

1275

MINUTES OF THE MEETING
AGENCIES II SUBCOMMITTEE

February 12, 1979
8:15 A.M.
Room 343
State Capitol Building

Subject: Work Session

Chapter 1, Side 1, Truck 3 (935)

The meeting was called to order by Chairman Rex Manuel with all members present. Also present were Bob Robinson, LFA; Jim Williams, OHP; Gordon McCumber and Mary Evans, Department of Agriculture.

DEPARTMENT OF AGRICULTURE (940)

Mr. McCumber and Mary Evans were present to further explain their request for general funding for .5 FTE attorney. This position is currently funded by an EPA grant. The department will have to fund half of this position at the end of this biennium. However, the department will not loose this contract if this position is not funded by the state.

The subcommittee has already taken action to make an attorney in the Department of Livestock available to the Department of Agriculture half time. The department stated that if this .5 FTE is not approved they would rather obtain legal services through the Attorney General's office because they require specialized knowledge not possessed by the attorney in the Department of Livestock.

The department suggested that this .5 FTE be included instead of the modifications requested in the Transportation Division. Due to chemicals being used in the state and the environmental movement, the department sees a real need for legal interpretation on a regular basis. In response to contracting this service, it was stated that in the long run this would probably cost more.

This attorney, if funded in the Transportation Division would be used by this division before the ICC, in place of hiring a practitioner. It was stated that it was the subcommittee's intent that the position be filled with someone who could really service the department. It was explained that the attorney currently in this position has had experience in transportation and has trial experience.

There was some discussion of costs resulting from upgrades within the department or and others, recently authorized.

The cumulative testimony by Mr. McCumber and Mary Evans.

Representative Mealing left the meeting at this time.

Legislative Timber Task Force (1286)

It was stated that this budget has not been put into the Legislative Council budget. It will be up to this subcommittee as to which budget it will be included in. It was stated that Senator Roskie and I rather see this budget included with the Forest Resource Appropriation and could see nothing wrong with the propriety of such a move. The OSPP has stated that this budget should be in the Legislative budget rather than the Executive, but would not raise issue with this appropriation.

Representative Hurwitz stated that there was potential for abuse in this area and felt that the Legislative Council might not be as apprised of what the task force does and what the needs are as the Forest Resource Division and Gareth Moon.

It was suggested that a line item would be one possible way to stop spending by the task force when the money is gone and that the money is only to be spent for certain purposes.

Representative Hurwitz made the motion that the appropriation for the Western States Forestry Timber Task Force will be \$14,960. The appropriation will be administered by the Forestry Division and expenditures will not exceed the appropriation. The appropriation is to include membership dues and travel expenditures. Senator Smith seconded the motion. The motion passed unanimously.

Senator Stimat left the meeting at this point to testify before another committee.

Side 1, Track 2 (000)

The LFA and OBPP were instructed to find out if this appropriation should be per year or for the biennium. This money is all from the general fund, there are no federal funds involved.

DEPARTMENT OF NATURAL RESOURCES
Forestry Division (008)

The subcommittee has already taken action on federal and private funds and earmarked funds. However, the federal money available will be more than the appropriation and earmarked will be less. Representative Hurwitz made the substitute motion to accept the new figures. This will be approximately \$1,655,000 for federal and private funds for 1980 and 1981 and \$200,000 for earmarked. Then, the subcommittee will be raising the federal appropriation, increasing the earmarked and netting the balance out of the general fund. Senator Baylan seconded the motion. The motion passed unanimously.

Water Resources Division (030)

The subcommittee has not taken action on the non-operating expenses of this division. This concerns the money for repairs to various water projects in the state. The request is for \$75,000 each year, including the Daily Ditch project.

Representative Harwitz made the motion that the department not be allowed to expend any general fund money for capital outlay and equipment on the Daily Ditch until a new agreement with the water users is signed to finance improvements by the water users themselves. Senator Boylan seconded the motion. The motion passed unanimously.

Other water users in the state have agreements that they will pay back the general fund loans and operating expenses. Daily Ditch is the only one who does not pay for itself.

The department has requested \$75,000 each year for water project repairs. Each year allows for three projects. The department has also requested an appropriation of \$500,000 for the Cooney Dam in 1981, in federal funds. There will have to be some cost sharing, but not necessarily from the general fund. Language could be included to preclude any general fund expenditure through a line item. An emergency situation could be taken care of through the Governor's Emergency Fund.

It was the general feeling that each project get what they requested, and additional monies will have to go through the Emergency Fund. Senator Smith made the motion to include language to this effect, \$75,000 each year for capital improvements and \$500,000 for the Cooney Dam, federal money. Senator Boylan seconded the motion. The motion passed unanimously.

The position of the OBPP was that if monies for the Cooney Dam were not available for repairs, the dam should be breached.

Energy Planning Program (160)

No action has been taken for non-operating expenses concerning alternative energy grants from the coal tax. Both the LFA and the OBPP estimated revenue at \$817,000 per year.

Senator Smith made the motion to accept the LFA recommendation for both years. Representative Manning seconded the motion. The motion passed unanimously.

There was a ten minute break at this time. Senator Stintz re-entered the hearing after the break.

DEPARTMENT OF AGRICULTURE
Transportation Division (215)

Current level for this program is 3 FTE. Representative Hurwitz made the motion to accept .5 FTE attorney, the other .5 to be paid by the EPA grant. Senator Smith seconded the motion. The motion passed unanimously.

Environmental Management (235)

Representative Manning made the substitute motion to accept 29.73 FTE instead of 26.23 FTE. Senator Smith seconded the motion. The motion passed unanimously for both years.

Representative Manning made the motion to change personal services to \$170,999 for 1980 and \$475,347 for 1981. Representative Hurwitz seconded the motion. The motion passed unanimously.

Representative Manning made the motion to change operating expenses to \$274,256 for 1980 and \$297,409 for 1981. Representative Hurwitz seconded the motion. The motion passed unanimously.

Transportation Division (266)

The .5 FTE would be personal services and benefits of \$9,543 each year. Current level FTE included a program manager, a secretary and a rate specialist. The department has requested 2 modified: 1 ICC practitioner and a rate clerk.

Senator Smith made the motion to accept \$13,500 for 1980 and \$13,800 for 1981 from earmarked funds. Representative Manning seconded the motion. The motion passed unanimously.

Representative Hurwitz made the motion to accept 3.5 FTE in total for this program. Appropriation for personal services will be \$70,361 for 1980 and \$70,472 for 1981. Representative Manning seconded the motion. The motion passed unanimously.

For operating expenses Representative Manning made the motion to accept \$24,550 for 1980 and \$25,021 for 1981. This keeps the program at current level. Representative Hurwitz seconded the motion. The motion passed unanimously.

Representative Hurwitz made the motion to accept \$81,414 for 1980 and \$81,593 from the general fund. Senator Smith seconded the motion. The motion passed unanimously.

Representative Bardinave announced a full committee meeting tentatively scheduled for Saturday morning. There was no further business, the meeting was adjourned at 11:00 A.M.


REX MANUEL, Chairman