

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

February 26, 1977
8:30 a.m.
Room 428A
State Capitol Building

The meeting was called to order by Chairman Lynch with Representative Wood and Senator Regan present. Representative Gunderson was excused for the day, but left his votes with Chairman Lynch. Senators Nelson and Lockrem were excused. Executive action only; no hearings.

DEPARTMENT OF REVENUE - SUPPLEMENTAL: Mr. Gosnell reported that the Department has informed him they must have the \$800,000 as requested. Senator Regan moved that the \$800,000 be added to the budget for this year. VOTE: The motion carried with all four voting members unanimously for the motion.

TEACHER'S RETIREMENT SYSTEM: They still need the accountant position even if they were to put in a Watts line to curtail the traveling of the counselor. Representative Wood moved that this position be added to the budget. VOTE: The motion carried unanimously.

LEGISLATIVE AUDITOR: Senator Regan stated that we have removed revolving funds from Revenue and other departments, and just because this is a legislative office we should not treat them any differently. She seriously doubts that he needs that money; but he can come in for a supplemental if it is needed, and when it is needed. Mr. Gosnell said it would be inconsistent on the part of the committee if the fund is taken out of all the others but not this one. The division is getting new positions and funding for that.

Senator Regan moved that paragraphs one (1) and two (2) on the attached sheet be kept in, but paragraph three(3) will not be added. VOTE: The motion carried unanimously.

DEPARTMENT OF JUSTICE: Criminal Investigation: This is for the lab and services. \$147,469 and \$141,772 was the original request package of the LFA. Senator Regan asked what has happened with the bill for the forensic department and lab; Mr. Les Simpkins of the Budget Office said it is still in the House - probably in the Appropriations Committee. The forensic lab will be doing work with the crime lab. The crime lab, in addition to drug analysis, studies and investigates various other types of crimes; and they have been doing a good job.

Mr. Gosnell asked if they would need the modified budget if the forensic lab bill passes; Mr. Simpkins responded they would because that lab will not be provided with the equipment the crime lab is requesting.

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Chairman Lynch felt that the microscope and the camera should come out of LEAA funds or not at all; he suggested they be given the chemist position as they requested. If the equipment costs were provided, there would be no incentive to get the funding for the equipment from LEAA.

Senator Regan moved to give the division the chemist and not the microscope and camera; we will allow the equipment if they can get the funds from LEAA. VOTE: The motion carried unanimously.

LETS: There was a discussion of the request for the new terminals. The executive recommendation shows the use of federal funds for 1978, which would mean a savings of \$50,000 for that year.

Senator Regan moved that the committee follow the executive package. VOTE: The motion carried unanimously.

Law Enforcement Academy: Mr. Gosnell explained that \$19,800 for each year should be adjusted for accruals in the division; that would reduce the request of \$29,409 to \$9,609 and the request of \$30,627 to \$10,827. The major difference in the budget is the mix of dollars. Mr. Gosnell recommends that it be put in. The charge back from the local governments is included in the total figures.

Senator Regan moved that we insert the \$19,800 in lieu of the \$29,409 request and insert the \$19,800 in lieu of the \$30,627 request and that the committee accept the budget with the appropriate language. VOTE: The motion carried unanimously.

The intent will state that the division will find permanent funding other than the general fund support.

Fire Marshall: The differences are the current level bases. Mr. Simpkins stated the division would not be hurt by cutting the \$4,199 and \$5,430 requested by the division. Senator Regan moved that the budget be approved on the recommended budget of the LFA, without the \$4,199 and \$5,430, contingent on the failure of S.B. 401. If S.B. 401 passes, the amounts could be added on in the full Appropriations Committee. VOTE: The motion carried unanimously.

I.D. Bureau: Representative Wood moved to add \$4,742 and \$3,029 to the budget, and approve the LFA budget. VOTE: The motion carried unanimously.

The Law Enforcement Advisory Council: Representative Wood moved that this Council and budget be put under the legal services division, travel funding. VOTE: The motion carried unanimously.

Centralized Services: Representative Wood moved to accept this budget. VOTE: The motion carried unanimously.

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Data Processing: The amounts of \$2,766 and \$3,137 would cover the fringe benefits for the statistician if he is put on as a grade 15.

The criminal justice information system (criminalized history) would be about \$172,000 every year after the LEAA money runs out. S.B. 439 deals with this issue. This would have federal funding for four years, then it would have to be taken over by the state.

Senator Regan made a motion that the committee not approve the funding for the proposed new system and the amounts of \$28,901 and \$260,112 for 1978 and \$22,128 and \$199,153 for 1979 not be approved. VOTE: The motion carried unanimously.

Senator Regan moved that the committee accept the budget now with the two criminal justice information system items deleted and put in the \$2,766 and \$3,137. VOTE: The motion carried unanimously.

County Prosecution Unit: Chairman Lynch indicated that he disagrees with the salary for the prosecutor (\$40,000 and \$42,000 proposed); it should be under the Attorney General's salary, he felt. Mr. Gosnell indicated that the person they are considering for the job, who meets the requirements for the job, probably won't take the job if it pays less than \$35,000 per year.

Senator Regan moved that the Prosecutor's salary be set at \$35,000 for 1978 and \$36,000 for 1979. VOTE: The motion carried unanimously.

Right now, Senator Regan stated, the counties are hiring on a contracted basis to prosecute the criminal trials. Example was given of the case recently tried in Harden.

Mr. Gosnell pointed out that this is the only new program the Dept. of Justice has. Chairman Lynch said he would go along with passing it and putting it into the whole Appropriations Committee and he will defend it there. Senator Regan said the program could be justified in that our committee has not given much. From the view point of dollars, the "new" general fund money would be \$51,625 for 1978 and \$69,468 for 1979. They expect to get \$50,000 in federal funds. The second year will be having about \$50,000 coming in from the counties; it will be a little less than indicated on the "Decision Package" as the salaries have been reduced and it would be 33.3% of the salaries.

Senator Regan said she would like it written that they will only have this budget at its top level for about six months, but even in that period of time it must prove itself or they will not fund it next time. Mr. Gosnell said it will be running for more than one year at top level when they report back to the legislature. Chairman Lynch suggested a "sunset clause" be put in here. Regardless of who returns to the legislature next session, it should be pointed out, he said, that this was a new program and it should justify itself because as of June 30, 1979 it is out of existence unless they prove it is working.

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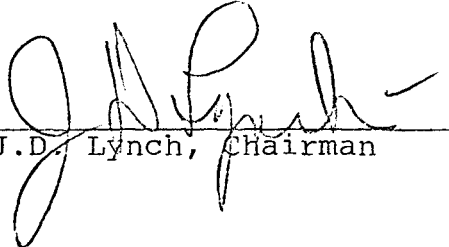
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Mr. Gosnell stated that the criminal investigators now under workers' comp. investigations will probably be moved in here when they are finished with the workers' comp. This would mean there would be no time lost for training the investigators. Mr. Gosnell said that the local sheriffs' offices are just starting to get trained fully in the investigating areas. Mr. Simpkins said that the state does need some kind of program for investigations.

Senator Regan moved to accept the budget and write in the bill that this program will terminate on June 30, 1979. If they want to continue with the program, they will have to come in as if it is a new program. VOTE: Chairman Lynch requested a rollcall vote: REGAN: AYE; WOOD: AYE; LYNCH: AYE; NELSON (recorded his vote after the meeting): AYE. The motion carried; the votes of Senator Lockrem and Representative Gunderson will be recorded for the record when they have returned to Helena and taken action on the matter.

Senator Regan said that she has been asked to ask the committee if it would be interested reconsider action taken on the Citizens Advisory Council on Energy. Since there was not a full committee at this time, no action was taken.

The meeting adjourned at 9:30 a.m.


J.D. Lynch, Chairman

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