$78,467 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The branch may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.												
The legislature requests the legislative audit committee to make it a high priority to conduct a performance audit of the governor's office of economic development and requests that the audit include a review of the office's benchmarks, the basis and accuracy of reported status indicators, statistics, and accomplishments, and the program's effectiveness and outcomes.												
CONSUMER COUNSEL (1112)												
1.	Administration Program (01)											
	0		1,210,683		0	0	0		1,210,683		0	1,218,271
	0		0		0	1,218,271						
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Total	0		1,210,683		0	0	0		1,210,683		0	1,218,271
	0		0		0	1,218,271						
JUDICIARY (2110)												
1.	Supreme Court Operations (01)											
	2,732,161		1,897,342		390,684	0	0		5,020,187		2,743,566	1,871,019
	390,018		0		0	5,004,603						

	a.	Legislative Audit (Restricted/Biennial)							
		34,175	0	0	0	0	34,175	0	0
		0	0	0	0				
2.	Boards and Commissions (02)								
		259,129	25,000	0	0	0	284,129	259,142	25,000
		0	0	0	284,142				
3.	Law Library (03)								
		772,549	0	0	0	0	772,549	774,371	0
		0	0	0	774,371				
4.	District Court Operations (04)								
		24,379,042	0	0	0	0	24,379,042	25,250,501	0
		0	0	0	25,250,501				
5.	Water Courts Supervision (05)								
		0	721,012	0	0	0	721,012	0	723,776
		0	0	0	723,776				
6.	Clerk of Court (06)								
		372,962	0	0	0	0	372,962	372,862	0
		0	0	0	372,862				
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Total									
		28,550,018	2,643,354	390,684	0	0	31,584,056	29,400,442	2,619,795
		390,018	0	0	32,410,255				

Item 1 includes a reduction in general fund money of \$288,384 in fiscal year 2004 and \$296,974 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The branch may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

If House Bill No. 18 is not passed and approved, item 1 is decreased by \$1,747,342 of state special revenue money in fiscal year 2004 and by \$1,721,019 of state special revenue money in fiscal year 2005.

If House Bill No. 18 is passed and approved, item 1 is decreased by \$35,500 of general fund money in each year of the biennium. The branch may reallocate this reduction in funding among programs in its 2005 biennium operating plans.

The supreme court is requested to report on the accomplishments and progress of implementing the branch information technology strategic plan to the general government and transportation appropriation subcommittee during the 2005 legislative session. The report is to include an analysis of the viability for continuance of the branch information technology effort and a list of accomplishments, including but not limited to the goals and objectives established in the branch information technology strategic plan.

MONTANA CHIROPRACTIC LEGAL PANEL (2115)

1.	Legal Panel Operations (01)								
		0	15,000	0	0	0	15,000	0	15,000
		0	0	0	15,000				
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Total									
		0	15,000	0	0	0	15,000	0	15,000
		0	0	0	15,000				

GOVERNOR'S OFFICE (3101)

1.	Executive Office Program (01)								
		1,315,975	429,445	0	0	0	1,745,420	1,308,634	437,288
		0	0	0	1,745,922				
	a.	Legislative Audit (Restricted/Biennial)							
		31,546	0	0	0	0	31,546	0	0
		0	0	0	0				
	b.	Economic Development (Restricted)							
		688,905	115,660	0	0	0	804,565	689,575	115,926
		0	0	0	805,501				
	c.	Computer Equipment (OTO)							
		20,933	0	0	0	0	20,933	0	0
		0	0	0	0				
2.	Mansion Maintenance Program (02)								
		79,521	0	0	0	0	79,521	79,504	0
		0	0	0	79,504				

3.	Air Transportation Program (03)							
	177,880	41,000	0	0	0	218,880	180,000	41,000
	0	0	0	221,000				
4.	Office of Budget and Program Planning (04)							
	1,057,353	0	0	0	0	1,057,353	1,067,025	0
	0	0	0	1,067,025				
	a. Legislative Audit (Restricted/Biennial)							
	16,824	0	0	0	0	16,824	0	0
	0	0	0	0				
5.	Indian Affairs (05)							
	136,878	0	0	0	0	136,878	137,701	0
	0	0	0	137,701				
	a. State-Tribal Economic Development -- Carryover (Restricted/Biennial)							
	0	154,000	2,000,000	0	0	2,154,000	0	0
	0	0	0	0				
6.	Lieutenant Governor (12)							
	246,492	0	0	0	0	246,492	247,150	0
	0	0	0	247,150				
7.	Citizens' Advocate Office (16)							
	72,479	0	15,000	0	0	87,479	72,380	0
	15,000	0	0	87,380				
8.	Mental Disabilities Board of Visitors (20)							
	205,939	0	95,444	0	0	301,383	205,801	0
	95,427	0	0	301,228				
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Total	4,050,725	740,105	2,110,444	0	0	6,901,274	3,987,770	594,214
	110,427	0	0	4,692,411				

Item 1 includes a reduction in general fund money of \$40,916 in fiscal year 2004 and \$40,281 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The office may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

The legislature recognizes that the cost for extradition and transportation of prisoners is dependent upon factors beyond the control of the agency and may exceed the appropriation provided. In that event, the agency will need to request a supplemental appropriation from the 2005 legislature to provide required extradition and transportation of prisoners.

SECRETARY OF STATE (3201)

The secretary of state is appropriated up to \$20 million of federal special revenue and up to \$750,000 of state special revenue for the 2005 biennium to provide voter services under the federal Help America Vote Act of 2002. Federal special revenue funds are contingent upon receiving federal grant authority under the Help America Vote Act. State special revenue funds are contingent upon receiving matching funds from local government voting entities. Funding is restricted for use only on expenditures associated with the Help America Vote Act and are biennial appropriations for the 2005 biennium.

COMMISSIONER OF POLITICAL PRACTICES (3202)

1.	Administration (01)							
	314,426	0	0	0	0	314,426	314,350	0
	0	0	0	314,350				
	a. Legislative Audit (Restricted/Biennial)							
	5,258	0	0	0	0	5,258	0	0
	0	0	0	0				

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Total	319,684	0	0	0	0	319,684	314,350	0
	0	0	0	314,350				

Item 1 includes a reduction in general fund money of \$3,229 in fiscal year 2004 and \$3,175 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee.

OFFICE OF THE STATE AUDITOR (3401)

1.	Central Management (01)							
	0	533,129	0	0	0	533,129	0	533,878
	0	0	0	533,878				

	a.	Legislative Audit (Restricted/Biennial)						
		0	5,363	0	0	0	5,363	0
		0	0	0	0			0
2.		Insurance Program (03)						
		0	2,694,089	0	0	0	2,694,089	0
		0	0	0	2,695,835			2,695,835
	a.	Legislative Audit (Restricted/Biennial)						
		0	23,344	0	0	0	23,344	0
		0	0	0	0			0
	b.	Contract Examinations (Restricted)						
		0	197,000	0	0	0	197,000	0
		0	0	0	301,000			301,000
3.		Securities (04)						
		0	624,164	0	0	0	624,164	0
		0	0	0	620,033			620,033
	a.	Legislative Audit (Restricted/Biennial)						
		0	2,839	0	0	0	2,839	0
		0	0	0	0			0
	b.	Contract Examinations (Restricted)						
		0	89,615	0	0	0	89,615	0
		0	0	0	89,615			89,615
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Total		0	4,169,543	0	0	0	4,169,543	0
		0	0	0	4,240,361			4,240,361
DEPARTMENT OF TRANSPORTATION (5401)								
1.		General Operations Program (01) (Biennial)						
		0	14,462,680	5,422,198	0	0	19,884,878	0
		5,422,277	0	0	20,361,839			14,939,562
	a.	Legislative Audit (Restricted/Biennial)						
		0	110,411	0	0	0	110,411	0
		0	0	0	0			0
	b.	Integrated Financial Systems (Restricted/OTO)						
		0	0	2,250,000	0	0	2,250,000	0
		2,250,000	0	0	2,250,000			0
2.		Construction Program (02) (Biennial)						
		0	116,830,815	287,854,080	0	0	404,684,895	0
		341,603,530	0	0	465,903,095			124,299,565
	a.	Conversion to English Measure (OTO)						
		0	1,000,000	0	0	0	1,000,000	0
		0	0	0	0			0
3.		Maintenance Program (03) (Biennial)						
		0	80,475,134	10,038,652	0	0	90,513,786	0
		10,038,652	0	0	90,806,674			80,768,022
4.		Motor Carrier Services Division (22)						
		0	5,247,636	0	0	0	5,247,636	0
		0	0	0	5,293,111			5,293,111
5.		Aeronautics Program (40)						
		0	793,704	0	0	0	793,704	0
		0	0	0	823,385			823,385
	a.	Airport Grants (Biennial)						
		0	1,033,000	0	0	0	1,033,000	0
		0	0	0	0			0
	b.	Statewide Plan Update (Biennial)						
		0	20,000	180,000	0	0	200,000	0
		0	0	0	0			0
	c.	West Yellowstone Airport Runway Rehabilitation (Biennial/OTO)						
		0	0	1,800,000	0	0	1,800,000	0
		0	0	0	0			0

	d.	Lincoln Airport Runway Rehabilitation (Biennial/OTO)							
		0	180,000	1,620,000	0	0	1,800,000	0	0
		0	0	0	0				
6.		Transportation Planning Division (50) (Biennial)							
		0	2,838,624	7,155,753	0	0	9,994,377	0	2,538,866
8,984,315		0	0	0	11,523,181				
	a.	Federal Transit Administration (Restricted)							
		0	0	1,528,000	0	0	1,528,000	0	0
		0	0	0	0				
	b.	Federal Earmark (OTO)							
		0	68,664	274,657	0	0	343,321	0	0
		0	0	0	0				
	c.	Multimodal Transportation Corridor Technical Assistant (Restricted)							
		0	50,000	200,000	0	0	250,000	0	0
		0	0	0	0				
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Total		0	223,110,668	318,323,340	0	0	541,434,008	0	228,662,511
		368,298,774	0	0	596,961,285				

The department may adjust appropriations in the general operations, construction, maintenance, and transportation planning programs between state special revenue 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 by 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.

All federal special revenue appropriations in the department are biennial.

All appropriations in the general operations, construction, maintenance, and transportation planning programs are biennial.

Item 2 includes a total of \$63,690 for the 2005 biennium for the Montana natural resource information system. Quarterly payments must be made upon receipt of the bills from the state library, up to the total amount appropriated.

DEPARTMENT OF REVENUE (5801)

1.	Director's Office (01)								
		1,812,503	0	93,553	30,072	0	1,936,128	1,818,150	0
		93,553	30,072	0	1,941,775				
	a.	Legislative Audit (Restricted/Biennial)							
		129,528	0	9,800	0	0	139,328	0	0
		0	0	0	0				
2.	Information Technology (02)								
		2,536,850	0	183,365	64,245	0	2,784,460	2,544,528	0
		183,365	64,245	0	2,792,138				
	a.	POINTS Phase I Maintenance (OTO)							
		300,000	0	0	0	0	300,000	300,000	0
		0	0	0	300,000				
3.	Resource Management (05)								
		1,060,772	0	97,296	1,136,301	0	2,294,369	1,062,292	0
		97,296	1,142,526	0	2,302,114				
4.	Customer Service Center (06)								
		4,071,916	356,397	878,199	762,765	0	6,069,277	4,081,801	357,110
		878,199	762,765	0	6,079,875				
5.	Compliance Valuation and Resolution (08)								
		19,852,596	192,759	1,109,904	0	0	21,155,259	19,788,931	196,053
		1,109,904	0	0	21,094,888				
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Total		29,764,165	549,156	2,372,117	1,993,383	0	34,678,821	29,595,702	553,163
		2,362,317	1,999,608	0	34,510,790				

Item 1 includes a reduction in general fund money of \$300,648 in fiscal year 2004 and \$298,946 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

Liquor division proprietary funds necessary to maintain adequate inventories, pay freight charges, and transfer profits and taxes to appropriate accounts are appropriated from the liquor enterprise fund (06005) to the department in amounts not to exceed \$67,588,169 in fiscal year 2004 and \$70,782,541 in fiscal year 2005.

In the liquor division, upon a termination that requires a payout of accrued leave balances, liquor division proprietary funds are appropriated from the liquor enterprise fund (06005) to the department in the amount equal to the payout of the accrued leave balances, not to exceed \$30,000 for each of fiscal years 2004 and 2005.

In the event that the department is unable to meet statutory service levels because of the increase in demand for liquor products, the department may hire additional temporary employees or pay overtime, whichever is determined to be the more cost-effective, to maintain required service levels to stores. In fiscal year 2004 and in fiscal year 2005, the department is appropriated not more than \$40,000 each year for additional costs from the liquor enterprise fund.

The department shall present reports to the revenue and transportation interim committee that show the cost of tax compliance staff and the additional revenue generated from providing the associated tax compliance. The department shall identify the costs and revenue separately for the additional staff added during the August 2002 special legislative session. The revenue and transportation interim committee may determine the frequency for reporting by the department on compliance staff revenue.

DEPARTMENT OF ADMINISTRATION (6101)

1.	Governor-Elect Program (02)							
	0	0	0	0	0	0	50,000	0
	0	0	0	50,000				
2.	Administrative Financial Services Division (03)							
	1,190,512	389,816	62,708	43,776	0	1,686,812	1,180,369	384,224
	62,594	43,688	0	1,670,875				
	a. Legislative Audit (Restricted/Biennial)							
	9,902	663	0	0	0	10,565	0	0
	0	0	0	0				
	b. Federal Portion of State Fund Dividend (Restricted)							
	0	0	100,000	0	0	100,000	0	0
	100,000	0	0	100,000				
3.	Architecture and Engineering Program (04)							
	0	1,218,461	0	0	11,542	1,230,003	0	1,221,118
	0	0	18,369	1,239,487				
	a. Legislative Audit (Restricted/Biennial)							
	0	1,769	0	0	0	1,769	0	0
	0	0	0	0				
4.	General Services Program (06)							
	584,790	0	0	0	500,000	1,084,790	582,138	0
	0	0	500,000	1,082,138				
5.	Information Technology Services Division (07)							
	154,646	0	469,156	0	0	623,802	155,360	0
	469,543	0	0	624,903				
	a. Legislative Audit (Restricted/Biennial)							
	3,152	0	1,261	0	0	4,413	0	0
	0	0	0	0				
	b. Public Safety Communications (Restricted/Biennial)							
	0	0	2,250,000	0	0	2,250,000	0	0
	0	0	0	0				
	c. Statewide Roadway Centerline GIS (OTO)							
	0	0	29,583	0	0	29,583	0	0
	30,457	0	0	30,457				
6.	Banking and Financial Division (14)							
	0	2,198,088	0	0	0	2,198,088	0	2,232,411
	0	0	0	2,232,411				
	a. Legislative Audit (Restricted/Biennial)							
	0	2,975	0	0	0	2,975	0	0
	0	0	0	0				
7.	Montana State Lottery (15)							
	0	0	0	8,307,564	0	8,307,564	0	0
	0	7,295,036	0	7,295,036				
	a. Legislative Audit (Restricted/Biennial)							
	0	0	0	81,713	0	81,713	0	0

	0	0	0	0				
b.	Professional Service Contracts (Restricted/Biennial/OTO)							
	0	0	0	160,000	0	160,000	0	0
	0	0	0	0				
8.	State Personnel Division (23)							
	1,207,161	27,543	0	0	0	1,234,704	1,209,084	27,543
	0	0	0	1,236,627				
9.	State Tax Appeal Board (37)							
	327,301	0	0	0	0	327,301	329,786	0
	0	0	0	329,786				
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Total	3,477,464	3,839,315	2,912,708	8,593,053	511,542	19,334,082	3,506,737	3,865,296
	662,594	7,338,724	518,369	15,891,720				

Item 2 includes a reduction of \$229,571 in fiscal year 2004 and \$229,571 in fiscal year 2005 of general fund money and like increases in state special revenue that are contingent upon passage and approval of House Bill No. 126 in a form that provides for fines to be deposited in a state special revenue fund. If House Bill No. 126 is passed and approved and revenue deposited in the state special revenue fund is less than the amount of state special revenue contained in item 2, there is appropriated from the general fund up to \$200,000 in fiscal year 2004 and \$200,000 in fiscal year 2005. If House Bill No. 126 is not passed and approved, state special revenue in item 2 is reduced and general fund money is increased by \$229,571 in fiscal year 2004 and by \$229,571 in fiscal year 2005.

Item 2 includes a reduction in general fund money of \$35,126 in fiscal year 2004 and \$35,422 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

APPELLATE DEFENDER COMMISSION (6102)

1.	Appellate Defender (01)							
	178,370	0	0	0	0	178,370	179,194	0
	0	0	0	179,194				
a.	Legislative Audit (Restricted/Biennial)							
	275	0	0	0	0	275	0	0
	0	0	0	0				

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Total	178,645	0	0	0	0	178,645	179,194	0
	0	0	0	179,194				

Item 1 includes a reduction in general fund money of \$1,805 in fiscal year 2004 and \$1,810 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee.

TOTAL SECTION A

74,303,232	238,617,824	326,109,293	10,586,436	511,542	650,128,327	74,752,428	243,452,090
371,824,130	9,338,332	518,369	699,885,349				

B. HEALTH AND HUMAN SERVICES

DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES (6901)

1.	Human and Community Services (02)							
	21,990,958	510,251	162,721,625	0	0	185,222,834	21,399,664	510,251
	162,122,187	0	0	184,032,102				
a.	Child Care -- Prevention and Stabilization Fund (Restricted)							
	0	6,101,960	0	0	0	6,101,960	0	8,291,981
	0	0	0	8,291,981				
b.	Additional Tribes Implementing Tribal TANF Plans -- Prevention and Stabilization Fund							
	0	100,000	0	0	0	100,000	0	100,000
	0	0	0	100,000				
2.	Child and Family Services Division (03)							
	19,761,992	1,667,550	27,436,453	0	0	48,865,995	19,984,077	1,994,550
	28,117,931	0	0	50,096,558				

	a.	CPS Child Care and Match for Federal Grant -- Prevention and Stabilization Fund							
		0	325,013	0	0	0	325,013	0	325,013
		0	0	0	325,013				
	b.	Maintain Domestic Violence Prevention Funding -- Prevention and Stabilization Fund							
		0	77,641	0	0	0	77,641	0	77,641
		0	0	0	77,641				
3.	Director's Office (04)								
		1,034,392	222,766	1,261,395	0	0	2,518,553	1,037,100	223,138
		1,263,529	0	0	2,523,767				
	a.	Refinancing Authority (OTO)							
		0	0	5,050,000	0	0	5,050,000	0	0
		5,050,000	0	0	5,050,000				
	b.	General Fund Increase							
		8,834,645	0	0	0	0	8,834,645	8,763,853	0
		0	0	0	8,763,853				
4.	Child Support Enforcement Division (05)								
		276,465	2,356,446	5,226,005	0	0	7,858,916	276,386	2,362,080
		5,237,458	0	0	7,875,924				
	a.	Maintain Funding for CSED -- Prevention and Stabilization Fund							
		0	750,000	1,500,000	0	0	2,250,000	0	750,000
		1,500,000	0	0	2,250,000				
5.	Fiscal Services Division (06)								
		2,280,658	264,584	2,336,697	0	0	4,881,939	2,315,781	270,196
		2,385,799	0	0	4,971,776				
	a.	Legislative Audit (Restricted/Biennial)							
		159,701	39,038	156,152	0	0	354,891	0	0
		0	0	0	0				
6.	Health Policy and Services Division (07)								
		1,973,403	3,108,527	40,546,464	0	0	45,628,394	1,984,060	3,100,857
		40,539,237	0	0	45,624,154				
	a.	MIAMI/Perinatal -- Prevention and Stabilization Fund							
		0	581,379	0	0	0	581,379	0	581,379
		0	0	0	581,379				
	b.	WIC Farmer's Market Match -- Prevention and Stabilization Fund							
		0	12,828	0	0	0	12,828	0	12,828
		0	0	0	12,828				
	c.	Poison Control System -- Prevention and Stabilization Fund							
		0	38,954	0	0	0	38,954	0	38,954
		0	0	0	38,954				
	d.	AIDS Treatment/Services -- Prevention and Stabilization Fund							
		0	42,000	0	0	0	42,000	0	42,000
		0	0	0	42,000				
	e.	Tobacco Control and Prevention							
		0	3,200,000	843,305	0	0	4,043,305	0	3,200,000
		843,249	0	0	4,043,249				
7.	Quality Assurance Division (08)								
		2,195,529	271,018	5,214,341	0	0	7,680,888	2,193,872	270,982
		5,215,120	0	0	7,679,974				
8.	Operations and Technology Division (09)								
		9,006,907	927,614	15,266,054	0	0	25,200,575	9,052,065	937,117
		15,320,918	0	0	25,310,100				
9.	Disability Services Division (10)								
		43,340,339	1,216,410	79,069,620	0	0	123,626,369	41,044,375	1,246,803
		80,332,842	0	0	122,624,020				
	a.	Eastmont Change of Mission (Restricted/OTO)							
		580,000	0	0	0	0	580,000	0	0
		0	0	0	0				
	b.	Children's Services Refinancing (OTO)							
		1,000,000	0	0	0	0	1,000,000	0	0

	0	0	0	0				
c.	Visual Services Medical -- Prevention and Stabilization Fund							
	0	84,834	0	0	0	84,834	0	84,834
	0	0	0	84,834				
d.	Extended Employment Benefits -- Prevention and Stabilization Fund							
	0	270,639	0	0	0	270,639	0	270,639
	0	0	0	270,639				
e.	Independent Living Services -- Prevention and Stabilization Fund							
	0	228,766	0	0	0	228,766	0	228,766
	0	0	0	228,766				
f.	Donated Dental Services -- Prevention and Stabilization Fund							
	0	25,000	0	0	0	25,000	0	25,000
	0	0	0	25,000				
g.	Medicaid Match -- Prevention and Stabilization Fund							
	0	1,176,797	0	0	0	1,176,797	0	1,864,975
	0	0	0	1,864,975				
h.	MTAP Video Relay (OTO)							
	0	144,600	0	0	0	144,600	0	144,600
	0	0	0	144,600				
10.	Child and Adult Health Care Resources (11)							
	56,319,712	6,955,446	205,860,470	0	0	269,135,628	58,317,710	7,877,848
	214,093,023	0	0	280,288,581				
a.	Children's Mental Health Services							
	16,969,571	728,591	51,670,979	0	0	69,369,141	19,112,294	721,823
	57,780,335	0	0	77,614,452				
b.	Rate Increase for Out-of-Home Care							
	101,261	0	272,120	0	0	373,381	103,099	0
	270,855	0	0	373,954				
c.	Children's Mental Health Medicaid Match -- Prevention and Stabilization Fund							
	0	1,314,712	(855,340)	0	0	459,372	0	2,083,542
	(938,989)	0	0	1,144,553				
d.	Restore Mental Health Medicaid Rates -- Prevention and Stabilization Fund							
	0	318,288	855,340	0	0	1,173,628	0	357,420
	938,989	0	0	1,296,409				
e.	Primary Care Medicaid Services -- Prevention and Stabilization Fund							
	0	4,483,981	12,049,872	0	0	16,533,853	0	7,106,166
	18,668,828	0	0	25,774,994				
f.	Optional Medicaid Services -- Prevention and Stabilization Fund							
	0	250,000	671,829	0	0	921,829	0	250,000
	656,783	0	0	906,783				
g.	Restore Nonhospital Medicaid Rates -- Prevention Stabilization Fund							
	0	806,029	2,166,053	0	0	2,972,082	0	898,404
	2,360,227	0	0	3,258,631				
11.	Senior and Long-Term Care Division (22)							
	39,256,170	6,710,828	114,972,156	0	0	160,939,154	38,720,653	6,744,331
	109,719,360	0	0	155,184,344				
a.	One-Time Medicaid Payments to Nursing Homes							
	0	6,077,957	16,317,456	0	0	22,395,413	0	7,089,712
	18,832,208	0	0	25,921,920				
b.	Hospice Program -- Prevention and Stabilization Fund							
	0	174,466	468,845	0	0	643,311	0	193,048
	507,162	0	0	700,210				
c.	Aging Services -- Prevention and Stabilization Fund							
	0	257,000	0	0	0	257,000	0	257,000
	0	0	0	257,000				
d.	Adult Protective Services -- Prevention and Stabilization Fund							
	0	50,000	0	0	0	50,000	0	50,000
	0	0	0	50,000				
e.	Home Based Therapy Services -- Prevention and Stabilization Fund							

	0	34,000	91,369	0	0	125,369	0	34,000
	89,322	0	0	123,322				
f.	Direct Care Worker Increase -- Prevention and Stabilization Fund							
	0	88,632	238,181	0	0	326,813	0	191,065
501,954	0	0	0	693,019				
g.	Restore Community Services Rate -- Prevention and Stabilization Fund							
	0	261,917	612,484	0	0	874,401	0	278,014
641,057	0	0	0	919,071				
h.	Senior/Disabled Services Medicaid Match -- Prevention and Stabilization Fund							
	0	2,793,584	6,162,425	0	0	8,956,009	0	4,427,242
11,630,944	0	0	0	16,058,186				
12.	Addictive and Mental Disorders Division (33)							
	38,242,924	4,723,714	33,564,796	0	0	76,531,434	38,948,846	4,813,319
	34,429,491	0	0	78,191,656				
a.	Federal Mental Health Block Grant (Restricted)							
	0	0	1,300,525	0	0	1,300,525	0	0
1,300,525	0	0	0	1,300,525				
b.	Prescription Drugs for Mentally Ill -- Prevention and Stabilization Fund							
	0	4,427,321	0	0	0	4,427,321	0	4,958,599
	0	0	0	4,958,599				
c.	Restore Mental Health Medicaid Rates -- Prevention and Stabilization Fund							
	0	104,967	282,079	0	0	387,046	0	117,873
309,668	0	0	0	427,541				
d.	Mental Health Medicaid Match -- Prevention and Stabilization Fund							
	0	433,574	1,165,151	0	0	1,598,725	0	687,124
1,805,164	0	0	0	2,492,288				
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Total	263,324,627	64,739,622	794,494,901	0	0	1,122,559,150	263,253,835	76,091,114
	821,525,176	0	0	1,160,870,125				

Item 1 includes \$33,269,235 of federal funds in fiscal year 2004 and \$33,269,235 of federal funds in fiscal year 2005 to fund cash assistance benefits provided under Montana's temporary assistance for needy families (TANF) grant. If caseloads decrease below this level of funding, resulting in a surplus of federal TANF funds, the first \$4 million of surplus funds will be designated as a "rainy day" fund. The rainy day fund may be used for benefit expenditures that may be necessary as a result of future caseload increases or decreases in the federal TANF grant allocation. Surplus funds in excess of \$4 million dollars may be used for other allowable purposes under state and federal law. Expenditures of surplus funds in excess of \$4 million may be made to provide recipients covered by Montana's TANF plan:

- (1) child-care subsidies;
- (2) training and education programs to achieve employment in higher wage jobs, including programs offered by tribal colleges; or
- (3) supportive services needed for employment of TANF recipients.

Items 1a, 1b, 2a, 2b, 4a, 6a through 6d, 9c through 9g, 10c through 10g, 11b through 11h, and 12b through 12d are contingent upon passage and approval of a bill or bills that establish a state special revenue account for prevention and stabilization of department programs that receives at least \$32 million of estimated revenue each year of the 2005 biennium from cigarette and chew tobacco taxes, reallocation of tobacco settlement proceeds allocated by 17-6-606 (2), and other sources.

Funding in item 1a may be used only to provide child-care subsidies, except if Montana receives federal child-care funding greater than the level of federal child-care funding received in fiscal year 2002 (not including TANF grant funds transferred to child care), a portion of the funds in item 1a may be used to provide benefits and services under Montana's TANF program.

Personal services funding for 5 FTE in item 3a is considered a one-time appropriation.

Item 6e includes \$80,000 each year for each federally recognized tribe within Montana in accordance with 17-6-602(3)(b)(ii) that submits and administers a tobacco prevention and control program that meets the conditions required of all community-based contractors. If tobacco prevention and control funds granted to a federally recognized tribe within Montana are not fully expended by the individual grantee within the contract period, these funds may be reallocated for other tobacco use prevention purposes.

If House Bill No. 727 is not passed and approved, funding in item 9 is increased by \$1,915,198 of general fund money in fiscal year 2004 and by \$1,915,952 of general fund money in fiscal year 2005, which includes funding for an additional 60.27 FTE in fiscal year 2004 and an additional 92.27 FTE in fiscal year 2005. If House Bill No. 727 is not passed and approved, general fund money in item 11 is reduced by \$7,452 in fiscal year 2004 and by \$7,488 in fiscal year 2005.

The department shall distribute funds in item 10b in a way that provides reasonable assurance that the funds are used solely

for therapeutic group homes. Rate increases may vary among types of group homes. Funds appropriated in item 10b may be used only for rate increases for therapeutic group homes. Funds in item 10b may not be used to fund other programs.

Up to \$500,000 from cigarette tax revenue allocated to Montana veterans' homes in 16-11-119 may be appropriated to the senior and long-term care division above the level appropriated from cigarette tax revenue in item 11 in fiscal year 2004. The appropriation may be established subject to a determination by the office of budget and program planning that federal revenue and private revenue in fiscal year 2004 are insufficient to operate the homes at capacity to maximize collection of federal and private payments. The office of budget and program planning shall notify the legislative finance committee if it determines that the conditions are met and when the appropriation will become effective.

Funds in item 11a may be used only to make one-time payments to nursing homes based on the number of medicaid services provided. State special revenue in item 11a may be expended only after the office of budget and program planning has certified that the department has received \$1 million each year from counties participating in the intergovernmental transfer program for nursing homes.

The department shall distribute funds in item 11f in a way that provides reasonable assurance that the funds are used solely for direct-care wage and benefit increases. Not all providers or types of direct-care workers must receive the same rate increase for the biennium. Funds appropriated in item 11f may be used only for direct-care worker wage increases. Funds in item 11f may not be used to fund other programs.

Item 12a may be expended only for mental health services. The office of budget and program planning shall certify that the department has received a federal mental health block grant prior to allowing expenditures against the appropriation.

TOTAL SECTION B

263,324,627	64,739,622	794,494,901	0	0	1,122,559,150	263,253,835	76,091,114
821,525,176	0	0	1,160,870,125				

C. NATURAL RESOURCES AND COMMERCE

DEPARTMENT OF FISH, WILDLIFE, AND PARKS (5201)

1.	Administration and Finance Division (01)						
	0	5,789,588	1,597,300	0	0	7,386,888	5,883,614
	1,601,074	0	0	7,484,688			
	a.	Legislative Audit (Restricted/Biennial)					
	0	67,035	11,830	0	0	78,865	0
	0	0	0	0			
2.	Field Services Division (02)						
	0	7,072,979	780,549	0	0	7,853,528	7,577,046
	781,952	0	0	8,358,998			
	a.	Block Management (OTO)					
	0	733,000	0	0	0	733,000	733,000
	0	0	0	733,000			
	b.	Taxes (OTO)					
	0	4,609	13,828	0	0	18,437	4,609
	13,828	0	0	18,437			
	c.	Public Wildlife Interface (Biennial)					
	0	65,000	0	0	0	65,000	0
	0	0	0	0			
3.	Fisheries Division (03)						
	0	3,625,343	6,606,176	0	0	10,231,519	3,745,317
	6,609,891	0	0	10,355,208			
	a.	Native Species Landowner Conservation Program (Restricted)					
	0	40,000	0	0	0	40,000	40,000
	0	0	0	40,000			
	b.	Fishing Access Site Assistance (OTO)					
	0	25,000	0	0	0	25,000	25,000
	0	0	0	25,000			
	c.	Short-Term Federal Contracts (OTO)					
	0	0	206,700	0	0	206,700	0
	10,700	0	0	10,700			
4.	Law Enforcement Division (04)						
	0	6,526,346	228,707	0	0	6,755,053	6,551,269

	232,291	0	0	6,783,560				
	a.	Commercial Licensing (Restricted/OTO)						
	0	32,000	0	0	0	32,000	0	32,000
	0	0	0	32,000				
	b.	Snowmobile Enforcement (Restricted)						
	0	5,217	0	0	0	5,217	0	5,217
	0	0	0	5,217				
5.	Wildlife Division (05)							
	0	4,043,656	3,724,583	0	0	7,768,239	0	4,056,899
3,741,071	0	0	0	7,797,970				
	a.	Mountain Lion Research (Restricted/OTO)						
0	0	38,847	116,542	0	0	155,389	0	38,840
116,522	0	0	0	155,362				
	b.	Region 1 Wildlife Conflict Specialist (Restricted/OTO)						
0	0	37,265	0	0	0	37,265	0	37,185
0	0	0	0	37,185				
	c.	Equipment (Restricted/OTO)						
0	0	20,000	0	0	0	20,000	0	30,000
0	0	0	0	30,000				
	d.	Wildlife CWD Management Plan (Restricted/Biennial/OTO)						
0	0	200,000	0	0	0	200,000	0	0
0	0	0	0	0				
	e.	Short-Term Federal Contracts (OTO)						
0	0	0	168,307	0	0	168,307	0	0
47,604	0	0	0	47,604				
6.	Parks Division (06)							
0	0	4,856,159	362,371	0	0	5,218,530	0	4,874,868
362,371	0	0	0	5,237,239				
	a.	Snowmobile Equipment (Biennial)						
0	0	332,920	0	0	0	332,920	0	0
0	0	0	0	0				
	b.	Short-Term Federal Contracts (OTO)						
0	0	0	35,500	0	0	35,500	0	0
20,000	0	0	0	20,000				
7.	Conservation Education Division (08)							
0	0	1,794,414	757,738	0	0	2,552,152	0	1,800,322
757,738	0	0	0	2,558,060				
	a.	Shooting Range Grants (Biennial)						
0	0	160,000	0	0	0	160,000	0	0
0	0	0	0	0				
8.	Department Management (09)							
0	0	2,863,015	1,162,842	0	0	4,025,857	0	2,853,297
1,166,959	0	0	0	4,020,256				
	a.	Office Maintenance (Restricted/OTO)						
0	0	30,000	0	0	0	30,000	0	30,000
0	0	0	0	30,000				
	b.	State Wildlife Grant Federal Program (Biennial/OTO)						
0	0	160,000	1,200,000	0	0	1,360,000	0	0
0	0	0	0	0				
	c.	Retirement Liability (Restricted/Biennial/OTO)						
0	0	546,800	240,000	0	0	786,800	0	0
0	0	0	0	0				
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Total	0	39,069,193	17,212,973	0	0	56,282,166	0	38,318,483
15,462,001	0	0	0	53,780,484				

The department is to report to the natural resources and commerce appropriations subcommittee on the 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.

If the department receives additional federal special revenue for services comparable to those with general license revenue, the approving authority shall decrease the state special revenue appropriation by the amount of federal money received and establish the federal funds appropriation. All transfers between fund types must be fully explained and justified on budget documents submitted to the office of budget and program planning.

If the department is required to adjust personal services expenditure costs between state and federal accounts, the approving authority shall adjust the state special revenue appropriation and the federal appropriation by like amounts. All transfers between fund types must be fully explained and justified on budget documents submitted to the office of budget and program planning.

The department shall prepare a biennial report of the expenditure of funds under the nongame wildlife checkoff, which must be made available to the environmental quality council, prior to each regular legislative session.

If Senate Bill No. 130 is not passed and approved, item 1 is increased by \$16,513 of state special revenue money in fiscal year 2004 and by \$16,513 of state special revenue money in fiscal year 2005.

If Senate Bill No. 130 is not passed and approved, item 2 is decreased by \$490,104 of state special revenue money in fiscal year 2004 and by \$980,207 of state special revenue money in fiscal year 2005.

If omnibus federal funding for the purpose of building the warm water fish hatchery at Fort Peck is not passed and approved, item 3 is decreased by \$100,000 of state special revenue money in fiscal year 2004 and by \$200,000 of state special revenue money in fiscal year 2005.

If federal money becomes available for the wildlife chronic wasting disease management plan, the approving authority shall adjust the state special revenue appropriation and the federal appropriation by like amounts. All transfers between fund types must be fully explained and justified on budget documents submitted to the office of budget and program planning.

If Senate Bill No. 287 is not passed and approved, item 8 is decreased by \$72,169 of state special revenue money in fiscal year 2004 and by \$72,053 of state special revenue money in fiscal year 2005.

DEPARTMENT OF ENVIRONMENTAL QUALITY (5301)

1.	Central Management Program (10)							
	268,974	377,611	206,553	0	0	853,138	269,926	229,376
	208,158	0	0	707,460				
	a.	Environmental Rehabilitation (Restricted/Biennial)						
	0	125,000	0	0	0	125,000	0	0
	0	0	0	0				
	b.	Federal One-Stop Grant (Biennial/OTO)						
	0	0	500,000	0	0	500,000	0	0
	0	0	0	0				
	c.	MEPA Projects Base Adjustment (Biennial)						
	0	1,000,000	0	0	0	1,000,000	0	0
	0	0	0	0				
2.	Planning, Prevention, and Assistance Division (20)							
	1,769,258	1,192,836	9,346,043	0	0	12,308,137	1,751,962	1,197,296
	9,311,378	0	0	12,260,636				
	a.	TMDL Supplemental Grant (Restricted/OTO)						
	0	0	370,000	0	0	370,000	0	0
	370,000	0	0	370,000				
	b.	Universal System Benefits Charge (Biennial)						
	0	200,000	0	0	0	200,000	0	0
	0	0	0	0				
3.	Enforcement Division (30)							
	378,877	208,495	366,247	0	0	953,619	379,523	209,653
	371,629	0	0	960,805				
4.	Remediation Division (40)							
	0	4,499,436	6,335,244	0	0	10,834,680	0	4,516,225
	6,365,975	0	0	10,882,200				
	a.	Leaking Underground Storage (Biennial/OTO)						
	0	34,500	310,500	0	0	345,000	0	0
	0	0	0	0				
	b.	Database Consolidation (Restricted/OTO)						
	0	23,500	36,500	0	0	60,000	0	23,500
	36,500	0	0	60,000				
	c.	Fields Project (Restricted/Biennial/OTO)						
	0	11,111	100,000	0	0	111,111	0	0
	0	0	0	0				
5.	Permitting and Compliance Division (50)							

711,769	8,813,997	4,462,474	0	0	13,988,240	728,350	8,861,398
4,524,876	0	0	14,114,624				
a.	Bond Forfeitures/Settlements (Restricted/Biennial)						
0	30,392,738	0	0	0	30,392,738	0	0
0	0	0	0				
b.	Hard-Rock Debt Service (Restricted/Biennial)						
0	5,500,000	0	0	0	5,500,000	0	0
0	0	0	0				
c.	Hard-Rock Federal Funds (Restricted/Biennial)						
0	0	4,000,000	0	0	4,000,000	0	0
0	0	0	0				
d.	Major Facility Siting Adjustment (Restricted/Biennial)						
0	300,000	0	0	0	300,000	0	0
0	0	0	0				
e.	Hazardous Waste Contract Services (Restricted/Biennial/OTO)						
0	90,000	0	0	0	90,000	0	0
0	0	0	0				
f.	Waste Management Database Development (Restricted/OTO)						
0	50,000	0	0	0	50,000	0	50,000
0	0	0	50,000				
<hr/>							
Total							
3,128,878	52,819,224	26,033,561	0	0	81,981,663	3,129,761	15,087,448
21,188,516	0	0	39,405,725				

If Senate Bill No. 233 is not passed and approved, item 1 is decreased by \$150,000 of state special revenue money in fiscal year 2004.

Item 2 includes a reduction in general fund money of \$31,605 in fiscal year 2004 and \$31,614 in fiscal year 2005. This reduction is the equivalent of 1% of all general fund appropriations each year. The department may reallocate this reduction in funding among divisions when developing 2005 biennium operating plans.

If legislation to extend universal system benefits charge benefits is not passed and approved, item 2b is decreased by \$200,000 of state special revenue money in fiscal year 2004.

The department is authorized to decrease federal special revenue money in the water pollution control and the drinking water revolving fund loan programs and to increase state special revenue money by a like amount within the special administration account when:

- (1) the amount of federal capitalization funds has been expended; or
- (2) federal funds and bond proceeds are designated for use for other program purposes.

DEPARTMENT OF LIVESTOCK (5603)

1.	Centralized Services Program (01)						
0	2,025,784	65,030	0	0	2,090,814	0	2,041,821
65,030	0	0	2,106,851				
a.	Legislative Audit (Restricted/Biennial)						
0	27,603	0	0	0	27,603	0	0
0	0	0	0				
2.	Diagnostic Laboratory Program (03)						
94,244	1,350,017	0	0	0	1,444,261	94,209	1,332,614
0	0	0	1,426,823				
3.	Animal Health Division (04)						
0	680,465	1,050,000	0	0	1,730,465	0	654,484
1,050,000	0	0	1,704,484				
4.	Milk and Egg Program (05)						
0	210,163	32,275	0	0	242,438	0	236,940
32,275	0	0	269,215				
5.	Brands Enforcement Division (06)						
0	2,804,358	0	0	0	2,804,358	0	2,756,738
0	0	0	2,756,738				
6.	Meat and Poultry Inspection Program (10)						
428,580	6,475	428,581	0	0	863,636	432,093	6,475
432,094	0	0	870,662				

Total	522,824	7,104,865	1,575,886	0	0	9,203,575	526,302	7,029,072
	1,579,399	0	0	9,134,773				

The department shall report to the 2005 legislature's joint appropriations subcommittee on natural resources and commerce, in a brief summary to be determined by the department, on issues involved with brucellosis management within the state of Montana, including but not limited to bison and elk populations within Yellowstone national park, bison removal activities undertaken by the department in fiscal year 2004 and fiscal year 2005, expenditures within the department for brucellosis management, and the status of federal activities and funding continuity.

Item 2 includes a reduction in general fund money of \$5,281 in fiscal year 2004 and \$5,316 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (5706)

1.	Centralized Services (21)							
	1,592,710	407,200	100,000	0	0	2,099,910	1,631,184	407,200
	75,000	0	0	2,113,384				
	a. Legislative Audit (Restricted/Biennial)							
	89,380	0	0	0	0	89,380	0	0
	0	0	0	0				
	b. Rewire USF&G Building (Restricted/OTO)							
	0	0	18,300	0	0	18,300	0	0
	0	0	0	0				
2.	Oil and Gas Conservation Division (22)							
	0	1,355,731	0	0	0	1,355,731	0	1,352,653
	0	0	0	1,352,653				
	a. Heating System Replacement (OTO)							
	0	25,000	0	0	0	25,000	0	0
	0	0	0	0				
	b. Coal Bed Methane Water Study (Restricted/Biennial/OTO)							
	0	400,000	0	0	0	400,000	0	0
	0	0	0	0				
	c. Historical Data Acquisition Project (Restricted/OTO)							
	0	100,000	0	0	0	100,000	0	100,000
	0	0	0	100,000				
3.	Conservation and Resource Development Division (23)							
	2,249,565	1,912,065	200,557	0	0	4,362,187	2,253,869	1,867,457
	218,814	0	0	4,340,140				
	a. Grass Conservation Commission (Biennial)							
	0	80,000	0	0	0	80,000	0	0
	0	0	0	0				
	b. Sheridan County Conservation District (Restricted)							
	30,000	0	0	0	0	30,000	30,000	0
	0	0	0	30,000				
4.	Water Resources Division (24)							
	0	1,452,491	108,475	0	0	1,560,966	0	1,460,741
	108,855	0	0	1,569,596				
	a. Water Resources -- General Fund (Biennial)							
	5,907,802	0	0	0	0	5,907,802	5,959,122	0
	0	0	0	5,959,122				
	b. State Water Project Rehabilitation (Restricted/Biennial/OTO)							
	0	2,220,000	60,794	0	0	2,280,794	0	0
	0	0	0	0				
	c. Broadwater Hydropower Maintenance (Biennial)							
	0	96,000	0	0	0	96,000	0	0
	0	0	0	0				
	d. Water Rights Verification Project (Restricted/OTO)							
	0	160,000	0	0	0	160,000	0	168,000
	0	0	0	168,000				

5.	Reserved Water Rights Compact Commission (25)							
	713,840	0	0	0	0	713,840	719,344	0
	0	0	0	719,344				
6.	Forestry and Trust Lands (35)							
	0	11,827,035	1,325,041	0	0	13,152,076	0	11,872,684
	1,328,628	0	0	13,201,312				
	a. Forestry and Trust Lands -- General Fund (Biennial)							
	6,432,111	0	0	0	0	6,432,111	6,450,128	0
	0	0	0	6,450,128				
	b. Fire Seasonal Pay Exception (OTO)							
	0	66,000	134,000	0	0	200,000	0	66,000
	134,000	0	0	200,000				

Total	17,015,408	20,101,522	1,947,167	0	0	39,064,097	17,043,647	17,294,735
	1,865,297	0	0	36,203,679				

Item 1 includes a reduction in general fund money of \$171,873 in fiscal year 2004 and \$172,158 in fiscal year 2005. This reduction is the equivalent of 1% of all general fund appropriations each year. The department may reallocate this reduction in funding among divisions when developing 2005 biennium operating plans.

The department is authorized to decrease state special revenue money in the underground injection control program and to increase federal special revenue money by a like amount when the amount of federal EPA funds available for the program becomes known. Any federal special revenue is to be spent before state special revenue.

The department is appropriated up to \$600,000 for the 2005 biennium from the state special revenue account established in 85-1-604, MCA, for the purchase of prior liens on property held as loan security as required by 85-1-618, MCA.

The department is authorized to decrease federal special revenue money in the water pollution control and the drinking water revolving fund loan programs and to increase state special revenue money by a like amount within the special administration account when:

- (1) the amount of federal capitalization funds has been expended; or
- (2) federal funds and bond proceeds are designated for use for other program purposes.

If House Bill No. 176 is not passed and approved, item 3 is decreased by \$360,793 of state special revenue money in fiscal year 2004 and by \$329,230 of state special revenue money in fiscal year 2005.

The department shall present a written quarterly report to the office of budget and program planning and to the legislative fiscal division detailing its fire costs for the current fiscal year. In addition, it shall present this information to the legislative finance committee upon request.

During the 2005 biennium, up to \$1 million of funds currently in or to be deposited in the Broadwater replacement and renewal account is appropriated to the department for repairing or replacing equipment at the Broadwater hydropower facility.

During the 2005 biennium, up to \$70,000 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 2005 biennium, up to \$500,000 of funds currently in or to be deposited in the state project hydropower earnings account is appropriated for the purpose of repairing, improving, or rehabilitating department state water projects.

DEPARTMENT OF AGRICULTURE (6201)

1.	Central Management Division (15)							
	149,491	568,847	63,000	56,391	0	837,729	182,855	567,615
	63,000	56,396	0	869,866				
	a. Legislative Audit (Restricted/Biennial)							
	34,175	0	0	0	0	34,175	0	0
	0	0	0	0				
2.	Agricultural Sciences Division (30)							
	0	4,995,989	1,260,261	0	0	6,256,250	0	5,003,193
	1,264,546	0	0	6,267,739				
	a. USDA Forest Service Weed Control Grants (Biennial)							
	0	0	2,007,278	0	0	2,007,278	0	0
	0	0	0	0				
	b. Weed Control Program (Restricted)							
	101,341	0	0	0	0	101,341	101,341	0
	0	0	0	101,341				
3.	Agricultural Development Division (50)							
	337,420	3,106,474	220,000	263,818	0	3,927,712	337,423	3,110,281
	220,000	265,125	0	3,932,829				

Total	622,427	8,671,310	3,550,539	320,209	0	13,164,485	621,619	8,681,089
	1,547,546	321,521	0	11,171,775				

Item 1 includes a reduction in general fund money of \$6,287 in fiscal year 2004 and \$6,279 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

The funds in item 2b are to be granted to governmental entities through an application process to mitigate the impact of noxious weeds on private and state lands, except department of fish, wildlife, and parks lands, as a result of the activities of the department of fish, wildlife, and parks.

DEPARTMENT OF COMMERCE (6501)

1.	Board of Research and Commercialization (50)							
	88,446	0	0	0	0	88,446	88,343	0
	0	0	0	88,343				
a.	Legislative Audit (Restricted/Biennial)							
	358	0	0	0	0	358	0	0
	0	0	0	0				
2.	Business Resources Division (51)							
	1,353,937	183,810	3,196,000	0	0	4,733,747	1,354,763	185,000
	3,200,000	0	0	4,739,763				
a.	Legislative Audit (Restricted/Biennial)							
	4,000	1,190	4,000	0	0	9,190	0	0
	0	0	0	0				
3.	Montana Promotion Division (52)							
	0	750,000	0	0	0	750,000	0	750,000
	0	0	0	750,000				
a.	Legislative Audit (Restricted/Biennial)							
	0	18,341	0	0	0	18,341	0	0
	0	0	0	0				
4.	Community Development Division (60)							
	198,766	572,061	4,730,723	0	0	5,501,550	201,265	574,465
	4,728,996	0	0	5,504,726				
a.	Legislative Audit (Restricted/Biennial)							
	2,269	3,273	2,269	0	0	7,811	0	0
	0	0	0	0				
b.	Hard-Rock Mining Impact Account Reserve (Restricted)							
	0	100,000	0	0	0	100,000	0	100,000
	0	0	0	100,000				
c.	Coal Board Local Impact Grants (Biennial)							
	0	593,333	0	0	0	593,333	0	593,332
	0	0	0	593,332				
5.	Housing Division (74)							
	0	20,000	9,260,822	0	0	9,280,822	0	20,000
	5,573,736	0	0	5,593,736				
a.	Legislative Audit (Restricted/Biennial)							
	0	0	3,212	0	0	3,212	0	0
	0	0	0	0				
b.	HOME Project Administration Software (OTO)							
	0	0	40,000	0	0	40,000	0	0
	0	0	0	0				
6.	Director's Office/Management Services Division (81)							
	0	0	2,046	0	0	2,046	0	0
	2,046	0	0	2,046				

Total	1,647,776	2,242,008	17,239,072	0	0	21,128,856	1,644,371	2,222,797
	13,504,778	0	0	17,371,946				

Item 2 includes a reduction in general fund money of \$16,644 in fiscal year 2004 and \$16,610 in fiscal year 2005. This

reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

If House Bill No. 177 is not passed and approved, the biennial appropriation in item 4c is increased by \$490,000 of state special revenue funding.

TOTAL SECTION C

22,937,313	130,008,122	67,559,198	320,209	0	220,824,842	22,965,700	88,633,624
55,147,537	321,521	0	167,068,382				

D. CORRECTIONS AND PUBLIC SAFETY

CRIME CONTROL DIVISION (4107)

1. Justice System Support Service (01)

1,628,608	0	10,422,968	0	0	12,051,576	1,630,658	0
10,418,938	0	0	12,049,596				

Total

1,628,608	0	10,422,968	0	0	12,051,576	1,630,658	0
10,418,938	0	0	12,049,596				

Item 1 includes a reduction in general fund money of \$16,451 in fiscal year 2004 and \$16,471 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee.

DEPARTMENT OF JUSTICE (4110)

1. Legal Services Division (01)

3,263,685	306,668	439,287	0	0	4,009,640	3,274,433	307,823
439,474	0	0	4,021,730				
a. Major Litigation (Restricted/Biennial)							
399,999	0	0	0	0	399,999	0	0
0	0	0	0				

2. Gambling Control Division (07)

230,850	1,916,412	0	782,759	0	2,930,021	230,850	1,907,686
0	779,196	0	2,917,732				

3. Motor Vehicle Division (12)

5,228,621	3,669,691	0	0	0	8,898,312	5,386,525	3,479,091
0	0	0	8,865,616				
a. HB 577 -- Debt Payment (Biennial)							
0	1,296,000	0	0	0	1,296,000	0	0
0	0	0	0				
b. Motor Vehicle Registration Automation (Biennial)							
0	4,400,000	0	0	0	4,400,000	0	0
0	0	0	0				

4. Highway Patrol Division (13)

0	18,242,702	819,383	0	0	19,062,085	0	18,380,577
822,589	0	0	19,203,166				
a. Prisoner Per Diem (Biennial)							
1,166,994	0	0	0	0	1,166,994	1,203,293	0
0	0	0	1,203,293				

5. Division of Criminal Investigation (18)

2,407,754	1,538,251	1,635,885	0	0	5,581,890	2,491,377	1,542,236
1,640,429	0	0	5,674,042				

6. County Attorney Payroll (19)

1,623,340	0	0	0	0	1,623,340	1,623,340	0
0	0	0	1,623,340				

7. Central Services Division (28)

317,970	443,042	0	15,129	0	776,141	319,503	444,440
0	15,179	0	779,122				
a. Legislative Audit (Restricted/Biennial)							

	24,869	31,809	0	1,157	0	57,835	0	0
	0	0	0	0				
8.	Information Technology Services Division (29)							
	2,891,996	1,059,482	163,309	10,199	0	4,124,986	2,898,367	1,059,264
	162,947	10,199	0	4,130,777				
9.	Forensic Sciences Division (32)							
	2,215,592	303,204	135,826	0	0	2,654,622	2,232,804	303,204
	134,370	0	0	2,670,378				
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Total	19,771,670	33,207,261	3,193,690	809,244	0	56,981,865	19,660,492	27,424,321
	3,199,809	804,574	0	51,089,196				

If Senate Bill No. 118 is not passed and approved, item 3 is increased by \$251,415 of general fund money in fiscal year 2004.

If House Bill No. 559 is not passed and approved, item 3 is increased by \$152,457 of general fund money in fiscal year 2004 and \$172,730 of general fund money in fiscal year 2005.

Fiscal years 2004 and 2005 state special revenue in item 3 includes \$3,237,493 in fiscal year 2004 and \$3,046,893 in fiscal year 2005 of the fund balance from revenue sources not restricted to certain purposes by the Montana constitution.

Item 3 includes a reduction in general fund money of \$204,255 in fiscal year 2004 and \$199,732 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

Item 3b is contingent upon passage and approval of House Bill No. 261.

If House Bill No. 124 is not passed and approved, item 5 is increased by \$1,103,400 of general fund money in fiscal year 2004 and \$1,106,952 of general fund money in fiscal year 2005 and state special revenue is decreased by the same amounts in each fiscal year.

The appropriation for legislative contract authority is subject to all of the following provisions:

(1) Legislative contract authority expenditures must be reported on state accounting records and kept separate from present law operations. In preparing the 2007 biennium executive budget, the office of budget and program planning may not include expenditures from this item in the present law base.

(2) 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.

If Senate Bill No. 128 is not passed and approved, item 8 is increased by \$120,794 of general fund money in fiscal year 2004 and \$120,839 of general fund money in fiscal year 2005 and state special revenue is decreased by \$290,589 in fiscal year 2004 and \$290,371 in fiscal year 2005.

PUBLIC SERVICE REGULATION (4201)

1.	Public Service Regulation Program (01)							
	0	2,589,276	13,695	0	0	2,602,971	0	2,592,539
	13,634	0	0	2,606,173				
a.	Legislative Audit (Restricted/Biennial)							
	0	18,315	87	0	0	18,402	0	0
	0	0	0	0				
b.	Consultants (Restricted/Biennial)							
	0	54,701	0	0	0	54,701	0	1,155
	0	0	0	1,155				

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Total	0	2,662,292	13,782	0	0	2,676,074	0	2,593,694
	13,634	0	0	2,607,328				

DEPARTMENT OF CORRECTIONS (6401)

1.	Administration and Support Services (01)							
	9,683,138	2,620	0	86,943	0	9,772,701	9,765,860	3,796
	0	103,755	0	9,873,411				
a.	Legislative Audit (Restricted/Biennial)							
	112,111	3,982	0	7,462	0	123,555	0	0
	0	0	0	0				
2.	Community Corrections (02)							
	21,298,386	303,828	0	0	0	21,602,214	21,360,619	303,828
	0	0	0	21,664,447				

3.	Secure Facilities (03)	52,036,901	1,124,938	80,288	0	0	53,242,127	51,987,583	1,124,938
		80,288	0	0	53,192,809				
4.	Montana Correctional Enterprises (04)	968,410	0	0	376,305	0	1,344,715	969,815	0
		0	377,450	0	1,347,265				
5.	Juvenile Corrections (05)	17,514,200	437,013	316,765	0	0	18,267,978	17,529,269	437,013
		316,765	0	0	18,283,047				

Total		101,613,146	1,872,381	397,053	470,710	0	104,353,290	101,613,146	1,869,575
		397,053	481,205	0	104,360,979				

Item 3 includes a reduction in general fund money of \$991,042 in fiscal year 2004 and \$991,042 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

Item 3 is increased by \$3,500,000 of general fund money in each year of the 2005 biennium if House Bill No. 363 is passed and approved. The department may reallocate this increase in funding among divisions when developing the 2005 biennium operating plans.

Item 4 contains a reduction of \$2,995,008 in fiscal year 2004 and \$580,228 in fiscal year 2005 of general fund money. These reductions are contingent upon passage and approval of Senate Bill No. 118.

DEPARTMENT OF LABOR AND INDUSTRY (6602)

1.	Workforce Services Division (01)	366,291	7,186,294	24,327,229	0	0	31,879,814	367,711	7,217,476
		24,329,500	0	0	31,914,687				
	a. Legislative Audit (Restricted/Biennial)	925	25,573	32,380	0	0	58,878	0	0
		0	0	0	0				
2.	Unemployment Insurance Division (02)	0	304,955	6,313,899	0	0	6,618,854	0	304,955
		6,340,652	0	0	6,645,607				
	a. Legislative Audit (Restricted/Biennial)	0	0	17,003	0	0	17,003	0	0
		0	0	0	0				
3.	Commissioner's Office/Centralized Services Division (03)	117,010	798,121	426,529	67,829	0	1,409,489	117,902	798,554
		427,225	67,851	0	1,411,532				
	a. Legislative Audit (Restricted/Biennial)	514	1,541	1,060	127	0	3,242	0	0
		0	0	0	0				
4.	Employment Relations Division (04)	647,507	6,478,442	718,088	0	0	7,844,037	648,473	6,488,472
		721,000	0	0	7,857,945				
	a. Legislative Audit (Restricted/Biennial)	1,839	13,106	2,912	0	0	17,857	0	0
		0	0	0	0				
5.	Business Standards Division (05)	0	10,556,147	0	0	0	10,556,147	0	10,592,039
		0	0	0	10,592,039				
	a. Legislative Audit (Restricted/Biennial)	0	10,869	0	0	0	10,869	0	0
		0	0	0	0				
6.	Montana Community Services (07)	23,950	743	3,082,767	0	0	3,107,460	23,950	743
		3,082,966	0	0	3,107,659				
	a. Legislative Audit (Restricted/Biennial)	0	0	621	0	0	621	0	0
		0	0	0	0				

7.	Workers' Compensation Court (09)	0	445,813	0	0	0	445,813	0	445,781
		0	0	0	445,781				
a.	Legislative Audit (Restricted/Biennial)	0	932	0	0	0	932	0	0
		0	0						

Total	1,158,036	25,822,536	34,922,488	67,956	0	61,971,016	1,158,036	25,848,020
	34,901,343	67,851	0	61,975,250				

Item 4 includes a reduction in general fund money of \$11,697 in fiscal year 2004 and \$11,697 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

DEPARTMENT OF MILITARY AFFAIRS (6701)

1.	Centralized Services (01)	374,252	0	97,533	0	0	471,785	374,696	0
		97,334	0	0	472,030				
a.	Legislative Audit (Restricted/Biennial)	444	0	0	0	0	444	0	0
		0	0	0	0				
2.	Challenge Program (02)	1,119,876	0	1,679,814	0	0	2,799,690	1,119,831	0
		1,679,747	0	0	2,799,578				
a.	Legislative Audit (Restricted/Biennial)	11,173	0	0	0	0	11,173	0	0
		0	0	0	0				
3.	Scholarship Program (03)								
a.	National Guard Scholarship Program (Restricted/Biennial/OTO)	337,090	0	0	0	0	337,090	0	0
		0	0	0	0				
4.	Army National Guard Program (12)	1,140,979	296,000	4,654,010	0	0	6,090,989	1,144,171	386,000
		4,651,932	0	0	6,182,103				
a.	Legislative Audit (Restricted/Biennial)	25,027	0	0	0	0	25,027	0	0
		0	0	0	0				
5.	Air National Guard Program (13)	302,972	0	2,260,254	0	0	2,563,226	308,408	0
		2,261,904	0	0	2,570,312				
a.	Legislative Audit (Restricted/Biennial)	5,810	0	0	0	0	5,810	0	0
		0	0	0	0				
6.	Disaster and Emergency Services (21)	454,301	13,700	4,312,072	0	0	4,780,073	454,972	13,700
		4,312,223	0	0	4,780,895				
a.	Legislative Audit (Restricted/Biennial)	671	0	670	0	0	1,341	0	0
		0	0	0	0				
7.	Veterans' Affairs Program (31)	666,023	187,325	0	0	0	853,348	666,918	187,489
		0	0	0	854,407				
a.	Legislative Audit (Restricted/Biennial)	895	0	0	0	0	895	0	0
		0	0	0	0				

	4,439,513	497,025	13,004,353	0	0	17,940,891	4,068,996	587,189
	13,003,140	0	0	17,659,325				

Item 4 includes a reduction in general fund money of \$41,439 in fiscal year 2004 and \$41,101 in fiscal year 2005. This

reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

TOTAL SECTION D

128,610,973	64,061,495	61,954,334	1,347,910	0	255,974,712	128,131,328	58,322,799
61,933,917	1,353,630	0	249,741,674				

E. EDUCATION

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION (3501)

1.	OPI Administration (06)							
	4,492,769	193,565	6,283,472	0	0	10,969,806	4,502,763	194,373
	6,288,297	0	0	10,985,433				
	a.	Federal Funds (Biennial)						
	0	0	5,956,074	0	0	5,956,074	0	0
	6,040,466	0	0	6,040,466				
2.	Distribution to Public Schools (09)							
	0	0	114,772,612	0	0	114,772,612	0	0
	125,619,361	0	0	125,619,361				
	a.	BASE Aid (Restricted/Biennial)						
	389,833,550	0	0	0	0	389,833,550	382,104,968	0
	0	0	0	382,104,968				
	b.	Special Education (Restricted/Biennial)						
	34,912,640	0	0	0	0	34,912,640	34,912,640	0
	0	0	0	34,912,640				
	c.	Transportation Aid (Restricted/Biennial)						
	10,400,000	0	0	0	0	10,400,000	10,400,000	0
	0	0	0	10,400,000				
	d.	School Facility Reimbursement (Restricted/Biennial)						
	4,250,000	0	0	0	0	4,250,000	4,360,000	0
	0	0	0	4,360,000				
	e.	Instate Treatment (Biennial)						
	974,896	0	0	0	0	974,896	974,896	0
	0	0	0	974,896				
	f.	Secondary Vocational Education (Biennial)						
	715,000	0	0	0	0	715,000	715,000	0
	0	0	0	715,000				
	g.	Adult Basic Education (Biennial)						
	275,000	0	0	0	0	275,000	275,000	0
	0	0	0	275,000				
	h.	Gifted and Talented (Biennial)						
	150,000	0	0	0	0	150,000	150,000	0
	0	0	0	150,000				
	i.	School Food (Biennial)						
	648,653	0	0	0	0	648,653	648,653	0
	0	0	0	648,653				
	j.	School District Audits (Biennial)						
	143,475	0	0	0	0	143,475	147,775	0
	0	0	0	147,775				
	k.	Traffic Safety Distribution						
	0	750,000	0	0	0	750,000	0	750,000
	0	0	0	750,000				
	l.	Community Service Grant Program (Biennial)						
	0	0	250,000	0	0	250,000	0	0
	250,000	0	0	250,000				
	m.	Reading First (Biennial)						
	0	0	2,890,000	0	0	2,890,000	0	0

2,975,000	0	0	2,975,000					
n.	REI/Rural Low-Income Schools (Biennial)							
0	0	458,056	0	0	458,056	0	0	0
458,056	0	0	458,056					
o.	Title IV -- 21st Century Community Learning Centers (Biennial)							
0	0	2,800,000	0	0	2,800,000	0	0	0
2,800,000	0	0	2,800,000					
p.	Character Education							
0	0	175,000	0	0	175,000	0	0	0
175,000	0	0	175,000					
q.	HB 124 County and District Block Grants (Restricted/Biennial)							
65,704,139	0	0	0	0	65,704,139	66,203,493	0	0
0	0	0	66,203,493					

Total								
512,500,122	943,565	133,585,214	0	0	647,028,901	505,395,188	944,373	
144,606,180	0	0	650,945,741					

All federal funds are biennial appropriations.

All revenue received in the state traffic education account for distribution to schools under the provisions of 20-7-506 and 61-5-121 is appropriated as provided in Title 20, chapter 7, part 5. This appropriation may not exceed \$1 million a year.

Item 2a includes a reduction in general fund money of \$5,176,769 in fiscal year 2004 and \$5,105,002 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

The office of public instruction may distribute funds from the appropriation in item 2e to public school districts for the purpose of providing for educational costs of children with significant behavioral or physical needs.

If Senate Bill No. 323 is passed and approved in a form that permanently eliminates county retirement benefits for all federally salaried employees employed by school districts, excluding federally salaried employees whose salaries are paid from district school food funds, then the 1% across-the-board reduction for the office of public instruction is reduced each year of the biennium by \$3.5 million in general fund money.

BOARD OF PUBLIC EDUCATION (5101)

1.	Administration (01)							
	159,722	14,988	0	0	0	174,710	159,941	14,837
	0	0	0	174,778				
a.	Legislative Audit (Restricted/Biennial)							
	2,271	0	0	0	0	2,271	0	0
	0	0	0	0				
2.	Advisory Council (03)							
	0	168,343	0	0	0	168,343	0	172,015
	0	0	0	172,015				
a.	Legislative Audit (Restricted/Biennial)							
	0	1,672	0	0	0	1,672	0	0
	0	0	0	0				

Total								
161,993	185,003	0	0	0	346,996	159,941	186,852	
0	0	0	346,793					

Item 1 includes a reduction in general fund money of \$1,636 in fiscal year 2004 and \$1,616 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee.

SCHOOL FOR THE DEAF AND BLIND (5113)

1.	Administration Program (01)							
	308,760	581	0	0	0	309,341	308,823	987
	0	0	0	309,810				
a.	Legislative Audit (Restricted/Biennial)							
	24,974	0	0	0	0	24,974	0	0
	0	0	0	0				
2.	General Services Program (02)							
	348,876	0	0	0	0	348,876	348,542	0

	0	0	0	348,542				
3.	Student Services (03)							
	1,004,239	0	27,752	0	0	1,031,991	1,012,210	0
	27,752	0	0	1,039,962				
4.	Education (04)							
	1,810,952	341,095	68,944	0	0	2,220,991	1,812,271	341,095
	68,944	0	0	2,222,310				

Total	3,497,801	341,676	96,696	0	0	3,936,173	3,481,846	342,082
	96,696	0	0	3,920,624				

Item 4 includes a reduction in general fund money of \$35,331 in fiscal year 2004 and \$35,170 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

MONTANA ARTS COUNCIL (5114)

1.	Promotion of the Arts (01)							
	259,396	158,100	599,116	0	0	1,016,612	277,798	153,223
	599,086	0	0	1,030,107				
a.	Legislative Audit (Restricted/Biennial)							
	18,402	0	0	0	0	18,402	0	0
	0	0	0	0				

Total	277,798	158,100	599,116	0	0	1,035,014	277,798	153,223
	599,086	0	0	1,030,107				

Item 1 includes a reduction in general fund money of \$2,806 in fiscal year 2004 and \$2,806 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee.

All federal funds in item 1 are biennial appropriations.

MONTANA STATE LIBRARY COMMISSION (5115)

1.	Statewide Library Resources (01)							
	1,566,082	869,815	1,230,694	0	0	3,666,591	1,581,855	865,700
	780,694	0	0	3,228,249				
a.	Legislative Audit (Restricted/Biennial)							
	15,773	0	0	0	0	15,773	0	0
	0	0	0	0				
b.	Legislative Contract Authority (Biennial)							
	0	25,000	475,000	0	0	500,000	0	0
	0	0	0	0				

Total	1,581,855	894,815	1,705,694	0	0	4,182,364	1,581,855	865,700
	780,694	0	0	3,228,249				

Item 1 includes a reduction in general fund money of \$15,978 in fiscal year 2004 and \$15,978 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee.

Item 1 includes biennial appropriations of \$251,138 in general fund money and \$850,000 in federal funds for grants to local libraries.

If HB 177 is not passed and approved, item 1 is increased by \$151,351 of state special revenue in fiscal year 2004 and \$155,124 of state special revenue authority in fiscal year 2005.

Item 1b 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 2007 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.

(4) Legislative contract authority may be transferred between state and federal special revenue, depending upon the contract

received by the Montana state library.

MONTANA HISTORICAL SOCIETY (5117)

1.	Administration Program (01)							
	834,409	184,531	94,000	101,682	0	1,214,622	848,129	184,938
	94,000	101,726	0	1,228,793				
	a. Legislative Audit (Restricted/Biennial)							
	28,917	0	0	0	0	28,917	0	0
	0	0	0	0				
2.	Library Program (02)							
	597,072	2,819	0	56,199	0	656,090	597,010	2,824
	0	56,242	0	656,076				
3.	Museum Program (03)							
	181,401	352,983	0	6,700	0	541,084	181,694	356,554
	0	6,712	0	544,960				
4.	Publications (04)							
	46,752	0	0	731,504	0	778,256	46,752	0
	0	734,501	0	781,253				
5.	Historic Preservation Program (06)							
	45,303	0	646,557	0	0	691,860	46,339	0
	647,402	0	0	693,741				

Total	1,733,854	540,333	740,557	896,085	0	3,910,829	1,719,924	544,316
	741,402	899,181	0	3,904,823				

Item 1 includes a reduction in general fund money of \$17,514 in fiscal year 2004 and \$17,373 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The agency may reallocate this reduction in funding among programs when developing 2005 biennium operating plans.

It is the intent of the legislature that the department of commerce use lodging facility use taxes to fund \$617,008 in fiscal year 2004 and \$621,017 in fiscal year 2005 for the Montana historical society. This is to be expended as follows:

Historical Interpretation	\$196,857	\$193,627
Scriver Collection	120,151	127,390
Lewis and Clark Exhibit and Interpretation	100,000	100,000
Lewis and Clark Bicentennial Commission	200,000	200,000

The first three uses of lodging taxes are budgeted in items 1 and 3. The \$200,000 each fiscal year of the biennium for the Lewis and Clark bicentennial commission is a language appropriation.

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

1.	OCHE -- Administration (01)							
	1,308,629	0	0	0	0	1,308,629	1,320,545	0
	0	0	0	1,320,545				
	a. Legislative Audit (Restricted/Biennial)							
	38,381	0	0	0	0	38,381	0	0
	0	0	0	0				
2.	OCHE -- Student Assistance (02)							
	8,637,879	0	188,985	0	0	8,826,864	8,892,816	0
	188,985	0	0	9,081,801				
3.	OCHE -- Dwight D. Eisenhower Mathematics and Science Education Act (03)							
	0	0	308,033	0	0	308,033	0	0
	308,033	0	0	308,033				
4.	OCHE -- Community College Assistance (04) (Biennial)							
	5,755,140	0	0	0	0	5,755,140	5,783,759	0
	0	0	0	5,783,759				
	a. Legislative Audit (Restricted/Biennial)							
	28,620	0	0	0	0	28,620	0	0
	0	0	0	0				
5.	OCHE -- Talent Search (06)							
	92,348	0	2,459,019	0	0	2,551,367	92,228	0
	2,458,887	0	0	2,551,115				

6.	OCHE -- C.D. Perkins Administration (08)							
	74,299	0	6,812,119	0	0	6,886,418	74,299	0
	6,812,607	0	0	6,886,906				
7.	OCHE -- Appropriation Distribution Transfers (09)							
	98,363,306	12,435,000	0	0	0	110,798,306	98,598,585	12,562,999
	0	0	0	111,161,584				
	a. Legislative Audit (Restricted/Biennial)							
	236,594	0	0	0	0	236,594	0	0
	0	0	0	0				
	b. Agricultural Experiment Station							
	9,980,299	0	0	0	0	9,980,299	9,980,299	0
	0	0	0	9,980,299				
	c. Institute for Biobased Products and Food Science							
	200,000	0	0	0	0	200,000	200,000	0
	0	0	0	200,000				
	d. Extension Service							
	4,338,100	0	0	0	0	4,338,100	4,338,100	0
	0	0	0	4,338,100				
	e. Montana Beef Network (Restricted/Biennial)							
	90,000	0	0	0	0	90,000	90,000	0
	0	0	0	90,000				
	f. Forestry and Conservation Experiment Station							
	919,661	0	0	0	0	919,661	919,661	0
	0	0	0	919,661				
	g. Bureau of Mines and Geology							
	1,570,646	666,000	0	0	0	2,236,646	1,570,646	666,000
	0	0	0	2,236,646				
	h. Fire Services Training School							
	507,637	0	0	0	0	507,637	507,637	0
	0	0	0	507,637				
	i. Dental Hygiene Program (Restricted/Biennial)							
	235,000	0	0	0	0	235,000	235,000	0
	0	0	0	235,000				
8.	Tribal College Assistance Program (11) (Biennial)							
	96,500	0	0	0	0	96,500	0	0
	0	0	0	0				
9.	OCHE -- Guaranteed Student Loan (12)							
	0	0	32,247,756	0	0	32,247,756	0	0
	35,249,226	0	0	35,249,226				
	a. Legislative Audit (Restricted/Biennial)							
	0	0	4,732	0	0	4,732	0	0
	4,732	0	0	4,732				
10.	OCHE -- Board of Regents (13)							
	51,889	0	0	0	0	51,889	51,889	0
	0	0	0	51,889				
<hr/>								
Total								
	132,524,928	13,101,000	42,020,644	0	0	187,646,572	132,655,464	13,228,999
	45,022,470	0	0	190,906,933				

University system unit is 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 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 information 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. Transfers and related justifications must be submitted to the office of budget and program planning and to the legislative fiscal analyst.

Items 1 through 3, 5 through 7a, 9, and 10 are a single biennial lump-sum appropriation.

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 standards of accounting and reporting, as described by the national association of college and university business officers, as a minimum 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 banner access to the entire university system's banner information system, except for 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 of 1974, 20 U.S.C. 1232g. The Montana university system shall provide the electronic data required for human resource data for the current unrestricted operating funds into the MBARS system. The salary and benefit data provided must reflect approved board of regents operating budgets.

Total audit costs of the office of the commissioner of higher education are estimated to be \$38,381.

The budget amount for each full-time equivalent student at the community colleges, including Summitnet, is \$5,706 each year of the 2005 biennium, before pay plan, if any. The general fund appropriation in item 4 provides 43% of the budget amount for each full-time equivalent student each year of the 2005 biennium. The remaining 57% of the budget amount for each full-time equivalent student must be paid from funds other than those appropriated in items 4 and 4a.

Total Summitnet costs are estimated to be \$25,000 each year for the community colleges. 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.

Total audit costs are estimated to be \$54,000 for the community colleges for the biennium. The general fund appropriation for each community college provides 53% of the total audit costs in the 2005 biennium. The remaining 47% of these costs must be paid from funds other than those appropriated in item 4a. Audit costs for the biennium may not exceed \$16,000 each for Dawson and Miles community colleges and \$22,000 for Flathead Valley community college.

Revenue anticipated to be received by the Montana university system units and colleges of technology includes:

- (1) interest earnings of \$1,460,000 each year of the 2005 biennium; and
- (2) other revenue of \$1,183,000 each year of the 2005 biennium.

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.

The legislature acknowledges that tuition rates are determined by the board of regents and that tuition revenue is considered private revenue and therefore not subject to legislative appropriation.

Item 7 includes \$986,620 for the 2005 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 energy conservation program. The costs of this transfer in each year of the biennium are: university of Montana-Missoula, \$157,100 in fiscal year 2004 and \$135,100 in fiscal year 2005; Montana tech of the university of Montana, \$28,000; Montana state university-northern, \$87,800 in fiscal year 2004 and \$83,800 in fiscal year 2005; Montana state university-Bozeman \$58,000; Montana state university-Billings, \$161,500; and western Montana college of the university of Montana, \$12,410.

Item 7 includes a total of \$44,253 of general fund money for the 2005 biennium for the Montana natural resource information system (NRIS). The Montana university system shall pay an additional \$44,253 for the 2005 biennium in current funds in support of NRIS. Quarterly payments must be made upon receipt of the bills from the state library, up to the total amount appropriated.

Item 7 includes a reduction in general fund money of \$1,337,499 in fiscal year 2004 and \$1,338,813 in fiscal year 2005. This reduction is the equivalent of a 1% reduction in 2005 biennium general fund money as recommended by the joint appropriations subcommittee. The board of regents may reallocate this reduction in funding among university system units, as defined in 17-7-102(13), when developing 2005 biennium operating plans.

Total audit costs are estimated to be \$473,188 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.

Revenue anticipated to be received by the agricultural experiment station includes:

- (1) interest earnings and other revenue of \$184,472 each year of the 2005 biennium;
- (2) federal revenue of \$2,022,075 in fiscal year 2004 and \$2,022,078 in fiscal year 2005; and
- (3) sales revenue of \$939,881 in fiscal year 2004 and \$939,881 in fiscal year 2005.

These amounts are appropriated for current unrestricted operating expenses and are in addition to the funds shown in item 7b.

The general fund money in item 7c is appropriated with the condition that, prior to the expenditure of the general fund money, the Montana agricultural experiment station collect \$140,000 of nonstate money each year of the 2005 biennium for the purpose of supporting the institute for biobased products and food science.

Revenue anticipated to be received by the extension service includes:

- (1) interest earnings of \$20,606 each year of the 2005 biennium; and
- (2) federal revenue of \$2,490,698 in fiscal year 2004 and \$2,485,644 in fiscal year 2005.

These amounts are appropriated for current unrestricted operating expenses and are in addition to the funds shown in item 7d.

Item 7e is a biennial, restricted appropriation for one staff person and for expenses for the Montana beef network within the extension service.

Anticipated interest revenue of \$4,858 in each year of the 2005 biennium 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.

Anticipated sales revenue of \$29,157 each year of the 2005 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.

Anticipated interest revenue of \$1,545 each year of the 2005 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.

TOTAL SECTION E

652,278,351	16,164,492	178,747,921	896,085	0	848,086,849	645,272,016	16,265,545
191,846,528	899,181	0	854,283,270				

TOTAL STATE FUNDING

1,141,454,496	513,591,555	1,428,865,647	13,150,640	511,542	3,097,573,880	1,134,375,307	482,765,172
1,502,277,288	11,912,664	518,369	3,131,848,800				

Section 1. Rates. Internal service fund type fees and charges established by the legislature for the 2005 biennium in compliance with 17-7-123(1)(f)(ii) are as follows:

1.

	<u>Fiscal Year 2004</u>	<u>Fiscal Year 2005</u>
DEPARTMENT OF TRANSPORTATION -- 5401		
1. State Motor Pool		
a. Class 02 (small utilities)		
per hour assigned	\$2.040	\$2.211
per mile operated	\$0.098	\$0.098
b. Class 04 (large utilities)		
per hour assigned	\$2.251	\$2.469
per mile operated	\$0.099	\$0.099
c. Class 06 (mid-size compacts)		
per hour assigned	\$1.370	\$1.516
per mile operated	\$0.067	\$0.067
d. Class 07 (small pickups)		
per hour assigned	\$1.123	\$1.243
per mile operated	\$0.110	\$0.110
e. Class 11 (large pickups)		
per hour assigned	\$1.284	\$1.451
per mile operated	\$0.123	\$0.123
f. Class 12 (vans – all type)		
per hour assigned	\$1.372	\$1.476
per mile operated	\$0.134	\$0.134
2. Equipment Program		
b. All of program operations	60-day working capital reserve	

DEPARTMENT OF REVENUE – 5801

1. Customer Service Center

 a. Delinquent Account Collection Fee (percent of amount collected) 10.0% 10.0%

DEPARTMENT OF ADMINISTRATION -- 6101

1. Administration and Financial Services Division

 a. Legal Services Unit

Teachers' Retirement	\$20,071	\$20,071
Personnel Division	\$21,504	\$21,504
Risk Management & Tort Defense	\$1,434	\$1,434
General Services	\$5,018	\$5,018
Architecture & Engineering	\$15,770	\$15,770
Information Services	\$19,354	\$19,354
Consumer Affairs	\$35,841	\$35,841
Banking Division	\$8,602	\$8,602
Lottery	\$14,336	\$14,336

Local Government Services	\$7,168	\$7,168
b. Management Services Unit		
Administrative Financial Services	\$53,239	\$53,290
Architecture & Engineering	\$8,792	\$8,788
General Services	\$78,474	\$78,451
Information Services	\$237,023	\$236,913
Personnel Division	\$21,165	\$21,157
Risk Management & Tort Defense	\$39,534	\$39,517
Banking Division	\$28,612	\$28,636
Lottery	\$29,397	\$29,384
State Tax Appeal Board	\$4,250	\$4,254
Appellate Defender	\$2,733	\$2,736
c. Network Support Unit		
Support per computer	\$690	\$688
d. Warrant Writer Program		
Mailer Warrants	\$0.58624	\$0.58017
Non-Mailer Warrants	\$0.17803	\$0.17195
Duplicate Warrants	\$5.63949	\$5.63768
External Warrants	\$0.15523	\$0.14915
Emergency Warrants	\$4.26759	\$4.26588
e. Human Resources Unit		
Teachers' Retirement	\$5,278	\$5,299
Public Employees' Retirement	\$10,062	\$10,101
Administrative Financial Services	\$9,568	\$9,605
Architecture & Engineering	\$5,608	\$5,630
General Services	\$27,525	\$27,633
Banking Division	\$8,247	\$8,280
Lottery Division	\$10,556	\$10,598
Risk Management & Tort Defense	\$5,278	\$5,299
Information Technology Services	\$29,690	\$29,806
Personnel Division	\$6,928	\$6,955
2. General Services Division		
a. Facilities Management Bureau		
Office rent (\$ per sq. ft.)	\$5.988	\$6.22
Storage rent (\$ per sq. ft.)	\$2.27	\$2.29
In-house project management (% of cost)	15%	15%
Contracted project management (% of cost)	5%	5%
b. Mail Services Section		
Interagency mail (total amount allocated to agencies)	\$134,012	\$134,012
All other operations except interagency mail	60-day working capital reserve	
c. Print Services Section	60-day working capital reserve	
d. Central Stores Program		
All of program operations	60-day working capital reserve	
e. Statewide Fueling Network Program		
All of program operations	45-day working capital reserve	
f. State Procurement Card Program		
Monthly card fee (per card per month)	\$1.00	\$1.00
3. Information Technology Services Division		
Data Network Fee (per connected terminal per month)	\$72.60	\$72.60
All other operations except data network	45-day working capital reserve	
4. State Personnel Division		

a. Professional Development Center		
Training Services	\$128.12	\$125.59
b. Payroll Processing		
State Payroll Unit	\$435,310	\$461,614
c. State Recruitment Advertising		
Administrative Fee		
(per FTE per year)	\$12	\$12
5. Risk Management & Tort Defense		
a. General liability (total allocation		
to agencies)	\$10,566,132	\$11,205,485
b. Auto liability, comprehensive, and		
collision (total allocation to agencies)	\$1,072,901	\$1,084,370
c. Aviation (total allocation to agencies)	\$165,728	\$165,822
d. Property/Miscellaneous (total		
allocation to agencies)	\$2,965,254	\$2,997,090
DEPARTMENT OF FISH, WILDLIFE, & PARKS -- 5201		
1. Administration and Finance (% markup)		
a. Warehouse Overhead	5%	5%
2. Vehicle Account Rates Per Mile		
a. Sedans	\$0.28	\$0.31
b. Vans	\$0.29	\$0.32
c. Utilities	\$0.36	\$0.38
d. Grounds Maintenance	\$0.95	\$1.00
e. Pickup 1/2 Ton	\$0.35	\$0.36
f. Pickup 3/4 Ton	\$0.36	\$0.36
3. Aircraft Per Hour Rates		
a. 2 Place Single Engine	\$ 56.72	\$ 56.72
b. Partnavia	\$283.60	\$297.78
c. Turbine Helicopters	\$345.72	\$345.72
4. Duplicating – Number of Copies (includes paper)		
a. 1-20	\$0.045	\$0.050
b. 21-100	\$0.030	\$0.035
c. 101-1000	\$0.025	\$0.030
d. 1001-5000	\$0.020	\$0.025
e. Color - per sheet	\$0.25	\$0.25
5. Bindery		
a. Collating (per sheet)	\$0.005	\$0.005
b. Hand Stapling (per set)	\$0.015	\$0.015
c. Saddle stitch (per set)	\$0.030	\$0.030
d. Folding (per sheet)	\$0.005	\$0.005
e. Punching (per sheet)	\$0.001	\$0.001
f. Cutting (per minute)	\$0.550	\$0.550
6. Parks – Capitol Grounds Maintenance	\$0.3696/sq.ft	\$0.3696/sq.ft.

DEPARTMENT OF ENVIRONMENTAL QUALITY -- 5301

1. Central Management		
a. Expenses Against Personal Services	23%	23%

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION -- 5706

1. Air Operations Program		
a. Bell UH-1H	\$875.00	\$875.00
b. Bell Jet Ranger	\$375.00	\$375.00
c. Cessna 180 series	\$ 95.00	\$ 95.00

DEPARTMENT OF COMMERCE – 6501

1. Board of Investments

For the purposes of [this act], the legislature defines “rates” as the total collections necessary to operate the board of investments as follows:

a. Administration Charge (total)	\$2,915,000	\$2,920,000
2. Director’s Office/Management Services		
a. Management Services Indirect Charge Rate	15%	15%

DEPARTMENT OF JUSTICE – 4110

1. Agency Legal Services		
a. Attorney (per hour)	\$71.80	\$71.80
b. Paralegal (per hour)	\$39.80	\$39.80

DEPARTMENT OF CORRECTIONS - 6401

1. Secure Facilities		
a. Cook/chill rate to Montana State Prison	\$1.37/meal	\$1.37/meal
b. Cook/chill rate to Riverside Youth Correctional Facility	\$2.01/meal	\$2.01/meal
c. Cook/chill rate to WATCH DUI Unit	\$1.59/meal	\$1.59/meal
d. Cook/chill rate to Helena Prerelease	\$2.01/meal	\$2.01/meal

2. Montana Correctional Enterprises		
a. Laundry rate to Montana State Prison	\$0.39/lb.	\$0.39/lb.
b. Laundry rate to Treasure State Correctional Training Center	\$0.39/lb.	\$0.39/lb.
c. Laundry rate to Montana State Hospital	\$0.38/lb.	\$0.38/lb.
d. Laundry rate to Montana Developmental Center	\$0.46/lb.	\$0.46/lb.
e. Laundry rate to Riverside Youth Correctional Facility	\$0.46/lb.	\$0.46/lb.

DEPARTMENT OF LABOR AND INDUSTRY – 6602

1. Centralized Services Division		
a. Cost Allocation Plan	10%	12%
2. Business Standards Division		
a. House Bill No. 2 Programs Recharge Rate	48%	48%

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.

-End-

And, as amended, do pass. Report adopted.

JUDICIARY (Shockley, Chairman):

3/11/2003

SB 56, be concurred in and be placed on the consent calendar. Report adopted.

SB 128, be concurred in. Report adopted.

SB 141, be amended as follows:

1. Page 6, line 5.

Strike: "make its order sufficiently broad to"

2. Page 6, line 6 through line 7.

Strike: "interested" on line 6 through "litigation" on line 7

Insert: "persons who request the information"

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

STATE ADMINISTRATION (Barrett, Chairman):

3/11/2003

SB 66, be concurred in and be placed on the consent calendar. Report adopted.

SB 85, be concurred in and be placed on the consent calendar. Report adopted.

SB 117, be concurred in and be placed on the consent calendar. Report adopted.

SB 79, be concurred in. Report adopted.

SB 80, be amended as follows:

1. Title, line 7.

Following: "SESSION"

Insert: "OR TO PERFORM CERTAIN TASKS BEFORE A REGULAR SESSION"

2. Page 1, line 12.

Following: "provided in"

Insert: "5-2-202 and"

Following: "(2)"

Insert: "of this section"

And, as amended, be concurred in and be placed on the consent calendar. Report adopted.

SB 81, be concurred in and be placed on the consent calendar. Report adopted.

TAXATION (Fuchs, Chairman):

3/12/2003

HJR 2, introduced joint resolution, be amended as follows:

1. Page 2.

Following: line 9

Strike: "WHEREAS, PPL-Montana has disputed the assessed value of its hydroelectric facilities in the state and has paid a portion of its property taxes under protest thereby reducing the amount of revenue available for the state general fund and the Montana University System 6-mill levy; and"

2. Page 2, line 16.

Strike: "\$1,208,833,000"

Insert: "\$1,207,542,000"

Strike: "\$1,236,422,000"

Insert: "\$1,241,443,000"

3. Page 2, line 17.

Strike: "\$1,291,497,000"

Insert: "\$1,296,456,000"

4. Page 2, line 19.

Strike: "\$83,228,000"

Insert: "\$81,316,000"

5. Page 3, line 13.

Strike: "180.179"

Insert: "182.196"

Strike: "186.420"

Insert: "192.538"

6. Page 3.

Following: line 13

Insert: "PPL-Montana Protested Property Tax Payments 0 (2.091) (2.129) (2.167)"

7. Page 3, line 19.

Strike: "25.808"

Insert: "26.608"

Strike: "18.783"

Insert: "23.916"
Strike: "18.877"
Insert: "19.885"

8. Page 5, line 5.
Strike: "\$1,208.833"
Insert: "\$1,207.542"
Strike: "\$1,236.422"
Insert: "\$1,241.443"
Strike: "\$1,291.497"
Insert: "\$1,296.456"

9. Page 7, line 21.
Strike: "\$138.483"
Insert: "\$141.803"
Strike: "\$138.068"
Insert: "\$145.361"

10. Page 8, line 1.
Strike: "\$1,042.989"
Insert: "\$1,061.830"
Strike: "\$1,084.708"
Insert: "\$1,143.202"

11. Page 8, line 7.
Strike: "\$7.497"
Insert: "\$6.838"
Strike: "\$7.562"
Insert: "\$6.894"

12. Page 8, line 10.
Strike: "\$1,737.421"
Insert: "\$1,758.923"
Strike: "\$1,790.115"
Insert: "\$1,855.234"

13. Page 8, line 15.
Strike: "\$602.781"
Insert: "\$611.232"
Strike: "\$620.677"
Insert: "\$644.762"

14. Page 18, line 14.
Strike: "11.989"
Insert: "12.120"
Strike: "12.292"
Insert: "12.685"

15. Page 18.
Following: line 14
Insert: "PPL-Montana 6-Mill Protested Property Tax Payments 0
(0.131) (0.133) (0.136)"

16. Page 19, line 7.
Strike: "328.933"
Insert: "328.802"
Strike: "331.564"
Insert: "331.562"
Strike: "335.292"
Insert: "335.549"

And, as amended, be adopted. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/11/2003

HB 101, introduced by Jent
HB 137, introduced by Lange
HB 187, introduced by Gallus
HB 392, introduced by Weiss
HB 408, introduced by Peterson
HB 411, introduced by Gallus
HB 471, introduced by Wanzenried
HB 511, introduced by Everett
HB 636, introduced by Forrester

House joint resolution concurred in and returned to the House: 3/11/2003

HJR 16, introduced by Mendenhall

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/11/2003

HB 50, introduced by Haines
HB 142, introduced by Devlin

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

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

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

SB 68 - Representative Newman moved **SB 68** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 99

Noes: Facey.

Total 1

Voted Absentee: Lenhart, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 75 - Representative Lange moved **SB 75** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: Jayne, Wilson.

Total 2

Voted Absentee: Lenhart, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 19 - Representative Newman moved **SB 19** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laslovich, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 93

Noes: Golie, Jayne, Keane, Lawson, Raser, Smith.

Total 6

Voted Absentee: Lenhart, Aye.

Excused: None.
Total 0

Absent or not voting: Laszloffy.
Total 1

SB 20 - Representative Shockley moved **SB 20** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Lenhart, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 31 - Representative Fuchs moved **SB 31** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Lenhart, Aye.

Excused: None.
Total 0

Absent or not voting: R. Brown.
Total 1

SB 45 - Representative A. Olson moved **SB 45** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Peterson, Raser, Rice, Ripley, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Witt, Younkin, Mr. Speaker.
Total 82

Noes: Balyeat, Buzzas, Dickenson, Everett, Gallik, Gallus, Galvin-Halcro, Gillan, Golie, Jayne, Kaufmann, Pattison, Roberts, Sales, Sinrud, Waitschies, Wilson, Windy Boy.
Total 18

Voted Absentee: Lenhart, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Balyeat, Golie, Mendenhall.
Total 3

Excused: Lenhart.
Total 1

Absent or not voting: Wilson.
Total 1

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:

HB 311, as amended by the Governor, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, R. Brown, Brueggeman,

Callahan, Carney, E. Clark, P. Clark, Cohenour, Devlin, Dickenson, Dowell, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallus, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 76

Noes: Balyeat, Branae, D. Brown, Buzzas, Cyr, Erickson, Franklin, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Jayne, Juneau, Kasten, Keane, Lindeen, Newman, Sales, Wanzenried, Weiss, Wilson.

Total 23

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 3, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: Jayne.

Total 1

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 21, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 95

Noes: Balyeat, Jayne, Sales, Sinrud.

Total 4

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 32, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 98

Noes: Jayne.

Total 1

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 33, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallus, Galvin-Halcro, Gibson, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 92

Noes: Gallik, Gillan, Golie, Laszloffy, Mendenhall, Newman, Waitschies.

Total 7

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 49, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie,

Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

SB 69, from the consent calendar, concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 96

Noes: Balyeat, Everett, Sinrud.

Total 3

Excused: Lenhart.

Total 1

Absent or not voting: None.

Total 0

Representative Harris made a parliamentary inquiry that a 3/5 vote was required on the motion to reconsider action on **SB 5**, third reading yesterday.

The Chair ruled that a majority vote was required.

A meeting of the Rules Committee was called.

The Rules Committee upheld the ruling of the Chair.

SB 5 (requiring 2/3 vote) **failed** as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 60

Noes: Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Newman, A. Olson, Parker, Raser, Ryan, Small-Eastman, Wanzenried, Weiss, Wilson, Windy Boy.
Total 39

Excused: Lenhart.
Total 1

Absent or not voting: None.
Total 0

SB 14 concurred in as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 97

Noes: Balyeat, Sales.
Total 2

Excused: Lenhart.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Representative Brueggeman moved to reconsider action on **SB 5** third reading this day.

Representative Pattison moved previous question.

Motion to reconsider action on **SB 5** carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Facey, Fisher, Forrester, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 61

Noes: Ballantyne, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Musgrove, Newman, Parker, Raser, Small-Eastman, Wanzenried, Weiss,

Wilson, Windy Boy.
Total 38

Excused: Lenhart.
Total 1

Absent or not voting: None.
Total 0

Representative Bruggeman moved to reconsider Representative Jent's motion that **SB 363** be taken from the Committee on Business and Labor and be rereferred to the Committee on Judiciary.

Representative Younkin moved previous question.

Motion to reconsider action on **SB 363** carried as follows:

Ayes: Andersen, Barrett, Bitney, Bookout-Reinicke, R. Brown, Brueggeman, E. Clark, Devlin, Fisher, Forrester, Gillan, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Matthews, McKenney, Mendenhall, Morgan, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Ross, Ryan, Sales, Schruppf, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 50

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, D. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Malcolm, Musgrove, Newman, Noennig, Parker, Raser, Rome, Shockley, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 49

Excused: Lenhart.
Total 1

Absent or not voting: None.
Total 0

Representative Kasten moved to reconsider action on **HB 492**, second reading yesterday.

Representative Gallik made a substitute motion to table the motion to reconsider action on **HB 492**. Motion **failed** as follows:

Ayes: Ballantyne, Balyeat, Barrett, Bergren, Bitney, D. Brown, Brueggeman, P. Clark, Cohenour, Cyr, Devlin, Everett, Gallik, Gallus, Haines, Hawk, Hurwitz, Jackson, Jacobson, Jayne, Jent, Keane, Laslovich, Lawson, Lehman, Mendenhall, Musgrove, Newman, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Ross, Ryan, Sales, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Wagman, Waitschies, Wanzenried, Witt, Mr. Speaker.
Total 48

Noes: Andersen, Becker, Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, E. Clark, Dickenson, Dowell, Erickson, Facey, Fisher, Franklin, Fritz, Fuchs, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Hedges, Juneau, Kasten, Kaufmann, Lake, Lambert, Lange, Laszloffy, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Morgan, Noennig, Parker, Roberts, Rome, Schruppf, Small-Eastman, Thomas, Weiss, Wilson, Windy Boy, Younkin.
Total 50

Excused: Lenhart.
Total 1

Absent or not voting: Forrester.
Total 1

Motion to reconsider action on **HB 492 failed** as follows:

Ayes: Andersen, Becker, Bixby, Bookout-Reinicke, Branae, Buzzas, Callahan, Carney, E. Clark, Dickenson, Dowell, Erickson, Facey, Fisher, Franklin, Fritz, Galvin-Halcro, Gibson, Golie, Gutsche, Harris, Hedges, Hurwitz, Jayne, Juneau, Kasten, Kaufmann, Laszloffy, Lewis, Lindeen, Maedje, Malcolm, Matthews, Musgrove, Noennig, Parker, Roberts, Rome, Ryan, Schrupf, Small-Eastman, Smith, Thomas, Wanzenried, Weiss, Wilson, Windy Boy.
Total 47

Noes: Ballantyne, Balyeat, Barrett, Bergren, Bitney, D. Brown, R. Brown, Brueggeman, P. Clark, Cohenour, Cyr, Devlin, Everett, Forrester, Fuchs, Gallik, Gallus, Gillan, Haines, Hawk, Jackson, Jacobson, Jent, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, McKenney, Mendenhall, Morgan, Newman, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Ross, Sales, Shockley, Sinrud, Steinbeisser, Stoker, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 52

Excused: Lenhart.
Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

The following bills were placed on the consent calendar: **SB 70, SB 71, SB 78, SB 88, SJR 21, SJR 24.**

The following bills were removed from the consent calendar: **SB 19, SB 20, SB 31, SB 45.**

The following cosponsor was removed from **HB 604**: Bales.

The Speaker asked Representative Jacobson to lead the House in singing Happy Birthday to Representatives Gallik and Hawk.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Brown moved that the House adjourn until 1:00 p.m., Thursday, March 13, 2003. Motion carried.

House adjourned at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House