

MINUTES OF THE MEETING
INSTITUTIONS AND CULTURAL EDUCATION SUBCOMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

February 13, 1987

The twenty-eighth meeting of the Institutions and Cultural Education Subcommittee was called to order on February 18, 1987 at 8:12 a.m. in room 202-A of the state capitol with Chairman Miller presiding.

ROLL CALL: All members were present as were Keith Wolcott, Senior Analyst for the Legislative Fiscal Analyst (LFA); Alice Omang, secretary; George Harris of the Office of Budget and Program Planning (OBPP); Carroll South, Director of the Department of Institutions; and various other representatives of the Department and other guests.

EXECUTIVE SESSION:

Montana State Prison: Tape: 28-1-A:010

Mr. Wolcott referred to exhibits 3 and 4 of the tenth meeting, dated January 20, 1987, and reviewed the issues with the committee.

Senator Bengtson moved that they ACCEPT the executive's recommendation on personal services in the Care and Custody Program. The motion CARRIED unanimously.

(78) Mr. Wolcott reviewed the seven issues under operating expense for the Care and Custody Program.

(122) Senator Bengtson moved that they ACCEPT the executive's recommendation on operating expenses. The motion CARRIED unanimously.

Mr. Wolcott reviewed the issue under equipment and Mr. Harris explained that they had in mind the vehicle the patrols the perimeter of the prison, but the amount is discretionary.

Hank Risley, Warden at Montana State Prison, informed the committee that they bought a vehicle in the special session in 1982 and they bought one out of their regular appropriation in 1983 and both of them have been rebuilt, and they are still in use and one was completely overhauled at 250,000 miles and the other one overhauled at 140,000, and they can't determine how long these are going to last.

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Senator Bengtson moved that they ACCEPT the executive's recommendation on equipment for both years of the biennium. The motion CARRIED unanimously.

(165) Mr. Wolcott reviewed the two issues under funding as per exhibit 3 of the tenth meeting, dated January 20, 1987.

Senator Bengtson moved that they ACCEPT the executive's recommendation on funding in the Care and Custody Program. She stated that her feeling is that they don't need to take that alcohol money and it should go to the counties. The motion CARRIED unanimously.

Dan Russel, Administrator of the Corrections Division of the Montana State Prison, advised the committee that there are a couple of areas wherein they are requesting spending authority, i.e., contract improvement funds for \$869 for the Federal Bureau of Prisons and they have a National Institute of Corrections grant for \$25,000 for a special needs offender's treatment unit.

Senator Bengtson moved that they ALLOW the spending authority for the \$25,000 for the grant and for \$869 for the contract improvement funds. The motion CARRIED unanimously.

Senator Bengtson moved that this be a biennial appropriation in case they don't get the money all spent in one year. The motion CARRIED unanimously.

Senator Bengtson moved that they APPLY 1.68% for direct care and 4% for all other personnel on vacancy savings. The motion CARRIED unanimously.

EXECUTIVE SESSION:

Swan River Forest Camp: Tape: 28-1-A:226

Senator Bengtson moved that they APPLY 0% vacancy savings on this program. The motion CARRIED unanimously.

Mr. Harris advised that the modification request was for contract improvement funds that was earned prior to FY 82, but were unexpended and the request is for \$3516 each year of the biennium.

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Senator Bengtson moved that they ALLOW the spending authority for \$7,032 for the biennium. The motion CARRIED unanimously.

Senator Bengtson moved that the ALLOW spending authority of \$4,000 in FY 88 for the Carl Perkins grant. The motion CARRIED unanimously.

Mr. Wolcott advised that they had a revised estimate for electricity for their new addition and requested \$1,916 in FY 88 and \$2,215 in FY 89.

Senator Bengtson moved that they ACCEPT the executive's recommendation for personal services. The motion CARRIED unanimously.

Senator Bengtson moved that they ACCEPT the executive's recommendations for operating expenses plus the utilities for FY 88 and FY 89. The motion CARRIED unanimously.

Mr. Russell advised that on equipment, they have requested a new washing machine as the maintenance and repairs on the commercial washer they have had been so great and the company advises that it is no longer cost effective to work on it.

Senator Bengtson moved that they ACCEPT the executive's recommendations on equipment of \$8,000 for the biennium. The motion CARRIED unanimously.

Senator Bengtson moved that they ACCEPT the executive's recommendation on the funding. The motion CARRIED unanimously.

EXECUTIVE SESSION:

Corrections Medical: Tape: 28-1-A:385

Mr. Wolcott distributed exhibit 1 to the committee and gave an overview of the two issues under operating expenses.

Mr. Risley advised that the prison has only been able to provide emergency dental care on their present schedule and urged the committee to increase this dental contract from five days every two weeks to five days per week.

Institutions Subcommittee
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There was considerable discussion on providing additional dental care for the prisoners.

(640) Senator Bengtson moved that they ACCEPT the executive's recommendation on operating expenses. The motion FAILED with a tie vote of 3 to 3. See Roll Call Vote.

Senator Bengtson moved that they ACCEPT the LFA recommendation for Corrections Medical.

Senator Haffey asked if this was for the entire medical budget that assumes that they will not have the population increase.

Senator Bengtson moved that they ACCEPT the executive's budget with the dental increase eliminated. The motion CARRIED unanimously.

Tape: 28-1-B

Mr. South contended that because they took a vote on the increase in the dental contract and that vote failed, this tells him that even if the court orders them to increase the dental treatment, he can't; but if he does he is in violation of HB 357, if it passes, and the penalty for that is to be removed from office by whoever authorizes that. He indicated that he was concerned about how their vote would translate into legislative intent.

Chairman Miller responded that, if he remembered correctly, there was a 5% leeway that they would have on their entire operating budget within their department.

Mr. South said that he was worried about how this would be written up in the formal narrative that goes along with the appropriation bill and if this becomes part of that formal narrative, he wondered where that would leave him, because they have taken a definite action on that and legislative intent, at this point in time, is for them to use a dentist for only five days every other week.

Chairman Miller noted that their operating budget was for \$810,000 alone in this one department and he would have to be really high to use 5% of \$1 to \$2 million to cover this.

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Senator Bengtson said that she did not believe that this was the intent of this committee to cause a problem such as this and she withdrew her motion.

(040) Senator Bengtson again moved that they ACCEPT current level recommended by the LFA.

Senator Haffey indicated that this motion would take down the whole medical budget.

Mr. Russell suggested that they take the LFA figures with the population increase.

Senator Bengtson moved that they ACCEPT the LFA recommendations with the population increase adjusted. The motion CARRIED unanimously.

PROPOSED BILL BY REPRESENTATIVE MENAHAN:

(067) Representative Menahan informed the committee that Rivendell in Billings is full and there is a waiting list. He said that there have been a couple of extreme cases wherein there was no place to place these people and the private facilities did not want to accept them so Mr. South has placed these youngsters in Warm Springs, which is in violation of state law. He advised that he has put in a bill that says for a short period of time for an evaluation period and for a period of time to get them under control, they may be placed at Warm Springs until there is an available bed.

Mr. South advised that they have had four direct commitments to the Department since Rivendell has taken over that facility and they are full, and they have handled one by getting a transfer to Rivendell Salt Lake facility (all of the other Rivendell facilities in the country are full with waiting lists); they have one juvenile in a private hospital and supposedly they are suppose to be paying the bills for that and then they have two in the State Hospital. He said that the judges are indicating that, despite the fact that Rivendell is full, the state still has the responsibility to take care of these kids.

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There was some discussion and questions raised in connection with this proposal.

ADJOURNMENT: There being no further business, the meeting was adjourned at 9:11 a.m.



REPRESENTATIVE MILLER, Chairman



Alice Omang, Secretary

ROLL CALL VOTE

INSTITUTIONS AND CULTURAL EDUCATION SUBCOMMITTEE

DATE February 18, 1987

AGENCY Corrections Medical

NUMBER #1

NAME	AYE	NAY
REP. RON MILLER, CHAIRMAN		X
SEN. BENGTON, V. CHAIRMAN		X
SEN. HAFEEY	X	
SEN. TVEIT	X	
REP. MENAHAN	X	
REP. MENKE		X

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Alie Amore
Secretary

Chairman

Motion: To accept the executive's recommendation on
operating expenses

Exhibit 1
2/13/87
K Wolfe #

AGENCY: DEPARTMENT OF INSTITUTIONS LEGISLATIVE ACTION PROGRAM: CORRECTIONAL MEDICAL PROGRA

BUDGET ITEM	FY 1986 Actual	Executive Current Level	Fiscal 1988 Difference	Executive Current Level	Fiscal 1989 Difference	FY 86-88 % Change			
FTE	0.00	0.00	0.00	0.00	0.00	ERR			
Operating Expenses	\$848,214	\$912,229	\$810,967	\$101,262	\$928,572	\$810,967	\$117,605	-0.04	
TOTAL EXPENSES	\$848,214	\$912,229	\$810,967	\$101,262	\$928,572	\$810,967	\$117,605	-0.04	
FUNDING									
General Fund	\$848,214	\$912,229	\$810,967	\$101,262	\$928,572	\$810,967	\$117,605	-0.04	
TOTAL FUNDING	\$848,214	\$912,229	\$810,967	\$101,262	\$928,572	\$810,967	\$117,605	-0.04	

- Operating Expenses
- The executive includes \$56,147 in fiscal 1988 and \$72,490 in fiscal 1989 for anticipated population increases at the Women's Correction Center and the Prison that are not in the LFA current level.
 - The executive includes an increase of \$45,116 each year to the base for an inflationary adjustment to the dental contract and increasing the contract from 5 days every two weeks to 5 days per week. This increase is not in the LFA current level.

*Exhibit 3 (10th meeting)
1/20/87
K. Wolcott*

AGENCY: MONTANA STATE PRISON

LEGISLATIVE ACTION

PROGRAM: CARE AND CUSTODY

BUDGET ITEM	FY 1986 Actual	Fiscal 1988		Fiscal 1989		FY 86-88 % Change
		Executive Current Level	Difference	Executive Current Level	Difference	
FTE	340.53	382.31	2.53	379.78	379.78	0.12
Personal Services	\$7,736,005	\$9,661,740	\$178,321	\$9,580,431	\$184,834	0.23
Operating Expenses	\$2,663,675	\$3,039,799	\$226,751	\$2,900,127	\$257,945	0.06
Equipment	\$32,264	\$25,000	\$25,000	\$0	\$25,000	-1.00
TOTAL EXPENSES	\$10,431,944	\$12,726,539	\$430,072	\$12,480,558	\$467,779	0.18
FUNDING						
General Fund	\$10,262,154	\$12,580,343	\$454,387	\$12,309,213	\$492,928	0.18
State Special Rev	\$51,423	\$51,424	(\$28,554)	\$80,812	(\$29,388)	0.56
Federal Revenue	\$118,367	\$94,772	\$4,239	\$90,533	\$4,239	-0.24
TOTAL FUNDING	\$10,431,944	\$12,726,539	\$430,072	\$12,480,558	\$467,779	0.18

Personal Services

1. The executive deleted 3.87 FTE costing \$108,476 each year that remain in the LFA current level.
2. The executive added 4 posts or 6.4 FTE for an estimated population increase to 968 in fiscal 1988 and 990 in fiscal 1989 costing \$126,005 and \$127,628 respectively that are not in the LFA current level.
3. The executive applied 1.68 percent vacancy savings to 248.6 correctional FTE accounting for \$131,338 less vacancy savings in fiscal 1988 and \$132,283 less in fiscal 1989. The difference in methodology of applying vacancy savings accounts for \$25,071 less vacancy savings in the LFA current level in fiscal 1988 and \$26,494 less in fiscal 1989.
4. The executive includes \$55,386 more in fiscal 1988 and \$62,436 more in fiscal 1989 for overtime and differential than the LFA current level.

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Operating

1. The executive modification for the population increase is \$103,690 in fiscal 1988 and \$141,084 in fiscal 1989 or \$1,700 per inmate. These costs are not in the LFA current level.
2. The executive includes psychological contracts of \$38,197 and other contracts increases of \$6,620 that are not in the LFA current level.
3. The LFA current level deletes the phone add/move charge left in the executive of \$1,500 each year and a postage and mailing increase of \$475 each year.
4. The LFA current level reduced the travel base \$15,526 each year.
5. The executive included a base adjustment of \$42,435 for electricity that is not included in the LFA current level.
6. The executive included \$2,631 less for buildings and grounds maintenance than included in the LFA current level.
7. The executive includes inmate pay of \$2,023 in fiscal 1988 and \$2,752 in fiscal 1989 that are not included in the LFA current level.

Equipment

1. The executive includes \$25,000 for equipment each year while the LFA current level includes \$0.

Funding

1. The LFA current level funds an alcohol counselor with alcohol funds of \$28,554 in fiscal 1988 and \$29,388 in fiscal 1989 that the executive funds with general fund.
2. The executive uses a three year average of Federal Boarder revenue which is \$4,239 more than LFA current level.

Exhibit 4 (10th meeting)
1/20/87
K Wolekoff

REPORT EBSR106
DATE : 01/07/87
TIME : 15/24/80

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL --- BUDGET WORKSHEET

AGENCY : 6409 MONTANA STATE PRISON
PROGRAM : 12 CARE & CUSTODY
CONTROL : 00000

AE/OE	DESCRIPTION	CURRENT LEVEL SERVICES ONLY									
		OBPP FY 88	LFA FY 88	DIFF FY 88	SUB-CMT FY 88	OBPP FY 89	LFA FY 89	DIFF FY 89	SUB-CMT FY 89		
0000	FULL TIME EQUIVALENT (FTE)	382.31	379.78	2.53	---	382.31	379.78	2.53	---		
1100	SALARIES	7,509,350	7,455,820	53,530	---	7,507,008	7,453,833	53,175	---		
1400	EMPLOYEE BENEFITS	1,883,402	1,765,727	117,675	---	1,992,598	1,863,718	128,880	---		
1500	HEALTH INSURANCE	534,750	533,370	1,380	---	534,750	533,370	1,380	---		
1600	VACANCY SAVINGS	-265,762	-372,029	106,267	---	-269,091	-374,880	105,789	---		
1800			100,531	-100,531	---		104,390	-104,390	---		
	TOTAL SECOND LEVEL	9,661,740	9,483,419	178,321	---	9,765,265	9,580,431	184,834	---		
2021	CONTRACTED SERVICES-INFLATION	-34	-34	---	---	-69	-66	-3	---		
2022	SUPPLIES & MATERIALS-INFLATION	69,317	64,395	4,922	---	119,336	112,071	7,265	---		
2023	COMMUNICATIONS-INFLATION	1,113	1,113	---	---	1,719	1,720	-1	---		
2026	UTILITIES-INFLATION	45,394	36,605	8,789	---	91,858	75,433	16,425	---		
2100	CONTRACTED SERVICES	384,311	317,683	66,628	---	368,765	317,683	51,082	---		
2200	SUPPLIES & MATERIALS	1,518,565	1,440,596	77,969	---	1,549,842	1,440,596	109,246	---		
2300	COMMUNICATIONS	93,452	91,371	2,081	---	93,398	91,371	2,027	---		
2400	TRAVEL	41,720	24,493	17,227	---	42,497	24,493	18,004	---		
2500	RENT	6,186	6,186	---	---	6,186	6,186	---	---		
2600	UTILITIES	519,126	480,372	38,754	---	519,126	480,372	38,754	---		
2700	REPAIR & MAINTENANCE	164,851	167,463	-2,612	---	164,851	167,463	-2,612	---		
2800	OTHER EXPENSES	195,798	182,805	12,993	---	200,563	182,805	17,758	---		
	TOTAL SECOND LEVEL	3,039,799	2,813,048	226,751	---	3,158,072	2,900,127	257,945	---		
3100	EQUIPMENT	25,000	---	25,000	---	25,000	---	25,000	---		
	TOTAL PROGRAM	12,726,539	12,296,467	430,072	---	12,948,337	12,480,558	467,779	---		
01100	GENERAL FUND	12,580,343	12,125,956	454,387	---	12,802,141	12,309,213	492,928	---		

REPORT EBSR106
 DATE : 01/01/87
 TIME : 15/24/40

OFFICE OF BUDGET & PROGRAM PLANNING
 EXECUTIVE BUDGET SYSTEM
 AGENCY/PROGRAM/CONTROL --- BUDGET WORKSHEET

AGENCY : 6409 MONTANA STATE PRISON
 PROGRAM : 12 CARE & CUSTODY
 CONTROL : 00000

AE/OE	DESCRIPTION	CURRENT LEVEL SERVICES ONLY							
		OBPP FY 88	LFA FY 88	DIFF FY 88	SUB-CMT FY 88	OBPP FY 89	LFA FY 89	DIFF FY 89	SUB-CMT FY 89
02034	ALCOHOLISM TREATMENT-REHAB	51,424	79,978	-28,554	---	51,424	80,812	-29,388	---
03104	MONTANA STATE PRISON	14,975	14,975	---	---	14,975	14,975	---	---
03111	MSP - BOARDER REIMBURSEMENT	76,089	71,850	4,239	---	76,089	71,850	4,239	---
03160	TITLE I	3,204	3,204	---	---	3,204	3,204	---	---
03177	EICA CHAPTER 11 GRANT	504	504	---	---	504	504	---	---
	TOTAL PROGRAM	12,726,539	12,296,467	430,072	---	12,948,337	12,480,558	467,779	---

10th meeting

AGENCY: SWAN RIVER FOREST CAMP

LEGISLATIVE ACTION

PROGRAM, CARE AND CUSTODY

BUDGET ITEM	FY 1986 Actual	Fiscal 1988		Fiscal 1989		FY 86-88 % Change
		Executive Current Level	Difference	Executive Current Level	Difference	
FTE	26.83	25.83	0.00	25.83	0.00	-0.04
Personal Services	\$666,527	\$648,927	(\$1,623)	\$654,220	(\$1,684)	-0.02
Operating Expenses	\$267,323	\$295,136	\$5,725	\$296,700	(\$1,900)	0.08
Equipment	\$13,229	\$7,351	\$4,800	\$1,640	(\$290)	-0.81
TOTAL EXPENSES	\$947,079	\$951,414	\$8,902	\$952,560	(\$3,874)	-0.00
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FUNDING						
General Fund	\$829,230	\$837,161	\$8,012	\$838,932	(\$4,761)	-0.00
State Special Rev	\$79,012	\$86,383	\$90	\$86,530	\$87	0.09
Federal Revenue	\$38,837	\$27,870	\$800	\$27,098	\$800	-0.30
TOTAL FUNDING	\$947,079	\$951,414	\$8,902	\$952,560	(\$3,874)	-0.00
=====						

Personal Services

1. The executive is \$1,437 less than the LFA current level due to a downgrade of a food service worker that happened after budget documents were produced. This downgrade was not picked up in the LFA system. The remaining difference is in vacancy savings.

Operating Expense

1. The executive reduced operating expense \$5,598 for base adjustments not made in the LFA current level.
2. The LFA reduced \$2,449 of expenditures in the base for a vocational education grant that does not continue in the 1989 biennium. The executive left \$1,987 of these expenditures in the base.

Equipment

1. The executive includes a heavy duty washer costing \$4,800 in fiscal 1988 that is not included in the LFA current level. The executive includes \$290 less equipment in fiscal 1989 than the LFA current level.

16th meeting

REPORT EBSR106
 DATE : 01/07/87
 TIME : 15/24/40

OFFICE OF BUDGET & PROGRAM PLANNING
 EXECUTIVE BUDGET SYSTEM
 AGENCY/PROGRAM/CONTROL --- BUDGET WORKSHEET

AGENCY : 6410 SWAN RIVER YOUTH FOREST CAMP
 PROGRAM : 12 CARE & CUSTODY
 CONTROL : 00000

CURRENT LEVEL SERVICES ONLY

AE/OE	DESCRIPTION	OBPP FY 88	LIA FY 88	DIFF FY 88	SUB-CMT FY 88	OBPP FY 89	LFA FY 89	DIFF FY 89	SUB-CMT FY 89
0000	FULL TIME EQUIVALENT (FTE)	25.83	25.83			25.83	25.83		
1100	SALARIES	535,519	536,528	-1,009		534,948	535,953	-1,005	
1400	EMPLOYEE BENEFITS	104,567	104,038	529		108,897	108,282	615	
1500	HEALTH INSURANCE	35,880	35,880			35,880	35,880		
1600	VACANCY SAVINGS	-27,039	-26,611	-428		-27,189	-26,701	-488	
1800			715	-715			806	-806	
	TOTAL SECOND LEVEL	648,927	650,550	-1,623		652,536	654,220	-1,684	
2022	SUPPLIES & MATERIALS-INFLATION	4,556	4,343	213		7,700	7,707	-7	
2023	COMMUNICATIONS-INFLATION	232	241	-9		373	392	-19	
2026	UTILITIES-INFLATION	3,091	3,091			6,015	6,015		
2100	CONTRACTED SERVICES	24,530	17,137	7,393		17,135	17,137	-2	
2200	SUPPLIES & MATERIALS	84,731	86,196	-1,465		84,731	86,196	-1,465	
2300	COMMUNICATIONS	7,189	7,680	-491		7,189	7,680	-491	
2400	TRAVEL	1,243	1,503	-260		1,243	1,503	-260	
2500	RENT	1,000	1,000			1,000	1,000		
2600	UTILITIES	36,354	36,362	-8		36,354	36,362	-8	
2700	REPAIR & MAINTENANCE	21,301	20,863	438		22,151	21,713	438	
2800	OTHER EXPENSES	52,909	52,995	-86		52,909	52,995	-86	
2900	GOODS PURCHASED FOR RESALE	58,000	58,000			58,000	58,000		
	TOTAL SECOND LEVEL	295,136	289,411	5,725		294,800	296,700	-1,900	
3100	EQUIPMENT	7,351	2,551	4,800		1,350	1,640	-290	
	TOTAL PROGRAM	951,414	942,512	8,902		948,686	952,560	-3,874	

REPORT EBSR106
 DATE : 01/07/87
 TIME : 15/24/40

OFFICE OF BUDGET & PROGRAM PLANNING
 EXECUTIVE BUDGET SYSTEM
 AGENCY/PROGRAM/CONTROL --- BUDGET WORKSHEET

AGENCY : 6410 SWAN RIVER YOUTH FOREST CAMP
 PROGRAM : 12 CARE & CUSTODY
 CONTROL : 00000

AE/OE	DESCRIPTION	CURRENT LEVEL SERVICES ONLY							
		OBPP FY 88	LFA FY 88	DIFF FY 88	SUB-CMT FY 88	OBPP FY 89	LFA FY 89	DIFF FY 89	SUB-CMT FY 89
02034	ALCOHOLISM TREATMENT-REHAB	28,383	28,293	90	---	28,617	28,530	87	---
02918	SRYFC-CANTEEN	29,000	29,000	---	---	29,000	29,000	---	---
02919	SRYFC-CLOTHING ACCOUNT	29,000	29,000	---	---	29,000	29,000	---	---
03106	SWAN RIVER YOUTH CAMP	9,570	9,570	---	---	9,598	9,598	---	---
03107	SRYFC-SCHOOL FOODS	2,000	2,000	---	---	2,000	2,000	---	---
03114	SRYFC-BOARDER REIMBURSEMENT	16,300	15,500	800	---	16,300	15,500	800	---
	TOTAL PROGRAM	951,414	942,512	8,902	---	948,686	952,560	-3,874	---

