

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

February 22, 1977
8:10 a.m.
Room 428A &
Attorney General's Office
State Capitol Building

The meeting was called to order by Vice-Chairman Regan, with all members present; Chairman Lynch was present for the Dept. of Justice's hearing at 8:30 a.m. Subject of the hearings: Civil Defense; Department of Justice: Law Enforcement Academy Bureau; Registrar of Motor Vehicles; Law Enforcement Teletype System; Fire Marshall Bureau; Law Enforcement Advisory Council.

CIVIL DEFENSE HEARING: Mr. Gosnell explained that his recommendation is to cut four FTEs out of civil defense and fund the natural disaster defense plan. It is a severe cut within the program.

Mr. Carlyn L. Gilbertson, Administrator of the Civil Defense Division, explained that if the four FTEs are cut, as proposed by the committee, it would mean the seven FTEs would be funded for nuclear disaster preparedness only; the work that would have to be eliminated would be the natural disaster work because the others are already committed. The cut would cripple them as far as responding to disasters goes. Now they also are able to get excess property for the counties in disaster preparedness plans; but they would not be able to handle the excess property program without people in the field. This program is very beneficial for the people in the state. If they have the 11 FTEs which are funded by federal funds and nuclear oriented, they actually have more flexibility at the local level. Mr. Gilbertson also reported that the U.S. Congress has three bills before it that would provide some funding at the state level for natural preparedness. In two years he feels this will be in effect.

Mr. Eaton, of the Budget Office, feels very strongly that the 11 FTEs must be funded and he explained the various types of funding and in which areas they apply (H.U.D. and D.O.D. money as well as state). He said that the satellite program is very beneficial to the state; and the four FTEs are necessary here. He asked the committee not to cut back on a program that is performing well.

Mr. Gosnell felt the state should not have to fund nuclear preparedness, but should put the money into the state's natural disaster planning.

Patricia Beebe, Administrative Officer of the Division, said that it would be impossible for them to handle both the natural and nuclear planning with only 7 FTEs. She used Washington state as an example for comparison; they have 12 FTEs for natural disaster and an additional 20 FTEs for fuel allocation. The state of Montana now is not funding

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any natural disaster preparedness. They are just going on the shirt-tail of federal funds; and could continue to do that if they have that funding. If they are not funded, the state should give them the proper funding to do their job for the state.

Along this same line, Mr. Eaton said that general funding for this has not been allowed. If we are to be more natural disaster oriented, it will cost more; and the state should adequately fund the division. They need those four FTEs.

In response to a question about the federal funds received for flood relief, it was stated that the money still would have come in regardless.

Some counties have been requesting rent money; therefore, added this request to their budget. They have been receiving free rent space in most counties, but some are having problems recently. Senator Regan felt the counties should continue to provide space, rent free.

DEPARTMENT OF JUSTICE: Law Enforcement Academy: Mr. Bob Kuchenbrod, Administrator of the Central Services Division, said that now the costs are \$5.40 a day for non-mandatory (specialty) courses and \$2.70 a day for mandatory. He said the department believes the 1975 legislature's intent was right to make the users pay a portion of this cost. Senator Regan said that the legislature went along with 1/2 the funding for this biennium with the idea that the next biennium, the users would pay for the total package. Mr. Gosnell pointed out that the users do pay a portion of the costs. Mr. Gosnell's recommendation is for \$277,000 and \$283,000, which is slightly increased from the 1976 base. The executive recommendation and the request from the division is for \$307,000 and \$313,600.

Larry Lytle, Chief of the Law Enforcement Academy, testified that the funding for the room and board was based on the enrollment they had prior to July; but in August when the training budgets were approved, they had 41 cancellations because the counties could not afford to pay the costs. Their revenues had been cut. The counties pay the salaries, mileage expenses, replacement officer costs, etc while those people are in training. It is about \$370 per week from the local government just while the officer is in training. Havre, Kalispell, Missoula, Libby, Lincoln County, Plentywood and others were some that made cancellations on the training. There are a number of departments, Mr. Lytle said, who have never sent people for training.

They trained 116 officers, offered 82 weeks of instruction and think they are making the system work. To throw the burden back on the local governments besides what they are already paying, would be a setback in the program. Last year \$23,000 were reverted mostly because of the room and board expenses being decreased when the students did not come to the Academy.

Mr. Kuchenbrod explained that there were accruals of \$19,800, in rent, that Mr. Simpkins picked up but the LFA did not. The base would be decreased by that amount.

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In response to a question by Senator Regan, Mr. Lytle said he did not anticipate any federal funds coming in. Mr. Simpkins said that they have budgeted \$100,000 of federal money out of Title II, public works program, as a one-time thing; it would be a savings of general funds. The executive budget made no issue of users fees.

Senator Lockrem suggested that we could take a combination of the executive and the LFA. Chairman Lynch asked if we want to continue with the users fee, adding that he realizes that they are already paying salaries and travel, etc. But if the program is that valuable to the counties, the \$150 per student should be increased to show they do appreciate the academy. Senator Lockrem pointed out that the total benefit goes back to the law enforcement agencies of the local governments. Chairman Lynch and other members have been getting numerous letters in support of the Academy. The feeling in general was that the local government should be supporting this program more than they are, if they really feel it is a valuable program. Mr. Lytle said that the agencies believe this, but they cannot always convince the city councils of the same thing to get the funding.

Senator Regan asked if the program is taken to the larger communities, for training and promotion; Mr. Lytle indicated it is. The cost would be less taking it to communities without the room and board expenses. Most of the people work a shift and go to school a shift. Regional training deteriorates in quality, though. The courses at the academy are specialized and mandatory, both, and superior to the regional concept.

It was proposed by Senator Lockrem that the state fund the mandatory courses only; Mr. Lytle's response was that the specialized school would lose its support. Chairman Lynch asked why that would be when the state is paying half of the optional and half of the mandatory presently. Mr. Lytle said that the optional course (specialized) enrollment has dropped to 16 or 18 students per class, when it should be about 36.

Registrar of Motor Vehicles: Mr. Gosnell said there is \$46,000 for 1978 and \$50,000 for 1979 in the modified request for 1.2 million registration slips. The executive budget includes this and he recommends it be funded. Even after adding that in, the LFA recommendation is under the executive budget basically because he used the 1976 base. A slight amount was reverted.

Mr. John Matthews, Chief of the Central Services Division, said that they were instructed to add postage increases which were expected to come up; if there are no increases, there would be no problem. Another expense that they must prepare for is electricity costs (\$1800 per year) when they take over all expenses for the building they are in. They currently pay water and gas. Mr. Gosnell said that the \$3600 is the only basic problem.

Senator Regan asked about the 13 FTEs that were put on four years ago for the purpose of purging files by hand. They should be done by this

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time, Senator Regan said, and asked about the status of these positions. Mr. Meldahl said that they have been trying to keep up with the increase in workload without increasing the staff. He emphasized the large increases they have had, 4.8% every year in registrations and they have about 1.6 million licenses, with 660 drawers of new titles every year. The titles are not on the computer.

LETS: Mr. Gosnell said that again Mr. Simpkins found some federal money for 1978 in lieu of general fund support. Refer to page 167. Basically the difference is in the use of the 1976 vs. the 1977 base. There has been no reversion for this year.

Marlene Vaughn, Chief of the LETS Bureau, said they have no reversion funds because they have increased their services and upgraded the system. They should come out even this year, but will run short next year. See the attached handout. The Governor's budget recommendation would not make them run short. It costs \$211,816 to run the system as it is today. This includes communication lines and terminals on the system. She said there is no comparison to what they are doing now and in 1976. Mr. Gosnell said that there should have been a budget modification submitted in that case. Mr. Kuchenbrod retorted that they were told to use the 1977 base, and a budget modification was not required when using that base but it is under the 1976 base. Mr. Gosnell indicated that they should be funded but should keep the 3/4 and 1/4 mix of federal and local funding in 1978.

Ms. Vaughn said, in conclusion, that this budget does not leave her with money to add users to the system. She has submitted a budget modification for terminals for the fiscal years and she has one that wants to come on to their system in April. \$13,415 for 1979; \$6,6708 for 1978.

Chairman Lynch concluded that without objection, he would suggest that we go back from the Governor's budget and put in \$125.

Fire Marshall Bureau: Tom Selleck, Chief Deputy Fire Marshall, distributed the attached handout to the committee members. Mr. Gosnell said there is a slight difference in the budgets. Mr. Kuchenbrod said that there was a difference on the postage costs; problem resolved. Also there is a problem with the personal services cut he feels. But there was a discussion on this which showed that Mr. Gosnell was talking about a 97% staff; Mr. Simpkins, 96%; and Mr. Kuchenbrod, 100%. Both Chairman Lynch and Senator Regan, as well as Mr. Gosnell said that if they are funded for 8 FTES they could have the full 8 for the full year, whether or not there were vacancy savings.

Law Enforcement Advisory Council: See page 171. There are no differences on this budget; the LFA recommends funding at the level requested by the division - \$795 per year.

Mr. Greely thanked the committee for their efforts on this budget and offered to be available for any further questions or discussions. Mr. Driscoll added that they suggest the trial time be billed on a sharing agreement with the county attorneys under the new program they propose. It should be self supporting that way. The meeting adjourned at 10:00 a.m.