MINUTES LOG
June 23, 2022
Room 137 or Zoom
Helena, Montana

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the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken.
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can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed.
Please contact the Legislative Services Division at 406-444-3064 for more information.

MEMBERS PRESENT:
Rep. Llew Jones, Chair (R)
Sen. Janet Ellis, Vice Chair (D)
Mark Haggerty, Public Member
Dwaine Iverson, Public Member
Rep. Bill Mercer (R)
Heather O’Loughlin, Public Member
Sen. Daniel Salomon (R)

MEMBERS EXCUSED:
Rep. Mary Caferro (D)
Mike Hope, Public Member
Rep. Sharon Stewart Peregoy (D)

STAFF PRESENT:
Amy Carlson, Legislative Fiscal Analyst
Katya Grover, Secretary
Sam Schaefer - Fiscal Analyst
Nick VanBrown, Fiscal Analyst
CALL TO ORDER/ROLL CALL
09:00:31 Chair Jones called the meeting to order at 9:00 AM and explained the general structure of the meeting. The committee secretary took roll. Rep. Stewart Peregoy joined the meeting at some point during the meeting.
09:01:20 Rep. Mercer joined the meeting.

PRESENTATION OF PRELIMINARY 2040 MODEL AND STATUS OF EACH MODULE
Overview
09:01:50 Chair Jones opened the discussion on the preliminary 2040 model.
09:01:56 Amy Carlson, Legislative Fiscal Analyst, Legislative Fiscal Division, delivered progress report on research and analysis of data to date. (Exhibit 1)
09:12:26 Rep. Caferro joined the meeting.

Committee Discussion
09:16:33 Rep. Mercer requested a summary of the information from the GAO report that was used in the version of modules that exist today be made available to the committee members.
09:16:59 Nick VanBrown, Fiscal Analyst, LFD, addressed the request.
09:18:24 Rep. Mercer clarified that he would like to see a one-page summary as opposed to the entire GAO report.
09:19:09 Mr. VanBrown addressed the question.
09:19:24 Rep. Mercer referred to page 5 of Exhibit 1 and asked if it would be possible to provide a summary of what the LFD staff learned from various observers and analysts, so that the committee members would understand how that input was driving the model.
09:20:41 Ms. Carlson addressed the question.
09:22:25 Rep. Mercer asked where he could find the information if he wanted to understand the feedback that the LFD staff received from the interim committees.
09:22:48 Ms. Carlson addressed the question.
09:23:37 Chair Jones referred to page 4 of Exhibit 1 and asked whether the noise in the data used in the model was dealt with in any way.
09:25:18 Ms. Carlson addressed the question.
09:26:33 Chair Jones noted that the staff was as well prepared to address fiscal questions in 2019 as they were today.
09:26:50 Rep. Mercer referred to page 3 of Exhibit 1 and suggested to add quantitative data to the values.

DETAILED CALCULATIONS AND SUMMARY DESCRIPTION OF EACH MODULE:
09:27:41 Chair Jones introduced discussion on the model.
09:28:47 Mr. VanBrown delivered presentation in which he discussed the overall goals of the model, how the model worked, and where in the process the LFD staff was in building the model. (Exhibit 2)
Committee Discussion
09:50:14 Rep. Caferro asked about advantages and disadvantages of automated system over a person doing the work.
09:50:31 Mr. VanBrown addressed the question.
09:51:53 Rep. Caferro asked to clarify whether the projections constantly changed according to matching up with SABHRS.
09:52:11 Mr. VanBrown addressed the question.
09:53:00 Rep. Caferro asked whether outliers in the data that went into the formula were accounted for.
09:53:43 Mr. VanBrown addressed the question.
09:55:33 Rep. Caferro referred to the discussion of the different age groups, changes among them, and shrinking of working population. Rep. Caferro asked whether the fact that the older population group earned higher wages than the smaller population group has been taken into consideration.
09:56:27 Mr. VanBrown addressed the question.
09:58:15 Rep. Mercer asked why only two data sources, or demographers, have been used: the IHS and RAMI.
09:58:50 Mr. VanBrown addressed the question.
10:00:56 Rep. Mercer noted that there was enough variance between the two demographers and that it might be possible to learn more if more than two data sources were used in modeling.
10:01:27 Rep. Mercer asked to elaborate on what was driving the model projections for the residential median values of residential real estate.
10:02:26 Mr. VanBrown addressed the question.
10:03:57 Rep. Mercer referred to the numbers for the year of 2023 and asked to confirm that those numbers were input in the model and not generated by the model.
10:04:17 Mr. VanBrown addressed the question.
10:04:34 Rep. Mercer asked whether there was clarity regarding what data were utilized to reach the projections.
10:04:49 Mr. VanBrown addressed the question.
10:05:13 Rep. Mercer asked whether there was a similar set of data from RAMI on the median home prices.
10:05:30 Mr. VanBrown addressed the question.
10:07:07 Rep. Mercer noted that additional input would be useful in certain evaluations.
10:07:19 Chair Jones commented on forecasts provided late by the IHS. Chair Jones also spoke about incorporating RAMI across the model and noted that it would be helpful to compare how accurate the HIS and RAMI have been in Montana in the last decade.
10:08:56 Mr. VanBrown responded to the comment.

Revenue Other Than Property Tax
10:10:25 Sam Schaefer, Fiscal Analyst, LFD, provided updates on the module dealing with revenue other than property tax. (Exhibit 3)

Committee Discussion
10:24:48 Chair Jones invited questions from the committee.
Commissioner O'Loughlin referred to page 3 of Exhibit 3 and asked about individual income tax and corporate income tax forecasts.

Mr. Schaefer addressed the question.

Commissioner O'Loughlin reiterated Mr. Schaefer's explanation in that even if the shift in the baseline in the next couple of years were reflected, there wouldn’t be a significant change in the growth of where Montana would be in 2040.

Mr. Schaefer responded to Ms. O'Loughlin's statement.

Commissioner O'Loughlin asked about property tax as it related to the general fund. Commissioner O'Loughlin also asked where Montana was with corporate tax as a percent of general fund.

Mr. Schaefer addressed the question.

Rep. Caferro referred to the presentation recently provided by the LFD and asked about the decrease to the increase in income tax.

Mr. Schaefer addressed the question.

Chair Jones elaborated further on Rep. Caferro’s question.

Mr. Schaefer responded to Chair Jones’ comment.

Rep. Caferro asked about the baseline for the decrease in the income tax.

Mr. Schaefer addressed the question.

Chair Jones reiterated Mr. Schaefer’s answer.

Mr. VanBrown delivered presentation on the Beige module of the 2040 MARA model. (Exhibit 4)

Chair Jones commented on the reasons why MUS system, MDT, and DPHHS would be affected as they were big enough components of the residual module.

Mr. VanBrown responded to Chair Jones’ comment.

Vice Chair Ellis asked for clarification regarding components such as MDT and their relation to the infrastructure piece.

Mr. VanBrown addressed the question.

Commissioner Iverson asked about separation of nominal dollars and real dollars.

Mr. VanBrown addressed the question.

Chair Jones introduced discussion on the K-12 Education module of the model.

Ms. Carlson delivered a summary for the K-12 education module. (Exhibit 5)

Mr. VanBrown continued presentation and elaborated on the increase in revenue and expenditures due to inflation.

Commissioner O'Loughlin asked about the total amount of GTB.

Chair Jones addressed the question.

Commissioner O'Loughlin asked about $10 million increase.

Chair Jones addressed the question.
Commissioner O’Loughlin referred to page 8 of Exhibit 5 and asked whether the state funds as a percent of total funds were growing at a greater rate and if so, what the reasons were.

Chair Jones reiterated Commissioner O’Loughlin’s question and asked what the property tax reflected on the graph dealing with the funding outcomes of the June 20th model on page 8 of Exhibit 5.

Chair Jones asked about the reasons for the state share, which is primarily income tax dependent, to grow so much faster than the local property tax: the differential and the speed of the growth.

Commissioner O’Loughlin asked what drove the growth and what was included in expenditures in relation to school facilities.

Commissioner O’Loughlin asked about estimating projections and whether the LFD staff looked at trends of voter-passed levies over a specific length of time in their forecasts.

Chair Jones noted that the staff and committee members needed to look at the chart on top of page 9 of Exhibit 5 again.

Chair Jones introduced discussion on the Medicaid module.

Josh Poulette, Fiscal Analyst, LFD, delivered a summary for the Medicaid module. (Exhibit 6)

Rep. Caferro asked about the types of inflation accounted for in the CMS projections.

Mr. Poulette addressed the question.

Rep. Caferro asked about the reasons as to why CPI medical would not be used in calculations by the CMS.

Mr. Poulette addressed the question.

Rep. Caferro asked whether cost containment measures have been taken into consideration in regard to further development calculations.

Mr. Poulette addressed the question.

Rep. Caferro asked about the baseline and asked to clarify whether the VOVID-19 pandemic years have been included or excluded in the model.

Mr. Poulette addressed the question.

Commissioner O’Loughlin asked about raw numbers used in projections for the enrollment dip in Medicaid.

Mr. Poulette addressed the question.

Commissioner O’Loughlin asked about the FMAP calculations.
Mr. Poulette addressed the question.

Commissioner O’Loughlin sked about the future research and whether other buckets in DPHHS expenditures should be considered as part of the model or whether some of them would be pulled out and run as separate modules in the overall model.

Mr. Poulette addressed the question.

Commissioner O’Loughlin suggested that it would be helpful if there were some criteria for what would be useful to pull out of the “beige” category and run a new module. Commissioner O’Loughlin also suggested that given how Children’s Health Insurance Program operated, it might make sense to include CHIP in the Medicaid projections.

Chair Jones opened the discussion the Public Safety module.

Cathy Duncan, Fiscal Analyst, LFD, delivered the summary. (Exhibit 7)

Committee Discussion

Rep. Mercer referred to the graph on page 2 of Exhibit 7 and asked to elaborate on what accounted for the dramatic growth rate in the Corrections expenditures.

Ms. Duncan addressed the question.

Commissioner O’Loughlin noted that it would be helpful to see various projections for the different census populations among various facilities in a similar way to what the committee has seen regarding the enrollment levels for Medicaid and DPHHS programs. Commissioner O’Loughlin also asked about the concept of folding other safety agencies into the module on public safety.

Ms. Duncan addressed the question.

Chair Jones elaborated further on Commissioner O’Loughlin’s comment.

Rep. Mercer provided additional comment on what the model indicated.

Ms. Duncan addressed the comments and emphasized that the LFD staff was only at the beginning of building the model.

Rep. Nave responded to a suggestion to add some of other public safety agencies into this module to see what crime cost State of Montana. Rep. Nave noted that part of what the Judicial Branch does is civil litigations, which does not belong to the criminal category; therefore, it would be helpful to pull that portion out of the model in order to be able to look at criminal data only.

Ms. Duncan addressed the comment.

The committee recessed for lunch.

SUMMARY OF OTHER MODULES WITHOUT OBSERVATIONS OR DETAILED CALCULATIONS:

Infrastructure

Chair Jones called the committee back to order and opened the discussion on Infrastructure.

Katy Callon, Fiscal Analyst, LFD, introduced the summary and referred to the exhibits for this module.
Joe Triem, Deputy Director, LFD, delivered the summary regarding buildings infrastructure section of the module. (Exhibit 8)

Ms. Callon delivered the summary regarding local public works infrastructure component of the module. (Exhibit 9)

Ms. Callon delivered the summary regarding state-owned public works infrastructure component of the module.

Committee Discussion

Commissioner O’Loughlin noted that it was very helpful to see the trends on the expenditure side and the need side and asked whether it would be possible to reflect what has been described as need in other modules or whether there was a reason why expenditures vs. needs comparison was reflected in this module specifically.

Ms. Carlson addressed the question.

Commissioner O’Loughlin said that there may be some other areas in other modules where a need was clearly defined.

Ms. Carlson addressed the comment.

Commissioner Haggerty stated that the idea of looking at ARPA requests and what was not being funded was a good way of figuring out what the need might be for the infrastructure to be built. Commissioner Haggerty spoke about maintenance requirements that were not being met and asked whether there was a way to account for all of the ARPA projects that will be funded and to try to understand what future liability that might impose on the state.

Ms. Callon addressed the question.

Chair Jones provided further elaboration on Commissioner Haggerty’s comment and question.

Ms. Callon provided further elaboration on the discussion.

Commissioner Haggerty noted that the committee should also look at the bipartisan infrastructure law and not only focus on ARPA.

Rep. Caferro said that she wanted to provide to the committee members with a study about healthcare price transparency (HJR 20) which included recommendations that came out of the study. Rep. Caferro provided background information on the study.

Wildfire

Rob Miller, Fiscal Analyst, LFD, delivered summary on the wildfire module of the model. (Exhibit 10)

Committee Discussion

Vice Chair Ellis noted that it seemed like fires were becoming more prevalent and the changes in the costs were beyond inflation, and that condition needed to be factored in. Vice Chair Ellis asked to elaborate on this point.

Mr. Miller addressed the comment.

Commissioner O’Loughlin referred to the graph in Exhibit 10 and asked to confirm that the difference between the two case scenarios was $4 million.

Mr. Miller addressed the question.

Commissioner O’Loughlin expressed her agreement with the statement that Vice Chair Ellis made and asked whether the data under discussion included stakeholders’ input.
Mr. Miller addressed the question.

Chair Jones spoke about years with very high number of fires and years with low numbers.

Mr. Miller responded to Chair Jones’ comment.

Sen. Salomon noted that there were different variables that determine the costs of fires.

Chair Jones spoke about being able to pay for a peak year even if the year proved to be low with respect to fires.

Rep. Nave expressed her concern that the only factor that was being considered was the amount of money spent on the fires and asked whether there was more granular data that characterized the intensity of fires other than the acres burnt.

Mr. Miller addressed the question.

Rep. Nave noted that how long it takes to contain a fire was probably dependent somewhat on the resources that happened to be available at the time. Rep. Nave asked Mr. Miller to elaborate on this point.

Chair Jones closed the discussion on the wildfire module.

Higher Education

Chair Jones introduced discussion on the higher education module.

Katie Guenther, Fiscal Analyst, LFD, delivered the summary. (Exhibit 11)

Committee Discussion

Rep. Mercer asked whether the model would attempt to incorporate any of the long-term strategic plan of the university system to the extent it would bear on both costs and enrollment, as in 25 years, there would be significantly fewer things delivered on campus only. Rep. Mercer noted that it seemed it would have a significant effect in terms on infrastructure needs and auxiliary service needs.

Ms. Guenther addressed the question.

Rep. Mercer reiterated the idea that it would be beneficial to incorporate those long-term strategic plans into the model.

Chair Jones elaborated on the direction in which higher education was moving.

Commissioner O’Loughlin asked whether there were differences in enrollment trends across institutions within the university system, specifically within community college enrollment.

Ms. Guenther addressed the question.

Rep. Mercer asked to elaborate why the LFD staff thought that the most reliable data was the population data for the age group between 20 and 24 years of age.

Ms. Guenther addressed the question.

Rep. Mercer noted that in the last ten years, there have been a lot of students under the age of 18 who were doing the dual credit or part of high school coursework where they would take college-level courses, which meant that enrollment numbers included people who never set foot on campus and therefore created a different demand for auxiliary services. Rep. Mercer stated that the model should have a forecast component looking at how this trend would affect the institutional support need.

Chair Jones noted that this point was similar to the community college model.
PROGRESS TO DATE AND NEXT STEPS

Property Taxes
14:21:48 Julia Pattin, Fiscal Analyst, LFD, reported on the property tax module.
14:22:45 Chair Jones invited questions form the committee. There were none.

Local Government
14:22:58 Kris Wilkinson, Fiscal Analyst, LFD, delivered summary on the local government module. (Exhibit 12)

Committee Discussion
14:25:56 Rep. Mercer asked whether this data was publicly available on the Department of Administration website.
14:26:32 Mr. Van Brown addressed the question.
14:28:23 Chair Jones further elaborated on the question.
14:29:18 Ms. Carlson asked Mr. Van Brown to elaborate on property tax data with respect to special district information.
14:29:31 Mr. Van Brown talked about the data that the LFD received from the Department of Revenue in regard to special districts.
14:31:42 Rep. Mercer noted that it would be useful to know for the discussion in October what the committee might recommend to audit in terms of a program evaluation. Rep. Mercer asked whether there were things that would be difficult for the LFD to do given its capacity that Audit might be able to do that would help the legislature to do work in this area in the next interim.
14:32:29 Commissioner O’Loughlin referred to the robust online system run by the State of Massachusetts that showed information about revenue and expenditures for local governments and stated that this committee might consider recommending the State of Montana to invest in building a similar system that would make inquiries easier for entities such as Department of Administration.
14:33:38 Rep. Mercer suggested to have the chief data officer, who was new to the DOA, to participate in the local government section of the agenda in the next committee meeting and flag the point that Commissioner O’Loughlin brought up as an issue.
14:34:56 Ms. Carlson brought committee’s attention to documents in the committee folders regarding to childcare in Montana and noted that those were for the committee members’ information.

PUBLIC COMMENT
14:35:34 Chair Jones called for public comment. There was none.

INSTRUCTIONS TO STAFF: Next Meeting, October 3-4, 2022
14:35:48 While the interim committee staff were summoned for reporting on updates from those committees, Ms. Carlson asked committee members if they had any further thoughts that they wanted to share with the LFD staff regarding the modules of the model discussed today.
14:37:00 Rep. Mercer suggested that the committee should have a briefing, or orientation, planned for all members of the legislature between the 15 of November and the
15 of January as they need to know the tools and, at the same time, have enough time for familiarizing themselves with those tools.


14:39:17 Chair Jones added by noting that the committee chair training was of critical importance so that the chairs of the various sections would know that the data is available.

14:40:13 Ms. Carlson addressed Chair Jones’ recommendation.

14:40:23 Rep. Mercer emphasized the importance of helping the new legislators to know these data and importance of offering relevant hands-on training to both, all legislators and committee chairs.

14:41:18 Vice Chair Ellis noted that legislative service staff would benefit from such training as well.

14:41:45 Ms. Carlson elaborated further on the discussion.

UPDATES FROM OTHER INTERIM COMMITTEES:

Local Government
14:42:15 Toni Henneman, Research Analyst, LSD, provided a summary of the studies that the Local Government Interim Committee has been working on.

Revenue Interim Committee
14:44:14 Ms. Carlson stated that she would provide relevant materials to the committee members as well as upload them to the MARA webpage. (Exhibit 13) (Exhibit 14) (Exhibit 15)

Education Interim Committee
14:44:33 Pad McCracken, Research Analyst, LSD, provided a summary of the studies that the Education Interim Committee has been working on.

14:47:48 Chair Jones spoke about the constitutional players meeting scheduled to meet next time on September 13, 2022. Chair Jones spoke about the entities involved and the plans for action. Chair Jones asked Mr. McCracken to elaborate on this point.

14:49:39 Mr. McCracken addressed Chair Jones’ comment.

Economic Affairs
14:50:30 Erin Sullivan, Research Analyst, LSD, provided a summary of the studies that the Economic Affairs Interim Committee has been working on.

14:53:26 Chair Jones asked about the benefit cliffs phenomenon.

14:54:13 Ms. Sullivan addressed the question.

14:55:09 Chair Jones asked about the executive summary of the DPHHS study.

14:55:25 Ms. Sullivan addressed the question.

14:56:05 Ms. Carlson noted that the LFD staff were more engaged and more interactive with those interim committees.

14:56:16 Chair Jones spoke about the reasons for having general committees and about work that various committees do being linked.

INSTRUCTIONS TO STAFF: Next Meeting, October 3-4, 2022 - continued
Ms. Carlson referred to the discussion prior to the updates from the interim committees and reiterated the committee’s request for the chairman to send a letter to the Legislative Council on the committee’s behalf regarding providing an opportunity to all legislators, and committee chairs in particular, to understand what is included in the MARA model.

Chair Jones expressed his agreement and clarified that it would be part of both committee chair training and introductory training.

Rep. Mercer emphasized that it should be a hands-on training with each legislator having his or her own laptop during the training.

Sen. Salomon noted that it would be beneficial to explain to the legislators that the intention of the training would be to make them comfortable with the data.

Ms. Carlson reiterated her earlier point that the training that this committee was proposing was feasible for the LFD staff to put together as long as it wouldn't involve new programming but simply a new reporting, new ways of looking at existing data.

Commissioner O’Loughlin pointed out that it would be of help to inform legislators what this model was in service of.

Chair Jones spoke about providing an example of dynamic fiscal notes and the ability to look at both, revenue and the expense side.

Vice Chair Ellis noted that the Finance Committee might be looking at the dynamic fiscal notes at its next meeting.

Ms. Carlson responded to Vice Chair Ellis’ comment and provided clarification about the difference between fiscal note analysts and dynamic fiscal note.

Sen. Salomon elaborated on Ms. Carlson’s explanation.

Ms. Carlson provided further elaboration on the point regarding the resources it would take.

Chair Jones provided further elaboration and clarification on the discussion regarding fiscal notes and fiscal analysis.

Sen. Salomon spoke further on the option of having fiscal note analysis done and on additional costs associated with that option.

Ms. Carlson summarized suggestions that the committee members brought forth in the current discussion.

Rep. Mercer referred back to his earlier comment regarding a briefing on local government data on whether the committee should be considering audits going forward. Rep. Mercer also stated that legislators who have been working on the criminal justice data with the new chief data officer were very satisfied with the collaboration. Rep. Mercer noted that it would be useful to have a dialogue with the chief data officer regarding the point that Commissioner O’Loughlin brought up on whether there was a way to import that data like some other states were doing to more effectively import local government data electronically to give the policy makers immediate utility.

Ms. Carlson addressed Rep. Mercer’s request.

Public Comment

Chair Jones called for public comment. There was none.

Chair Jones reminded the committee members that the next meeting would take place on October 3-4, 2022.

Ms. Carlson encouraged the committee members to reach out to the LFD staff if they had any further questions or ideas regarding the model.

Chair Jones concluded the meeting. The meeting adjourned.
ADJOURNMENT
Adjournment: 15:12:56