

MINUTES OF THE MEETING OF
HOUSE APPROPRIATIONS SUBCOMMITTEE ON ELECTED OFFICIALS
MONTANA HOUSE OF REPRESENTATIVES

January 27, 1977
8:10 a.m.
Room 428A
State Capitol Building

The meeting was called to order by Chairman Lynch with all members being present. The hearings for the day: Department of Administration: Renewable Resources, Passenger Tramway, Prisoner Transportation, Purchasing.

Renewable Resources: Department Director Jack Crosser reported that there are two phases of this program which was enacted by the last session of the legislature. One phase is conducted by the natural resources department which provides for loans to private landowners for renewable resources projects. The other phase gives grants to government agencies; this program calls for the issuance of bonds, and is currently in litigation to the Supreme Court. The governor recommends grants and loans from the applications received, but they are subject to the approval of the legislature. He said there will be funds from the trust fund initiative. The main emphasis will be on water, but other programs will be covered. The senate has proposed a solid waste management program also, which he feels should be under this program rather than setting up a new one and have new bonding laws. Mr. Crosser also informed the committee that there have been nine requests come in from individuals for grants and two contain requests for loans. They give grants to governmental agencies, which are from excess funds and the coal tax.

Passenger Tramway: Mr. Saxby reported that the purpose of the passenger tramway act was to help operate the chair lifts at ski areas, but they are held liable when they are licensing the lifts. Philip Hauck, Administrator of the Architecture and Engineer Division, which handles this program, commented that even though this is a small program, it adds a real legal responsibility the way the law is written. Skiing is an accident prone industry, and even with the best maintained equipment, he feels it just may be a matter of time before there is an accident. The way the law is set up there is a charge for use of the lifts, which brings in \$2,000 a year, but this is not enough to do the kind of job and inspections that should be done. A talented and knowledgeable person could travel four months out of the year during the ski season and do the job satisfactorily.

House Bill 389 would enable them to have an adequate ski safety program and to put it back in the hands of the skiers. If this bill fails, the division will be in the same position they are not in, with inadequate funding for put this program into effect properly. Since

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Montana's ski industry is growing a great deal and the state is becoming one of the major ski states in the country, Mr. Hauck feels we can do no less than enforce a good ski safety program. There is a firm in Great Falls that would agree to work on a contract and this is the way Mr. Hauck feels the program could best be administered. Mr. Crosser interpreted that the way the law is written the state of Montana is insuring that we will insure the lifts are in good condition, but there is not enough funding to do this presently.

There are two options for this program: it could be funded with the passage of Representative Scully's bill (HB 389) or it should be funded by the Governor's budget. Mr. Crosser also reported that the advisory council which is made up of representatives from the industry support the bill, as do the Northern Ski Area Operators Association. Mr. Hauck indicated that the \$12,000 requested would be enough to handle the contract for four months for the ski season. Representative Wood asked about insurance coverage for the ski areas and if the insurance companies could be held liable; Mr. Hauck responded that they do have insurance but the insurance company is liable to a limited degree only. Senator Lockrem suggested that the Occupational Safety and Health Act applies. If an area is operating without a license or is in violation of the license, the division can take away that license and has injunctive powers through a county attorney. But it should be considered that if there are any serious accidents in the industry, it seriously hurts the entire industry in the state. An example discussed was the recent accident at Vail, Colorado.

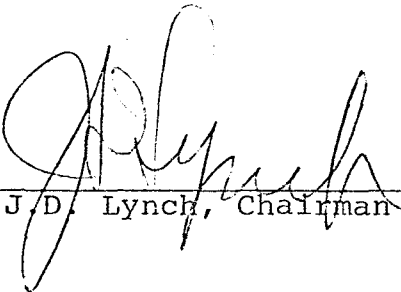
Transportation of Prisoners: This is the most agreeable budget, with no differences in the budget recommendations or request. There was a discussion of the transportation of prisoners and traveling done by sheriffs. For purposes of comparison, last year there were 68 extraditions, and 72 so far this year; claims were 288 last year, and 205 this year so far. If the governor signs extradition papers, the expenses must be paid no matter where the location is. Steve Webber, Accountant for the Department, distributed additional information on the travel appropriations for sheriffs and briefly discussed this issue. Senator Regan asked if a directive could be put in the form of an administrative code rule or something similar to take care of the problems of abuse of travel and excessive overtime. Mr. Crosser will check with their legal counsel in this regard. Mr. Saxby stated that they are not in a position to tell county officials how to transport the prisoners that the court orders to prison.

Purchasing: There is a difference in the number of FTEs requested and recommended by the executive and the LFA budgets; the LFA also recommends a reduction in funding of about \$27,000 in 1978 and \$28,000 in 1979. Mr. Saxby feels the funds are needed because there are workload increases and the impact of the addition of the university system in the department has not yet been fully felt. The LFA also recommended the use of an automatic typing procedure; but Mr. Saxby stated that their automatic typewriter was taken out about a year ago

because they felt it was more efficient to have a person there to handle the papers than to have a typewriter. They feel they need a person because of the university system coming in. Operating expenses are higher than they originally requested and money to cover general services was taken out (this will be discussed under the General Services Division Mr. Eaton stated).

In concluding this hearing Mr. Saxby stated that except for the rent differential, the department believes that the executive budget would be sufficient. Mr. Gosnell indicated that some of the data they now have was simply not available when they worked out the budget and couldn't justify it at the time. But with the workload increase, he now feels it is justifiable.

The meeting was adjourned at 8:50 a.m.


J.D. Lynch, Chairman

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