

APPROPRIATIONS - FINANCE & CLAIMS

SUBCOMMITTEE: HUMAN SERVICES

AGENCY I

MARCH 5, 1979 - CAPITOL ANNEX

The meeting was called to order at 7:15 a.m. by Chairman Steve Waldron with the following members present:

Chairman Steve Waldron
Senator Gary Aklestad
Representative Bill Hand
Representative Robert Marks
Senator Pat Regan
Senator Pete Story

Others present were: Raymond Brown, Administrator of the Human Rights Division; Karen Townsend, Human Rights Commission; Representative Budd Gould; Mary Johnson, Chairman of the Governor's Council on Poverty; Jim Mallard, Coalition for Human Services; Ron Weiss, OBPP; Linda Gamble, OBPP; and Curt Nichols, LFA.

HUMAN RIGHTS DIVISION

The LFA recommendation of 8.5 FTEs is reflected through many changes. First a .33 accounting position was transferred to Centralized Services. Then two FTE CETA sub-grantees were lost due to a loss of the grant which brought the total to 7.5 FTEs. The LFA then added one additional FTE for a compliance officer bringing the recommended total to 8.5 FTEs. There is approximately \$60,000 per year available of federal funds.

Linda Gamble, OBPP, explained that their first budget had been based on legislation which eventually was killed. Their revised recommendation is for: eight FTEs for both years which consisted of one attorney, three compliance officers, one administrator, one hearings officer and two secretaries; the rest of the budget would be:

FY 80

FY 81

| | | | |
|--------------------|-----------|--------------------|-----------|
| Personal Services | \$119,753 | Personal Services | \$119,753 |
| Operating Expenses | 33,338 | Operating Expenses | 38,437 |
| Total Expenses | 153,091 | Total Expenses | 158,190 |
| General Funds | 65,091 | General Funds | 65,190 |
| Federal Funds | 88,000 | Federal Funds | 92,000 |

The Executive Budget Office felt these figures were very realistic. The major difference in budgets was the OBPP recommended a higher amount of federal funds.

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Raymond Brown, Administrator of the Human Rights Division, spoke on the program. He told the subcommittee that this is a highly controversial division which is responsible for the enforcement of the Human Rights Act. Montana's act is one of the most progressive of the United States. Basically this division is a judicial agency. The division received about 1,300 complaints last year; however, only 308 became actual cases. The basic procedure is to receive a complaint, the division investigates and makes a determination if they have a case, they try to conciliate a settlement and if that doesn't work it goes to hearing. Mr. Brown handed out an extensive report on the completed cases, cost per case and their budget among other things. He told the subcommittee before they take a case it must meet the requirements of *prima facie* discrimination.

Br. Brown is not satisfied with the Executive proposed budget. He did not feel it even took into account an inflation factor. It is not realistic and he does not think the federal funds are available. They have recently lost an EEO grant which will make them \$34,000 short. Mr. Brown asked the subcommittee to accept the LFA recommendation with the addition of one FTE for a hearings officer.

Representative Budd Gould spoke on behalf of the program. He requested the subcommittee to maintain the effectiveness of the Human Rights Bureau. The state's HEW funding could be cut off if they don't comply with Section 504. He urged the subcommittee to do everything they could to strengthen the Human Rights Bureau.

Mr. Brown again asked the subcommittee to: 1) Fund the LFA recommendation with an additional FTE or if that can't be done, 2) Fund the LFA budget with 8.5 FTEs with one additional hearings officer.

Representative Marks was concerned that respondents were putting out funds when many of the complaints come out "no cause", while the complainant spends no money.

Karen Townsend, Human Rights Commission, spoke on behalf of the program. She explained that there are five categories of complaints: governmental services; employment, public and private; housing; public accommodations; and retaliation. Retaliation and housing cases hold first priority. About 75% of their case load is sex discrimination.

Mary Johnson, Chairman of the Governor's Council on Poverty, spoke in support of the LFA budget with one additional FTE.

Jim Mallard, Coalition for Human Services, spoke on behalf of

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the program. He asked that the division be funded at a level that they can perform their duties.

Karen Townsend explained to the subcommittee that the commission did not feel the division should be incorporated with the Department of Labor & Industry and they did not feel they could do the job with the \$34,000 deficit in funds.

The hearing was closed.

HEALTH DEPARTMENT

Environmental Health

The subcommittee has already taken action on this department and division. The fiscal analyst, Curt Nichols, brought back the figures from the previous votes.

| | FY 80 | FY 81 |
|--------------------|-------------|-------------|
| FTEs | 114.78 | 114.78 |
| Personal Services | \$1,948,326 | \$1,953,587 |
| Operating Expenses | 1,192,479 | 1,099,411 |
| Equipment | 81,857 | 58,761 |
| Non-Operating | 978,312 | 987,439 |
| Total | 4,200,974 | 4,099,198 |
| General Funds | 923,486 | 930,130 |
| Other Funds | 3,277,488 | 3,169,068 |

Chairman Waldron told the subcommittee that he has received many expressed concerns over the cut of the Hazardous Waste Program. It is completely federal funds and they would rather work with the Department of Health rather than the EPA. Representative Hand agreed, he also has received complaints. The figures would be \$86,100 for FY 80 and \$127,000 for FY 81.

Representative Marks moved to reconsider the action taken on the Hazardous Waste Program. A vote was taken:

| | |
|-----------------------------|-------------|
| Senator Gary Aklestad | No |
| Representative Bill Hand | Yes |
| Representative Robert Marks | Yes |
| Senator Pat Regan | Yes |
| Senator Pete Story | Not Present |
| Chairman Steve Waldron | Yes |

The motion passed.

Representative Marks moved to reinstate the \$86,100 for FY 80 and \$127,000 for FY 81 without the extra FTE. A vote

LW

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was taken:

| | |
|-----------------------------|-------------|
| Senator Gary Aklestad | No |
| Representative Bill Hand | Yes |
| Representative Robert Marks | Yes |
| Senator Pat Regan | Yes |
| Senator Pete Story | Not Present |
| Chairman Steve Waldron | Yes |

The motion passed.

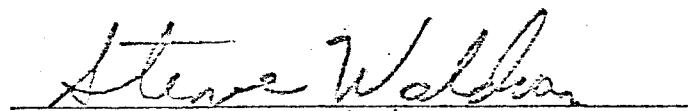
FOOD & CONSUMER SAFETY BUREAU

The subcommittee expressed concern over this bureau. They asked the fiscal analyst, Curt Nichols, to look into the bureau and see what's going on.

Ron Weiss told the subcommittee that the department called and asked the subcommittee to consider a health educator and counselor for the consumer products program. They have let a grant expire and need spending authorization. Senator Regan felt there was much duplication on consumer products and moved to not consider the spending authority for the educator. The subcommittee was in favor of the motion; the motion passed.

The meeting was adjourned at 9:30 a.m.

Respectfully submitted:



Steve Waldron, Chairman
Approved

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