

MINUTES OF THE MEETING
LEGISLATIVE, JUDICIAL, AND ADMINISTRATIVE SUBCOMMITTEE

January 15, 1979

8:30 a.m.

Room 132

State Capitol Buidling

Tape Data: 2:1-1:445-end

2:2-4:0-35

Subject: Deficiency Hearing
Dept. of Justice

The meeting was called to order by Chairman Menahan with all members present. The hearing for the day was the Deficiency Hearing, Department of Justice: Coal Tax and Law Enforcement Academy.

DEPARTMENT OF JUSTICE
Law Enforcement Academy

Bob Kuchenbrod stated the supplemental being requested was due to the new rent obligation. The request is \$20,000. The rent for fiscal year 1979 was increased to \$80,000 for three quarters. The total for the year was \$107,000. The LEA is obligated for \$80,000. The additional \$20,000 should allow the rental obligation to be met. They reverted about \$23,000 to the general fund at the end of 1978. The academy is asking for part of this money. There was discussion about the eviction of the law enforcement academy by the Board of Regents and the proposal to relocate them to the campus at Dillon (Western Montana College) from the MSU campus. Mr. Kuchenbrod stated that the cost of that move to Western Montana College and setting up the facilities for the academy along with possibly needing new faculty, firing range, photo lab, would be a larger amount than the arrangement of staying in Bozeman. The County of Gallatin offered them some real estate on the Rosary School free of charge for 10 years and this offer was accepted. Senator Thiesen thought a message should be sent to Carroll South and his committee about the eviction and what happened and the extra costs that the Board of Regents had incurred.

The estimate for the photo lab would be \$40,000; firing range \$70,000 and physical moving an additional \$20,000. Senator Lockrem considered the move to Western's campus to be a legitimate one. There was discussion about the \$20,000 additional needed. The additional rent accounts for 8.8% increase in the budget. There was discussion on the long term benefits as included on the terms of rent contract.

Chairman Menahan asked if the inflationary factor, utilities, etc. included in the contract would be taken care of at Western. Mr. Kuchenbrod said yes, that some of them would have been sup-

plied. Discussion continued on the alternative move. It was mentioned that due to the short time factor involved in the move, courses could not have been continued until the preparation of the Dillon facilities was done.

Coal Tax

Mike McGrath, Assistant Attorney General, explained the request for the supplemental covering the defense of the coal tax. The suit was filed in June, 1978 and early last fall they filed motion to dismiss the suit. Mr. McGrath said that part of the problem asking for the supplemental was that they didn't know how much money would be needed. If they win the motion to dismiss in the District Court, they probably wouldn't need much money. Mr. McGrath said that he would suggest that some time before the end of the session they would know the decision of the District Court. If they win the motion, they could be appealed to a higher court. If they lose the motion to dismiss, they will need to hire experts & economic consultant firms to conduct studies. To date, they have committed about \$15,000 out of their budget for the case and were asking for spending authority in case they did need to compile economical data.

Senator Lockrem asked if a detail could be worked out for their request instead of just a lump sum and the reply was that they didn't know what would happen to the case and couldn't give detail. Mr. McGrath said they had requested estimates for costs from economic firms and had received only one. For this biennium they are asking spending authority for \$150,000. They are asking for \$500,000 for next biennium. There was some continued discussion.

OVERVIEW: 2:1-1:698-end 2:2-4:0-35

There was a review for the benefit of Senator Thiessen and Senator Lockrem who were absent at Thursday and Friday's meetings. The subjects were Deficiency Appropriations: Department of Administration, Supreme Court, Secretary of State for January 11. For January 12, the subjects were Budget Hearings: Secretary of State, Campaign Practices, State Auditor. The matters covered in these two meetings is explained in the minutes for January 11 and January 12.

The FA did meet with the State Auditor to come up with more information for the committee on how much the central payroll system would cost after the hearing January 12. To design the project it will cost \$255,000 for the 1980-81 biennium. In 1981 they would like two additional people to help test the system as well as to help educate the people in other state agencies about the payroll system. This cost would be

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\$29,000 for the biennium. After the system is up (1982-83) the estimate is an additional \$70,000 for running the system each year. The need for additional personnel and the possibility of the state training division in the Department of Personnel educating employees about Central Payroll was discussed. The committee decided before taking any action on the budgets to talk with Mr. Omholt again.

DEPARTMENT OF ADMINISTRATION
Supplementals

The committee decided to hold action on the SBAS supplemental until they had a chance to meet with them again.

For the Tax Appeals Board, the Fiscal Analyst stated that if the committee decided to go with the agency's request that a \$2,100 could be saved in the area of rent because they moved into smaller office space on December 1. Reducing the agency request by this amount and rounding off the figure, the committee came up with a \$58,000 figure.

A motion by Senator Thiessen that the State Tax Appeals Board be appropriated the \$58,000 was passed unanimously.


Senator Thiessen motioned that Emergency and Disaster be funded \$750,000 which was recommended by the Fiscal Analyst, and Transportation of Prisoners be funded \$5,000 also recommended by the Fiscal Analyst. All were in favor. The motion was passed.

Senator Lockrem moved to accept the Fiscal Analyst recommendation for \$122,338 to be appropriated to the Supreme Court. All were in favor. Motion passed.

The motion to give the Secretary of State the amounts requested in their supplemental was made. All were in favor. The motion was passed.

The meeting was adjourned at 10:45.

Respectfully submitted.



William Menahan, Chairman