

**HOUSE JOURNAL
58TH LEGISLATURE
EIGHTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 26, 2003

House Chambers
State Capitol

House convened at 8:06 a.m. Mr. Speaker in the Chair. Invocation by Representative Balyeat. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eighty-fifth, eighty-sixth, and eighty-seventh legislative days, find the same to be correct.

Bookout-Reinicke, Chair

COMMUNICATIONS AND PETITIONS

In accordance with 5-12-202, MCA, the Speaker appointed the following Representatives to the interim Legislative Finance Committee:

Representative Brueggeman
Representative Buzzas
Representative Forrester
Representative Kasten
Representative Lewis
Representative Lindeen

REPORTS OF STANDING COMMITTEES

BILLS (Bookout-Reinicke, Chairman): 4/26/2003
Correctly enrolled: **HB 509, HB 536.**
Examined by the sponsor and found to be correct: **HB 509, HB 536.**
Signed by the Speaker at 5:15 p.m., April 25, 2003: **HB 56, HB 90, HB 259, HB 277, HB 283, HB 564, HB 680, HB 689, HB 720, HB 727, HJR 31.**
Signed by the Speaker at 7:45 a.m., April 26, 2003: **HB 197, HB 201, HB 206, HB 211, HB 298, HB 403, HB 489, HB 608, HB 642, HB 736, HJR 37.**
Delivered to the Governor for approval at 7:30 a.m., April 26, 2003: **HB 197, HB 201, HB 206, HB 211, HB 298, HB 403, HB 489, HB 608, HB 642, HB 736.**
Delivered to the Governor for approval at 8:30 a.m., April 26, 2003: **HB 56, HB 90, HB 259, HB 283, HB 564, HB 680, HB 689, HB 720, HB 727.**

MESSAGES FROM THE SENATE

HB 107 - The Senate voted to indefinitely postpone **HB 701** when the conference committee report was rejected on second reading this day. 4/25/2003

HB 701 - The Senate, by motion, **failed** to override the Governor's veto on **HB 701** and returned the bill to the House. 4/25/2003

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SB 485 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free Conference Committee** to meet with a like committee from the House to confer on **SB 485**:

4/25/2003

Senator Cobb, Chair
Senator Stapleton
Senator Stonington

MOTIONS

Representative R. Brown moved the Speaker accede to the request of the Senate and appoint a Free Conference Committee to meet with a like committee to confer on House amendments to **SB 485**. Motion carried.

The Speaker appointed the following members:

Representative Brueggeman, Chair
Representative E. Clark
Representative Franklin

Majority Leader Brown moved that the House recess until 8:40 a.m. for caucuses. Motion carried.

House recessed at 8:11 a.m.

House reconvened at 8:56 a.m. All members present. Quorum present.

**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 Bitney in the chair.

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

HB 247 - Free Conference Committee Report No. 1 - Representative Harris moved the Free Conference Committee report to **HB 247** be adopted. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, 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, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Ross, Ryan, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 90

Noes: Barrett, Hawk, Jayne, Kasten, Laszloffy, Morgan, Newman, Rice, Ripley, Rome.

Total 10

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 452 - Governor's Amendments - Representative Laslovich moved Governor's amendments to **HB 452** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hurwitz, 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 96

Noes: D. Brown, Devlin, Jackson.
Total 3

Excused: None.
Total 0

Absent or not voting: Hedges.
Total 1

HB 744 - Governor's Amendments - Representative E. Clark moved Governor's amendments to **HB 744** 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, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gallus, Gibson, Gillan, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, 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 94

Noes: Dickenson, Galvin-Halcro, Golie.
Total 3

Excused: None.
Total 0

Absent or not voting: P. Clark, Franklin, Lewis.
Total 3

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SB 484 - Governor's Amendments - Representative Gillan moved Governor's amendments to **SB 484** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, 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, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Roberts, Rome, Ross, Ryan, Schrupf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 88

Noes: Balyeat, Barrett, Everett, Fuchs, Jayne, Kasten, Laszloffy, Malcolm, Ripley, Sales, Shockley.

Total 11

Excused: None.

Total 0

Absent or not voting: Lewis.

Total 1

HB 42 - Governor's Amendments - Representative Barrett moved Governor's amendments to **HB 42** be concurred in. Motion carried as follows:

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

Total 68

Noes: Becker, Bixby, Buzzas, Callahan, Cohenour, Cyr, Dickenson, Dowell, Erickson, Franklin, Fritz, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Lindeen, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 31

Excused: None.

Total 0

Absent or not voting: Lewis.

Total 1

HB 424 - Senate Amendments - Representative Jent moved Senate amendments to **HB 424** be concurred in. Motion carried as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Devlin, Dickenson, Dowell, Erickson, Everett,

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Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, B. Olson, 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.
Total 87

Noes: Bergren, Cohenour, Cyr, Fuchs, Gallus, Hedges, Keane, Lake, Lewis, Newman, Mr. Speaker.
Total 11

Excused: None.
Total 0

Absent or not voting: A. Olson, Parker.
Total 2

Representative Brown moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bitney moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Devlin, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Haines, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 74

Noes: Becker, Callahan, Cohenour, Cyr, Dickenson, Dowell, Franklin, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Lindeen, Parker, Ryan, Smith, Wanzenried, Weiss, Wilson.
Total 25

Excused: None.
Total 0

Absent or not voting: Gallus.
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 107, Conference Committee Report No. 1, adopted as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown,

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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, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kaufmann, Keane, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 84

Noes: Balyeat, Bixby, Everett, Hawk, Juneau, Kasten, Lake, Lindeen, Morgan, Rice, Sales, Shockley, Sinrud, Wagman, Waitschies, Weiss.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 363, Conference Committee Report No. 1, adopted as follows:

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

Total 62

Noes: Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jayne, Juneau, Kaufmann, Keane, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Shockley, Small-Eastman, Smith, Wanzenried, Weiss, Wilson.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 558, Conference Committee Report No. 1, adopted as follows:

Ayes: Andersen, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kasten, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Sinrud, Small-Eastman,

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Steinbeisser, Stoker, Thomas, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 82

Noes: Ballantyne, Balyeat, Bergren, Bixby, Callahan, Cohenour, Dowell, Erickson, Fuchs, Gutsche, Jayne, Juneau, Lindeen, Sales, Smith, Wagman, Wanzenried, Weiss.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 270, as amended by the Governor, concurred in as follows:

Ayes: Andersen, Ballantyne, 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, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 90

Noes: Balyeat, Barrett, Everett, Jackson, Kasten, Laszloffy, Rice, Sales, Shockley, Sinrud.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 370, as amended by the Governor, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Fritz, Fuchs, 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, Sales, Schrupf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 90

Noes: Bergren, Buzzas, Cohenour, Dickenson, Franklin, Gallik, Jayne, Ryan, Smith, Wilson.
Total 10

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 381, as amended by the Governor, 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, Cyr, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, 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, 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, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 95

Noes: Cohenour, Gallik, Lindeen, Smith, Weiss.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 406, as amended by the Governor, concurred in as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Kasten, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 86

Noes: Bergren, Bixby, Buzzas, Cohenour, Dowell, Erickson, Gutsche, Juneau, Kaufmann, Lindeen, Ryan, Smith, Wanzenried, Weiss.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 461, Free Conference Committee Report No. 1, adopted as follows:

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

Total 80

Noes: Balyeat, Bergren, Bixby, R. Brown, Cohenour, Fuchs, Gallik, Jayne, Juneau, Keane, Laszloffy, Lewis, Lindeen, Mendenhall, Ryan, Sales, Small-Eastman, Smith, Weiss, Witt.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 473, as amended by the Governor, 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, 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, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 97

Noes: Balyeat, Laszloffy, Sales.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 483 concurred in as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fritz, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lewis, Maedje, Malcolm, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker,

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Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 54

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Lindeen, Matthews, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 46

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 493 concurred in as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schrumpf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 55

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 45

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Brown moved that the House recess until 1:00 p.m. Motion carried.

House recessed at 9:25 a.m.

House reconvened at 1:04 p.m. Quorum present.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 424**
Report No. 1, April 26, 2003

Mr. President and Mr. Speaker:

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We, your Free Conference Committee met and considered **Senate Bill 424** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 424** (reference copy -- salmon) be amended as follows:

1. Title, line 6.

Following: "ENTITLEMENTS:"

Insert: "INCREASING THE BASIC AND PER-ANB ENTITLEMENTS FOR PUBLIC SCHOOLS FOR SCHOOL FISCAL YEAR 2004 AND SUCCEEDING YEARS;"

2. Title, line 7.

Following: "ANB";"

Insert: "CHANGING THE WAY IN WHICH A SCHOOL DISTRICT OR COOPERATIVE CHARGES EMPLOYER CONTRIBUTIONS FOR RETIREMENT, SOCIAL SECURITY, AND UNEMPLOYMENT INSURANCE; TERMINATING THE COUNTYWIDE SCHOOL RETIREMENT BLOCK GRANTS;"

3. Title, line 12.

Following: "SECTIONS"

Insert: "20-9-306,"

4. Title, line 13.

Strike: "AND"

Following: "20-10-141,"

Insert: "20-9-501, 20-9-542"

Strike: "SECTION 25"

Insert: "SECTIONS 25 AND 26"

5. Title, line 14.

Following: "DATES"

Insert: ", "

6. Title, line 15.

Strike: "AND"

Following: "DATES"

Insert: ", AND A TERMINATION DATE"

7. Page 1, line 20.

Following: "(1)"

Strike: "THE"

Insert: "In preparing and submitting an agency budget pursuant to 17-7-111 and 17-7-112, the"

8. Page 1, lines 21 and 22.

Following: the first "FOR"

Insert: "the basic and per-ANB entitlements in"

Strike: the first "SCHOOL"

Strike: "BY" on line 21 through "FISCAL YEAR" on line 22

Insert: "of the ensuing biennium. The inflation factor is calculated as follows:"

(a) for the first year of the biennium, divide the consumer price index for July 1 of the prior calendar year

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by the consumer price index for July 1 of the calendar year 3 years prior to the prior calendar year and raise the resulting ratio to the power of one-third; and

(b) for the second year of the biennium, divide the consumer price index for July 1 of the current calendar year by the consumer price index for July 1 of the calendar year 3 years prior to the current calendar year and raise the resulting ratio to the power of one-third

9. Page 1, line 23.

Strike: "K-12 PUBLIC EDUCATION"

Insert: "the basic and per-ANB entitlements"

10. Page 1, line 25.

Following: "SECTION"

Insert: ", not to exceed 3% in each year, applied to both years of the biennium"

11. Page 1.

Following: line 28

Insert: "**Section 2.** Section 20-9-306, MCA, is amended to read:

"20-9-306. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

(1) "BASE" means base amount for school equity.

(2) "BASE aid" means:

(a) direct state aid for 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district; and

(b) guaranteed tax base aid for an eligible district for any amount up to 35.3% of the basic entitlement, up to 35.3% of the total per-ANB entitlement budgeted in the general fund budget of a district, and ~~up to~~ 40% of the special education allowable cost payment.

(3) "BASE budget" means the minimum general fund budget of a district, which includes 80% of the basic entitlement, 80% of the total per-ANB entitlement, and up to 140% of the special education allowable cost payment.

(4) "BASE budget levy" means the district levy in support of the BASE budget of a district, which may be supplemented by guaranteed tax base aid if the district is eligible under the provisions of 20-9-366 through 20-9-369.

(5) "BASE funding program" means the state program for the equitable distribution of the state's share of the cost of Montana's basic system of public elementary schools and high schools, through county equalization aid as provided in 20-9-331 and 20-9-333 and state equalization aid as provided in 20-9-343, in support of the BASE budgets of districts and special education allowable cost payments as provided in 20-9-321.

(6) "Basic entitlement" means:

(a) ~~\$213,819~~ \$216,171 for each high school district;

(b) ~~\$19,244~~ \$19,456 for each elementary school district or K-12 district elementary program without an approved and accredited junior high school or middle school; and

(c) the prorated entitlement for each elementary school district or K-12 district elementary program with an approved and accredited junior high school or middle school, calculated as follows:

(i) ~~\$19,244~~ \$19,456 times the ratio of the ANB for kindergarten through grade 6 to the total ANB of kindergarten through grade 8; plus

(ii) ~~\$213,819~~ \$216,171 times the ratio of the ANB for grades 7 and 8 to the total ANB of kindergarten through grade 8.

(7) "Direct state aid" means 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district and funded with state and county equalization aid.

(8) "Maximum general fund budget" means a district's general fund budget amount calculated from the basic entitlement for the district, the total per-ANB entitlement for the district, and the greater of:

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- (a) 175% of special education allowable cost payments; or
 - (b) the ratio, expressed as a percentage, of the district's special education allowable cost expenditures to the district's special education allowable cost payment for the fiscal year that is 2 years previous, with a maximum allowable ratio of 200%.
- (9) "Over-BASE budget levy" means the district levy in support of any general fund amount budgeted that is above the BASE budget and below the maximum general fund budget for a district.
- (10) "Total per-ANB entitlement" means the district entitlement resulting from the following calculations:
- (a) for a high school district or a K-12 district high school program, a maximum rate of ~~\$5,205~~ \$5,262 for the first ANB is decreased at the rate of 50 cents per ANB for each additional ANB of the district up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB;
 - (b) for an elementary school district or a K-12 district elementary program without an approved and accredited junior high school or middle school, a maximum rate of ~~\$3,906~~ \$3,949 for the first ANB is decreased at the rate of 20 cents per ANB for each additional ANB of the district up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and
 - (c) for an elementary school district or a K-12 district elementary program with an approved and accredited junior high school or middle school, the sum of:
 - (i) a maximum rate of ~~\$3,906~~ \$3,949 for the first ANB for kindergarten through grade 6 is decreased at the rate of 20 cents per ANB for each additional ANB up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and
 - (ii) a maximum rate of ~~\$5,205~~ \$5,262 for the first ANB for grades 7 and 8 is decreased at the rate of 50 cents per ANB for each additional ANB for grades 7 and 8 up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB."

Insert: "Section 3. Section 20-9-306, MCA, is amended to read:

"20-9-306. Definitions. As used in this title, unless the context clearly indicates otherwise, the following definitions apply:

- (1) "BASE" means base amount for school equity.
- (2) "BASE aid" means:
 - (a) direct state aid for 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district; and
 - (b) guaranteed tax base aid for an eligible district for any amount up to 35.3% of the basic entitlement, up to 35.3% of the total per-ANB entitlement budgeted in the general fund budget of a district, and ~~up to~~ 40% of the special education allowable cost payment.
- (3) "BASE budget" means the minimum general fund budget of a district, which includes 80% of the basic entitlement, 80% of the total per-ANB entitlement, and up to 140% of the special education allowable cost payment.
- (4) "BASE budget levy" means the district levy in support of the BASE budget of a district, which may be supplemented by guaranteed tax base aid if the district is eligible under the provisions of 20-9-366 through 20-9-369.
- (5) "BASE funding program" means the state program for the equitable distribution of the state's share of the cost of Montana's basic system of public elementary schools and high schools, through county equalization aid as provided in 20-9-331 and 20-9-333 and state equalization aid as provided in 20-9-343, in support of the BASE budgets of districts and special education allowable cost payments as provided in 20-9-321.
- (6) "Basic entitlement" means:
 - (a) ~~\$213,819~~ \$220,646 for each high school district;
 - (b) ~~\$19,244~~ \$19,859 for each elementary school district or K-12 district elementary program without an approved and accredited junior high school or middle school; and
 - (c) the prorated entitlement for each elementary school district or K-12 district elementary program with an approved and accredited junior high school or middle school, calculated as follows:
 - (i) ~~\$19,244~~ \$19,859 times the ratio of the ANB for kindergarten through grade 6 to the total ANB of kindergarten through grade 8; plus

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(ii) ~~\$213,819~~ \$220,646 times the ratio of the ANB for grades 7 and 8 to the total ANB of kindergarten through grade 8.

(7) "Direct state aid" means 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district and funded with state and county equalization aid.

(8) "Maximum general fund budget" means a district's general fund budget amount calculated from the basic entitlement for the district, the total per-ANB entitlement for the district, and the greater of:

(a) 175% of special education allowable cost payments; or

(b) the ratio, expressed as a percentage, of the district's special education allowable cost expenditures to the district's special education allowable cost payment for the fiscal year that is 2 years previous, with a maximum allowable ratio of 200%.

(9) "Over-BASE budget levy" means the district levy in support of any general fund amount budgeted that is above the BASE budget and below the maximum general fund budget for a district.

(10) "Total per-ANB entitlement" means the district entitlement resulting from the following calculations:

(a) for a high school district or a K-12 district high school program, a maximum rate of ~~\$5,205~~ \$5,371 for the first ANB is decreased at the rate of 50 cents per ANB for each additional ANB of the district up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB;

(b) for an elementary school district or a K-12 district elementary program without an approved and accredited junior high school or middle school, a maximum rate of ~~\$3,906~~ \$4,031 for the first ANB is decreased at the rate of 20 cents per ANB for each additional ANB of the district up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(c) for an elementary school district or a K-12 district elementary program with an approved and accredited junior high school or middle school, the sum of:

(i) a maximum rate of ~~\$3,906~~ \$4,031 for the first ANB for kindergarten through grade 6 is decreased at the rate of 20 cents per ANB for each additional ANB up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(ii) a maximum rate of ~~\$5,205~~ \$5,371 for the first ANB for grades 7 and 8 is decreased at the rate of 50 cents per ANB for each additional ANB for grades 7 and 8 up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB."

Renumber: subsequent sections

12. Page 7.

Following: line 4

Insert: "**Section 7.** Section 20-9-501, MCA, is amended to read:

"20-9-501. Retirement costs and retirement fund. (1) The trustees of a district or the management board of a cooperative employing personnel who are members of the teachers' retirement system or the public employees' retirement system or who are covered by unemployment insurance or who are covered by any federal social security system requiring employer contributions shall establish a retirement fund for the purposes of budgeting and paying the employer's contributions to the systems as provided in subsection (2)(a). The district's or the cooperative's contribution for each employee who is a member of the teachers' retirement system must be calculated in accordance with Title 19, chapter 20, part 6. The district's or the cooperative's contribution for each employee who is a member of the public employees' retirement system must be calculated in accordance with 19-3-316. The district's or the cooperative's contributions for each employee covered by any federal social security system must be paid in accordance with federal law and regulation. The district's or the cooperative's contribution for each employee who is covered by unemployment insurance must be paid in accordance with Title 39, chapter 51, part 11.

(2) (a) The district or the cooperative shall pay the employer's contributions to the retirement, federal social security, and unemployment insurance systems from the retirement fund for the following:

(i) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from state or local funding sources;

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(ii) a cooperative employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the cooperative's interlocal agreement fund if the fund is supported solely from districts' general funds and state special education allowable cost payments pursuant to 20-9-321; and

(iii) a district employee whose salary and health-related benefits, if any health-related benefits are provided to the employee, are paid from the district's school food services fund provided for in 20-10-204.

(b) For an employee whose benefits are not paid from the retirement fund, the district or the cooperative shall pay the employer's contributions to the retirement, federal social security, and unemployment insurance systems from the funding source that pays the employee's salary.

~~(2)~~(3) The trustees of a district required to make a contribution to a system referred to in subsection (1) shall include in the retirement fund of the final budget the estimated amount of the employer's contribution. After the final retirement fund budget has been adopted, the trustees shall pay the employer contributions to the systems in accordance with the financial administration provisions of this title.

~~(3)~~(4) When the final retirement fund budget has been adopted, the county superintendent shall establish the levy requirement by:

(a) determining the sum of the money available to reduce the retirement fund levy requirement by adding:
(i) any anticipated money that may be realized in the retirement fund during the ensuing school fiscal year;
(ii) oil and natural gas production taxes;
(iii) coal gross proceeds taxes under 15-23-703;
(iv) countywide school retirement block grants distributed under section 245, Chapter 574, Laws of 2001;
(v) any fund balance available for reappropriation as determined by subtracting the amount of the end-of-the-year fund balance earmarked as the retirement fund operating reserve for the ensuing school fiscal year by the trustees from the end-of-the-year fund balance in the retirement fund. The retirement fund operating reserve may not be more than 35% of the final retirement fund budget for the ensuing school fiscal year and must be used for the purpose of paying retirement fund warrants issued by the district under the final retirement fund budget.

(vi) any other revenue anticipated that may be realized in the retirement fund during the ensuing school fiscal year, excluding any guaranteed tax base aid.

(b) notwithstanding the provisions of subsection ~~(8)~~ (9), subtracting the money available for reduction of the levy requirement, as determined in subsection ~~(3)~~(a) ~~(4)~~(a), from the budgeted amount for expenditures in the final retirement fund budget.

~~(4)~~(5) The county superintendent shall:

(a) total the net retirement fund levy requirements separately for all elementary school districts, all high school districts, and all community college districts of the county, including any prorated joint district or special education cooperative agreement levy requirements; and

(b) report each levy requirement to the county commissioners on the fourth Monday of August as the respective county levy requirements for elementary district, high school district, and community college district retirement funds.

~~(5)~~(6) The county commissioners shall fix and set the county levy or district levy in accordance with 20-9-142.

~~(6)~~(7) The net retirement fund levy requirement for a joint elementary district or a joint high school district must be prorated to each county in which a part of the district is located in the same proportion as the district ANB of the joint district is distributed by pupil residence in each county. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county as provided in 20-9-151.

~~(7)~~(8) The net retirement fund levy requirement for districts that are members of special education cooperative agreements must be prorated to each county in which the district is located in the same proportion as the special education cooperative budget is prorated to the member school districts. The county superintendents of the counties affected shall jointly determine the net retirement fund levy requirement for each county in the same manner as provided in 20-9-151, and the county commissioners shall fix and levy the net retirement fund levy for each county in the same manner as provided in 20-9-152.

~~(8)~~(9) The county superintendent shall calculate the number of mills to be levied on the taxable property in

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the county to finance the retirement fund net levy requirement by dividing the amount determined in subsection ~~(4)(a)~~ (5)(a) by the sum of:

(a) the amount of guaranteed tax base aid that the county will receive for each mill levied, as certified by the superintendent of public instruction; and

(b) the taxable valuation of the district divided by 1,000.

~~(9)(10)~~ The levy for a community college district may be applied only to property within the district."

Insert: "Section 8. Section 20-9-542, MCA, is amended to read:

"20-9-542. School flexibility account -- distribution of funds. (1) There is a school flexibility account in the state special revenue fund. The superintendent of public instruction shall allocate the money in the account, including any interest earned on money allocated to the account, to each school district. Each school district's total allocation is the sum of the district K-12 public school funding amount, the district large K-12 public school funding amount, and the district student funding amount.

(2) In addition to funds allocated or appropriated to the school flexibility account, all money saved by the state if the actual statewide ANB in a given fiscal year is less than the statewide ANB projected by the legislature during the preceding legislative session must be deposited in the school flexibility account.

(3) A portion of the money in the school flexibility account may be expended by a district to alleviate certified staff shortages in the district or for retirement incentives only if a portion of the account is specified for that purpose in a general appropriation act."

13. Page 11.

Following: line 10

Insert: Section 12. Section 26, Chapter 13, Special Laws of August 2002, is amended to read:

"Section 26. Section 245, Chapter 574, Laws of 2001, is amended to read:

"Section 245. Countywide school retirement block grants. ~~(1)~~ The office of public instruction shall distribute one-half of the amount appropriated for countywide school retirement in November and the remainder in May. The total amount for each county is as follows:

	FY 2002	FY 2002	FY 2003	FY 2003
	Elementary	High School	Elementary	High School
	Payment	Payment	Payment	Payment
Beaverhead	\$86,692	\$50,789	\$87,351 <u>\$55,503</u>	\$51,175 <u>\$41,981</u>
Big Horn	62,668	36,963	63,144 <u>95,018</u>	37,244 <u>33,837</u>
Blaine	61,160	10,193	61,624 <u>46,318</u>	10,271 <u>81,109</u>
Broadwater	0	92,686	0	93,390 <u>34,949</u>
Carbon	43,451	82,110	43,782 <u>72,602</u>	82,734 <u>58,957</u>
Carter	9,751	5,453	9,825 <u>8,478</u>	5,495 <u>6,155</u>
Cascade	349,056	192,848	351,709 <u>282,266</u>	194,314 <u>142,282</u>
Chouteau	75,384	41,034	75,957 <u>58,455</u>	41,346 <u>29,474</u>
Custer	78,925	36,930	79,525 <u>57,608</u>	37,211 <u>32,128</u>
Daniels	0	37,994	0	38,283 <u>36,083</u>
Dawson	85,568	38,722	86,219 <u>64,693</u>	39,016 <u>24,827</u>
Deer Lodge	39,980	17,059	40,284 <u>34,455</u>	17,189 <u>16,807</u>
Fallon	0	0	0	0 <u>30,444</u>
Fergus	119,028	78,809	119,932 <u>90,464</u>	79,408 <u>55,527</u>
Flathead	558,861	296,410	563,108 <u>530,274</u>	298,662 <u>268,731</u>
Gallatin	383,035	181,743	385,946 <u>537,244</u>	183,125 <u>107,717</u>
Garfield	12,337	10,170	12,431 <u>12,100</u>	10,247 <u>4,620</u>
Glacier	79,924	34,016	80,532 <u>106,815</u>	34,275 <u>10,494</u>
Golden Valley	0	16,716	0	16,843 <u>14,492</u>
Granite	14,074	48,026	14,180 <u>12,523</u>	48,391 <u>30,727</u>

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Hill	142,867	82,538	143,953 <u>59,593</u>	83,165 <u>35,211</u>
Jefferson	116,679	59,523	117,565 <u>143,901</u>	59,976 <u>59,690</u>
Judith Basin	6,149	21,359	6,196 <u>4,744</u>	21,521 <u>30,198</u>
Lake	173,584	139,990	174,903 <u>156,485</u>	141,054 <u>103,365</u>
Lewis & Clark	344,112	211,726	346,728 <u>370,958</u>	213,335 <u>173,847</u>
Liberty	20,144	16,786	20,297 <u>3,067</u>	16,914 <u>31,953</u>
Lincoln	73,001	98,835	73,556 <u>61,499</u>	99,586 <u>87,710</u>
Madison	0	103,163	0 <u>4,891</u>	103,947 <u>19,788</u>
McCone	23,214	15,824	23,390 <u>21,778</u>	15,945 <u>14,004</u>
Meagher	13,654	10,678	13,758 <u>9,250</u>	10,759 <u>9,492</u>
Mineral	0	32,206	0	32,451 <u>33,292</u>
Missoula	487,129	362,756	490,832 <u>587,637</u>	365,513 <u>357,669</u>
Musselshell	30,675	21,577	30,908 <u>48,959</u>	21,741 <u>41,250</u>
Park	154,192	81,696	155,364 <u>135,256</u>	82,317 <u>78,135</u>
Petroleum	0	16,897	0	17,026 <u>9,510</u>
Phillips	10,502	95,084	10,582 <u>103,747</u>	95,806 <u>54,728</u>
Pondera	79,805	60,307	80,411 <u>18,821</u>	60,765 <u>47,629</u>
Powder River	18,815	15,011	18,958 <u>0</u>	15,125 <u>0</u>
Powell	69,695	22,666	70,225 <u>71,420</u>	22,838 <u>30,458</u>
Prairie	0	26,791	0	26,995 <u>21,945</u>
Ravalli	85,333	169,769	85,981 <u>2,062</u>	171,059 <u>40,316</u>
Richland	83,671	30,302	84,307 <u>15,500</u>	30,533 <u>26,650</u>
Roosevelt	71,090	60,329	71,630 <u>96,278</u>	60,787 <u>61,038</u>
Rosebud	359,662	286,411	362,395 <u>475,055</u>	288,588 <u>126,246</u>
Sanders	203,863	127,694	205,413 <u>197,286</u>	128,665 <u>14,442</u>
Sheridan	0	46,231	0	46,583 <u>47,628</u>
Silver Bow	249,821	141,541	251,719 <u>193,304</u>	142,617 <u>119,358</u>
Stillwater	91,487	75,926	92,182 <u>91,185</u>	76,503 <u>51,769</u>
Sweet Grass	36,996	36,327	37,277 <u>24,214</u>	36,603 <u>12,316</u>
Teton	57,760	41,547	58,199 <u>45,217</u>	41,863 <u>40,769</u>
Toole	43,323	51,399	43,652 <u>36,109</u>	51,790 <u>73,362</u>
Treasure	0	18,947	0	19,091 <u>16,243</u>
Valley	15,824	90,532	15,944 <u>10,558</u>	91,220 <u>143,204</u>
Wheatland	20,946	12,103	21,105 <u>15,031</u>	12,195 <u>12,109</u>
Wibaux	0	14,585	0	14,696 <u>25,103</u>
Yellowstone	1,125,488	643,136	1,134,042 <u>1,070,887</u>	648,024 <u>612,203</u>
Total	6,269,374	4,650,865	6,317,022 <u>6,139,506</u>	4,686,212 <u>3,723,973</u>

~~(2) The average amount of the block grants in fiscal years 2002 and 2003 must be increased by 0.76% in fiscal year 2004 and in each succeeding fiscal year."~~

Renumber: subsequent sections

14. Page 11.

Following: line 21

Insert: "NEW SECTION. Section 15. Restrictions on retirement fund for fiscal year 2004. (1) For school fiscal year 2004, the amount that a school district or cooperative may charge to the retirement fund for the employer's contributions to the retirement, federal social security, and unemployment insurance systems for all employees whose salaries are paid from a federal funding source is limited to the amount that the district or cooperative charged to the retirement fund for those same purposes for the same group of employees in school fiscal year 2003.

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(2) The restriction in subsection (1) does not apply to employees whose salaries are paid from the district's school food services fund."

Insert: "NEW SECTION. Section 16. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 20, chapter 9, part 3, and the provisions of Title 20, chapter 9, part 3, apply to [section 1]."

Renumber: subsequent sections

15. Page 11, line 23 through line 27.

Following: "(1)" on line 23

Strike: remainder of line 23 through "APPROVAL" on line 27

Insert: "[Section 1] is effective July 1, 2004, and applies to school budgets for the fiscal years beginning on or after July 1, 2005.

(2) [Section 2] is effective July 1, 2003, and applies to school budgets for the school fiscal year beginning July 1, 2003.

(3) [Section 3] is effective July 1, 2004, and applies to school budgets for the school fiscal years beginning on or after July 1, 2004.

(4) [Sections 4 through 6 and 8 through 13] are effective July 1, 2003.

(5) [Section 7] is effective July 1, 2004.

(6) [Sections 14, 15, 16, 18, 19, and this section] are effective on passage and approval"

16. Page 11.

Following: line 30

Insert: "NEW SECTION. Section 19. Termination. [Section 2] terminates June 30, 2004."

For the Senate:

Story, Chairman
Nelson
F. Thomas

For the House:

Andersen, Chairman
Jackson

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 485**
Report No. 1, April 26, 2003

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 485** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 485** (reference copy -- salmon) be amended as follows:

1. Page 2.

Following: line 30

Insert: "(ii) child care for low-income families;"

Renumber: subsequent subsections

2. Page 3, line 30.

Strike: "\$8,500,000"

Insert: "\$6,500,000"

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3. Page 3.

Following: line 30

Insert: "(b) child care, \$2,000,000;"

Renumber: subsequent subsections

Explanation: This amendment adds child care funding as the second priority and appropriates \$2,000,000 million for child care by reducing \$2,000,000 from mental health services and prescription drugs.

For the Senate:

Cobb, Chairman
Stapleton
Stonington

For the House:

Brueggeman, Chairman
E. Clark
Franklin

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in: 4/26/2003

SB 415, introduced by F. Thomas

House bill concurred in and returned to the House: 4/26/2003

HB 775, introduced by Laszloffy

House joint resolutions concurred in and returned to the House: 4/26/2003

HJR 35, introduced by Bixby

HJR 40, introduced by Younkin

HJR 43, introduced by Windy Boy

Governor's amendments to **House bills** concurred in and returned to the House: 4/26/2003

HB 5, introduced by Kasten

HB 42, introduced by Barrett

HB 218, introduced by Bookout-Reinicke

HB 609, introduced by Windy Boy

HB 693, introduced by Sinrud

HB 744, introduced by E. Clark

Governor's amendments to **Senate bills** concurred in:

4/26/2003

SB 473, introduced by Elliott

SB 484, introduced by Mangan

Conference Committee Report No.1 adopted on third reading:

4/26/2003

HB 363, introduced by R. Brown

HB 558, introduced by D. Brown

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Free Conference Committee Report No.1 adopted on third reading:

4/26/2003

HB 247, introduced by Harris

SB 461, introduced by Story

Majority Leader Brown moved that the House recess until 3:00 p.m. Motion carried.

House recessed at 1:08 p.m.

House reconvened at 3:00 p.m. Quorum present.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Bill 2**
Report No. 1, April 26, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 2** (reference copy -- salmon) and recommend this Free Conference Committee report be amended.

And, recommend that **House Bill 2** (reference copy -- salmon) be amended by the House.

HOUSE BILL NO. 2
INTRODUCED BY D. LEWIS
BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO VARIOUS STATE AGENCIES FOR THE BIENNIUM ENDING JUNE 30, 2005; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

(Refer to Introduced Bill)

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

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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 DESIGNATION OF "RESTRICTED" IS SUBJECT TO THE PROVISIONS OF [SECTION 7]. 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.

APPROVED ORIGINAL OPERATING BUDGET. IN ACCORDANCE WITH THE PROVISIONS OF 17-7-138, THE APPROVED ORIGINAL OPERATING BUDGET FOR EACH FISCAL YEAR OF THE 2005 BIENNIUM MAY INCLUDE AN AMOUNT NOT MORE THAN A PRORATED SHARE BY FUND TYPE OF ANY ACROSS-THE-BOARD REDUCTIONS OR ANY UNDESIGNATED REDUCTIONS AMONG ALL PROGRAMS, AS DEFINED IN [SECTION 5], AND AMONG ALL APPROPRIATION ITEMS, AS DEFINED IN [SECTION 4], FOR THE ENTIRE AGENCY. THIS EXCEPTION TO LEGISLATIVE RESTRICTIONS ON APPROPRIATION ITEMS CONTAINED IN [THIS ACT] IS AUTHORIZED ONLY FOR PREPARATION AND APPROVAL OF THE ORIGINAL OPERATING BUDGET, WHICH IS DUE FROM ALL AGENCIES BY AUGUST 1 OF EACH FISCAL YEAR, EXCLUDING THE UNIVERSITY SYSTEM UNITS.

NEW SECTION. SECTION 8.

CONTINGENT VOIDNESS. BECAUSE ITEM 4B ON PAGE A-5 APPROPRIATES, ITEM 1B ON PAGE B-1, ITEMS 3B AND 4B ON PAGE B-2, ITEM 6E ON PAGE B-3, ITEM 12E ON PAGE B-6, ITEM 1 ON PAGE C-11, ITEM 4D ON PAGE C-12, ITEM 4A ON PAGE D-5, ITEM 2R ON PAGE E-2, AND ITEMS 7L AND 7M ON PAGE E-11 APPROPRIATE COAL SEVERANCE TAX PERMANENT FUND PRINCIPAL, ARTICLE IX, SECTION 5, OF THE MONTANA CONSTITUTION REQUIRES A THREE-FOURTHS VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE FOR APPROVAL. IF [THIS ACT] IS NOT APPROVED BY A THREE-FOURTHS VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE, THEN ITEM 4B IS ON PAGE A-5, ITEM 1B ON PAGE B-1, ITEMS 3B AND 4B ON PAGE B-2, ITEM 6E ON PAGE B-3, ITEM 12E ON PAGE B-6, ITEM 1 ON PAGE C-11, ITEM 4D ON PAGE C-12, ITEM 4A ON PAGE D-5, ITEM 2R ON PAGE E-2, AND ITEMS 7L AND 7M ON PAGE E-11 ARE VOID. BECAUSE ITEM 1B, ITEM 4B, AND ITEM 12E IN THE DEPARTMENT OF PUBLIC HEALTH

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AND HUMAN SERVICES, ITEM 2S IN THE OFFICE OF PUBLIC INSTRUCTION, AND ITEM 4B AND ITEM 7N IN THE MONTANA UNIVERSITY SYSTEM APPROPRIATE COAL SEVERANCE TAX PERMANENT FUND PRINCIPAL, ARTICLE IX, SECTION 5, OF THE MONTANA CONSTITUTION REQUIRES A THREE-FOURTHS VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE FOR APPROVAL. IF [THIS ACT] IS NOT APPROVED BY A THREE-FOURTHS VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE, THEN ITEM 1B, ITEM 4B, AND ITEM 12E IN THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, ITEM 2S IN THE OFFICE OF PUBLIC INSTRUCTION, AND ITEM 4B AND ITEM 7N IN THE MONTANA UNIVERSITY SYSTEM ARE VOID.

NEW SECTION. SECTION 9.

STATEWIDE FTE REDUCTION. AMOUNTS IDENTIFIED AS "STATEWIDE FTE REDUCTION" IN EACH AGENCY MAY BE REALLOCATED BETWEEN AGENCIES AT THE DISCRETION OF THE APPROVING AUTHORITY, AS DEFINED IN 17-7-102(3).

NEW SECTION. SECTION 10.

CONTINGENT VOIDNESS. (1) THE APPROPRIATIONS REFERRED TO IN SUBSECTION (2) ARE VOID IF SENATE BILL NO. 485 IS PASSED AND APPROVED IN A FORM THAT, TOGETHER WITH OTHER REVENUE DEPOSITED IN A PREVENTION AND STABILIZATION STATE SPECIAL REVENUE ACCOUNT, WILL INCLUDE SUFFICIENT REVENUE AND BIENNIAL APPROPRIATIONS RESTRICTED FOR THE FOLLOWING SPECIFIED USES:

(A) MENTAL HEALTH SERVICES AND PRESCRIPTION DRUGS FOR PROGRAMS ESTABLISHED PURSUANT TO 53-21-702(2) AND (3), \$6,500,000;

(B) CHILD CARE, \$2,000,000;

(C) THE MONTANA INITIATIVE FOR THE ABATEMENT OF MORTALITY IN INFANTS PROGRAM, \$1,100,000;

(D) INDEPENDENT LIVING SERVICES, \$457,532;

(E) EXTENDED EMPLOYMENT SERVICES, \$541,278;

(F) CHILD SUPPORT ENFORCEMENT, \$1,263,678;

(G) MENTAL HEALTH MEDICAID SERVICE RATES, \$800,000;

(H) MEDICAID HOSPICE SERVICES, \$340,000;

(I) MEDICAID HOME HEALTH THERAPY SERVICES, \$68,000;

(J) POISON CONTROL, \$77,908; AND

(K) AIDS FUNDING, \$84,000.

(2) IF SENATE BILL NO. 485 IS PASSED AND APPROVED IN A FORM THAT MEETS THE CONDITIONS ESTABLISHED IN SUBSECTION (1), THEN THE FOLLOWING ITEMS IN THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES ARE STRICKEN FROM [THIS ACT]:

(A) ITEMS 1D, 4A, 6A, 6B, 6C, 9C, 9D, 10D, 11B, 11C, 12B, AND 12C; AND

(B) APPROPRIATION CONDITIONS RELATED TO THE PREVENTION AND STABILIZATION ACCOUNT.

NEW SECTION. SECTION 11.

Totals not appropriations. The totals shown in [this act] are for informational purposes only and are not appropriations.

NEW SECTION. SECTION 12.

Effective date. [This act] is effective July 1, 2003.

NEW SECTION. SECTION 13.

Appropriations. The following money is appropriated for the respective fiscal years:

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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				
	<u>4,068,920</u>					<u>5,006,061</u>	<u>4,348,882</u>	
				<u>4,727,901</u>				
	<u>4,109,709</u>					<u>5,046,850</u>	<u>4,389,671</u>	
				<u>4,768,690</u>				
	<u>A. LEGISLATIVE STARTUP COSTS FEED BILL AUGMENTATION (BIENNIAL)</u>							
	<u>200,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>200,000</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
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				
<hr/>								
Total	<u>7,962,531</u>	2,340,000	0	0	0	<u>10,302,531</u>	<u>7,768,233</u>	1,683,479
	0	0	0	<u>9,451,712</u>				
	<u>8,242,961</u>					<u>10,582,961</u>	<u>7,846,700</u>	
				<u>9,530,179</u>				
	<u>8,283,750</u>					<u>10,623,750</u>	<u>7,887,489</u>	
				<u>9,570,968</u>				

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$74,851 IN FISCAL YEAR 2004 AND \$74,851 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE BRANCH MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIAL 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				
		<u>1,335,683</u>				<u>1,335,683</u>		<u>1,343,271</u>
				<u>1,343,271</u>				
<hr/>								
Total	0	1,210,683	0	0	0	1,210,683	0	1,218,271
	0	0	0	1,218,271				
		<u>1,335,683</u>				<u>1,335,683</u>		<u>1,343,271</u>
				<u>1,343,271</u>				

JUDICIARY (2110)

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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				
	<u>3,020,545</u>					<u>5,308,571</u>	<u>3,040,540</u>	
				<u>5,301,577</u>				
	<u>3,278,571</u>					<u>5,566,597</u>	<u>3,297,863</u>	
				<u>5,558,900</u>				
		<u>1,979,722</u>				<u>5,648,977</u>		<u>1,979,722</u>
				<u>5,667,603</u>				
	<u>2,873,113</u>		<u>204,341</u>			<u>5,057,176</u>	<u>2,892,405</u>	
	<u>204,054</u>			<u>5,076,181</u>				
	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				
	<u>26,179,042</u>					<u>26,179,042</u>	<u>27,050,501</u>	
				<u>27,050,501</u>				
	<u>6,166,116</u>					<u>6,166,116</u>	<u>6,151,807</u>	
				<u>6,151,807</u>				
		<u>150,000</u>				<u>6,316,116</u>		<u>150,000</u>
				<u>6,301,807</u>				
	A.	COUNTY-PAID SICK AND VACATION LEAVE (RESTRICTED/BIENNIAL)						
	0	307,250	0	0	0	307,250	0	307,250
	0	0	0	307,250				
		<u>769,557</u>				<u>769,557</u>		<u>0</u>
				<u>0</u>				
	B.	DISTRICT COURT ASSUMPTION (RESTRICTED/BIENNIAL)						
	18,660,784	0	0	0	0	18,660,784	18,650,836	0
	0	0	0	18,650,836				
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				
<hr/>								
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				
	<u>30,638,402</u>					<u>33,672,440</u>	<u>31,497,416</u>	
				<u>34,507,229</u>				
	<u>29,544,286</u>	<u>2,950,604</u>				<u>32,885,574</u>	<u>29,506,881</u>	<u>2,927,045</u>
				<u>32,823,944</u>				
		<u>3,032,984</u>				<u>32,967,954</u>		<u>3,035,748</u>
				<u>32,932,647</u>				
	<u>29,138,828</u>	<u>3,645,291</u>	<u>204,341</u>			<u>32,988,460</u>	<u>29,101,423</u>	<u>2,878,498</u>

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204,054

32,183,975

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:

ITEM 1 INCLUDES \$92,978 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$92,812 OF GENERAL FUND MONEY IN FISCAL YEAR 2005 TO PROVIDE FUNDING FOR ADMINISTRATIVE SUPPORT TO THE SUPREME COURT. IF LEGISLATION REVISIONING CERTAIN DISTRICT COURT EXPENSES IS NOT PASSED AND APPROVED, THEN ITEM 1 IS REDUCED BY \$92,978 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND BY \$92,812 OF GENERAL FUND MONEY IN FISCAL YEAR 2005.

If House Bill No. ~~18 261~~ 18 is not passed and approved, item 1 is decreased by ~~\$1,747,342~~ ~~\$1,800,000~~ \$1,829,722 of state special revenue money in fiscal year 2004 and by ~~\$1,721,019~~ ~~\$1,800,000~~ \$1,829,722 of state special revenue money in fiscal year 2005.

If House Bill No. ~~18 261~~ 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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$255,458 IN FISCAL YEAR 2004 AND \$255,458 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE BRANCH MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 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.

ITEM 4 INCLUDES \$1,800,000 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$1,800,000 OF GENERAL FUND MONEY IN FISCAL YEAR 2005. IF HOUSE BILL NO. 750 IS NOT PASSED AND APPROVED, THEN ITEM 4 IS REDUCED BY \$1,800,000 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND BY \$1,800,000 OF GENERAL FUND MONEY IN FISCAL YEAR 2005.

ITEM 4A INCLUDES \$307,250 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND \$307,250 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2005 \$769,557 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AS A RESTRICTED, BIENNIAL APPROPRIATION TO BE USED BY THE JUDICIARY FOR PAYMENT OF THE STATE'S SHARE OF ACCUMULATED ASSUMED VACATION AND SICK LEAVE FOR COUNTY EMPLOYEES WHO BECAME STATE EMPLOYEES ON JULY 1, 2002, UNDER STATE DISTRICT COURT ASSUMPTION. IF LEGISLATION IS NOT PASSED AND APPROVED TO ESTABLISH THIS STATE SPECIAL REVENUE ACCOUNT FOR COUNTY PAYMENTS TO THE STATE FOR ACCUMULATED SICK AND ANNUAL LEAVE, THEN ITEM 4A IS REDUCED BY \$307,250 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$307,250 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2005 VOID.

THE JUDICIARY IS APPROPRIATED IN THE 2005 BIENNIUM UP TO \$1,800,000 IN GENERAL FUND MONEY FROM REVERSIONS OF APPROPRIATIONS OF GENERAL FUND MONEY BY THE JUDICIARY FOR THE 2003 BIENNIUM FOR THE PURPOSES OF FUNDING EXPENSES RELATED TO STATE DISTRICT COURT ASSUMPTION.

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	0	0	0	0
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Total

0	15,000	0	0	0	15,000	0	15,000
0	0	0	15,000	0	0	0	0
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

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	0	0	0	0
<u>1,356,891</u>	<u>0</u>	<u>0</u>	<u>1,786,203</u>	<u>0</u>	<u>1,786,336</u>	<u>1,348,915</u>	<u>437,288</u>
1,564,179	0	0	0	0	1,564,179	1,556,203	0

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	<u>1,556,203</u>							
a.	Legislative Audit (Restricted/Biennial)							
31,546	0	0	0	0	31,546	0	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	0					
D.	<u>HB 564 -- WORKFORCE TRAINING ACT</u>							
<u>0</u>	<u>5,000,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>	<u>0</u>	<u>5,000,000</u>	
<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>					
2.	Mansion Maintenance Program (02)							
79,521	0	0	0	0	79,521	79,504	0	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	0	1,067,025					
a.	Legislative Audit (Restricted/Biennial)							
16,824	0	0	0	0	16,824	0	0	0
0	0	0	0					
B.	<u>17-7-140 TRIGGER -- COAL TAX PERMANENT FUND (BIENNIAL)</u>							
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>25,000,000</u>	<u>25,000,000</u>	<u>0</u>	<u>0</u>	
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	
5.	Indian Affairs (05)							
136,878	0	0	0	0	136,878	137,701	0	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	0					
6.	Lieutenant Governor (12)							
246,492	0	0	0	0	246,492	247,150	0	0
0	0	0	247,150					
7.	Citizens' Advocate Office (16)							
72,479	0	15,000	0	0	87,479	72,380	0	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	0
95,427	0	0	301,228					
<hr/>								
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					
<u>4,091,641</u>			<u>4,732,692</u>	<u>25,000,000</u>	<u>31,942,190</u>	<u>4,028,051</u>		
<u>4,298,929</u>	<u>5,310,660</u>		<u>9,502,692</u>	<u>0</u>	<u>11,720,033</u>	<u>4,235,339</u>	<u>5,156,926</u>	

Item 1 includes a reduction in general fund money of \$40,916 in fiscal year 2004 and \$40,281 in fiscal year 2005. This

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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.

~~ITEM 1 INCLUDES AN UNSPECIFIED REDUCTION IN GENERAL FUND MONEY OF \$250,000 IN FISCAL YEAR 2004 AND \$250,000 IN FISCAL YEAR 2005. THE OFFICE MAY REALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.~~

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$42,712 IN FISCAL YEAR 2004 AND \$42,712 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

ITEM 1D INCLUDES A BIENNIAL APPROPRIATION OF \$10,000,000 IN STATE SPECIAL REVENUE TO THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT FOR THE PRIMARY SECTOR BUSINESS WORKFORCE TRAINING PROGRAM. IF HOUSE BILL NO. 564 IS NOT PASSED AND APPROVED, ITEM 1D IS VOID.

THE GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT SHALL DEVELOP A MEMORANDUM OF UNDERSTANDING WITH THE MONTANA TRIBAL GOVERNMENTS TO OUTLINE STRATEGIES FOR COMMUNICATIONS AND COLLABORATIVE EFFORTS THAT CAN BE IMPLEMENTED TO HELP STRENGTHEN THE ECONOMIC DEVELOPMENT OPPORTUNITIES FOR MONTANA'S TRIBAL COMMUNITIES.

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.

~~ITEM 4B IS APPROPRIATED FROM THE COAL SEVERANCE TAX PERMANENT FUND. THIS APPROPRIATION IS SUBJECT TO THE PROVISIONS OF [SECTION 8].~~

~~ITEM 4B IS CONTINGENT UPON CERTIFICATION BY THE GOVERNOR THAT THE REQUIREMENTS OF 17-7-140 HAVE BEEN MET. THE OFFICE OF BUDGET AND PROGRAM PLANNING MAY REALLOCATE THE ADDITIONAL FUNDS AMONG AGENCIES' AND PROGRAMS' GENERAL FUND BUDGETS.~~

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				
	<u>317,655</u>					<u>317,655</u>	<u>317,525</u>	
				<u>317,525</u>				
	<u>313,764</u>					<u>313,764</u>	<u>313,634</u>	
				<u>313,634</u>				
	a.	Legislative Audit (Restricted/Biennial)						
	5,258	0	0	0	0	5,258	0	0
	0	0	0	0				
<hr/>								
Total	319,684	0	0	0	0	319,684	314,350	0
	0	0	0	314,350				
	<u>322,913</u>					<u>322,913</u>	<u>317,525</u>	
				<u>317,525</u>				
	<u>319,022</u>					<u>319,022</u>	<u>313,634</u>	
				<u>313,634</u>				

~~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.~~

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$3,891 IN FISCAL YEAR 2004 AND \$3,891 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION.

THE COMMISSIONER OF POLITICAL PRACTICES IS ENCOURAGED TO USE THE DEPARTMENT OF JUSTICE, AGENCY LEGAL SERVICES (ALS), FOR ACTIVITIES NEEDING LEGAL AND INVESTIGATIVE ASSISTANCE. THE COMMISSIONER OF POLITICAL PRACTICES SHALL PROVIDE

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A REPORT OF LEGAL EXPENDITURE ACTIVITY IN FISCAL YEAR 2004 AND THROUGH DECEMBER 31, 2004, IN FISCAL YEAR 2005 BY CONTRACTED SERVICES AND ALS SERVICES TO THE GENERAL GOVERNMENT AND TRANSPORTATION APPROPRIATION SUBCOMMITTEE DURING THE 2005 LEGISLATIVE SESSION.

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 2,695,835
	0	0	0	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	0 301,000
	0	0	0	301,000			
c.	<u>MONTANA COMPREHENSIVE HEALTH ASSOCIATION (RESTRICTED)</u>						
	<u>0</u>	<u>700,963</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>700,963</u>	<u>0</u> <u>659,600</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>659,600</u>			
3.	Securities (04)						
	0	624,164	0	0	0	624,164	0 620,033
	0	0	0	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 89,615
	0	0	0	89,615			

Total	0	<u>4,169,543</u>	0	0	0	<u>4,169,543</u>	0 <u>4,240,361</u>
	0	0	0	<u>4,240,361</u>			
		<u>4,870,506</u>				<u>4,870,506</u>	<u>4,899,961</u>
				<u>4,899,961</u>			

DEPARTMENT OF TRANSPORTATION (5401)

1.	General Operations Program (01) (Biennial)						
	0	14,462,680	5,422,198	0	0	19,884,878	0 14,939,562
	5,422,277	0	0	20,361,839			
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 0
	2,250,000	0	0	2,250,000			
2.	Construction Program (02) (Biennial)						
	0	116,830,815	287,854,080	0	0	404,684,895	0 124,299,565
	341,603,530	0	0	465,903,095			
			<u>286,426,815</u>			<u>403,257,630</u>	
	<u>340,119,185</u>			<u>464,418,750</u>			
			<u>287,854,080</u>			<u>404,684,895</u>	
	<u>341,603,530</u>			<u>465,903,095</u>			

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a.	Conversion to English Measure (OTO)							
	0	1,000,000	0	0	0	1,000,000	0	0
	0	0	0	0	0	0	0	0
	<u>B. MISDEMEANOR PROBATION OFFICERS FOR DUI OFFENDERS</u>							
	<u>0</u>	<u>0</u>	<u>1,427,265</u>	<u>0</u>	<u>0</u>	<u>1,427,265</u>	<u>0</u>	<u>0</u>
	<u>1,484,345</u>	<u>0</u>	<u>0</u>	<u>1,484,345</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>B. FEDERAL EARMARK PROJECTS (BIENNIAL/OTO)</u>							
	<u>0</u>	<u>548,276</u>	<u>11,000,000</u>	<u>0</u>	<u>0</u>	<u>11,548,276</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>C. HB 618 -- COUNTY DRINKING AND DRIVING PREVENTION PROGRAMS</u>							
	<u>0</u>	<u>383,400</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>383,400</u>	<u>0</u>	<u>511,200</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>511,200</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
3.	Maintenance Program (03) (Biennial)							
	0	80,475,134	10,038,652	0	0	90,513,786	0	80,768,022
	10,038,652	0	0	90,806,674				
4.	Motor Carrier Services Division (22)							
	0	5,247,636	0	0	0	5,247,636	0	5,293,111
	0	0	0	5,293,111				
5.	Aeronautics Program (40)							
	0	793,704	0	0	0	793,704	0	823,385
	0	0	0	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	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				
<hr/>								
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				
		<u>223,658,944</u>	<u>329,323,340</u>			<u>552,982,284</u>		
		<u>224,042,344</u>				<u>553,365,684</u>		<u>229,173,711</u>
			<u>597,472,485</u>					

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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.

THE DEPARTMENT MAY ADJUST APPROPRIATIONS IN THE GENERAL OPERATIONS, CONSTRUCTION, MAINTENANCE, AND TRANSPORTATION PLANNING PROGRAMS BETWEEN STATE SPECIAL REVENUE FUNDS AND FEDERAL SPECIAL REVENUE FUNDS 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 STATE SPECIAL REVENUE FUNDS AND FEDERAL SPECIAL REVENUE FUNDS MUST BE FULLY EXPLAINED, JUSTIFIED, AND REPORTED IN ACCORDANCE WITH THE REQUIREMENTS OF 17-7-138 OR 17-7-139, AS APPLICABLE.

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.

~~ITEM 2B INCLUDES FEDERAL SPECIAL REVENUE FUNDS LINKED TO A TRANSFER OF FEDERAL HIGHWAY CONSTRUCTION FUNDS TO HIGHWAY SAFETY FUNDS BECAUSE OF MONTANA NOT MEETING THE FEDERAL REQUIREMENTS FOR AN OPEN CONTAINER LAW. IT IS THE INTENT OF THE LEGISLATURE THAT THE FUNDS IN ITEM 2B ARE TO BE USED BY THE STATE HIGHWAY TRAFFIC SAFETY PROGRAM TO PROVIDE GRANTS TO LOCAL GOVERNMENTS TO FUND MISDEMEANOR PROBATION OFFICERS AS ALLOWED BY 23 U.S.C. 402(B)(1)(B) AND (D)(1)(C). GRANTS AWARDED TO LOCAL GOVERNMENTS WITH FUNDS IN ITEM 2B ARE CONTINGENT UPON LOCAL GOVERNMENTS SUBMITTING GRANT APPLICATIONS THAT MEET NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION REQUIREMENTS FOR USE OF HIGHWAY SAFETY FUNDS AND FULFILLING ALL REPORTING AND DOCUMENTATION REQUIREMENTS ESTABLISHED BY THE DEPARTMENT. FUNDS IN ITEM 2B MAY BE USED ONLY TO FUND NEW MISDEMEANOR PROBATION OFFICERS AND MAY NOT BE USED TO SUPPLANT EXISTING MISDEMEANOR PROBATION FUNCTIONS. IF SENATE BILL NO. 39 IS PASSED AND APPROVED, ITEM 2B IS VOID AND FEDERAL SPECIAL REVENUE FUNDS IN ITEM 2 ARE INCREASED BY \$1,427,265 IN FISCAL YEAR 2004 AND BY \$1,484,345 IN FISCAL YEAR 2005.~~

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				
	<u>2,113,151</u>					<u>2,236,776</u>	<u>2,117,096</u>	
				<u>2,240,721</u>				
	<u>1,677,503</u>					<u>1,801,128</u>	<u>1,681,448</u>	
				<u>1,805,073</u>				
	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				
	b. SB 484 -- EMPOWERMENT ZONES (OTO)							
	<u>5,474</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,474</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
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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<u>A.</u>	<u>SB 461 -- PROPERTY TAX RELIEF</u>							
34,186	0	0	0	0	34,186	31,032	0	
<u>0</u>	<u>0</u>	<u>0</u>	<u>31,032</u>					
<u>B.</u>	<u>SB 461 -- PROPERTY TAX RELIEF (OTO)</u>							
65,157	0	0	0	0	65,157	0	0	
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>					

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				
	<u>30,064,813</u>			<u>34,809,736</u>		<u>34,979,469</u>	<u>29,894,648</u>	
	<u>29,733,982</u>			<u>34,405,120</u>		<u>34,648,638</u>	<u>29,490,032</u>	

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$435,648 IN FISCAL YEAR 2004 AND \$435,648 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

ITEM 2B IS CONTINGENT UPON PASSAGE AND APPROVAL OF SENATE BILL NO. 484.

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.

ITEMS 5A AND 5B ARE CONTINGENT UPON PASSAGE AND APPROVAL OF SENATE BILL NO. 461.

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				
	<u>1,225,638</u>			<u>1,706,297</u>		<u>1,721,938</u>	<u>1,215,791</u>	
	1,170,500	411,415		<u>1,690,818</u>		1,688,399	1,160,653	423,883
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				

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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				
			<u>2,233,299</u>				<u>2,233,299</u>		<u>2,325,940</u>
					<u>2,325,940</u>				
	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				
<hr/>									
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				
		<u>3,512,590</u>			<u>15,927,142</u>		<u>19,369,208</u>	<u>3,542,159</u>	
		<u>3,457,452</u>	<u>3,896,125</u>		<u>16,005,192</u>		<u>19,370,880</u>	<u>3,487,021</u>	<u>3,998,484</u>

THERE IS APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT FOR PAYMENTS TO THE MONTANA HIGHWAY PATROL PENSION FUND THE AMOUNT REQUIRED FOR THIS TRANSFER, NOT TO EXCEED \$350,000 FOR EACH FISCAL YEAR.

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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:

IF HOUSE BILL NO. 424 IS NOT PASSED AND APPROVED OR IF HOUSE BILL NO. 424 IS PASSED AND APPROVED IN A FORM THAT ESTABLISHES RESPONSIBILITY FOR ADMINISTERING A TELEMARKETING NO-CALL LIST IN AN AGENCY OTHER THAN THE DEPARTMENT, ITEM 2 IS REDUCED BY \$21,599 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$39,659 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2005.

ITEM 2 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$55,138 IN FISCAL YEAR 2004 AND \$55,138 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

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. IF 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.

THE MONTANA STATE LOTTERY SHALL PRESENT A REPORT TO THE JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT AND TRANSPORTATION OF THE 59TH LEGISLATURE THAT DOCUMENTS THE RETURN ON INVESTMENT OF EACH LOTTERY GAME OFFERED DURING THE 2005 BIENNIUM AND THE ANTICIPATED RETURN ON INVESTMENT FOR EACH LOTTERY GAME PLANNED FOR THE 2007 BIENNIUM. FOR EACH LOTTERY GAME, THE REPORT MUST ITEMIZE DIRECT AND INDIRECT COSTS AND REVENUE.

APPELLATE DEFENDER COMMISSION (6102)

1. Appellate Defender (01)

	178,370	0	0	0	0	178,370	179,194	0
	0	0	0	179,194				
	<u>188,194</u>					<u>188,194</u>	<u>189,023</u>	
				<u>189,023</u>				
	<u>185,860</u>					<u>185,860</u>	<u>186,689</u>	
				<u>186,689</u>				
	a.	Legislative Audit (Restricted/Biennial)						
	275	0	0	0	0	275	0	0
	0	0	0	0				

Total

	178,645	0	0	0	0	178,645	179,194	0
	0	0	0	179,194				
	<u>188,469</u>					<u>188,469</u>	<u>189,023</u>	
				<u>189,023</u>				
	<u>186,135</u>					<u>186,135</u>	<u>186,689</u>	
				<u>186,689</u>				

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:

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$2,334 IN FISCAL YEAR 2004 AND \$2,334 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION.

MONTANA CONSENSUS COUNCIL (6106)

1. MONTANA CONSENSUS COUNCIL (01)

	0	269,270	0	0	0	269,270	0	270,743
	0	0	0	270,743				

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Total	<u>0</u>	<u>269,270</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>269,270</u>	<u>0</u>	<u>270,743</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>270,743</u>				

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				
<u>76,391,616</u>					<u>652,216,711</u>	<u>76,849,402</u>	
			<u>701,982,323</u>				
<u>75,967,673</u>	<u>239,473,350</u>	<u>337,109,293</u>	<u>700,765,158</u>	<u>25,511,542</u>	<u>688,648,294</u>	<u>75,324,987</u>	<u>243,759,340</u>
	<u>239,555,730</u>				<u>688,730,674</u>		<u>243,868,043</u>
			<u>700,873,861</u>				
<u>75,418,098</u>	<u>246,259,035</u>	<u>336,922,950</u>		<u>511,542</u>	<u>669,698,061</u>	<u>74,701,627</u>	<u>249,958,236</u>
<u>371,638,166</u>			<u>706,154,730</u>				

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				
		<u>169,721,625</u>			<u>192,222,834</u>		
<u>170,122,187</u>			<u>192,032,102</u>				
<u>19,744,210</u>		<u>155,622,941</u>			<u>175,877,402</u>	<u>19,552,916</u>	
<u>156,023,503</u>			<u>176,086,670</u>				
18,499,180		154,122,941			173,132,372	20,254,634	
<u>169,622,187</u>			<u>190,387,072</u>				

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				
<u>6,101,960</u>	<u>0</u>					<u>8,291,981</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				

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				
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				

B. CHILD CARE -- COAL TAX TRUST (BIENNIAL/OTO)

0	0	0	0	10,000,000	10,000,000	0	0
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,750,000</u>	<u>5,750,000</u>		

C. CHILD-CARE BASE FUNDING (RESTRICTED)

2,246,748	0	14,098,684	0	0	16,345,432	1,846,748	0
14,098,684	0	0	15,945,432				
<u>3,046,748</u>		<u>16,098,684</u>			<u>19,145,432</u>	<u>0</u>	
<u>0</u>			<u>0</u>				

D. CHILD-CARE FUNDING -- PREVENTION AND STABILIZATION FUND

0	1,000,000	0	0	0	1,000,000	0	1,000,000
<u>0</u>	<u>0</u>	<u>0</u>	<u>1,000,000</u>				

2. Child and Family Services Division (03)

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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				
<u>19,839,633</u>					<u>48,943,636</u>	<u>20,061,718</u>	
			<u>50,174,199</u>				
a.	CPS Child Care and Match for Federal Grant -- Prevention and Stabilization Fund (RESTRICTED)						
0	325,013	0	0	0	325,013	0	325,013
0	0	0	325,013				
<u>325,013</u>	0					<u>325,013</u>	0
0	0	0	0	0	0	0	0
0	0	0	0				
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				
0	0	0	0	0	0	0	0
0	0	0	0				
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				
			<u>1,267,645</u>		<u>2,524,803</u>		
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				
0	0	0	0	0	0	0	0
0	0	0	0				
c.	GENERAL FUND INCREASE -- HB 750 (BIENNIAL)						
<u>2,312,722</u>	0	0	0	0	<u>2,312,722</u>	<u>2,312,722</u>	0
0	0	0	2,312,723				
0	0	0	0	0	0	0	0
0	0	0	0				
d.	MEDICAID CASELOAD -- COAL TAX TRUST (OTO)						
0	0	0	0	10,202,646	10,202,646	0	0
0	0	16,169,049	16,169,049				
0	0	0	0	0	0	0	0
0	0	0	0				
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				
			<u>8,615,106</u>				<u>2,598,402</u>
<u>5,740,318</u>							
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				
			<u>1,510,818</u>				<u>513,678</u>
<u>997,140</u>							
b.	MAINTAIN FUNDING FOR CSED -- COAL TAX TRUST (BIENNIAL/OTO)						
0	0	0	0	1,500,000	1,500,000	0	0
0	0	0	0				
				<u>250,000</u>	<u>250,000</u>		
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				
	<u>271,668</u>				<u>4,889,023</u>		<u>277,280</u>

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			<u>4,978,860</u>					
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				
		<u>3,279,340</u>				<u>45,799,207</u>		<u>3,382,670</u>
								<u>45,905,967</u>
a.	MIAMI/Perinatal -- Prevention and Stabilization Fund							
	0	581,379	0	0	0	581,379	0	581,379
	0	0	0	581,379				
		<u>550,000</u>				<u>550,000</u>		<u>550,000</u>
								<u>550,000</u>
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				
	0	0	0	0	0	0	0	0
	0	0	0	0				
e B.	Poison Control System -- Prevention and Stabilization Fund							
	0	38,954	0	0	0	38,954	0	38,954
	0	0	0	38,954				
d C.	AIDS Treatment/Services -- Prevention and Stabilization Fund							
	0	42,000	0	0	0	42,000	0	42,000
	0	0	0	42,000				
e D.	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				
E.	MIAMI -- COAL TAX TRUST (BIENNIAL/OTO)							
	0	0	0	0	1,162,758	1,162,758	0	0
	0	0	0	0				
	0	0	0	0	0	0	0	0
	0	0	0	0				
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				
	<u>2,006,907</u>					<u>18,200,575</u>	<u>1,052,065</u>	
				<u>17,310,100</u>				
	<u>8,506,907</u>					<u>24,700,575</u>	<u>8,552,065</u>	
								<u>24,810,100</u>
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				
	<u>43,425,173</u>					<u>123,711,203</u>	<u>41,129,209</u>	
				<u>122,708,854</u>				
		<u>81,035,147</u>				<u>125,676,730</u>		
	<u>81,851,679</u>							<u>124,227,691</u>
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

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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	0	0	0	0
0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0
d. Extended Employment Benefits -- Prevention and Stabilization Fund							
0	270,639	0	0	0	270,639	0	270,639
0	0	0	270,639	0	0	0	0
e. Independent Living Services -- Prevention and Stabilization Fund							
0	228,766	0	0	0	228,766	0	228,766
0	0	0	228,766	0	0	0	0
f. Donated Dental Services -- Prevention and Stabilization Fund (RESTRICTED)							
0	25,000	0	0	0	25,000	0	25,000
0	0	0	25,000	0	0	0	0
<u>25,000</u>	<u>0</u>					<u>25,000</u>	<u>0</u>
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	0	0	0	0
<u>1,176,797</u>	<u>0</u>					<u>1,864,975</u>	<u>0</u>
h. MTAP Video Relay (OTO)							
0	144,600	0	0	0	144,600	0	144,600
0	0	0	144,600	0	0	0	0
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	0	0	0	0
<u>56,921,235</u>		<u>204,056,082</u>			<u>267,932,763</u>	<u>59,553,721</u>	
<u>211,989,296</u>			<u>279,420,865</u>				
	<u>7,058,146</u>	<u>204,335,066</u>			<u>268,314,447</u>		<u>9,947,576</u>
<u>217,190,426</u>			<u>286,691,723</u>				
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	0	0	0	0
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	0	0	0	0
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	0	0	0	0
<u>1,314,712</u>	<u>0</u>	<u>3,533,046</u>			<u>4,847,758</u>	<u>2,083,542</u>	<u>0</u>
<u>5,473,738</u>			<u>7,557,280</u>				
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	0	0	0	0
	<u>283,380</u>	<u>761,531</u>			<u>1,044,911</u>		<u>318,220</u>
<u>836,006</u>			<u>1,154,226</u>				
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	0	0	0	0
<u>4,483,981</u>	<u>0</u>	<u>0</u>			<u>4,483,981</u>	<u>7,106,166</u>	<u>0</u>
0			<u>7,106,166</u>				
		<u>12,049,872</u>			<u>16,533,853</u>		
<u>18,668,828</u>			<u>25,774,994</u>				
f. Optional Medicaid Services -- Prevention and Stabilization Fund							
0	250,000	671,829	0	0	921,829	0	250,000

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	656,783	0	0	906,783				
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
	<u>g. Restore Nonhospital Medicaid Rates -- Prevention Stabilization Fund</u>							
	0	806,029	2,166,053	0	0	2,972,082	0	898,404
	2,360,227	0	0	3,258,631				
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
	<u>F. FEDERAL MATCHING FUNDS FOR CHIP (RESTRICTED/BIENNIAL)</u>							
	<u>0</u>	<u>0</u>	<u>2,100,000</u>	<u>0</u>	<u>0</u>	<u>2,100,000</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
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				
			<u>113,627,340</u>			<u>159,594,338</u>		
		<u>6,714,700</u>				<u>159,598,210</u>		<u>6,752,075</u>
			<u>155,192,088</u>					
	<u>a. One-Time Medicaid Payments to Nursing Homes</u>							
	0	6,077,957	16,317,456	0	0	22,395,413	0	7,089,712
	18,832,208	0	0	25,921,920				
		<u>5,765,245</u>	<u>15,477,102</u>			<u>21,242,347</u>		<u>6,660,796</u>
	<u>17,705,388</u>			<u>24,366,184</u>				
		<u>6,077,957</u>	<u>16,317,456</u>			<u>22,395,413</u>		<u>7,089,712</u>
	<u>18,832,208</u>			<u>25,921,920</u>				
	<u>b. Hospice Program -- Prevention and Stabilization Fund</u>							
	0	174,466	468,845	0	0	643,311	0	193,048
	507,162	0	0	700,210				
		<u>170,000</u>	<u>467,593</u>			<u>637,593</u>		<u>170,000</u>
	<u>457,121</u>			<u>627,121</u>				
	<u>c. Aging Services -- Prevention and Stabilization Fund</u>							
	0	257,000	0	0	0	257,000	0	257,000
	0	0	0	257,000				
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
	<u>d. Adult Protective Services -- Prevention and Stabilization Fund</u>							
	0	50,000	0	0	0	50,000	0	50,000
	0	0	0	50,000				
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
	<u>e D.C. Home Based Therapy Services -- Prevention and Stabilization Fund</u>							
	0	34,000	91,369	0	0	125,369	0	34,000
	89,322	0	0	123,322				
	<u>f E.D. Direct Care Worker Increase -- Prevention and Stabilization Fund COUNTY NURSING HOME IGT HB 721</u>							
	0	88,632	238,181	0	0	326,813	0	191,065
	501,954	0	0	693,019				
		<u>43,870</u>	<u>117,892</u>			<u>161,762</u>		<u>94,571</u>
	<u>248,449</u>			<u>343,020</u>				
	<u>g F.E. Restore Community Services Rate -- Prevention and Stabilization Fund COUNTY NURSING HOME IGT HB 721</u>							
	0	261,917	612,484	0	0	874,401	0	278,014
	641,057	0	0	919,071				
		<u>224,080</u>	<u>602,173</u>			<u>826,253</u>		<u>237,851</u>
	<u>624,866</u>			<u>862,717</u>				
		<u>118,831</u>	<u>319,337</u>			<u>438,168</u>		<u>117,728</u>
	<u>309,287</u>			<u>427,015</u>				
	<u>h G.F. Senior/Disabled Services Medicaid Match -- Prevention and Stabilization Fund</u>							

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	0	2,793,584	6,162,425	0	0	8,956,009	0	4,427,242
	11,630,944	0	0	16,058,186				
	<u>2,793,584</u>	<u>0</u>	<u>7,507,214</u>			<u>10,300,798</u>	<u>4,427,242</u>	<u>0</u>
	<u>H.G.</u>	<u>CIGARETTE TAX REVENUE -- VETERANS' HOMES (RESTRICTED/BIENNIAL)</u>						
	<u>0</u>	<u>250,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>250,000</u>	<u>0</u>	<u>250,000</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>250,000</u>				
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				
			<u>33,680,598</u>			<u>76,647,236</u>		
	<u>34,606,007</u>		<u>78,368,172</u>					
	a.	Federal Mental Health Block Grant (Restricted)						
	0	0	1,300,525	0	0	1,300,525	0	0
	1,300,525	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				
		<u>3,250,000</u>				<u>3,250,000</u>		<u>3,250,000</u>
			<u>3,250,000</u>					
	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	427,541				
		<u>93,455</u>	<u>251,142</u>			<u>344,597</u>		<u>104,945</u>
	<u>275,705</u>		<u>380,650</u>					
	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	2,492,288				
	<u>433,574</u>	<u>0</u>					<u>687,124</u>	<u>0</u>
	E.	<u>MHSP PRESCRIPTION DRUGS -- COAL TAX TRUST (BIENNIAL/OTO)</u>						
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>6,000,000</u>	<u>6,000,000</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>4,000,000</u>	<u>4,000,000</u>		

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				
	<u>265,739,990</u>	<u>64,714,622</u>				<u>1,124,949,513</u>	<u>265,669,199</u>	<u>76,066,114</u>
			<u>1,163,260,489</u>					
	<u>265,481,628</u>	<u>53,030,093</u>	<u>800,506,127</u>			<u>1,119,017,848</u>	<u>272,082,517</u>	<u>58,204,279</u>
	<u>829,850,671</u>		<u>1,160,137,467</u>					
	<u>264,908,601</u>	<u>46,603,120</u>			<u>28,865,404</u>	<u>1,140,883,252</u>	<u>272,699,511</u>	<u>49,587,285</u>
			<u>16,169,049</u>	<u>1,168,306,516</u>				
	<u>264,536,598</u>	<u>46,533,704</u>	<u>805,668,119</u>		<u>10,000,000</u>	<u>1,126,738,421</u>	<u>270,437,487</u>	<u>51,093,799</u>
	<u>836,441,387</u>		<u>0</u>	<u>1,157,972,673</u>				

IF BUDGET REDUCTIONS ARE ENACTED BY EMERGENCY RULE IN THE 2005 BIENNIUM, THE LEGISLATURE URGES THE DEPARTMENT TO PROVIDE A 30-DAY PUBLIC NOTICE AND TO CONDUCT A PUBLIC HEARING PRIOR TO ADOPTION OF THE EMERGENCY RULES.

Item 1 includes ~~\$33,269,235~~ \$31,769,235 of federal funds in fiscal year 2004 and ~~\$33,269,235~~ \$31,769,235 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: THE FOLLOWING PRIORITIES MAY BE FUNDED:~~

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- (1) child-care subsidies;
- (2) A "RAINY DAY" FUND OF UP TO \$4 MILLION;
- ~~(2)~~(3) training and education programs to achieve employment in higher wage jobs, including programs offered by tribal colleges; or
- ~~(3)~~(4) supportive services needed for employment of TANF recipients.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$1,245,030 IN FISCAL YEAR 2004 AND \$1,245,030 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

Items 1D, 1a, 1b, 2a, 2b, 4a, 6a through 6d, 9e through 9e, 9g, 10e through 10g, 11b through 11h, and 12b through and 12d 6C, 9C, 9D, 10D, 11B THROUGH 11B, 11C, 12B, AND 12C 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 \$13.7 MILLION OF ESTIMATED REVENUE IN FISCAL YEAR 2004 AND \$16.5 MILLION OF ESTIMATED REVENUE IN FISCAL YEAR 2005 from cigarette and chew tobacco taxes; reallocation of tobacco settlement proceeds allocated by 17-6-606 (2); and other sources.

Funding in item 1a 1C 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. IN AN EFFORT TO STABILIZE, DECREASE, OR DECREASE THE RATE OF GROWTH IN THE TANF CASH ASSISTANCE CASELOAD, THE LEGISLATURE HAS APPROPRIATED \$25,600,000 FOR CHILD-CARE SERVICES IN FISCAL YEAR 2004. IT IS THE LEGISLATURE'S INTENT THAT THIS FUNDING IS TO BE FULLY EXPENDED FOR CHILD-CARE SERVICES IN FISCAL YEAR 2004.

IF HOUSE BILL NO. 2 IS PASSED AND APPROVED IN A FORM THAT INCLUDES AT LEAST \$10 MILLION OF CHILD-CARE FUNDING FROM THE COAL SEVERANCE TAX PERMANENT FUND PRINCIPAL, THEN THE APPROPRIATION IN ITEM 1A IS VOID. ARTICLE IX, SECTION 5, OF THE MONTANA CONSTITUTION REQUIRES A THREE-FOURTHS VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE FOR APPROVAL.

ITEMS 1B, 3B, 4B, 6E, AND 12E 1B, 4B, AND 12E ARE APPROPRIATED FROM THE COAL SEVERANCE TAX PERMANENT FUND PRINCIPAL. THESE APPROPRIATIONS ARE SUBJECT TO THE PROVISIONS OF [SECTION 8].

FUNDS IN ITEM 1C MAY BE USED ONLY TO PROVIDE CHILD-CARE SUBSIDIES TO LOW-INCOME FAMILIES, EXCEPT A PORTION OF THIS FUNDING MAY BE USED TO SUPPORT CHILD-CARE QUALITY ACTIVITIES AT THE MINIMUM LEVEL REQUIRED TO MAINTAIN MONTANA'S ELIGIBILITY FOR THE FEDERAL CHILD-CARE DEVELOPMENT FUND GRANT.

ITEM 2 INCLUDES \$77,641 IN GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$77,641 IN GENERAL FUND MONEY IN FISCAL YEAR 2005 THAT MAY BE USED ONLY TO SUPPORT THE PROVISION OF DOMESTIC VIOLENCE PREVENTION SERVICES.

FUNDING IN ITEM 2A MAY BE EXPENDED ONLY FOR SERVICES THAT ARE ELIGIBLE FOR FEDERAL CHILD-CARE DEVELOPMENT FUND MATCHING FUNDS AND THAT ALLOW MONTANA TO DRAW FEDERAL CHILD-CARE MATCHING FUNDS.

IF SENATE BILL NO. 473 IS NOT PASSED AND APPROVED, THE FUNDING IN: ITEM 3 IS DECREASED BY \$6,250 IN FEDERAL FUNDS IN FISCAL YEAR 2004; ITEM 5 IS DECREASED BY \$7,084 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$7,084 IN FEDERAL FUNDS IN FISCAL YEAR 2004 AND BY \$28,333 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2005 AND BY \$28,333 IN FEDERAL FUNDS IN FISCAL YEAR 2005; AND ITEM 10 IS DECREASED BY \$102,700 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$278,984 IN FEDERAL FUNDS IN FISCAL YEAR 2004 AND BY \$2,069,728 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2005 AND BY \$5,201,130 IN FEDERAL FUNDS IN FISCAL YEAR 2005.

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

THE DEPARTMENT MAY REALLOCATE THE FUNDING IN ITEM 3C AMONG DIVISIONS OR PROGRAMS WHEN DEVELOPING THE 2005 BIENNIUM OPERATING PLANS. IF HOUSE BILL NO. 750 IS NOT PASSED AND APPROVED, THEN ITEM 3C IS REDUCED BY \$2,312,722 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND BY \$2,312,723 OF GENERAL FUND MONEY IN FISCAL YEAR 2005.

ITEM 6 INCLUDES A BIENNIAL APPROPRIATION OF \$250,000 IN FEDERAL FUNDS FOR THE PURCHASE OF RADIOS FOR AMBULANCES THAT SERVE CRITICAL ACCESS HOSPITALS. THE AMBULANCE RADIOS PURCHASED MUST BE MODERN DIGITAL RADIOS THAT ALLOW ENCRYPTED DATA AND VOICE TRANSMISSIONS FROM THE FIELD UNIT USING A SINGLE RADIO. THE APPROPRIATIONS ARE MADE FROM FEDERAL BIOTERRORISM AND HOSPITAL PREPAREDNESS GRANT FUNDS.

IF SENATE BILL NO. 464 IS NOT PASSED AND APPROVED, THE FUNDING IN ITEM 6 IS REDUCED BY \$161,925 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$268,200 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2005.

Item ~~6e~~ 6D 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.

ITEM 8 INCLUDES A REDUCTION OF \$7,000,000 IN GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$8,000,000 IN GENERAL

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FUND MONEY IN FISCAL YEAR 2005. THE DEPARTMENT MAY REALLOCATE THIS REDUCTION IN THE FOLLOWING MANNER AND PRIORITY LEVEL:

- ~~(1) PART (C) SERVICES FOR DEVELOPMENTALLY DISABLED CHILDREN;~~
- ~~(2) CHANGES IN MEDICALLY NEEDED PROGRAM ELIGIBILITY;~~
- ~~(3) OPERATING COSTS;~~
- ~~(4) CHANGES IN MENTAL HEALTH SERVICES FOR ADULTS WHO ARE NOT ELIGIBLE FOR MEDICAID.~~

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.

FUNDING IN ITEM 9 IS DECREASED BY \$2,380,962 IN FEDERAL FUNDS IN FISCAL YEAR 2004 AND BY \$1,934,019 IN FEDERAL FUNDS IN FISCAL YEAR 2005 IF HOUSE BILL NO. 452 IS NOT PASSED AND APPROVED.

FUNDING IN ITEM ~~9F~~ 9E MAY BE USED ONLY TO PROVIDE DONATED DENTAL SERVICES TO INDIVIDUALS WITH DISABILITIES. APPROPRIATIONS IN ITEMS 9F, 10C, 10E, ~~11F~~, AND 12D ARE CONTINGENT UPON APPROVAL AND PASSAGE OF SENATE BILL NO. 407.

IF SENATE BILL NO. 407 IS NOT PASSED AND APPROVED, ITEM 10 IS REDUCED BY \$686,357 IN GENERAL FUND MONEY AND BY \$1,844,458 IN FEDERAL FUNDS IN FISCAL YEAR 2004 AND BY \$1,320,845 IN GENERAL FUND MONEY AND BY \$3,549,527 IN FEDERAL FUNDS 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~~ OUT-OF-HOME CARE FOR CHILDREN. Rate increases may vary among types of ~~group homes~~ PROVIDERS. Funds appropriated in item 10b may be used only for rate increases for therapeutic ~~group homes~~ OUT-OF-HOME CARE FOR CHILDREN. 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 10F MUST BE USED TO MATCH DONATIONS, GIFTS, GRANTS, OR BEQUESTS RECEIVED PURSUANT TO 17-3-1001 AND REFERENCED IN 17-6-203(5) TO PROVIDE SERVICES FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM ESTABLISHED IN TITLE 53, CHAPTER 4, PART 10.

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~~ \$2 million each year from counties participating in the intergovernmental transfer program for nursing homes.

ITEMS 11D AND 11E ARE CONTINGENT UPON PASSAGE AND APPROVAL OF HOUSE BILL NO. 721.

The department shall distribute funds in item ~~11D~~ 11E 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 ~~11D~~ 11E may be used only for direct-care worker wage increases. Funds in item ~~11D~~ 11E may not be used to fund other programs.

ITEM ~~11G~~ 11G MAY BE USED ONLY TO OPERATE MONTANA VETERANS' HOMES AT A CAPACITY TO MAXIMIZE COLLECTION OF FEDERAL REVENUE AND PRIVATE PAYMENTS.

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				
<u>265,739,990</u>	<u>64,714,622</u>				<u>1,124,949,513</u>	<u>265,669,199</u>	<u>76,066,114</u>
			<u>1,163,260,489</u>				
265,481,628	53,030,093	800,506,127			1,119,017,848	272,082,517	58,204,279
829,850,671			<u>1,160,137,467</u>				
<u>264,908,601</u>	<u>46,603,120</u>			<u>28,865,404</u>	<u>1,140,883,252</u>	<u>272,699,511</u>	<u>49,587,285</u>
		<u>16,169,049</u>	<u>1,168,306,516</u>				

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<u>264,536,598</u>	<u>46,533,704</u>	<u>805,668,119</u>	<u>10,000,000</u>	<u>1,126,738,421</u>	<u>270,437,487</u>	<u>51,093,799</u>
<u>836,441,387</u>		<u>0 1,157,972,673</u>				

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	0 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	0		
	<u>B.</u>	<u>SB 112 -- FUND SEARCH AND RESCUE</u>					
		<u>0</u>	<u>49,827</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>49,827 0 99,653</u>
		<u>0</u>	<u>0</u>	<u>0</u>	<u>99,653</u>		
2.	Field Services Division (02)						
	0	7,072,979	780,549	0	0	7,853,528	0 7,577,046
	781,952	0	0	8,358,998			
		<u>7,042,875</u>				<u>7,823,424</u>	<u>7,516,839</u>
				<u>8,298,791</u>			
	a.	Block Management (OTO)					
		0	733,000	0	0	0	733,000 0 733,000
		0	0	0	733,000		
	b.	Taxes (OTO)					
		0	4,609	13,828	0	0	18,437 0 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	0		
3.	Fisheries Division (03)						
	0	3,625,343	6,606,176	0	0	10,231,519	0 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 0 40,000
		0	0	0	40,000		
	b.	Fishing Access Site Assistance (OTO)					
		0	25,000	0	0	0	25,000 0 25,000
		0	0	0	25,000		
	c.	Short-Term Federal Contracts (OTO)					
		0	0	206,700	0	0	206,700 0 0
		10,700	0	0	10,700		
4.	Law Enforcement Division (04)						
	0	6,526,346	228,707	0	0	6,755,053	0 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		
	<u>C.</u>	<u>SB 395 -- BISON HUNT (BIENNIAL)</u>					
		<u>0</u>	<u>10,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>10,000 0 0</u>
		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>		
	<u>D.</u>	<u>HB 558 -- TEMPORARY SNOWMOBILE PERMIT (RESTRICTED)</u>					
		<u>0</u>	<u>6,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>6,500 0 6,500</u>

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	<u>0</u>	<u>0</u>	<u>0</u>	<u>6,500</u>				
5.	Wildlife Division (05)							
	0	<u>4,043,656</u>	3,724,583	0	0	<u>7,768,239</u>	0	<u>4,056,899</u>
	3,741,071	0	0	<u>7,797,970</u>				
		<u>4,004,656</u>				<u>7,729,239</u>		<u>4,017,899</u>
				<u>7,758,970</u>				
		<u>4,068,921</u>				<u>7,793,504</u>		<u>4,125,962</u>
				<u>7,867,033</u>				
	a.	Mountain Lion Research (Restricted/OTO)						
	0	38,847	116,542	0	0	155,389	0	38,840
	116,522	0	0	155,362				
	b.	Region 1 Wildlife Conflict Specialist (Restricted/OTO)						
	0	37,265	0	0	0	37,265	0	37,185
	0	0	0	37,185				
	c.	Equipment (Restricted/OTO)						
	0	20,000	0	0	0	20,000	0	30,000
	0	0	0	30,000				
	d.	Wildlife CWD Management Plan (Restricted/Biennial/OTO)						
	0	200,000	0	0	0	200,000	0	0
	0	0	0	0				
	e.	Short-Term Federal Contracts (OTO)						
	0	0	168,307	0	0	168,307	0	0
	47,604	0	0	47,604				
	F.	<u>NONGAME WILDLIFE PROGRAM (RESTRICTED/OTO)</u>						
	<u>0</u>	<u>39,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>39,000</u>	<u>0</u>	<u>39,000</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>39,000</u>				
	G.	<u>SB 395 -- BISON HUNT (BIENNIAL)</u>						
	<u>0</u>	<u>22,500</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>22,500</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
6.	Parks Division (06)							
	0	<u>4,856,159</u>	362,371	0	0	<u>5,218,530</u>	0	<u>4,874,868</u>
	362,371	0	0	<u>5,237,239</u>				
		<u>5,603,957</u>				<u>5,966,328</u>		<u>6,182,931</u>
				<u>6,545,302</u>				
	a.	Snowmobile Equipment (Biennial)						
	0	332,920	0	0	0	332,920	0	0
	0	0	0	0				
	b.	Short-Term Federal Contracts (OTO)						
	0	0	35,500	0	0	35,500	0	0
	20,000	0	0	20,000				
	c.	<u>HB 558 -- TEMPORARY SNOWMOBILE PERMIT (RESTRICTED)</u>						
	<u>0</u>	<u>175,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>175,000</u>	<u>0</u>	<u>178,500</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>178,500</u>				
7.	Conservation Education Division (08)							
	0	1,794,414	757,738	0	0	2,552,152	0	1,800,322
	757,738	0	0	2,558,060				
	a.	Shooting Range Grants (Biennial)						
	0	160,000	0	0	0	160,000	0	0
	0	0	0	0				
		<u>320,000</u>				<u>320,000</u>		
8.	Department Management (09)							
	0	2,863,015	1,162,842	0	0	4,025,857	0	2,853,297
	1,166,959	0	0	4,020,256				
	a.	Office Maintenance (Restricted/OTO)						
	0	30,000	0	0	0	30,000	0	30,000

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	0	0	0	30,000				
b.	State Wildlife Grant Federal Program (Biennial/OTO)							
	0	160,000	1,200,000	0	0	1,360,000	0	0
	0	0	0	0				
c.	Retirement Liability (Restricted/Biennial/OTO)							
	0	546,800	240,000	0	0	786,800	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	53,780,484				
		<u>39,229,193</u>				<u>56,442,166</u>		
		<u>39,199,089</u>				<u>56,412,062</u>		<u>38,258,276</u>
				<u>53,720,277</u>				
		<u>40,274,979</u>				<u>57,487,952</u>		<u>39,959,055</u>
				<u>55,421,056</u>				

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.

ITEM 1B IS CONTINGENT UPON PASSAGE AND APPROVAL OF SENATE BILL NO. 112

If Senate Bill No. 130 is not passed and approved, item 2 is decreased by ~~\$490,104~~ \$460,000 of state special revenue money in fiscal year 2004 and by ~~\$980,207~~ \$920,000 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 HOUSE BILL NO. 558 IS NOT PASSED AND APPROVED, ITEM 4D IS REDUCED BY \$6,500 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$6,500 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2005 AND ITEM 6C IS REDUCED BY \$175,000 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$178,500 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2005.

IF HOUSE BILL NO. 42 IS NOT PASSED AND APPROVED, ITEM 5 IS DECREASED BY \$64,265 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$64,063 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2005.

ITEM 5F CONTAINS AN APPROPRIATION OF \$39,000 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND \$39,000 IN STATE SPECIAL REVENUE IN FISCAL YEAR 2005 THAT IS RESTRICTED TO:

(1) \$13,000 IN FISCAL YEAR 2004 AND \$13,000 IN FISCAL YEAR 2005 FOR 25% OF A NATIVE SPECIES SPECIALIST POSITION IN BILLINGS;

(2) \$5,000 IN FISCAL YEAR 2004 TO SUPPORT PUBLISHING THE SIXTH EDITION OF MONTANA BIRD DISTRIBUTION AND AN UPDATED LIST OF MONTANA BIRD SPECIES;

(3) \$5,000 IN FISCAL YEAR 2004 TO SUPPORT PUBLISHING OF A FIELD GUIDE TO REPTILES AND AMPHIBIANS;

(4) \$5,000 IN FISCAL YEAR 2004 AND \$8,000 IN FISCAL YEAR 2005 TO SUPPORT LOON CONSERVATION EFFORTS IN NORTHWESTERN MONTANA;

(5) \$3,000 IN FISCAL YEAR 2004 AND \$5,000 IN FISCAL YEAR 2005 TO PROMOTE PLACEMENT AND MAINTENANCE OF NESTING BOXES FOR BLUEBIRDS AND OTHER SPECIES;

(6) \$6,000 IN FISCAL YEAR 2004 AND \$10,000 IN FISCAL YEAR 2005 TO INVENTORY AND MONITOR SENSITIVE WILDLIFE SPECIES; AND

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(7) \$2,000 IN FISCAL YEAR 2004 AND \$3,000 IN FISCAL YEAR 2005 TO STUDY STATEWIDE RAPTOR SURVEY ROUTES.

IF SENATE BILL NO. 336 IS NOT PASSED AND APPROVED, ITEM 6 IS DECREASED BY \$747,798 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$1,308,063 OF STATE SPECIAL REVENUE 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				
	<u>227,112</u>	<u>227,611</u>				<u>661,276</u>	<u>228,064</u>	
				<u>665,598</u>				
	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				
	<u>1,800,863</u>					<u>12,339,742</u>	<u>1,783,576</u>	
				<u>12,292,250</u>				
	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				
		<u>9,067,496</u>				<u>14,241,739</u>		<u>9,119,467</u>
				<u>14,372,693</u>				
	a.	Bond Forfeitures/Settlements (Restricted/Biennial)						

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	0	30,392,738	0	0	0	30,392,738	0	0
	0	0	0	0				
b.	<u>Hard-Rock Debt Service RECLAMATION BOND PROCEEDS (Restricted/Biennial)</u>							
	0	5,500,000	0	0	0	5,500,000	0	0
	0	0	0	0				
c.	<u>Hard-Rock Federal Funds (Restricted/Biennial)</u>							
	0	0	4,000,000	0	0	4,000,000	0	0
	0	0	0	0				
d.	<u>Major Facility Siting Adjustment (Restricted/Biennial)</u>							
	0	300,000	0	0	0	300,000	0	0
	0	0	0	0				
e.	<u>Hazardous Waste Contract Services (Restricted/Biennial/OTO)</u>							
	0	90,000	0	0	0	90,000	0	0
	0	0	0	0				
f.	<u>Waste Management Database Development (Restricted/OTO)</u>							
	0	50,000	0	0	0	50,000	0	50,000
	0	0	0	50,000				
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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				
	<u>3,160,483</u>	<u>53,072,723</u>				<u>82,266,767</u>	<u>3,161,375</u>	<u>15,345,517</u>
				<u>39,695,408</u>				
	<u>3,118,621</u>	<u>52,922,723</u>				<u>82,074,905</u>	<u>3,119,513</u>	
				<u>39,653,546</u>				

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$41,862 IN FISCAL YEAR 2004 AND \$41,862 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

IN ITEM 5B, UP TO \$2,500,000 OF THE \$5,500,000 MUST BE USED TO FUND THE ACCOUNT FOR PERPETUAL WATER TREATMENT AT THE ZORTMAN AND LANDUSKY MINES. THE FUNDS MAY BE USED FOR THIS PURPOSE ONLY IF CONGRESS APPROPRIATES AT LEAST \$10,000,000 FOR THIS SAME PURPOSE DURING THE BIENNIUM. IF CONGRESS MAKES THIS APPROPRIATION, THE AMOUNT OF BOND PROCEEDS THAT MUST BE ALLOCATED TO THIS ACCOUNT IS THE AMOUNT THAT, WHEN ADDED TO THE AMOUNT APPROPRIATED BY CONGRESS, EQUALS \$12,500,000.

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

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	0	0	0	1,426,823				
	<u>99,525</u>			<u>1,432,139</u>		<u>1,449,542</u>	<u>99,525</u>	
	<u>91,911</u>			<u>1,424,525</u>		<u>1,441,928</u>	<u>91,911</u>	
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				
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Total	<u>522,824</u>	7,104,865	1,575,886	0	0	<u>9,203,575</u>	<u>526,302</u>	7,029,072
	1,579,399	0	0	9,134,773		<u>9,208,856</u>	<u>531,618</u>	
	<u>528,105</u>			<u>9,140,089</u>		<u>9,201,242</u>	<u>524,004</u>	
	<u>520,491</u>			<u>9,132,475</u>				

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.~~

ITEM 2 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$7,614 IN FISCAL YEAR 2004 AND \$7,614 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE 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		<u>2,271,783</u>	<u>1,803,342</u>	
	<u>1,764,583</u>			<u>2,285,542</u>		<u>2,062,593</u>	<u>1,594,152</u>	
	<u>1,555,393</u>			<u>2,076,352</u>				
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				

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	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				
			<u>1,619,316</u>				<u>1,727,791</u>		<u>1,633,936</u>
					<u>1,742,791</u>				
	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				
	E.	<u>YELLOWSTONE RIVER COMPACT WATER APPORTIONMENT (RESTRICTED/BIENNIAL)</u>							
		<u>10,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>10,000</u>	<u>0</u>	<u>0</u>
		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
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				
			<u>11,848,769</u>				<u>13,173,810</u>		<u>12,069,752</u>
					<u>13,398,380</u>				
	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				
	c.	<u>SB 409 -- DEVELOP OTTER CREEK TRACTS (BIENNIAL/OTO)</u>							
		<u>0</u>	<u>300,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>300,000</u>	<u>0</u>	<u>0</u>
		<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				

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D.	<u>HB 537 -- SUSTAINABLE YIELD (BIENNIAL/OTO)</u>							
0	40,000	0	0	0	40,000	0	0	0
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
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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					
<u>17,187,281</u>			<u>36,375,837</u>		<u>39,235,970</u>	<u>17,215,805</u>		
<u>16,988,091</u>	<u>20,630,081</u>				<u>39,565,339</u>	<u>17,006,615</u>	<u>17,664,998</u>	
			<u>36,536,910</u>					

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$209,190 IN FISCAL YEAR 2004 AND \$209,190 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNium OPERATING PLANS.

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.

ITEM 4E CONTAINS GENERAL FUND AUTHORITY OF \$10,000 IN FISCAL YEAR 2004 THAT IS RESTRICTED TO INVESTIGATE THE APPORTIONMENT OF WATER BETWEEN MONTANA AND WYOMING UNDER THE YELLOWSTONE RIVER COMPACT AS REFERENCED IN HOUSE JOINT RESOLUTION NO. 35.

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.

IF SENATE BILL NO. 130 IS NOT PASSED AND APPROVED, ITEM 6 IS DECREASED BY \$21,734 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004 AND BY \$43,468 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2005.

DURING THE 2005 BIENNium, UP TO \$70,000 IN STATE SPECIAL REVENUE OF ANNUAL RENT RECEIVED FROM COMMERCIAL LEASING IS APPROPRIATED TO THE DEPARTMENT TO CONTRACT WITH REALTORS, PROPERTY MANAGERS, SURVEYORS, LEGAL COUNSEL, OR LEASE ADMINISTRATORS TO ADMINISTER THE COMMERCIAL LEASE, EITHER SINGLY OR IN COMMON WITH OTHER LEASES, OR TO PROVIDE ASSISTANCE TO THE DEPARTMENT IN THE ADMINISTRATION OF COMMERCIAL LEASES PURSUANT TO [SECTION 5] OF SENATE BILL NO. 137.

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				
<u>155,778</u>			<u>876,145</u>		<u>844,016</u>	<u>189,134</u>	

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	<u>146,974</u>					<u>835,212</u>	<u>180,330</u>		
			<u>867,341</u>						
	a.	Legislative Audit (Restricted/Biennial)							
	34,175	0	0	0	0	34,175	0	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	0				
	b.	Weed Control Program <u>FOR LANDS OTHER THAN FISH, WILDLIFE, AND PARKS LANDS</u> (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					
<hr/>									
Total	<u>622,427</u>	8,671,310	3,550,539	320,209	0	<u>13,164,485</u>	<u>621,619</u>	8,681,089	
	1,547,546	321,521	0	<u>11,171,775</u>					
	<u>628,714</u>					<u>13,170,772</u>	<u>627,898</u>		
				<u>11,178,054</u>					
	<u>619,910</u>					<u>13,161,968</u>	<u>619,094</u>		
				<u>11,169,250</u>					

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$8,804 IN FISCAL YEAR 2004 AND \$8,804 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

DEPARTMENT OF COMMERCE (6501)

1. ~~Board of Research and Commercialization (50)~~

	<u>88,446</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>88,446</u>	<u>88,343</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>88,343</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	a.	Legislative Audit (Restricted/Biennial)						
	358	0	0	0	0	358	0	0
	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0
	0	0	0	0	0	0	0	0

~~1. RESEARCH AND COMMERCIALIZATION (BIENNIAL/OTO)~~

	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2,500,000</u>	<u>2,500,000</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

~~2 1 2 1.~~ Business Resources Division (51)

	<u>1,353,937</u>	<u>183,810</u>	<u>3,196,000</u>	<u>0</u>	<u>0</u>	<u>4,733,747</u>	<u>1,354,763</u>	<u>185,000</u>
	3,200,000	0	0	4,739,763				

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<u>1,370,581</u>						<u>4,750,391</u>	<u>1,371,373</u>	
<u>1,356,811</u>			<u>4,756,373</u>			<u>4,736,621</u>	<u>1,357,603</u>	
			<u>4,742,603</u>					
a.	Legislative Audit (Restricted/Biennial)							
4,000	1,190	4,000	0	0		9,190	0	0
0	0	0	0	0				
3 2 3 2.	Montana Promotion Division (52)							
0	750,000	0	0	0	0	750,000	0	750,000
0	0	0	750,000	0				
a.	Legislative Audit (Restricted/Biennial)							
0	18,341	0	0	0	0	18,341	0	0
0	0	0	0	0				
4 3 4 3.	Community Development Division (60)							
198,766	572,061	4,730,723	0	0	0	5,501,550	201,265	574,465
4,728,996	0	0	5,504,726	0				
a.	Legislative Audit (Restricted/Biennial)							
2,269	3,273	2,269	0	0	0	7,811	0	0
0	0	0	0	0				
b.	Hard-Rock Mining Impact Account Reserve (Restricted)							
0	100,000	0	0	0	0	100,000	0	100,000
0	0	0	100,000	0				
c.	Coal Board Local Impact Grants (Biennial)							
0	593,333	0	0	0	0	593,333	0	593,332
0	0	0	593,332	0				
D.	TSEP ENHANCEMENT -- COAL TAX TRUST (BIENNIAL/OTO)							
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>	<u>5,000,000</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
5 4 5 4.	Housing Division (74)							
0	20,000	9,260,822	0	0	0	9,280,822	0	20,000
5,573,736	0	0	5,593,736	0				
a.	Legislative Audit (Restricted/Biennial)							
0	0	3,212	0	0	0	3,212	0	0
0	0	0	0	0				
b.	HOME Project Administration Software (OTO)							
0	0	40,000	0	0	0	40,000	0	0
0	0	0	0	0				
6 5 6 5.	Director's Office/Management Services Division (81)							
0	0	2,046	0	0	0	2,046	0	0
2,046	0	0	2,046	0				
		<u>417,481</u>				<u>417,481</u>		
<u>417,228</u>			<u>417,228</u>					
<hr/>								
Total								
1,647,776	2,242,008	17,239,072	0	0	0	21,128,856	1,644,371	2,222,797
13,504,778	0	0	17,371,946	0				
<u>1,575,616</u>			<u>17,300,213</u>			<u>21,056,696</u>	<u>1,572,638</u>	
				<u>7,500,000</u>		<u>28,556,696</u>		
<u>1,561,846</u>		<u>17,654,507</u>		<u>0</u>		<u>21,458,361</u>	<u>1,558,868</u>	
<u>13,919,960</u>			<u>17,701,625</u>					

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

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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 LEGISLATION IS NOT PASSED IN A MANNER AUTHORIZING THE PAYMENT OF ADMINISTRATIVE COSTS FROM THE RESEARCH AND COMMERCIALIZATION STATE SPECIAL REVENUE ACCOUNT ESTABLISHED IN 90-3-1002, THE DEPARTMENT IS APPROPRIATED GENERAL FUND MONEY OF \$88,804 IN FISCAL YEAR 2004 AND \$88,343 IN FISCAL YEAR 2005 FOR ADMINISTRATIVE COSTS OF THE RESEARCH AND COMMERCIALIZATION PROGRAM.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$13,770 IN FISCAL YEAR 2004 AND \$13,770 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

ITEMS 1 AND 4D ARE APPROPRIATED FROM THE COAL SEVERANCE TAX PERMANENT FUND PRINCIPAL. THESE APPROPRIATIONS ARE SUBJECT TO THE PROVISIONS OF [SECTION 8].

If House Bill No. 177 is not passed and approved, the biennial appropriation in item ~~4c~~ ~~3c~~ ~~4c~~ 3c 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					
	<u>130,168,122</u>				<u>220,984,842</u>			
<u>23,080,199</u>	<u>130,391,517</u>				<u>221,351,123</u>	<u>23,109,334</u>	<u>88,831,486</u>	
			<u>167,409,878</u>					
				<u>7,500,000</u>	<u>228,851,123</u>			
<u>22,808,959</u>	<u>131,845,966</u>	<u>67,974,633</u>		<u>0</u>	<u>222,949,767</u>	<u>22,828,094</u>	<u>90,902,528</u>	
<u>55,562,719</u>			<u>169,614,862</u>					

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					
		<u>695,563</u>			<u>2,324,171</u>			
<u>691,533</u>			<u>2,322,191</u>					
<u>1,645,059</u>			<u>2,338,662</u>		<u>2,340,622</u>	<u>1,647,129</u>		
<u>1,634,819</u>					<u>2,330,382</u>	<u>1,636,889</u>		
			<u>2,328,422</u>					
A. FEDERAL PASS-THROUGH GRANTS (BIENNIAL)								
<u>0</u>	<u>0</u>	<u>9,727,405</u>	<u>0</u>	<u>0</u>	<u>9,727,405</u>	<u>0</u>	<u>0</u>	
<u>9,727,405</u>	<u>0</u>	<u>0</u>	<u>9,727,405</u>					

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					
<u>1,645,059</u>			<u>12,066,067</u>		<u>12,068,027</u>	<u>1,647,129</u>		
<u>1,634,819</u>					<u>12,057,787</u>	<u>1,636,889</u>		
			<u>12,055,827</u>					

ALL REMAINING FEDERAL PASS-THROUGH GRANT APPROPRIATIONS, INCLUDING REVERSIONS, FOR THE 2003 BIENNIUM ARE AUTHORIZED TO CONTINUE AND ARE APPROPRIATED IN FISCAL YEAR 2004 AND FISCAL YEAR 2005.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$10,240 IN FISCAL YEAR 2004 AND \$10,240 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION.

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

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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				
	<u>3,350,476</u>					<u>4,096,431</u>	<u>3,361,539</u>	
				<u>4,108,836</u>				
	<u>3,104,987</u>					<u>3,850,942</u>	<u>3,116,050</u>	
				<u>3,863,347</u>				
	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				
	<u>0</u>					<u>2,699,171</u>	<u>0</u>	
				<u>2,686,882</u>				
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				
	<u>5,432,876</u>	<u>3,682,047</u>				<u>9,114,923</u>	<u>5,586,257</u>	
				<u>9,065,348</u>				
	<u>5,455,772</u>					<u>9,137,819</u>	<u>5,642,278</u>	
				<u>9,121,369</u>				
	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				
	c. HB 711 -- DRIVER'S LICENSE RENEWAL (OTO)							
	0	23,625	0	0	0	23,625	0	31,500
	0	0	0	31,500				
	<u>23,625</u>	<u>0</u>					<u>31,500</u>	<u>0</u>
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				
	<u>0</u>	<u>1,166,994</u>					<u>0</u>	<u>1,203,293</u>
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				
	<u>2,200,561</u>	<u>1,500,689</u>				<u>5,337,135</u>	<u>2,205,697</u>	<u>1,504,758</u>
				<u>5,350,884</u>				
	<u>2,418,529</u>					<u>5,555,103</u>	<u>2,348,369</u>	
				<u>5,493,556</u>				
	<u>2,611,055</u>	<u>1,538,251</u>				<u>5,785,191</u>	<u>2,617,543</u>	<u>1,542,236</u>
				<u>5,800,208</u>				
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				
	<u>1,740,350</u>					<u>1,740,350</u>	<u>1,740,350</u>	
				<u>1,740,350</u>				

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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				
	<u>A. MOTOR VEHICLE DIVISION DATABASE PROGRAMMING UPDATES (OTO)</u>							
	<u>183,716</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>183,716</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
	<u>B. IT SYSTEM AND DISASTER RECOVERY POSITION (OTO)</u>							
	<u>49,715</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>49,715</u>	<u>49,715</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>49,715</u>				
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				
<hr/>								
Total								
	<u>19,771,670</u>	<u>33,207,261</u>	<u>3,193,690</u>	<u>809,244</u>	<u>0</u>	<u>56,981,865</u>	<u>19,660,492</u>	<u>27,424,321</u>
	<u>3,199,809</u>	<u>804,574</u>	<u>0</u>	<u>51,089,196</u>				
	<u>19,972,533</u>	<u>33,182,055</u>				<u>57,157,522</u>	<u>19,778,660</u>	<u>27,386,843</u>
				<u>51,169,886</u>				
	<u>20,190,501</u>	<u>33,205,680</u>				<u>57,399,115</u>	<u>19,921,332</u>	<u>27,418,343</u>
				<u>51,344,058</u>				
	<u>19,019,646</u>	<u>34,386,611</u>				<u>57,409,191</u>	<u>18,648,110</u>	<u>28,627,614</u>
				<u>51,280,107</u>				

THERE IS APPROPRIATED FROM THE HIGHWAY PATROL RETIREMENT CLEARING ACCOUNT TO THE DEPARTMENT FOR PAYMENTS TO THE MONTANA HIGHWAY PATROL PENSION FUND THE AMOUNT REQUIRED FOR THIS TRANSFER, NOT TO EXCEED \$1,200,000 FOR EACH FISCAL YEAR.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$245,489 IN FISCAL YEAR 2004 AND \$245,489 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIAL OPERATING PLANS.

~~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 3 CONTAINS AN INCREASE OF \$12,356 OF STATE SPECIAL REVENUE IN FISCAL YEAR 2004. THE INCREASE IS CONTINGENT UPON PASSAGE AND APPROVAL OF HOUSE BILL NO. 557.~~

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

~~ITEM 3C IS CONTINGENT UPON PASSAGE AND APPROVAL OF HOUSE BILL NO. 711.~~

~~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~~

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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.

THE DEPARTMENT SHALL PRESENT TO THE 59TH LEGISLATURE OPTIONS FOR THE FUNDING AND OPERATION OF THE FIRE PREVENTION AND INVESTIGATION BUREAU.

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				
		<u>2,590,431</u>				<u>2,604,126</u>		<u>2,593,694</u>
				<u>2,607,328</u>				
		<u>2,640,849</u>				<u>2,654,544</u>		<u>2,644,112</u>
				<u>2,657,746</u>				
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				
		<u>53,546</u>				<u>53,546</u>		<u>0</u>
				<u>0</u>				
c.	<u>SB 247 -- ADVISORY SERVICES (RESTRICTED/BIENNIAL)</u>							
	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>500,000</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				

Total	0	<u>2,662,292</u>	13,782	0	0	<u>2,676,074</u>	0	<u>2,593,694</u>
	13,634	0	0	<u>2,607,328</u>				
		<u>3,212,710</u>				<u>3,226,492</u>		<u>2,644,112</u>
				<u>2,657,746</u>				

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				
	<u>8,851,487</u>					<u>8,941,050</u>	<u>8,934,209</u>	
				<u>9,041,760</u>				
a.	Legislative Audit (Restricted/Biennial)							
	112,111	3,982	0	7,462	0	123,555	0	0
	0	0	0	0				
B.	<u>HB 220 -- REVISE RESTITUTION LAWS</u>							
	<u>0</u>	<u>98,661</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>98,661</u>	<u>0</u>	<u>89,598</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>89,598</u>				
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				
	<u>54,642,428</u>					<u>55,847,654</u>	<u>56,012,642</u>	
				<u>57,217,868</u>				
	<u>53,027,943</u>	<u>1,408,688</u>				<u>54,516,919</u>	<u>52,978,625</u>	<u>1,408,688</u>

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	<u>54,467,601</u>							
	<u>A. ADDITIONAL GENERAL FUND -- SB 407 CONTINGENCY (BIENNIAL)</u>							
	4,600,000	0	0	0	0	4,600,000	0	0
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
4.	Montana Correctional Enterprises (04)							
	968,410	0	0	376,305	0	1,344,715	969,815	0
	<u>0</u>	<u>377,450</u>	<u>0</u>	<u>1,347,265</u>				
				<u>444,411</u>		<u>1,412,821</u>		
		<u>445,556</u>		<u>1,415,371</u>				
	<u>A. CANNERY -- COAL TAX TRUST (BIENNIAL/OTO)</u>							
	0	0	0	0	200,000	200,000	0	0
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
	<u>A. SB 118 -- LICENSE PLATE -- DELAY REISSUE</u>							
	570,079	0	0	0	0	570,079	570,079	0
	<u>0</u>	<u>0</u>	<u>0</u>	<u>570,079</u>				
	<u>B. MONTANA FOOD BANK NETWORK CANNERY (RESTRICTED)</u>							
	0	0	100,000	0	0	100,000	0	0
	<u>100,000</u>	<u>0</u>	<u>0</u>	<u>100,000</u>				
5.	Juvenile Corrections (05)							
	17,514,200	437,013	316,765	0	0	18,267,978	17,529,269	437,013
	<u>316,765</u>	<u>0</u>	<u>0</u>	<u>18,283,047</u>				
<hr/>								
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				
	<u>104,218,673</u>					<u>106,958,817</u>	<u>105,638,205</u>	
				<u>108,386,038</u>				
	<u>107,204,188</u>	<u>2,156,131</u>		<u>538,816</u>		<u>110,296,188</u>	<u>102,604,188</u>	<u>2,153,325</u>
		<u>549,311</u>		<u>105,703,877</u>				
					<u>200,000</u>	<u>110,496,188</u>		
	<u>106,942,616</u>	<u>2,254,792</u>	<u>497,053</u>		<u>0</u>	<u>110,233,277</u>	<u>102,342,616</u>	<u>2,242,923</u>
	<u>497,053</u>			<u>105,631,903</u>				

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 3 INCLUDES \$2,605,527 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$4,025,059 OF GENERAL FUND MONEY IN FISCAL YEAR 2005. THE DEPARTMENT MAY REALLOCATE THIS INCREASE IN FUNDING AMONG DIVISIONS OR PROGRAMS WHEN DEVELOPING THE 2005 BIENNIUM OPERATING PLANS. IF HOUSE BILL NO. 750 IS NOT PASSED AND APPROVED, THEN ITEM 3 IS REDUCED BY \$2,605,527 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND BY \$4,025,059 OF GENERAL FUND MONEY IN FISCAL YEAR 2005.~~

~~ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$831,651 IN FISCAL YEAR 2004 AND \$831,651 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.~~

~~THE DEPARTMENT MAY REALLOCATE THE APPROPRIATIONS IN ITEMS 1 THROUGH 5 AMONG DIVISIONS OR PROGRAMS WHEN DEVELOPING THE 2005 BIENNIUM OPERATING PLANS.~~

~~ITEM 3 CONTAINS AN INCREASE OF \$3,500,000 OF GENERAL FUND MONEY IN EACH YEAR OF THE 2005 BIENNIUM. THESE INCREASES ARE CONTINGENT UPON PASSAGE AND APPROVAL OF HOUSE BILL NO. 363. THE DEPARTMENT MAY REALLOCATE THIS INCREASE IN FUNDING AMONG DIVISIONS OR PROGRAMS WHEN DEVELOPING THE 2005 BIENNIUM OPERATING PLANS.~~

~~ITEM 3A IS CONTINGENT UPON PASSAGE AND APPROVAL OF SENATE BILL NO. 407. THE DEPARTMENT MAY REALLOCATE THIS~~

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INCREASE IN FUNDING AMONG DIVISIONS OR PROGRAMS 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.~~

~~ITEM 4A IS APPROPRIATED FROM THE COAL SEVERANCE TAX PERMANENT FUND PRINCIPAL. THIS APPROPRIATION IS SUBJECT TO THE PROVISIONS OF [SECTION 8].~~

ITEM 4B IS CONTINGENT UPON RECEIPT OF FEDERAL FUNDS IDENTIFIED SPECIFICALLY FOR THE PURPOSE OF FUNDING CANNERY OPERATIONS.

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					
	<u>347,251</u>					<u>31,860,774</u>	<u>348,671</u>		
				<u>31,895,647</u>					
	a.	Legislative Audit (Restricted/Biennial)							
	925	25,573	32,380	0	0	58,878	0	0	
	0	0	0	0					
	<u>B.</u>	<u>HB 564 -- WORKFORCE TRAINING ACT</u>							
	0	<u>125,000</u>	0	0	0	<u>125,000</u>	0	<u>125,000</u>	
	0	0	0	<u>125,000</u>					
	<u>C.</u>	<u>SB 484 -- EMPOWERMENT ZONES</u>							
	<u>24,264</u>	0	0	0	0	<u>24,264</u>	<u>23,960</u>	0	
	0	0	0	<u>23,960</u>					
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					
	<u>B.</u>	<u>SB 271 -- POINTS/UI TAX COLLECTION (RESTRICTED)</u>							
	0	0	<u>137,853</u>	0	0	<u>137,853</u>	0	0	
	<u>2,405,000</u>	0	0	<u>2,405,000</u>					
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					
	<u>B.</u>	<u>INCLUSION OF TRIBAL LABOR MARKET INFORMATION</u>							
	0	<u>1,000</u>	0	0	0	<u>1,000</u>	0	<u>1,000</u>	
	0	0	0	<u>1,000</u>					
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					
	<u>659,204</u>					<u>7,855,734</u>	<u>660,170</u>		
				<u>7,869,642</u>					
	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					
		<u>10,572,136</u>				<u>10,572,136</u>		<u>10,567,364</u>	
				<u>10,567,364</u>					
	a.	Legislative Audit (Restricted/Biennial)							
	0	10,869	0	0	0	10,869	0	0	

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	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	0	0				

Total

	<u>1,158,036</u>	<u>25,822,536</u>	<u>34,922,488</u>	<u>67,956</u>	0	<u>61,971,016</u>	<u>1,158,036</u>	<u>25,848,020</u>
	34,901,343	67,851	0	61,975,250				
	<u>1,169,733</u>					<u>61,982,713</u>	<u>1,169,733</u>	
				<u>61,986,947</u>				
	<u>1,174,957</u>	<u>25,964,525</u>	<u>35,060,341</u>			<u>62,267,779</u>	<u>1,174,653</u>	<u>25,949,345</u>
	37,306,343			64,498,192				

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.

ITEM 1 INCLUDES FEDERAL SPECIAL REVENUE OF \$605,685 IN FISCAL YEAR 2004 AND \$603,539 IN FISCAL YEAR 2005, FROM THE SPECIAL REED ACT (A PART OF THE EMPLOYMENT SECURITY ADMINISTRATIVE FINANCING ACT OF 1954) DISTRIBUTION, THAT IS APPROPRIATED FOR LEGITIMATE WAGNER-PEYSER EMPLOYMENT SERVICES ACTIVITIES, UNEMPLOYMENT INSURANCE BENEFITS, AND UNEMPLOYMENT INSURANCE ADMINISTRATION.

THE DEPARTMENT IS APPROPRIATED UP TO \$80,000 IN STATE SPECIAL REVENUE FROM THE NATURAL RESOURCE WORKERS' TUITION SCHOLARSHIP STATE SPECIAL REVENUE FUND AS A BIENNIAL, ONE-TIME APPROPRIATION TO THE WORKFORCE SERVICES DIVISION FOR THE PURPOSE OF SUPPLEMENTING FEDERAL SPECIAL REVENUE THAT BECOMES AVAILABLE TO PAY FOR SERVICES FOR ENROLLEES IN THE DISLOCATED WORKER PROGRAM AS A RESULT OF THE STIMSON MILL CLOSURE.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$19,040 IN FISCAL YEAR 2004 AND \$19,040 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNium OPERATING PLANS.

ITEM 1B IS CONTINGENT UPON PASSAGE AND APPROVAL OF HOUSE BILL NO. 564.

ITEM 1C IS CONTINGENT UPON PASSAGE AND APPROVAL OF SENATE BILL NO. 484.

ITEM 2B IS CONTINGENT UPON PASSAGE AND APPROVAL OF SENATE BILL NO. 271.

ITEM 3B IS CONTINGENT UPON THE AVAILABILITY AND INCLUSION ON THE DEPARTMENT'S WEBSITE OR OTHER PUBLIC DOCUMENT OF BUREAU OF INDIAN AFFAIRS' AND MONTANA TRIBES' LABOR MARKET INFORMATION. THE DEPARTMENT SHALL COLLABORATE WITH THE BUREAU OF INDIAN AFFAIRS AND ANY APPROPRIATE MONTANA TRIBAL GOVERNMENT TO PROVIDE ACCESS TO AND DISSEMINATE BUREAU OF INDIAN AFFAIRS AND MONTANA TRIBE LABOR MARKET INFORMATION THROUGH THE DEPARTMENT. 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				
	<u>389,453</u>					<u>486,986</u>	<u>388,129</u>	
				<u>485,463</u>				
	a. Legislative Audit (Restricted/Biennial)							
	444	0	0	0	0	444	0	0
	0	0	0	0				
2.	Challenge Program (02)							

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	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				
	<u>250,000</u>					<u>250,000</u>		
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				
	<u>1,182,418</u>					<u>6,132,428</u>	<u>1,185,272</u>	
				<u>6,223,204</u>				
	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				
	<u>B.</u>	<u>SB 112 -- FUND SEARCH AND RESCUE</u>						
	<u>0</u>	<u>83,330</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>83,330</u>	<u>0</u>	<u>150,159</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>150,159</u>				
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				
	<u>B.</u>	<u>HB 761 -- VETERANS' CEMETERY</u>						
	<u>0</u>	<u>150,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>150,000</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
	<u>C.</u>	<u>SB 401 -- REVISE DUTIES AND MEMBERSHIP OF VETERANS' AFFAIRS</u>						
	<u>0</u>	<u>279,586</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>279,586</u>	<u>0</u>	<u>559,173</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>559,173</u>				
<hr/>								
Total	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				
	<u>4,480,952</u>					<u>17,982,330</u>	<u>4,110,097</u>	
				<u>17,700,426</u>				
	<u>4,409,063</u>	<u>1,009,941</u>				<u>18,423,357</u>	<u>4,123,530</u>	<u>1,296,521</u>
				<u>18,423,191</u>				

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

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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 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$48,508 IN FISCAL YEAR 2004 AND \$48,508 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

ITEM 6B IS CONTINGENT UPON PASSAGE AND APPROVAL OF SENATE BILL NO. 112.

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				
<u>131,216,500</u>					<u>258,580,239</u>	<u>132,156,387</u>	
			<u>253,766,733</u>				
134,472,465	64,320,039		1,416,016		262,162,854	129,309,807	58,569,071
	1,421,736		<u>251,234,531</u>				
134,690,433	64,343,664			200,000	262,604,447	129,452,479	58,600,571
			<u>251,408,703</u>				
133,181,101	66,828,579	62,192,187		0	263,617,883	127,925,798	60,760,515
<u>64,438,917</u>			<u>254,546,966</u>				

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				
4,443,120		12,239,546			16,876,231	4,453,114	
<u>12,328,763</u>			<u>16,976,250</u>				

a. Federal Funds (Biennial)

0	0	5,956,074	0	0	5,956,074	0	0
6,040,466	0	0	6,040,466				
0	0	0	0	0	0	0	0
0	0	0	0				

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				
<u>394,959,998</u>					<u>394,959,998</u>		
<u>395,010,319</u>					<u>395,010,319</u>	<u>387,209,970</u>	
			<u>387,209,970</u>				

401,286,894			401,402,820		401,286,894	401,402,820	
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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				
<u>36,612,640</u>					<u>36,612,640</u>	<u>38,512,640</u>	
			<u>38,512,640</u>				
34,912,640					34,912,640	34,912,640	

			<u>34,912,640</u>			<u>36,412,640</u>	
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c. Transportation Aid (Restricted/Biennial)

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10,400,000	0	0	0	0	10,400,000	10,400,000	0
0	0	0	10,400,000				
<u>12,100,000</u>					<u>12,100,000</u>	<u>12,100,000</u>	
			<u>12,100,000</u>				
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				
<u>8,270,735</u>					<u>8,270,735</u>	<u>8,411,293</u>	
			<u>8,411,293</u>				
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
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
2,800,000	0	0	2,800,000				
p.	Character Education						
0	0	175,000	0	0	175,000	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	66,203,493				
<u>49,458,959</u>					<u>49,458,959</u>	<u>49,834,848</u>	
			<u>49,834,848</u>				
r.	<u>FLEX FUND -- COAL TAX TRUST (BIENNIAL/OTO)</u>						
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>15,000,000</u>	<u>15,000,000</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>				

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<u>S. TEACHER SIGNING BONUSES (RESTRICTED)</u>							
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
<u>S. FLEX FUND -- COAL TAX TRUST (BIENNIAL/OTO)</u>							
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5,000,000</u>	<u>5,000,000</u>	<u>0</u>	<u>0</u>
<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Total							
<u>512,500,122</u>	943,565	133,585,214	0	0	<u>647,028,901</u>	<u>505,395,188</u>	944,373
144,606,180	0	0	<u>650,945,741</u>		<u>653,855,349</u>	<u>508,995,188</u>	
<u>519,326,570</u>			<u>654,545,741</u>		<u>652,205,670</u>	<u>510,500,190</u>	
<u>517,676,891</u>			<u>656,050,743</u>		<u>667,205,670</u>		
				<u>15,000,000</u>	<u>667,205,670</u>		
<u>513,379,372</u>			<u>661,076,592</u>	<u>5,000,000</u>	<u>652,908,151</u>	<u>515,526,039</u>	

All federal funds are biennial appropriations.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$49,649 IN FISCAL YEAR 2004 AND \$49,649 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION.

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.

ITEM 2A INCLUDES \$5,126,448 OF GENERAL FUND MONEY IN FISCAL YEAR 2004. THE DEPARTMENT MAY REALLOCATE THIS INCREASE IN FUNDING AMONG PROGRAMS WHEN DEVELOPING THE FISCAL YEAR 2004 OPERATING PLAN. IF HOUSE BILL NO. 750 IS NOT PASSED AND APPROVED, THEN ITEM 2A IS REDUCED BY \$5,126,448 OF GENERAL FUND MONEY IN FISCAL YEAR 2004.

IF A BILL IS NOT PASSED AND APPROVED THAT RAISES CIGARETTE TAX REVENUE BY AT LEAST \$5.3 MILLION DURING THE 2005 BIENNium, THEN FUNDING IN ITEM 2B IS REDUCED BY \$1.7 MILLION IN GENERAL FUND MONEY IN FISCAL YEAR 2004 AND BY \$3.6 MILLION IN GENERAL FUND MONEY IN FISCAL YEAR 2005.

IF SENATE BILL NO. 267 IS PASSED AND APPROVED IN A FORM THAT PROVIDES A MECHANISM FOR FUNDING TEACHER SIGNING BONUSES BY REQUIRING A REDUCTION IN GENERAL FUND MONEY FOR BASE AID BY THE AMOUNT OF DEPOSITS IN THE GUARANTEE ACCOUNT OVER THE PROJECTED LEVEL IN EACH PREVIOUS FISCAL YEAR, GENERAL FUND MONEY IN ITEM 2A IS REDUCED BY THE AMOUNT OF THE ADDITIONAL DEPOSITS, UP TO \$5 MILLION IN GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$5 MILLION IN GENERAL FUND MONEY IN FISCAL YEAR 2005, AND A LIKE AMOUNT IS APPROPRIATED EACH YEAR IN ITEM 2S FOR TEACHER SIGNING BONUSES.

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.

THERE IS APPROPRIATED IN THE 2005 BIENNium IN ITEM 2R AN AMOUNT EQUAL TO ANY GRANTS DESIGNATED FOR SCHOOL DISTRICT STAFF RECRUITMENT, RETENTION, OR RETIREMENT INCENTIVES, UP TO \$5 MILLION.

ITEM 2R 2S IS APPROPRIATED FROM THE COAL SEVERANCE TAX PERMANENT FUND PRINCIPAL. THIS APPROPRIATION IS SUBJECT TO THE PROVISIONS OF [SECTION 8].

IF SENATE BILL NO. 424 IS NOT PASSED AND APPROVED, THEN THE FOLLOWING LINE ITEMS WILL BE REDUCED OR INCREASED BY THE FOLLOWING AMOUNTS: ITEM 2A. BASE AID (6,893,400) FISCAL YEAR 2004, (12,730,900) FISCAL YEAR 2005; ITEM 2B. SPECIAL EDUCATION (1,500,000) FISCAL YEAR 2005; ITEM 2C. TRANSPORTATION AID (1,700,000) FISCAL YEAR 2004, (1,700,000) FISCAL YEAR 2005; ITEM 2D. SCHOOL FACILITY REIMBURSEMENT (4,020,735) FISCAL YEAR 2004, (4,051,293) FISCAL YEAR 2005; AND ITEM 2Q. HB 124 COUNTY AND DISTRICT BLOCK GRANTS 16,245,180 FISCAL YEAR 2004, 16,368,645 FISCAL YEAR 2005.

BOARD OF PUBLIC EDUCATION (5101)

1. Administration (01)

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	159,722	14,988	0	0	0	174,710	159,941	14,837	
	0	0	0	174,778					
	<u>161,358</u>			<u>176,394</u>		<u>176,346</u>	<u>161,557</u>		
	<u>159,647</u>			<u>174,683</u>		<u>174,635</u>	<u>159,846</u>		
	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					
<hr/>									
Total	161,993	185,003	0	0	0	346,996	159,941	186,852	
	0	0	0	346,793					
	<u>163,629</u>			<u>348,409</u>		<u>348,632</u>	<u>161,557</u>		
	<u>161,918</u>			<u>346,698</u>		<u>346,921</u>	<u>159,846</u>		

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$1,711 IN FISCAL YEAR 2004 AND \$1,711 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION.

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				
	<u>246,892</u>			<u>247,942</u>		<u>247,473</u>	<u>246,955</u>	
	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				
	<u>1,789,288</u>			<u>2,200,485</u>		<u>2,199,327</u>	<u>1,790,446</u>	
	<u>A.</u>	<u>MONTANA TELECOMMUNICATIONS ACCESS PROGRAM FUNDING (OTO)</u>						
	56,995	0	0	0	0	56,995	56,995	0
	0	0	0	56,995				

Total

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3,497,801	341,676	96,696	0	0	3,936,173	3,481,846	342,082
96,696	0	0	3,920,624				
<u>3,533,132</u>					<u>3,971,504</u>	<u>3,517,016</u>	
			<u>3,955,794</u>				
<u>3,471,264</u>					<u>3,909,636</u>	<u>3,455,148</u>	
			3,893,926				

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$61,868 IN FISCAL YEAR 2004 AND \$61,868 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE 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				
<u>284,745</u>					<u>1,041,961</u>	<u>304,313</u>	
			<u>1,056,622</u>				
<u>319,745</u>					<u>1,076,961</u>	<u>339,313</u>	
			<u>1,091,622</u>				
<u>267,719</u>					<u>1,024,935</u>	<u>287,287</u>	
			1,039,596				
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				
<u>303,147</u>					<u>1,060,363</u>	<u>304,313</u>	
			<u>1,056,622</u>				
<u>338,147</u>					<u>1,095,363</u>	<u>339,313</u>	
			<u>1,091,622</u>				
<u>286,121</u>					<u>1,043,337</u>	<u>287,287</u>	
			1,039,596				

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$2,026 IN FISCAL YEAR 2004 AND \$2,026 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION.

All federal funds in item 1 are biennial appropriations.

IF LEGISLATION IS NOT PASSED IN A MANNER AUTHORIZING THE PAYMENT OF ADMINISTRATIVE COSTS FROM THE RESEARCH AND COMMERCIALIZATION STATE SPECIAL REVENUE ACCOUNT ESTABLISHED IN 90-3-1002, THE GENERAL FUND MONEY IN ITEM 1 IS REDUCED BY ~~\$22,543~~ ~~\$57,543~~ \$7,543 IN FISCAL YEAR 2004 AND BY ~~\$23,709~~ ~~\$58,709~~ \$8,709 IN FISCAL YEAR 2005.

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				
<u>1,582,060</u>					<u>3,682,569</u>	<u>1,597,833</u>	
			<u>3,244,227</u>				
<u>1,571,120</u>					<u>3,671,629</u>	<u>1,586,893</u>	
			<u>3,233,287</u>				
a. Legislative Audit (Restricted/Biennial)							

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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	0	0	0	0
0	0	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	<u>3,228,249</u>				
<u>1,597,833</u>	<u>869,815</u>	<u>1,230,694</u>			<u>3,698,342</u>	<u>1,597,833</u>	
			<u>3,244,227</u>				
<u>1,586,893</u>			<u>3,233,287</u>		<u>3,687,402</u>	<u>1,586,893</u>	

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$10,940 IN FISCAL YEAR 2004 AND \$10,940 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION.

If ~~HB HOUSE BILL NO. 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.~~

THE STATE LIBRARY COMMISSION IS TO REPORT SEMIANNUALLY ON NATURAL RESOURCE INFORMATION SYSTEM ACTIVITIES AND EXPENDITURES TO THE LEGISLATIVE FINANCE COMMITTEE DURING THE 2003-04 INTERIM. THE REPORT IS TO INCLUDE THE FOLLOWING:

(1) A LISTING OF CURRENT PROJECTS WITH THE RELATED PROJECT SCOPE AND FUNDING AMOUNTS;

(2) A LISTING OF ACTIVE CONTRACTS, EACH CONTRACT'S PURPOSE, WHOM THE CONTRACT IS WITH, AND THE FUNDING AMOUNTS; AND

(3) CATEGORIES AND TYPES OF DATA COLLECTED.

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	<u>1,228,793</u>				
<u>851,923</u>					<u>1,232,136</u>	<u>865,502</u>	
			<u>1,246,166</u>				
<u>827,263</u>			<u>61,682</u>		<u>1,167,476</u>	<u>840,842</u>	
	<u>61,726</u>		<u>1,181,506</u>				
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

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	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				
	<u>1,751,368</u>					<u>3,928,343</u>	<u>1,737,297</u>	
				<u>3,922,196</u>				
	<u>1,726,708</u>			<u>856,085</u>		<u>3,863,683</u>	<u>1,712,637</u>	
		<u>859,181</u>		<u>3,857,536</u>				

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$24,660 IN FISCAL YEAR 2004 AND \$24,660 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE 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				
	<u>1,318,093</u>					<u>1,318,093</u>		
	<u>1,295,553</u>					<u>1,295,553</u>	<u>1,298,005</u>	
				<u>1,298,005</u>				
	a. Legislative Audit (Restricted/Biennial)							
	38,381	0	0	0	0	38,381	0	0
	0	0	0	0				
	<u>28,917</u>					<u>28,917</u>		
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				
	<u>825,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>825,000</u>	<u>825,000</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>825,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
3.	OCHE -- Dwight D. Eisenhower Mathematics and Science Education Act (03)							

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	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				
	<u>6,205,140</u>					<u>6,205,140</u>	<u>6,233,759</u>	
				<u>6,233,759</u>				
	a. Legislative Audit (Restricted/Biennial)							
	28,620	0	0	0	0	28,620	0	0
	0	0	0	0				
	<u>B. COMMUNITY COLLEGES -- CONTINGENT APPROPRIATION (BIENNIAL)</u>							
	<u>450,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>450,000</u>	<u>450,000</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>450,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>B. STATE SUPPORT PER RESIDENT STUDENT -- COAL TAX TRUST (BIENNIAL/OTO)</u>							
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>706,000</u>	<u>706,000</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>C. PHILIPSBURG COMMUNITY COLLEGE GRANT APPLICATION (RESTRICTED/OTO)</u>							
	<u>10,000</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>10,000</u>	<u>0</u>	<u>0</u>
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
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				
	<u>102,518,826</u>					<u>114,953,826</u>	<u>102,637,745</u>	
				<u>115,200,744</u>				
	<u>99,700,805</u>					<u>112,135,805</u>	<u>99,937,398</u>	
				<u>112,500,397</u>				
	<u>99,602,555</u>					<u>112,037,555</u>	<u>99,839,148</u>	
				<u>112,402,147</u>				
	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				
	<u>11,030,299</u>					<u>11,030,299</u>	<u>11,030,299</u>	
				<u>11,030,299</u>				
	<u>9,980,299</u>					<u>9,980,299</u>	<u>9,980,299</u>	
				<u>9,980,299</u>				
	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				
	<u>4,663,100</u>					<u>4,663,100</u>	<u>4,663,100</u>	
				<u>4,663,100</u>				
	<u>4,338,100</u>					<u>4,338,100</u>	<u>4,338,100</u>	

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		<u>4,338,100</u>						
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					
<u>556,637</u>					<u>556,637</u>			
<u>507,637</u>					<u>507,637</u>			
I.	<u>FIRE SERVICES TRAINING SCHOOL MOVING EXPENSES (BIENNIAL/OTO)</u>							
49,000	0	0	0	0	49,000	0	0	
0	0	0	0					
i.j.	Dental Hygiene Program (Restricted/Biennial)							
235,000	0	0	0	0	235,000	235,000	0	
0	0	0	235,000					
j.	EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE RESEARCH -- STATE MATCH (RESTRICTED)							
1,250,000	0	0	0	0	1,250,000	1,250,000	0	
0	0	0	1,250,000					
0	0	0	0	0	0	0	0	
0	0	0	0					
k.	LIFE SAFETY, CODE COMPLIANCE, AND DISABILITY ACCESS (RESTRICTED)							
450,000	0	0	0	0	450,000	450,000	0	
0	0	0	450,000					
0	0	0	0	0	0	0	0	
0	0	0	0					
K.	<u>ADDITIONAL GENERAL FUND -- SB 407 CONTINGENCY (BIENNIAL)</u>							
5,500,000	0	0	0	0	5,500,000	0	0	
0	0	0	0					
L.	<u>EPSCOR -- COAL TAX TRUST (BIENNIAL/OTO)</u>							
0	0	0	0	7,000,000	7,000,000	0	0	
0	0	0	0					
0	0	0	0	0	0	0	0	
0	0	0	0					
M.	<u>UNSPECIFIED INCREASE IN FUNDING (BIENNIAL)</u>							
0	0	0	0	5,000,000	5,000,000	0	0	
0	0	0	0					
0	0	0	0	0	0	0	0	
0	0	0	0					
L.	<u>YELLOW BAY -- WATER QUALITY MONITORING -- FLATHEAD BASIN (RESTRICTED/BIENNIAL/OTO)</u>							
85,000	0	0	0	0	85,000	85,000	0	
0	0	0	85,000					
M.	<u>ROCKY MOUNTAIN AGILE VIRTUAL ENTERPRISE PROGRAM (BIENNIAL/OTO)</u>							
150,000	0	0	0	0	150,000	150,000	0	
0	0	0	150,000					
N.	<u>STATE SUPPORT PER RESIDENT STUDENT -- COAL TAX TRUST (BIENNIAL/OTO)</u>							
0	0	0	0	8,178,400	8,178,400	0	0	
0	0	0	0					
8.	Tribal College Assistance Program (11) (Biennial)							
96,500	0	0	0	0	96,500	0	0	

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	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				
	<u>141,079,448</u>			<u>199,296,093</u>		<u>196,201,092</u>	<u>141,044,624</u>	
	139,411,427			<u>192,245,746</u>		194,533,071	<u>133,994,277</u>	
				<u>12,000,000</u>		<u>206,533,071</u>		
	<u>139,985,637</u>			<u>8,884,400</u>		<u>203,991,681</u>	<u>134,558,487</u>	

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.

ITEM 1 INCLUDES A REDUCTION IN GENERAL FUND MONEY OF \$22,540 IN FISCAL YEAR 2004 AND \$22,540 IN FISCAL YEAR 2005 FOR THE STATEWIDE FTE REDUCTION. THE AGENCY MAY ALLOCATE THIS REDUCTION IN FUNDING AMONG PROGRAMS WHEN DEVELOPING 2005 BIENNIUM OPERATING PLANS.

GENERAL FUND MONEY AND STATE AND FEDERAL SPECIAL REVENUE FUNDS APPROPRIATED TO THE BOARD OF REGENTS ARE INCLUDED IN ITEMS 1 THROUGH 10. ALL OTHER PUBLIC FUNDS RECEIVED BY UNITS OF THE MONTANA UNIVERSITY SYSTEM (OTHER THAN PLANT FUNDS APPROPRIATED IN HOUSE BILL NO. 5, RELATING TO LONG-RANGE BUILDING) ARE APPROPRIATED TO THE BOARD OF REGENTS AND MAY BE EXPENDED UNDER THE PROVISIONS OF 17-7-138(2). THE BOARD OF REGENTS SHALL ALLOCATE THE APPROPRIATIONS TO INDIVIDUAL UNIVERSITY SYSTEM UNITS, AS DEFINED IN 17-7-102(13), ACCORDING TO BOARD POLICY.

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

IN ADDITION TO THE REQUIREMENTS IN 17-1-102(4), 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~~ \$28,917.

ITEM 2A IS CONTINGENT UPON THE RECEIPT OF ANY UNENCUMBERED FEDERAL MONEY GRANTED FOR GENERAL FISCAL RELIEF THAT COMES INTO THE STATE THROUGH THE END OF THE 2005 BIENNIUM.

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%~~ 46% of the budget amount

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for each full-time equivalent student each year of the 2005 biennium. The remaining ~~57%~~ 54% 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.

~~ITEM 4B IS CONTINGENT UPON PASSAGE AND APPROVAL OF ANY ONE OF THE FOLLOWING BILLS:~~

~~(1) HOUSE BILL NO. 750 IN A FORM THAT ALLOCATES AT LEAST \$900,000 TO THE COMMUNITY COLLEGES IN THE 2005 BIENNIMUM;~~

~~(2) HOUSE BILL NO. 476;~~

~~(3) SENATE BILL NO. 407; OR~~

~~(4) LC 1931.~~

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.~~

~~ITEM 7 INCLUDES \$4,155,520 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$4,039,160 OF GENERAL FUND MONEY IN FISCAL YEAR 2005. THE BOARD OF REGENTS MAY REALLOCATE THIS INCREASE IN FUNDING AMONG UNIVERSITY UNITS, AS DEFINED IN 17-7-102(13), WHEN DEVELOPING 2005 BIENNIMUM OPERATING PLANS. IF HOUSE BILL NO. 750 IS NOT PASSED AND APPROVED, THEN ITEM 7 IS REDUCED BY \$4,155,520 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND BY \$4,039,160 OF GENERAL FUND MONEY IN FISCAL YEAR 2005.~~

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.

~~ITEM 7B INCLUDES \$1,050,000 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$1,050,000 OF GENERAL FUND MONEY IN FISCAL YEAR 2005 AND IS CONTINGENT UPON THE RECEIPT OF ANY UNENCUMBERED FEDERAL MONEY GRANTED FOR GENERAL FISCAL RELIEF THAT COMES INTO THE STATE THROUGH THE END OF THE 2005 BIENNIMUM.~~

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:

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- (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 7D INCLUDES \$325,000 OF GENERAL FUND MONEY IN FISCAL YEAR 2004 AND \$325,000 OF GENERAL FUND MONEY IN FISCAL YEAR 2005 AND IS CONTINGENT UPON THE RECEIPT OF ANY UNENCUMBERED FEDERAL MONEY GRANTED FOR GENERAL FISCAL RELIEF THAT COMES INTO THE STATE THROUGH THE END OF THE 2005 BIENNIUM.~~

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.

~~ITEM 7I IS CONTINGENT UPON THE RECEIPT OF ANY UNENCUMBERED FEDERAL MONEY GRANTED FOR GENERAL FISCAL RELIEF THAT COMES INTO THE STATE THROUGH THE END OF THE 2005 BIENNIUM.~~

~~ITEM 7K IS CONTINGENT UPON THE RECEIPT OF ANY UNENCUMBERED FEDERAL MONEY GRANTED FOR GENERAL FISCAL RELIEF THAT COMES INTO THE STATE THROUGH THE END OF THE 2005 BIENNIUM.~~

ITEM 7K IS CONTINGENT UPON PASSAGE AND APPROVAL OF SENATE BILL NO. 407.

ITEMS 7L AND 7M 4B AND 7N ARE APPROPRIATED FROM THE COAL SEVERANCE TAX PERMANENT FUND PRINCIPAL. THESE APPROPRIATIONS ARE SUBJECT TO THE PROVISIONS OF [SECTION 8].

THE GENERAL FUND MONEY IN ITEM 7L IS APPROPRIATED WITH THE CONDITION THAT THE FUNDS BE USED BY THE YELLOW BAY BIOLOGICAL STATION TO MONITOR WATER QUALITY IN THE FLATHEAD BASIN.

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				
<u>667,659,319</u>					<u>863,467,817</u>	<u>657,261,176</u>	
			<u>866,272,430</u>				
<u>664,437,427</u>	<u>16,139,492</u>	<u>178,272,921</u>			<u>859,745,925</u>	<u>651,812,483</u>	
			<u>860,823,737</u>				
<u>664,472,427</u>				<u>27,000,000</u>	<u>886,780,925</u>	<u>651,847,483</u>	
			<u>860,858,737</u>				
<u>660,597,913</u>			856,085	<u>13,884,400</u>	<u>869,750,811</u>	<u>657,286,337</u>	
	<u>859,181</u>		<u>866,257,591</u>				

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				
<u>1,163,944,738</u>	<u>513,726,555</u>				<u>3,120,199,122</u>	<u>1,154,901,864</u>	<u>482,740,172</u>
			<u>3,152,350,357</u>				
<u>1,163,439,392</u>	<u>503,354,491</u>	<u>1,445,401,873</u>	<u>13,218,746</u>	<u>25,511,542</u>	<u>3,150,926,044</u>	<u>1,151,639,128</u>	<u>465,629,721</u>
<u>1,510,602,783</u>	<u>11,980,770</u>		<u>3,140,370,771</u>				
<u>1,163,119,333</u>	<u>497,033,523</u>			<u>89,076,946</u>	<u>3,207,850,421</u>	<u>1,152,433,794</u>	<u>457,152,930</u>
		<u>16,687,418</u>	<u>3,148,857,695</u>				
<u>1,156,542,669</u>	<u>507,606,776</u>	<u>1,451,030,810</u>	<u>13,178,746</u>	<u>24,395,942</u>	<u>3,152,754,943</u>	<u>1,153,179,343</u>	<u>468,980,623</u>
<u>1,519,927,717</u>	<u>11,940,770</u>	<u>518,369</u>	<u>3,154,546,822</u>				

Section 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:

Fiscal Year 2004 Fiscal Year 2005

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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
<u>MONTANA CONSENSUS COUNCIL</u>	<u>\$3,920</u>	<u>\$3,924</u>
c. Network Support Unit		
Support per computer	\$690	\$688
d. Warrant Writer Program		

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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 Div	\$29,690	\$29,806		
Personnel Division	\$6,928	\$6,955		
<u>MONTANA CONSENSUS COUNCIL</u>	<u>\$660</u>	<u>\$662</u>		
2. General Services Division				
a. Facilities Management Bureau				
Office rent (\$ per sq. ft.)	\$5.988	\$6.22		
Storage rent (\$ per sq. ft.9)	\$2.27	\$2.29		
In-house project management (% of cost)		1	5	%
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		

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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		

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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%

OFFICE OF PUBLIC INSTRUCTION - 3501

<u>1. OPI INDIRECT-COST POOL</u>	<u>17%</u>	<u>17%</u>
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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.

For the House:
Lewis, Chairman
Pattison

For the Senate:
Zook, Chairman
Keenan

FREE CONFERENCE COMMITTEE

on House Bill 13

Report No. 2, April 26, 2003

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 13** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 13** (reference copy -- salmon) be amended as follows:

- Page 2, line 25 through line 28.
Strike: subsection (d) in its entirety
Renumber: subsequent subsections
- Page 2, line 30.
Strike: "45"
Insert: "25"
- Page 3, line 2.
Strike: "(1)(G)"
Insert: "(1)(f)"
- Page 3, line 7.

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Following: "~~(2)~~"

Insert: "(2)"

5. Page 3, line 20 through line 23.

Strike: subsection (iii) in its entirety

Renumber: subsequent subsection

6. Page 3, line 27.

Strike: "2-18-315(3)"

Insert: "2-18-313(2)"

Strike: "(3)(A)(IV)"

Insert: "(3)(a)(iii)"

7. Page 9, line 24 through page 10, line 12.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

8. Page 10, line 19 through page 11, line 1.

Strike: line 19 on page 10 through line 1 on page 11 in their entirety

Insert:

"1	27,649	28,462	29,300
	30,163	31,052	31,969
2	28,462	29,300	30,163
	31,052	31,969	32,913
3	29,300	30,163	31,052
	31,969	32,913	33,885
4	30,163	31,052	31,969
	32,913	33,885	34,886
5	31,052	31,969	32,913
	33,885	34,886	35,916
6	31,969	32,913	33,885
	34,886	35,916	36,979
7	32,913	33,885	34,886
	35,916	36,979	38,072
8	33,885	34,886	35,916
	36,979	38,072	39,199
9	34,886	35,916	36,979
	38,072	39,199	40,360
10	35,916	36,979	38,072
	39,199	40,360	41,555
11	36,979	38,072	39,199
	40,360	41,555	42,786
12	38,072	39,199	40,360
	41,555	42,786	44,052
13	39,199	40,360	41,555
	42,786	44,052	45,359"

9. Page 13, line 2 through line 20.

Strike: subsection (2) in its entirety

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Renumber: subsequent subsection

10. Page 13, line 26 through page 14, line 9.

Strike: line 26 on page 13 through line 9 on page 14 in their entirety

Insert: "B1	12.645
B2	13.045
B3	13.445
B4	13.845
B5	14.245
B6	14.645
B7	15.045
B8	15.445
B9	15.845
B10	16.245
B11	16.645
B12	17.045
B13	17.445
B14	17.845"

11. Page 15, line 23 through line 27.

Strike: lines 23 through 27 in their entirety

Insert:

"Legislative Branch	24,969	6,399
110,035	28,200	
Consumer Counsel		1,277
5,462		
Judicial Branch	85,726	12,247
330,568	47,224	
Executive Branch	1,042,381	1,926,519
4,474,666	8,248,297	
University System	1,087,384	1,182,729
2,883,488	3,136,320"	

12. Page 16, line 5 through page 22, line 18.

Strike: section 8 in its entirety

Renumber: subsequent section

For the House:For the Senate:

A. Olson, ChairmanZook, Chairman
BarrettCooney
KaufmannTash

Majority Leader Brown moved that the House recess until 3:25 p.m. for caucuses. Motion carried.

House recessed at 3:03 p.m.

House reconvened at 3:30 p.m. All members present. Quorum present.

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**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 Bitney in the chair.

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

SB 424 - Free Conference Committee Report No. 1 - Representative Andersen moved the Free Conference Committee report to **SB 424** be adopted.

Representative D. Brown moved for cloture. Motion (requiring a 2/3 vote) **failed** as follows:

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

Total 64

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Jacobson, Jayne, Juneau, Kaufmann, Laslovich, Lenhart, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Wilson, Windy Boy.

Total 36

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Shockley moved for cloture. Motion (requiring a 2/3 vote) **failed** as follows:

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

Total 64

Noes: Ballantyne, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lenhart, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Wilson, Windy Boy.

Total 35

Excused: None.

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Total 0

Absent or not voting: Rice.

Total 1

Motion that the Free Conference Committee report to **SB 424** be adopted carried as follows:

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fuchs, Harris, Hawk, Hedges, Hurwitz, Jackson, Jent, Lake, Lange, Laszloffy, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Newman, Noennig, A. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.

Total 53

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Jacobson, Jayne, Juneau, Kasten, Kaufmann, Keane, Lambert, Laslovich, Lawson, Lenhart, Lindeen, Musgrove, B. Olson, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 485 - Free Conference Committee Report No. 1 - Representative Brueggeman moved the Free Conference Committee report to **SB 485** be adopted. Motion carried as follows:

Ayes: Andersen, Barrett, Bitney, D. Brown, Brueggeman, E. Clark, Devlin, Erickson, Everett, Fisher, Forrester, Franklin, Fritz, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Smith, Steinbeisser, Stoker, Thomas, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 55

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, R. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Facey, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jackson, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lindeen, Morgan, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Wagman, Wanzenried, Weiss, Wilson.

Total 45

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 13 - Conference Committee Report No. 2 - Representative Lewis moved the Conference Committee report to

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HB 13 be adopted. Motion carried as follows:

Ayes: Andersen, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, Cyr, Devlin, Dickenson, Erickson, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Shockley, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Witt, Younkin, Mr. Speaker.
Total 77

Noes: Ballantyne, Balyeat, Bixby, Buzzas, Cohenour, Dowell, Everett, Fuchs, Gallus, Harris, Jayne, Juneau, Kasten, Keane, Lindeen, Maedje, Morgan, Sales, Sinrud, Smith, Wanzenried, Windy Boy.
Total 22

Excused: None.
Total 0

Absent or not voting: P. Clark.
Total 1

HB 2 - Free Conference Committee Report No. 1 - Representative Lewis moved the Free Conference Committee report to **HB 2** be adopted. Motion carried as follows:

Ayes: Andersen, Barrett, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Gallus, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Schrupf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 53

Noes: Ballantyne, Balyeat, Becker, Bergren, 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, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 46

Excused: None.
Total 0

Absent or not voting: Bitney.
Total 1

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

Ayes: Andersen, Balyeat, Barrett, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Forrester, Fritz, Fuchs, Haines, Hawk, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan,

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Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 57

Noes: Ballantyne, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 42

Excused: None.
Total 0

Absent or not voting: Hedges.
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 42, as amended by the Governor, passed as follows:

Ayes: Andersen, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, Brueggeman, E. Clark, Devlin, Everett, Fisher, Fuchs, Gallik, Haines, Hawk, Hedges, Hurwitz, Jackson, Kasten, Lake, Lambert, Lange, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Witt, Younkin, Mr. Speaker.
Total 59

Noes: Ballantyne, Becker, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Parker, Raser, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.
Total 40

Excused: None.
Total 0

Absent or not voting: Newman.
Total 1

HB 247, Free Conference Committee Report No. 1, adopted as follows:

Ayes: Andersen, Ballantyne, Balyeat, 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, Hedges, Hurwitz, Jackson, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Roberts, Ross,

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Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Stoker, Thomas, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Mr. Speaker.
Total 86

Noes: Barrett, Hawk, Jayne, Kasten, Lawson, Morgan, Rice, Ripley, Rome, Sales, Sinrud, Steinbeisser, Wagman, Younkin.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 424, as amended by the Senate, passed 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, Devlin, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jayne, Jent, Juneau, Kasten, Kaufmann, 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, Schrumpf, Shockley, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 96

Noes: Cohenour, Cyr, Fuchs, Keane.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 452, as amended by the Governor, passed as follows:

Ayes: Andersen, Ballantyne, Balyeat, Barrett, Becker, Bergren, Bitney, Bixby, Bookout-Reinicke, Branae, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Everett, Facey, Fisher, Forrester, Franklin, Fritz, Fuchs, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Matthews, McKenney, Mendenhall, Morgan, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrumpf, Shockley, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin.
Total 91

Noes: D. Brown, Devlin, Jackson, Kasten, Malcolm, Sales, Sinrud, Waitschies, Mr. Speaker.
Total 9

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 744, as amended by the Governor, passed as follows:

Ayes: Andersen, Ballantyne, Barrett, Becker, Bitney, Bixby, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Buzzas, Callahan, Carney, E. Clark, P. Clark, Cohenour, Cyr, Devlin, Dowell, Erickson, Everett, Facey, Fisher, Forrester, 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, Lenhart, Lewis, 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 93

Noes: Balyeat, Bergren, Dickenson, Franklin, Golie, Lindeen, Sales.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 484, as amended by the Governor, concurred in as follows:

Ayes: Andersen, 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, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Haines, Harris, Hawk, Hedges, Hurwitz, Jacobson, Jent, Juneau, Kaufmann, Keane, Lake, Lambert, Lange, Laslovich, Lawson, Lehman, Lenhart, Lewis, Lindeen, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schrupf, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Wanzenried, Weiss, Wilson, Windy Boy, Witt, Younkin, Mr. Speaker.
Total 87

Noes: Ballantyne, Balyeat, Barrett, Everett, Fuchs, Jackson, Jayne, Kasten, Laszloffy, Morgan, Sales, Shockley, Sinrud.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 424, Free Conference Committee Report No. 1, adopted as follows:

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Ayes: Andersen, Balyeat, Barrett, Bergren, Bitney, Bookout-Reinicke, D. Brown, R. Brown, E. Clark, Cyr, Devlin, Everett, Fisher, Forrester, Fritz, Fuchs, Haines, Harris, Hawk, Hedges, Hurwitz, Jackson, Jent, Kasten, Lake, Lambert, Lange, Laszloffy, Lehman, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Morgan, Noennig, A. Olson, Peterson, Rice, Ripley, Roberts, Rome, Ross, Sales, Schruppf, Shockley, Sinrud, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 57

Noes: Ballantyne, Becker, Bixby, Branae, Brueggeman, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Erickson, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Lawson, Lenhart, Lindeen, Musgrove, Newman, B. Olson, Parker, Pattison, Raser, Ryan, Small-Eastman, Smith, Wanzenried, Weiss, Wilson.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 485, Free Conference Committee Report No. 1, adopted as follows:

Ayes: Andersen, Barrett, Bitney, R. Brown, Brueggeman, E. Clark, Cyr, Devlin, Erickson, Everett, Fisher, Forrester, Fritz, Fuchs, Haines, Hawk, Hedges, Hurwitz, Jent, Kasten, Lake, Lambert, Lange, Lehman, Lenhart, Lewis, Maedje, Malcolm, Matthews, McKenney, Mendenhall, Noennig, A. Olson, B. Olson, Pattison, Peterson, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Sinrud, Small-Eastman, Smith, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Windy Boy, Witt, Younkin, Mr. Speaker.

Total 56

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Bookout-Reinicke, Branae, D. Brown, Buzzas, Callahan, Carney, P. Clark, Cohenour, Dickenson, Dowell, Facey, Franklin, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jackson, Jacobson, Jayne, Juneau, Kaufmann, Keane, Laslovich, Laszloffy, Lawson, Lindeen, Morgan, Musgrove, Newman, Parker, Raser, Sales, Shockley, Wanzenried, Wilson.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 13, Conference Committee Report No. 2, adopted as follows:

Ayes: Andersen, Barrett, Becker, Bergren, Bitney, Bookout-Reinicke, Branae, D. Brown, R. Brown, Brueggeman, Callahan, Carney, E. Clark, P. Clark, Cyr, Devlin, Dickenson, Erickson, Facey, Fisher, Forrester, Fritz, Fuchs, Gallik, Gibson, Gillan, Golie, Gutsche, Haines, Hawk, Hedges, Hurwitz, Jackson, Jacobson, Jent, Kaufmann, Lake, Lambert, Lange, Laslovich, Laszloffy, Lawson, Lehman, Lenhart, Lewis, Malcolm, Matthews, McKenney, Mendenhall, Musgrove, Newman, Noennig, A. Olson, B. Olson, Parker, Pattison, Peterson, Raser, Rice, Ripley, Roberts, Rome, Ross, Ryan, Schruppf, Shockley, Small-Eastman, Steinbeisser, Stoker, Thomas, Wagman, Waitschies, Weiss, Wilson, Witt, Younkin, Mr. Speaker.

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Total 77

Noes: Ballantyne, Balyeat, Bixby, Buzzas, Cohenour, Dowell, Everett, Franklin, Gallus, Galvin-Halcro, Harris, Jayne, Juneau, Kasten, Keane, Lindeen, Maedje, Morgan, Sales, Sinrud, Smith, Wanzenried, Windy Boy.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2, Free Conference Committee Report No. 1, adopted as follows:

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

Total 53

Noes: Ballantyne, Balyeat, Becker, Bergren, Bixby, Branae, Buzzas, Callahan, Carney, P. Clark, Cohenour, Cyr, Dickenson, Dowell, Erickson, Facey, Forrester, Franklin, Fritz, Gallik, Gallus, Galvin-Halcro, Gibson, Gillan, Golie, Gutsche, Harris, Jacobson, Jayne, Jent, Juneau, Kaufmann, Keane, Laslovich, Lindeen, Musgrove, Newman, Parker, Raser, Ryan, Sales, Small-Eastman, Smith, Wanzenried, Weiss, Wilson, Windy Boy.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MESSAGES FROM THE SENATE

Free Conference Committee Report No. 1 adopted: 4/26/2003

HB 2, introduced by Lewis

SB 424, introduced by Nelson

SB 485, introduced by Cobb

Free Conference Committee Report No. 2 adopted: 4/26/2003

HB 13, introduced by Lewis

MOTIONS

Representative R. Brown moved that the Speaker be authorized to appoint a committee of four to notify the Governor that the 58th Legislative Session of the House of Representatives is ready to adjourn sine die. Motion

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carried.

The Speaker appointed Representatives Bookout-Reinicke, Representative Bitney, Representative Gillan, Representative Smith.

Representative R. Brown moved that the Speaker be authorized to appoint a committee of four to notify the Senate that the 58th Legislative Session of the House of Representatives is ready to adjourn sine die. Motion carried.

The Speaker appointed Representatives Fuchs, Representative Balyeat, Representative Laslovich, Representative Golie.

The committees were discharged.

The House stood at ease awaiting the return of the committees.

ANNOUNCEMENTS

Sergeant-at-arms Clark escorted the committee who informed the Senate that the House had finished its business and was ready to adjourn Sine Die.

Representative Fuchs reported that the Senate had been informed that the House had finished its business and was ready to adjourn Sine Die.

Speaker Mood discharged the committee.

Sergeant-at-arms Clark escorted Senators Grimes and Pease into the House chambers. Senator Grimes informed the House that the Senate has finished its business and is ready to adjourn Sine Die.

Sergeant-at-arms Clark escorted the Senators from the House.

Sergeant-at-arms Clark escorted the committee who informed the Governor that the House had finished its business and was ready to adjourn Sine Die.

Representative Bookout-Reinicke reported that the Governor had been informed that the House had finished its business and was ready to adjourn Sine Die.

Speaker Mood discharged the committee.

Majority Leader R. Brown moved that the House adjourn Sine Die. Motion carried.

House adjourned at 7:18 p.m.

MARILYN MILLER
Chief Clerk of the House

DOUG MOOD
Speaker of the House