

MINUTES OF THE  
LEGISLATIVE, JUDICIAL AND ADMINISTRATIVE SUBCOMMITTEE

February 5, 1979  
8:30 a.m.  
Room 132  
State Capitol Building  
Tape Data: 5:1-3:292-1019  
Subject: Work Session  
Overview

The meeting was called to order by Chairman Menahan at 8:30 a.m. All members were present. Fiscal Analyst JanDee May was in attendance. Mike Koehnke and Mary Jo Murray from the Governor's Office were also present.

The meeting was a work session to make decisions on the Governor's Office budget and for an overview on the Department of Justice and Judiciary.

GOVERNOR'S OFFICE  
Executive Office

The FA stated that Raymon Dore had stated that they could live within the FA recommendation for rent.

Senator Thiessen moved to accept the FA recommendation with rent for the Executive Office. Those in favor were Senator Thiessen, Representative Wood, Senator Lockrem, and Chairman Menahan. The motion passed unanimously.

Mansion Maintenance

In this program the FA recommended a reduction in FTE. The FA stated that the .5 security guard and the .25 aggregate position were both vacant all of 1978. There was discussion of the elimination of these positions.

The agency stated at different times they need the help. One position has been filled.

Senator Lockrem moved to approve the Executive recommendation. All were in favor. The motion passed unanimously.

Legal Jurisdiction

The FA did not make a recommendation either positively or negatively because of conflict with the program. She felt it controversial enough to be an independent decision of the committee.

Senator Lockrem stated there was specifically defined scope. He felt the only thing being done was appropriating money for continuing the study.

Senator Lockrem moved to eliminate the Legal Jurisdiction Program. Those in favor were Senator Lockrem, Representative Wood and Senator Thiessen. Chairman Menahan was opposed.

Office of Commerce

The committee discussed the need for the program.

Senator Lockrem made a suggestion to line item the general fund expenditures so if the Old West and EDA grants the program is dependent upon do not come through, there is not a budget amendment.

The Office of Commerce has 6 FTE and is requesting an additional position to work with licensing.

Senator Thiessen moved to approve the Executive recommendation, eliminating the additional FTE and line iteming the general fund expenditures. Those in favor were Senator Thiessen, Senator Lockrem, Representative Wood and Representative Hand. Chairman Menahan was opposed.

Loan Program

The program uses a 3/1 match with general funding. Mr. Koehnke stated the program has been in existence since 1967 and the 3/1 ratio has never changed.

The FA, Bob Robinson, felt granting the money to individuals was not addressing the problems. The FA did not recommend general fund.

There was discussion on the matching of the funds. The program can use private funds to match the federal funds.

Senator Lockrem questioned the funding for the program with general funds for the amount of risk involved.

Senator Lockrem moved to delete the program.

Representative Hand made a substitute motion to appropriate the \$150,000 federal funds but no general fund and the language to be reviewed by the Council of Economic Advisors and the Legislative Finance Committee. Those in favor were Senator Thiessen, Senator Lockrem, Representative Wood, Representative Hand and Chairman Menahan. The motion passed unanimously.

Citizens Advocate

The committee discussed the service of the Citizens Advocate.

The difference between the FA and the Budget Office was the amount of a part time secretary.

Senator Lockrem moved to accept the FA recommendation for Citizens Advocate. Those in favor were Senator Lockrem, Senator Thiessen,

Representative Wood and Representative Hand. Chairman Menahan was opposed. The motion passed.

Lieutenant Governor

Within the program 2 positions were trained through the Management Intern Program. The positions started training at a Grade 13 and were to move to a Grade 15 after completing the training. This was a 2 step increase at 16.3%. The committee discussed the salary rate increase for the positions.

The variance between the FA and Budget Office was \$11,000 in personal services. The FA did apply a 3% vacancy savings.

There was also discussion of the FTE under the Lieutenant Governor.

Senator Thiessen moved to approve the FA recommendation, eliminating one FTE with a salary of \$22,694 without benefits.

Representative Wood amended the motion to include rent, adjustments for communications and \$5,300 a year for travel. Those in favor were Representative Wood, Representative Hand and Chairman Menahan. The motion passed unanimously. However, Chairman Menahan wanted it noted that he was opposed to the reduction of the FTE.

DEPARTMENT OF JUSTICE OVERVIEW

Coal Tax Defense

Les Simkins, of the Budget Office, stated that for the Coal Tax Defense there will be justification and a breakdown before the appropriation bill gets too far along. The suit has been delayed again so they really don't know how much will be needed for research and legal fees. The \$250,000 is an estimate.

Antitrust

The FA did not make a recommendation. The Budget Office did because they felt that it is a good program for dealing with white collar crime and price fix areas.

The Federal Government is appropriating more money into the program. The program is basically federally funded. For each year \$20,000 is general fund.

Legal Assistance Pool

The Budget Office did not make a recommendation because they did not have the funds to fund the program.

Patrol Operations - Field Services - Driver's Licensing

Driver's Licensing. One item the agency will address in their hearing is making the Driver's Licensing totally civilian. It will involve shifting people from the Driver's Licensing to the Field Services. The examiners will be civilian within the

Driver's Licensing Program.

Patrol Operations. The FA has recommended a reduction of 3.8 FTE. The Budget Office has no objections of taking the FTE out of the recruit school with the one exception of the investigator.

The Budget Office, in regard to the discontinued use of 8 automobiles and upkeep related cost, recommends the use of motor pool to offset the reduction.

The Budget Office does recommend 22 additional FTE for the patrol.

#### Motor Vehicle Registration

Savings will occur in the program when motor vehicle slips will no longer need to be mailed. The discussion of the need for 9 FTE will be brought up in the hearing. The Budget Office recommended one panel truck; the agency requested 2 automobiles.

#### Crime Lab

The FA did not recommend the continuation of the DWI Lab.

Mr. Kuchenbrod stated there is over \$1,000 tests a month run in the lab. The tax on liquor will go for the Crime Lab.

#### Forensic Science Lab

The Budget Office did recommend the funding of the Forensic Science Lab and also stated that it was authorized by the Legislature. The Legislature authorized a board to look into the establishing of a Forensic Science Lab.

#### Centralized Services Program

The FA did not recommend 2 data processing positions. She did recommend that two positions from Centralized Services be moved to Legal Services. The FA also eliminated a .5 secretary position. The Budget Office recommends the secretary position and stated that the agency will justify its need for the positions in their hearing.

The Executive recommends that the highway patrol be funded totally from the Highway earmarked account.

Another difference in funding was for the increase fees in motor vehicle registration.

#### JUDICIARY

The Budget Office allowed current level operating expenses as requested. Mr. Simkins stated that they did not reduce the budget for the Judiciary, but they did not recommend all requests from their modification.

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The FA recommended current level general fund. She stated that last year the program received over \$235,000 in federal funding and each time they received money in a budget amendment they stated the money would not commit general fund. Now the program is requesting general fund to replace federal funding to continue these projects. The FA did not recommend this.

There was discussion on pay increases for salaries.

The meeting adjourned at 11:20 a.m.

Respectfully submitted.

William Menahan  
William Menahan, Chairman

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