

MINUTES OF THE
LEGISLATIVE, JUDICIAL, ADMINISTRATIVE SUBCOMMITTEE

January 10, 1979
Room 132
State Capitol Bldg.

The meeting was called to order at 8:15 a.m. No roll call was taken, but all members were present except Representative Hand, who had been excused.

This first meeting was an organizational meeting. There was an open discussion on setting up a schedule of meetings and time. It was decided to meet at 8:30 each morning. The committee decided to hold budget hearings for the Highway Department at the highway complex.

The Fiscal Analyst (JanDee May) said that as a rule the general format would be for the budget office to give their presentation, the L.F.A. will give her presentation and her recommendations. Differences between the two recommendations would then be explained.

While waiting for the representatives from the budget office to arrive, the committee discussed what they had done last session, what they hoped to cover this session, etc. Open discussion on the Justice Department, Supreme Court, transportation of prisoners, etc.

At 9:30 the three analysts from the Budget Office arrived to present the supplementals. Mr. Ed Eaton had four supplemental requests for the Department of Administration.

TRANSPORTATION OF PRISONERS:

He said the \$5,000 was in error and the amended request will be for \$7500. It was brought forward from 1978 appropriations. The projections would indicate they will need \$85,000. He stated their higher bills come in the spring. This is the third time they have had to come in for a supplement. He explained the Department of Administration has little or no control over the expenditures.

TAX APPEAL BOARD:

They are requesting \$60,690. Their costs have gone up because of the back log of appeals process (over 4% increase).

DISASTER AND EMERGENCY SERVICES:

They are asking for \$750,000 for this biennium. They have approximately \$33,000 left. He said there are six counties thinking of asking for emergency support at this time.

Senator Lockrem asked if the \$750,000 was for the biennium. Mr. Eaton replied yes. They then discussed the flood and snow removal problem and Mr. Eaton said the money would be reverted if not spent.

S.B.A.S.

The Accounting Division is requesting \$325,000 to cover increased costs of the S.B.A.S. intergradation project. This amount relates mainly to additional computer time.

DEPARTMENT OF JUSTICE:

COAL TAX DEFENSE: Les Simkins said \$150,000 is requested for the coal tax defense. This is spent in three areas, Governor's Office, Department of Revenue and Attorney General's Office.

Senator Lockrem wanted to know why Mr. Cannon, Christianson and the Professor from back East should be on the payroll. He requested Mr. Simkins get more information on this for him. Senator Thiessen wanted to know why we have to hire more men not already on the payroll. Mr. Simkins said the Department of Justice will have that information.

The chairman said Bill Christianson had worked with the coal tax previously and should have some expertise. The committee then asked what qualifications Ross Cannon had in coal.

LAW ENFORCEMENT ACADEMY: One more request for the Department of Administration is \$20,000 for the Law Enforcement Academy to pay rent. The rent is \$107,000 a year and they have enough in the budget now to pay \$80,000. They have taken means to increase fees, hoping to generate enough money to pay the rent. The Agency reverted \$23,000 in funds last year. He said HB 145 said we can't balance transfer this unless of emergency. It can be balance transferred with legislative approval.

Senator Thiessen asked if MSU could just kick them out like this because they should have been funded by the last session. Sen. Lockrem asked why not have them go to Western instead of staying in Bozeman. The Budget Department said that all the facilities are in Bozeman.

SUPREME COURT:

Jim VanKoten from the Budget Office said HB 4 created three district judgeships. One district judge came on board on September 1 of last year. The other two started January 1, 1979. These three judges were not funded. They are asking for the salaries of the first judge for 1978 and 1979 and full salaries and travel for the other two in 1979. They are asking for \$129,750. This would fund the three judges and their travel.

Senator Thiessen felt we should analyze the three judgeships and their performance. Their time could be put to much better use than now. The feeling is they should be watched very closely.

Chairman Menahan said we could look at this further when the Supreme Court comes before the committee.

SECRETARY OF STATE:

RECORDS MANAGEMENT: The Budget Office said they are requesting a supplementary budget of \$80,266. This is mainly due to printing costs of pamphlets, initiatives, etc. There is no way of anticipating ahead of time. He said at the start of the year they had \$404,000 and the Secretary of State knew that would not be enough. So he then came in with the figure of \$485,000 as what they needed, mainly because of printing costs. They did have \$5,000 excess in the salary amount which they subtracted from this cost.

ADMINISTRATIVE CODE PROGRAM:

This is for \$25,000, again due to printing of administrative rules, manuals, registers, etc. It is difficult to break this down. He did feel this could be shaved down a little.

Senator Lockrem asked if they had to accept the whole supplement. Mr. VanKoten said it could be amended.

It was decided to have the Justice Department come in next Monday because two of the committee members will be gone tomorrow.

There was some discussion about the usefulness of so many computers and if we need so many. Some members feel we should be able to operate with one computer system.

The Fiscal Analyst then gave her presentation.

JUSTICE DEPARTMENT:

She said she had nothing to add on the coal tax that Mr. Simkins had other than she would line item this appropriation.

On the law enforcement academy, the rent will be \$107,000 annually. She said they did not move until October and they will only have to pay \$80,000. Included in the rental contract are janitor service, laundry, ground keeping, furnishings and utilities. The Fiscal Analyst said she had projected that \$19,268 should be appropriated.

TRANSPORTATION OF PRISONERS:

The appropriation in 1978 was \$80,000; they ran short and in 1978 requested \$5,000. At the end of the year they had only spent \$80,000 and accrued \$5,000, now they have a \$2,475 accrual on the books. We feel that \$5,000 would be sufficient. The whole expenditure for 1978 was \$82,523. They appropriated \$82,500 in 1979. She felt that whichever figure is accepted by the committee it is important it be noted in the minutes the amount of the accrual on the books and that it should not be left open for them to spend. If you let them spend the accrual, then you should decrease their supplemental. Representative Bardanouve stopped in and said we should transfer this program (Transportation of Prisoners) into the Attorney General budget. It is not compatible in this area. There was a discussion between Representative Bardanouve and the committee members about doing this.

STATEWIDE BUDGETING AND ACCOUNTING SYSTEM:

They asked for \$60,690. This is caused because of the influx of appeals in property taxes. The Fiscal Analyst took the additional cost from July through November, added 1978 actual expenditures plus 6% increase and came up with the bottom line of \$36,195. The Fiscal Analyst said they saved rent when they moved into new quarters. The major expense will be around \$27,000 for contracted services plus travel and other equipment. There was some open discussion.

DISASTER AND EMERGENCY SERVICES:

The Fiscal Analyst said \$750,000 was requested. There is no way to determine what the cost is going to be. In 1978 there was approximately \$95,000 accrued. There have been expenditures against this but there is a \$56,000 accrual left on the books. This should be reverted and

not spent. There was some discussion on this.

DISTRICT COURT:

\$129,750 was requested for salary and travel. One District Judge started in fiscal 1978 but did not start until September. He only received \$32,500, not \$35,000. Another reduction could occur in travel. We have made allowance for travel and training and the bottom line recommendation is \$121,410.

SECRETARY OF STATE: ADMINISTRATIVE CODES

They requested \$24,799. We recommend \$12,243. There can be a savings on rent of a typewriter of \$361; Communications and Transportation a savings of \$3,000.

Representative Bardanouve talked about the cost of court cases and what will happen. After a little discussion, the meeting was adjourned at 11:00.

Respectfully submitted.


William Menehan, Chairman

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