

MINUTES OF THE MEETING  
LEGISLATIVE, JUDICIAL, AND ADMINISTRATIVE SUBCOMMITTEE

January 31, 1979  
8:30 a.m.  
Room 132  
State Capitol Building  
Tape Data: 4:2-4:0-end  
4:1-3:0-175  
Subject: Environmental Quality  
Military Affairs  
Disaster & Emergency Services

The meeting was called to order by Chairman Menahan at 8:30 a.m. All members were present. Representative Hand attended the latter part of the meeting. Fiscal Analyst (FA) JanDee May was also present.

The hearings for the day were Legislative Agency: Environmental Quality Council; Military Affairs: Administration, Army National Guard; Disaster and Emergency: Disaster and Emergency Coordinator, Calibration and Maintenance, Crisis Relocation and Natural Disaster Response, and Air National Guard.

LEGISLATIVE AGENCY  
Environmental Quality Council

Terry Carmody, Executive Director, stated that their budget indicates \$116,510 for personal services for Fiscal 1980. Of this amount \$5,000 is for salaries for members of the committee. Mr. Carmody said that the meetings have been costing approximately \$230 a day for salaries with a 2/3 attendance. There are two major trips a year which last about 4 days. This will take 8 days and leaves 10 days for regular meetings which usually take about 1½ days each.

Another large item is in the area of travel for which they are requesting \$15,500. Of this \$15,500, \$12,000 will be for travel by the members. Each meeting costs approximately \$1,100. The balance is used for staff travel. Total travel is \$31,500 for the biennium.

In operating expense there is \$9,500 for rent of space on 11th Avenue. Contracted services is another large expense. Mr. Carmody stated that all they have added between the Fiscal 1980 and Fiscal 1981 budget is the 6% inflation rate for operating expenses.

Salaries for 1980 have been increased one step on the pay plan but do not include any cost of living increase.

They have 3 ecology researchers on staff. All have masters degrees; a soil expert, a masters degree in public health and a masters degree in a biological field. Mr. Carmody said the staff has had no complaints on reports or work. The program received one federal grant for \$25,000 from the National Science Foundation to set up science and technology capabilities for the Legislators. The grant was used and ran out in December.

Mr. Carmody commented on Senate Bill 246 which will provide for changing the name of the Environmental Quality Council to the Legislative Environmental Council and also for changing the makeup by taking the executive and public members out and having 12 Legislators on the Council.

Terry Murphy, Chairman, stated that the Environmental Quality Council has changed in the past two years so that it is more of a service to the Legislators and the people than it was before. He also felt that there was need for public staff input. Mr. Murphy stated that they do not have an attorney but felt they need some expertise on staff.

The council is made up of 8 Legislators; 2 from each party, from each house and 4 public members appointed by the party leaders of each house. The executive representative is appointed by the Governor. This representative cannot vote.

There was discussion on the work of the Council and what they can do on their field trips. Dennis Nathe, Vice Chairman, gave a presentation on field trips that he had attended. Representative Nathe stated that through field trips, the Council can help the public put things into proper perspective. Representative Arthur Shelden commented that they did not know what the Legislators expected, other than what was stated by law. He stated that the Council should act as a liason between the people and the Legislators.

#### MILITARY AFFAIRS Administration

John Womack, Adjutant General, stated that in the case of anything unforeseen there is only one organization with the man-power and equipment to handle it and this is National Guard. Senator Lockrem stated that a concern of this and previous subcommittees was their responding more to natural disasters. General Womack stated that they have responded to and have been there when natural disasters have occurred.

Harry Thode, Assistant Adjutant General, stated that Military Affairs has two divisions: the National Guard and the Disaster and Emergency Services Divisions.

The National Guard has 3 budget programs: administration, the army national guard and the air national guard. In case of being called into duty by the Governor, there is a fourth

program called emergency support which is not budgeted for but comes directly out of general fund during such a call. General Thode stated that their budget was prepared according to the guidelines with a 6% increase in operations. He stated that the Executive budget reflects a 6% increase in operations, with some reductions in travel.

General Thode said 97% of the money spent by the Guard is federally funded and 3% is state general fund. Of federal money, over 26 million is expended each year, most of which is spent for personal services or for pay during week-end drills and annual training.

General Thode stated that the Guard is running approximately 80% strength.

Administration Program. This program provides for the management and supervision of the department. It includes the salaries of the Adjutant General, Assistant Adjutant General, Administrative and Centralized Services and Accounting Technician. General Thode stated there has been no increase in the program personnel for many years.

For operation expenses there is a difference between the agency request in 1980 and the Executive which has a \$1,000 increase over the agency request and the FA which is down from the Executive approximately \$3,500. The FA stated that \$1,000 of the Executive recommendation is related to SBAS and central payroll charges which will be pulled out and no longer charged to their budget. The other differences in the FA recommendation were mainly in the area of utilities and travel.

In the area of equipment the agency requested a microfilm reader/printer in 1980. They maintain over 250,000 military and civil service records in their office which they need frequently for verification of personnel service. Presently, a chemical operation is being used which is very inefficient. The Executive included this in their recommendations but the FA did not. The FA did not recommend the reader/printer at \$4,300 because Records Management Services was set up for this type of service. There was discussion on the inconvenience involved with taking the records to Records Management and bringing it back when it was needed within a certain amount of time.

In fiscal 1981 the program requested 4 chairs and an electric typewriter. The FA eliminated the typewriter from her recommendation because a new typewriter was purchased in 1978 and the program has only one secretary. General Thode clarified that the typewriter was needed by the Army National Guard, not by Administration. The FA questioned if the request for the typewriter should not be in the Army National Guard program.

Army National Guard

General Thode stated the program supports 2100 national guard members in 35 units in 25 communities in the state. Their authorized strength is 2614.

The FA budget reduces the FTE by one administrative aid grade 8 and also decreases travel. The administrative position was not filled in 1978, due to the hiring freeze. The FA applied a vacancy savings of 3%. General Thode stated that they have not had much of a vacancy savings.

General Thode stated that last session the Legislature amended the PERS bill to include national guard service under the Public Employees Retirement System. This was done as an incentive to keep guardsman in service. The state law also says the Department head must submit these costs in the budget. The estimated cost to pick up previous guard service averages approximately \$3,600 a year. General Thode stated they made many assumptions and came up with a very rough estimate of what it would cost to pay back the employer's share. This employer's share is reflected in personal services under benefits; \$276,000. In addition to the initial cost there is a continuing service cost which is approximately \$25,000 a year for army and air guard together. The Attorney General's rule was that national guard service was not service for retirement in any other retirement system.

Mr. Eaton stated the Executive did not include \$276,000 in 1980 for this. The FA also did not recommend the amount for the employees share of the retirement pay. Senator Lockrem commented that the Legislators pay their employer's share and felt this could be done by the guardsmen.

In operating expenses they submitted the 6% increase. The Executive reduced the agencies travel. General Thode stated that the difference between the FA and the Executive was in the cost of utilities. He said utilities is the largest item in the Army National Guard budget. General Thode stated that they have been going up on an average of 13%. They are assuming 17% this year. A letter from the Budget Office stated the guidelines were to stay within the 6% increase and if rates were higher the agency would have to come in for a supplemental for 1981.

The FA responded that in 1978 the agency expended \$27,000 for supplies and materials. They are requesting \$33,000 for 1980 and \$35,000 for 1981. The FA recommended \$3,600 the first year and \$4,800 the second year.

In travel there was a difference of \$1,100 a year. The program spent \$1,000 and were requesting a doubling. Current level travel was maintained by the FA. A 6% increase was applied in the area of rent. The agency indicated that their rent had

increased 17% from 1978 to 1980 and 24% from 1978 to 1981. For utilities, the FA applied a 9% increase per year. The agency requested a 32% increase from 1978 to 1980 and a 41% increase from 1978 to 1981. The FA used 1978 for the base year and General Thode used 1979 for the base year.

The FA noted that the major areas for utility costs are in the area of the armories. She found through research that the cost of operating an armory was approximately \$7,300 for upkeep costs. Some armories are rented and the rent averaged about \$3,900 a year.

There was discussion on the different armories and the buildings rented in the cities that did not have armories (Shelby, Libby, Livingston and Culbertson). The FA stated that last year \$5,000 was collected by renting out the armories. The FA recommended this money be put into a revolving account. General Thode stated the revenue from renting the armories is used directly for keeping up the armories.

In the Department of Military Affairs there are 570 federal employees supported by 25 state employees. All employees are members of the National Guard.

In the area of equipment they are requesting replacement items: lawn mowers, vacuum cleaners, fire extinguishers, etc. Another item which was not recommended by the FA was western type cookstoves.

Federal and private revenue comes from agreement service contracts they have with the federal government to provide 75% of the costs for maintaining buildings where they have their shops.

General Thode stated that they took in approximately \$128,000 in 1978. They were budgeted for \$155,000 this year and he said they will not take in that much. He said he would take issue with the figures of the FA reductions for \$37,000, the bulk of which are utilities. General Thode stated that the federal and private fund should be reduced and the general fund increased.

The FA stated that the 71% general fund and 29% federal fund was applied to the 1979 level.

#### Air National Guard

General Thode stated they have been authorized 23 FTE and have 17 FTE on staff.

Under a service contract with the federal government for the Great Falls National Guard operations, most expenses are reimbursed 80%. Under the firefighter operation, the city

airport pays the state 20% and 80% from the government. No state funds are involved. They are asking to retain 10 fire-fighters. One grounds and maintenance man was deleted in the budget recommendations. This position was caught in the hiring freeze. The Executive and the FA recommend 17 FTE. Ten of these firefighters, 6 being maintenance positions, are covered under the 20% and 80% contract. One clerk is 100% state funds.

There is a difference between the agency request and the Executive recommendation primarily being PERS money, retro-active and current. The FA applied 3% vacancy savings. The FA has reduced travel by \$5,000.

#### Disaster and Emergency Services

Carlyn Gilbertson, Administrator, commented that their primary responsibility lies with the local level. They are the first to respond in a disaster. Within the state, Disaster and Emergency has on-going programs in all 56 counties at some level. He stated last year the local governments themselves budgeted in excess of \$350,000, 50% of which is reimbursed by the federal government. The administration for all local programs is handled through the Disaster and Emergency. Mr. Gilbertson stated that some programs are grant clearance monies and he would not address them in their budget, by recommendation of the FA.

#### Disaster and Emergency Coordinator

In this program there are 11 FTE presently and they had 11 from 1970. Because of the increase in administration and various federal and state requirements, Mr. Gilbertson stated that he restructured the program to include 8 operational people and 3 clerical. They request 11 FTE at their current level.

Personal Services. Mr. Gilbertson said they used a different base from the FA. The FA shows a \$6,000 decrease over the Executive due to the 3% vacancy savings applied. Mr. Gilbertson commented that a vacancy savings for 11 people with minimal changes in positions could cause problems. The FA stated that a vacancy savings was only applied when there was a vacancy savings in 1978.

Operating Expenses. The FA recommended a 34% decrease over the Executive budget. Mr. Gilbertson stated that General Womack's car is being carried under their budget at \$2,800 a year. He also stated that their funding was half federal funding and it was more economical to have the car in their budget.

There was discussion on the Fuel Allocation Program which was transferred to Disaster and Emergency to the Lieutenant Governor and is now in the Department of Natural Resources in the Energy

Division.

Mr. Gilbertson stated there were some other minor variances in operating expenses. In travel they estimated they would need \$16,044. The Executive recommended \$15,504 and the FA reduced their request to \$13,000. Within the coordination program, there are 4 district officers spread throughout the state. Each officer is responsible for 14 counties, which they like to visit once a month.

For out-of-state travel they requested \$3,008 for 1980 which they felt was necessary for one national meeting and for liaison trips to the regional office in Denver. The FA stated that \$5,000 was spent last year for out-of-state travel.

Pat Beebe, Assistant Administrator, commented that it would take \$19,000 for them to get the officers around to the counties and in fact they would not be able to with the amount requested.

In the communications budget the agency request was \$10,022, which was 6% over the previous year.

The FA has recommended \$8,400 for telephone service. Mr. Gilbertson stated they would be unable to maintain their present level for telephone service. Mrs. Beebe commented that with the 56 counties they use the telephone a great deal.

Mr. Gilbertson stated that they have to be operational 24 hours a day, 7 days a week and to do this they rent an answering service and pager at \$55 a month. Mr. Gilbertson stated he is trying to update the service by having a two way radio system which would make it possible to talk to the incoming calls. This would be a \$22 increase, to \$77 a month.

#### Calibration and Maintenance

The only comment Mr. Gilbertson had in this program was in the area of the 3% vacancy savings applied by the FA. He said with only 2 FTE there has only been one change in seven years.

This program is all federal funding. The Coordination program is half federal and private revenue and half general funding.

#### Crisis Relocation

This program is also fully federal funds. This program provides for Nuclear Civil protection.

#### Nuclear Disaster Response

In 1974, Public Law 93288 was passed which changed the relationship between federal and state government in the handling of

presidentially declared disasters. The main changes were before the state could be eligible it would have to have an approved natural response plan and would have to have an identified state coordinator to work with the federal government. A three year contract was set up for the state to work out it's natural disaster plan with a federal grant. There was initially 5 people working with this contract. The contract will expire on June 30.

Mr. Gilbertson stated they would like to maintain 2 FTE to continue with the natural Disaster Response plan and would like to move it into the Coordination program. The 2 FTE would be 50% state funded. Mr. Eaton spoke in support of the program.

Mr. Gilbertson requested \$6,000 for equipment. This would involve suitcases containing a highway patrol radio, a highway maintenance radio, a CB radio and a radio to communicate with Air National Guard. They are requesting 4 at \$1,500 each.

Mr. Gilbertson stated these would help them to be more operational wherever they might be. The Executive recommended the communications suitcases, the FA did not.

The meeting was adjourned at 12:30 p.m.

Respectfully submitted.

*William Menahan*  
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William Menahan, Chairman

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