

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

February 18, 1977

8:10 a.m.

Attorney General's Office
State Capitol Building

The meeting was called to order by Chairman Lynch with all members present. The subject of the hearings: Department of Justice: I.D. Bureau; Central Services; Data Processing; Highway Patrol.

I.D. Bureau: Mr. Gosnell said that the LFA recommendation shows a slight decrease from the department's request; the executive budget is even lower than the LFA's.

Mr. Philip Conover, Chief of the I.D. Bureau, explained that the I.D. Bureau is responsible for maintaining the fingerprint records throughout the state, getting prints, maintaining records, and keeping records of the dispositions of arrests and sending out "rap" sheets, maintaining a disposition log which is up to date. Their workload has increased tremendously. They also publish a monthly Law Enforcement Bulletin which costs approximately \$240 a month (\$2880 per year); this comes out of operating expenses along with communications, rent, maintenance. On all the budget recommendations, they come out short of funds. He did say that certain amounts may be left over depending on the amount of travel required during the year, but that cannot be accurately predicted as it is related to the crime level during the year. All other costs have gone up; for example, silver nitrate (which is used in their fingerprinting lab) was \$5 an ounce and is now \$14.40 an ounce.

They had not anticipated a problem with the personal services decrease as they have had little turnover in the past; however, they are expecting one girl to find another job in the near future. They pay: \$7500 for one clerk; \$8600 for another clerical position and \$9490 for the fingerprint technician. They could not manage with a reduction in personal services and a change in staff.

Senator Regan pointed out that the LFA recommendation is above the Governor's recommended budget.

Basically the difference was in turnover rates and adjustment for fringe benefits, Mr. Gosnell reported. On operating costs, they spent \$11,000 in 1976 and the request is for \$17,000, which is a substantial increase. Mr. Gosnell did not have his budget analysis with him for this hearing, as it was not scheduled to be heard on this date. He will explain his analysis further to the committee at another time. He did question the need for the monthly bulletin.

Mr. Conover gave a copy of an issue to the committee and explained what information is included in the publication. It appears that the

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police departments throughout the state value the publication and have voiced their concern over this budget to several members of the committee.

A compromise budget was proposed, but Mr. Conover said he would still not have enough money for supplies, materials, travel, utilities, and some other expenses. Their request is only for what they feel they will need; if they find they have surplus monies at the end, they will revert it back. Some of the travel funding is to enable the staff to attend seminars and conferences, which Mr. Greely feels they should be involved in.

Mr. Gosnell will work further on this budget to come up with a figure the division can live with.

Central Services: Bob Kuchenbrod, Administrator for the Central Services Division, said they have a staff of ten doing all the budgets and payroll for the department (approximately 450 people). If they lose \$10,000 and \$14,000 he feels they will lose an accounting technician I position. Under the LFA recommendation there were some calculation differences. Part of that was under postage; they mail out approximately 240 highway patrol payroll checks. If there is no postage increase, there will be no problems. If there are no utility increases they will have no problems there. They do need more money as far as the personal services goes.

Mr. Simpkins explained that once again the difference is in the vacancy savings factors used. Mr. Kuchenbrod stated in the end that they can live adequately with the LFA budget; their budget is very volatile, he said.

Data Processing: This is actually one part of the central services division. Mr. Gosnell said that he is substantially higher because data processing submitted a modified budget. The LFA allowed a slight increase in telephone costs and did not allow the increase in rates for the data processing as they felt there should be a decrease in rates under consolidation of the state's data processing systems. Mr. Gosnell explained some personnel changes he made on paper for this division.

Mike Meldahl, Chief of the Data Processing Bureau, distributed a sheet explaining their budget and needs. House Bill 468, last session, created the data processing division, and he gave the committee a progress report on the division. They have automated the motor vehicle office for registrations. They had 739,000 vehicles two years ago, and now have over 800,000 (an 11% increase). They have managed to keep up with the workload increase with the existing personnel and have retrained their people. He explained how their system works. On June 1, 1976, it took 9 weeks to issue a title; it has been reduced to one day now. Inquiries now go directly to a computer; the traffic on that line has quadrupled and they now receive about 663 calls a day for law enforcement information. The division is getting favorable reviews by the general public and in newspapers throughout the state.

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Mr. Meldahl discussed 3 budget modifications. The first was regarding the data processing increases in costs. Right now the Dept. of Justice does not have a computer; they contract all their computer work presently to the Dept. of Highway and pay \$23,000 a month for this service now. The state is consolidating and Dept. of Administration has informed Mr. Meldahl by letter that their current costs would go up to \$44,000 a month under the consolidation process. He feels consolidation should result in lower costs and wondered why their costs were to be raised. Mr. Gosnell stated that the division received their letter in August, 1976, but since that time Mr. McGee of the Dept. of Administration has made some decreases and he reported to the committee during their hearings that further decreases will be forthcoming. Mr. Simpkins of the Budget Office said he was sure it will not cost them that much; Mr. Meldahl asked for that in writing. Mr. Simpkins said that if the workload is equal, the costs should be at the current level with no increases. Mr. Gosnell said that if the workload stays consistent, his recommendation is probably high; if there are increases in the data processing work, they will probably need more money. Senator Regan suggested that we leave the money there and they revert what is not used.

Mr. Meldahl explained that he has had someone on contracted service doing accident statistics, presently being paid equivalent to approximately a grade 14 with no fringe benefits. He asked the committee if they want him to stay on contracted services or bring him on to the staff? The person they have been using came in new to the state, but will be looking for a permanent job if he is not a permanent employee. This person is a 26 year old Carroll College graduate and is a data processing professional. The funding has been coming out of the Highway Patrol funds; and since he does highway statistical reporting he could continue to be paid in that manner, Mr. Gosnell stated. The position would be a grade 14 which pays about \$14,500 plus fringe benefits.

The other modification he discussed was regarding the criminalized history program. There is an LEAA grant for this program, to allow law enforcement agencies to inquire about the history of individuals. The proposal is for a state centralized system, as the state is beginning to fragment with programs beginning to develop around the state. So far Billings is the only place to start the program, but Mr. Meldahl said 7 or 8 systems will develop separately if allowed. A centralized criminalized history program would be federal funds now but the state would have to pick it up after 4 years. The grant is for about \$400,000 over the four-year period. Mr. Meldahl feels the state will eventually have to have the program, whether it is centralized or not. In response to a question from Senator Regan, Mr. Meldahl indicated that the Governor's committee on crime put it number 3 on their priority list, behind the LETS and Crime Bureaus. Senator Nelson asked if the counties are getting federal money for the programs; Mr. Meldahl said that Billings (Yellowstone County) is the only one that has applied so far and received the funding. The federal government says that they cannot afford to put the money in to each individual county, and have, therefore, held up on the other applications. They would rather fund a statewide, centralized program.

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Motor Vehicle Division Administrator and Program: Mr. Gosnell stated his recommendation was for zero funding for the Administrator position based on how the position was used previously. The former attorney general preferred to deal directly with the division and did not use the administrator. The position is a coordinating function of administrative bureau and the highway patrol. Mr. Greely does have plans for the position and requests it be reinstated.

Mr. Greely testified that he had intended to delete the position but has found there is a definite need for it. In the first month, his chief assistant in the legal services division had to answer to the highway department and was spending a good deal of time there. His predecessor maintained this position even though he dealt directly with the highway patrol and motor vehicle divisions and the administrator did not serve the purpose intended.

Senator Regan said she has asked that the bill be killed (S.B. 412) and she does feel there is a need for this position. Mr. Gosnell said that he has no problems with the position if Mr. Greely is going to use it.

Larry Majerus, the recently hired Administrator of this program, explained that the program will coordinate and provide general policy direction. They have short and long term objectives; and he will be responsible for the affirmative action program for EEO.

Chairman Lynch asked Mr. Gosnell to work out a budget recommendation for this position and a secretary.

Highway Patrol Operations: See pages 156-165. Mr. Gosnell recommends to eliminate a "paper" program called the commercial vehicle regulation. Mr. Gosnell explained his recommendation, which is on pages 158-161 for the Driver Licensing Program; this program would put more highway patrolmen on the road. The cost would be \$71,000 net more for the biennium which will begin to be a savings after. There would be transition costs to ensure the civilians were properly trained, attrition should be taken care of; slight increase in costs. Senate Bill 411, introduced by Senators Regan and Fasbender, would make this change from highway patrol examiners to civilian examiners. The fiscal note with the bill show the impact of moving 26 patrolmen and 26 civilians.

Colonel Joe Sol, Chief of the Highway Patrol Bureau, testified that he agrees with the recommendations for the commercial vehicle program. There were three main problem areas which he discussed. The first, in referring to the attached sheet, he explained the problems they will have in purchasing the new equipment. Their recommendation is only a 7.7% increase for 1978, compared to 1977. Last year they were unable to replace 31 vehicles that should have been replaced. In doing so, they were \$60,000 over the expenditure. These cars came in \$720 per unit over what was appropriated. The dealers are telling them to expect a slight increase in the next two years also. This budget does not reflect monies for that increase. In order to replace the cars, they project 106 cars per yet to replace, there would be an increase of \$103,000 for 1978 and \$138,000 for 1979. With barebones figures ,

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if they replaced 90 cars each year that would replace the actual high performance traffic fleet and they could survive with that budget. But two years from now they will probably have to have 140 cars replaced. He can do it with the proposal, but will sadly deplete the fleet.

His second problem was the data processing cost increases, which had already been discussed.

The third problem was that they accrued \$52,000 after the end of the fiscal year which was not included.

He brought the committee's attention to the Patrol Activity Summary portion of the attached sheet, which shows they are experiencing a very heavy workload on the same number of people; 1974 compared to 1976.

Mr. Gosnell explained the proposal to fund the retirement package from the general funds; it is a "wash-out" dollar wise, but it's a much neater method. It could be done by budget now and by law next time. Senator Lockrem brought up using general funds and highway funds. Mr. Greely said it should be funded with highway funds. The highway patrol should receive as much funds as possible from the highway fund; they are entitled to a certain share. Mr. Gosnell said that to fund salaries from one account and the retirement from another does not make sense and should be straightened out.

Mr. Simpkins budget recommendation is for 90 rather than 106 cars, commercial vehicle regulation should be merged and the driver licensing division should stay status quo.

Mr. Greely stated that he has only been directly involved with the highway patrol in the last month and a half. In his own mind he has not formed a firm opinion; he feels it should be looked into and also check on the experience of other states. His recommendation is that a "study would be very, very appropriate." The legislature should take no action this year but look at it and have some cold, hard facts. He does not think it will save money.

Representative Kerry Keyser, District #81, testified in support of the highway patrol. He feels more people would have to be hired and asked how the overtime problem could be handled when it is accrued while on the road traveling often. What would happen to the patrolmen already in the examiner positions? The state will have to pay moving costs if they are transferred. While traveling to a station the patrolman is on the road, he is patrolling, and is visible. There are many unknown factors that the bill does not address. It would be a mistake to change without more study.

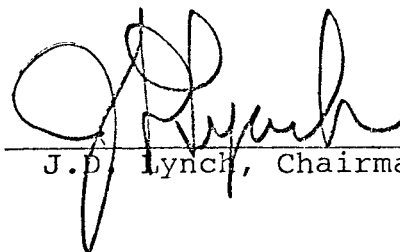
Tom Schneider of the M.P.E.A. testified in support of the highway patrol's position. He said that he is concerned about 18 families of the patrolmen. He had heard before that the civilian examiners would be graded at a 9, recently heard that it would be an 11, which would be better. There would be no savings. He discussed the overtime

factors and the situation regarding transferring the patrolmen back into the field service.

Captain Duane P. Tooley, Chief Examiner, testified next. He compared the proposal to the system in Washington; they have a similar pay scale and a turnover rate of 44%. The training would be pretty severe. The examiners feel they have established and are working toward a good program and are about on the national average. To change it in the manner proposed would set it back severely. He has no objection to the idea; but he does object to the way it would be handled if done at this time, if it is implemented without a careful study. It would be very detrimental to the state, without further study and examination. If a study is done properly and shows there are advantages and savings and there would be sufficient transition time allowed, it could be satisfactory.

Colonel Sol concluded the hearing by bringing up an issue that could become a problem in the future. It is not in the budget request now, but could reach a crisis soon. Missoula County this past year brought to their attention that at the first of the year, because of increased costs, they will be asking the users of their communication systems for a users fee. It would be \$17,500 per year for dispatch in that county. S.B. 142 covers this situation he said.

The meeting was adjourned at 9:40 a.m.



J.D. Lynch, Chairman

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