

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON APPROPRIATIONS

Call to Order: By **CHAIRMAN STEVE VICK**, on February 2, 2001 at 8:00 A.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Rep. Dave Lewis, Vice Chairman (R)
Rep. Matt McCann, Vice Chairman (D)
Rep. John Brueggeman (R)
Rep. Rosalie (Rosie) Buzzas (D)
Rep. Tim Callahan (D)
Rep. Edith Clark (R)
Rep. Bob Davies (R)
Rep. Stanley Fisher (R)
Rep. Dick Haines (R)
Rep. Joey Jayne (D)
Rep. Dave Kasten (R)
Rep. Christine Kaufmann (D)
Rep. Monica Lindeen (D)
Rep. Jeff Pattison (R)
Rep. Art Peterson (R)
Rep. Joe Tropila (D)
Rep. John Witt (R)

Members Excused: None.

Members Absent: None.

Staff Present: Paula Broadhurst, Committee Secretary
Taryn Purdy, Legislative Branch

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 146, HB 435
Executive Action:

HEARING ON HB 146

Sponsor: REP. JIM SHOCKLEY, HD 61, BILLINGS

Proponents: Deborah Kottel, Dean, University of Great Falls

Opponents: Sandy Oltzinger, Executive Director, Montana
Juvenile Probation Officers Association

Opening Statement by Sponsor:

REP. JIM SHOCKLEY, HD 61, HAMILTON, said the bill would revise the youth court relating to detention and placement. He went through sections of the bill and explained the appropriation needs. He mentioned the process pertaining to the placement of the youth in a community-based facility or program. He addressed the court's jurisdictions over the youth.

Proponents' Testimony:

Deborah Kottel, Dean, University of Great Falls, explained the research of the types of offenders, offenses and treatment programs available. She said the state was obligated to pay for the cost of juvenile offenders and the bill would work with cost shifting offering the counties the authority to place the youths. She recommended the program should be enacted and all judicial districts should be involved with the innovative program. Plus intervention should occur sooner in the process. She mentioned the surplus funds to cover unexpected costs and the need to increase funding for training.

Opponents' Testimony:

Sandy Oltzinger, Executive Director, Montana Juvenile Probation Officers Association, explained the allocations for the current program. She felt the concept to add as many resources as possible into prevention programs was good. She referenced the possible liability consequences of giving the authority to local governments.

Questions from Committee Members and Responses:

REP. CHRISTINE KAUFMANN asked if there would be any savings. Deborah Kottel answered no. She explained the decisions made and how the money would be distributed.

REP. KAUFMANN asked if the funds from the original bill were still available. Deborah Kottel said the original bill proposed allocations to obtain the funding.

REP. JOEY JAYNE asked about the opposition of the bill. **Sandy Oltzinger** thought the \$1.6 million cost containment fund would be removed. **CHAIRMAN STEVE VICK** thought the bill would work without the \$1.6 million. **REP. SHOCKLEY** explained the appropriation of \$1.6 million. He said it was to be a contingency in case the judicial districts went over their budgets. This would allow the districts to be on a budget.

REP. DAVE LEWIS asked what would happen if the bill passed without any money available. **Joe Williams, Department of Corrections**, said the bill carried forward a commitment from former Governor Racicot and they believed it would be workable with the \$1.6 million.

REP. TIM CALLAHAN mentioned issues dealing with the authority for placements. He said any overruns with budgets would fall to the counties to resolve.

Closing by Sponsor:

REP. JIM SHOCKLEY, HD 61, HAMILTON, summarized the bill and gave further explanation of the \$1.6 million. He emphasized the authority to counties for placement of the youth and urged the committee to support the legislation.

HEARING ON HB 435

Sponsor: **REP. BOB LAWSON, HD 80, WHITEFISH**

Proponents: **Kelly Talsma, Counselor, Whitefish School District**
Jerry House, Superintendent, Whitefish
Eric Burke, MEA-MFT

Opponents: **None**

Informational Witnesses: **Maureen Rude, Fannie Mae**
Jerry LaChere, Director, MT. Lottery

Opening Statement by Sponsor:

REP. BOB LAWSON, HD 80, WHITEFISH, said the goal of the bill was to provide financial incentives to Montana certified public educators K-12 and offer the ability to purchase primary residence housing within school boundaries. He felt it would make it possible to retain and recruit staff and stated the bill was fashioned after the Mississippi bill. He explained the process they went through to write the bill. He explain

specifics of the loan program and why the lottery was researched for funding.

Proponents' Testimony:

Kelly Talsma, Counselor, Whitefish School District, mentioned the high cost of living in Whitefish and the loss of teachers moving out of state. She felt the bill would benefit teachers and the state.

Jerry House, Superintendent, Whitefish, explained the recruitment of teachers and how the bill would assist to retain them. He referred to lines 28, 29 and 30 on page two of the bill. He presented a plan to the committee **EXHIBIT (aph27b01)**.

Eric Burke, MEA-MFT, addressed problems in the state pertaining to the teacher shortage.

Opponents' Testimony: None

{Tape 1; Side B}

Informational Witnesses:

Maureen Rude, Fannie Mae, explained working with various organizations in the state and putting together projects to provide affordable housing. She told the committee of housing benefits and the programs.

Jerry LaChere, Director, MT. Lottery, said money taken from the lottery would be diverted from the general fund. He was available for questions.

Questions from Committee Members and Responses:

REP. ROSIE BUZZAS asked about the size of the school districts and if it had been considered when establishing criteria for application of loans. **REP. LAWSON** said the goal was to move teachers within the school district.

REP. BUZZAS referred to sub-section (c) and asked about the repayment of the loan. **REP. LAWSON** said there would be amendments during executive action addressing this issue. He stated the teachers would live in the house and that would be the trigger mechanism to force payback.

CHAIRMAN VICK asked if there was any risk to the state for delinquencies. **REP. LAWSON** said the state would be at risk. He

mentioned Section five allowing the Montana Board of Housing to establish rules.

CHAIRMAN VICK referred to problems experienced by the micro-business loan program. **REP. LAWSON** acknowledged there were problems. He said they were more venture-type investments and this would have the collateral of a house.

REP. JOE TROPILA asked if a bill to eliminate the lottery passed or was the lottery taken out by initiative. He also asked about other funding sources for the program. **REP. LAWSON** said he would rely upon the wisdom of the Appropriations Committee to assist in finding other sources of funding.

REP. TROPILA asked if they considered the Whitefish Recreation Tax. **REP. LAWSON** said the city manager was included in the meetings, but that had not looked specifically at the tax. He mentioned city-owned property within the city of Whitefish that could be involved.

{Tape 2; Side A}

REP. ART PETERSON asked if any school districts, other than Whitefish, had expressed an interest in the program. **REP. LAWSON** said only one other, Red Lodge. **Jerry House** said Missoula area superintendents had been approached and the Northwest Administrators Group, who expressed a great deal of interest in the program.

REP. DAVE KASTEN said teacher housing was not a problem in his area. He asked if the bill could be expanded to other professions. **REP. LAWSON** said teachers K-12 were the bill's basis for starting the program to retain their services for the state.

Closing by Sponsor:

REP. BOB LAWSON, HD 80, WHITEFISH, expressed the bill offering a benefit to teachers and the state. He mentioned the background of research for the bill and the need to look at retaining this highly qualified profession. He asked for the committee for their support.

ADJOURNMENT

Adjournment: 9:10 A.M.

REP. STEVE VICK, Chairman

CECILE M. TROPILA, Transcriptionist

SV/PB

EXHIBIT (aph27bad)