

MINUTES OF THE  
LEGISLATIVE, JUDICIAL AND ADMINISTRATIVE SUBCOMMITTEE

March 6, 1979  
7:45 a.m.  
Room 132  
State Capitol Building  
Tape Date: 8:2-2:912-1885  
Subject: Work Session

The meeting was called to order at 7:45 a.m. by Chairman Menahan. All members were present except Senator Lockrem who was excused. Fiscal Analyst JanDee May and Les Simkins of the Budget Office were also present. Bob Kuchenbrod from the Department of Justice sat in on the meetings.

The meeting was a work session for making decisions on the Department of Justice program budgets.

DEPARTMENT OF JUSTICE  
Crime Lab

The difference between the Budget Office and the FA is approximately \$8,000 in 1980 and \$10,000 in 1981.

The FA applied 13.9% for benefits and the Budget Office applied 15.5% for benefits. The program actually had benefits of 13.83% in 1978.

For travel, the FA recommended \$3,123 and the Budget Office recommended \$3,307 which was only a \$200 difference.

In repair and maintenance, there is a \$1,500 difference.

Senator Thiessen moved to approve the FA recommendation and to include \$1,500 for repair and maintenance each year.

Those in favor were Senator Thiessen, Representative Wood and Chairman Menahan. The motion passed unanimously.

The DWI Lab was funded through various sources of funding last biennium. The program requested funding through the alcohol funds for this biennium.

The FA made no recommendation due to being informed by the Department of Institutions that no money would be available from the alcohol funds for this program. Since then, the Department has changed its priorities and stated that they will fund the program with alcohol funds. The FA commented that she has no problem with recommending this as long as the funds are available. If the alcohol funds are approved the only difference would be in personal services.

The Executive recommended the request which would have included

pay increases for 1980 and 1981. The FA recommended that the pay raises not be included and be put back to the 1979 level. It could be inserted when all the other pay increases are decided upon.

Mr. Simkins commented that the program is proposed to be funded out of the Motor Vehicle earmarked account for the current level.

Senator Thiessen made a motion to approve the FA recommendation.

There was discussion of the funding being from the earmarked account and Representative Scully's bill which would increase motor vehicle fees.

The FA questions the relationship between the Crime Lab and Motor Vehicle.

Under the modified services, \$84,379 in 1980 and \$71,936 for 1981 without pay raises would be paid through the alcohol funds for the DWI program.

Senator Thiessen made a substitute motion to approve the FA recommendation with the modified services.

Those in favor were Senator Thiessen, Representative Wood and Chairman Menahan. The motion passed unanimously.

#### Law Enforcement Teletype System

The difference between the FA and the Budget Office is \$29,000 the first year and \$32,500 the second year.

In personal services, the difference is 1 less FTE.

Within contracted services, the FA is under the Executive by approximately \$7,000 in 1980 and \$9,000 in 1981 due to major increases requested in data processing costs. The FA recommended \$20,000 a year. The agency requested \$26,000 and \$27,500.

In supplies and materials, the program spent \$1,200 in 1978 and are requesting \$3,100 and \$3,300.

Several trips were taken by data processing people and charged to the LETS Bureau. The FA deleted this amount from their travel.

The committee discussed the aggregate positions and the FTE within the program. The FA stated there were 2 positions which were totally vacant. The FA deleted one of these positions.

Senator Thiessen made a motion to approve the FA budget recommendation reinstating the position deleted to include 7.05 FTE.

Those in favor were Senator Thiessen, Representative Wood and Chairman Menahan. The motion passed unanimously.

Representative Wood made a motion to include in the FA recommendation \$3,500 each year for data processing costs.

Senator Thiessen made a motion to add \$10,255 each year to personal services for the reclassification of 5 positions.

Senator Thiessen made a motion to approve the FA recommendation with adjustments and to approve the FA recommendation for general funding and revolving funding.

Those in favor were Senator Thiessen, Representative Wood and Chairman Menahan. The motion passed unanimously.

Under the modified services, the program requests additional terminals for the counties. They request 2 the first year and an additional 2 the second year. The FA feels they have enough terminals and it would be an added expense.

Mr. Simkins stated that there will not be an efficient teletype system if the terminals are not allowed for the counties.

Senator Thiessen moved to accept the Executive recommendation for the terminals and the "hot sheet" under the modified services.

Those in favor were Senator Thiessen, Representative Wood and Chairman Menahan. The motion passed unanimously.

#### Law Enforcement Academy

The difference between the Budget Office and the FA is \$33,000 in 1980 and \$12,000 in 1981.

In personal services, the difference is related to the FA applying a 3% vacancy savings and lower benefits.

There are reductions in various operating expenses. The FA's stance was if they could take money and put it into the rent area without any problems in operating, then they could live within these boundaries in 1980 and 1981.

In supplies and materials, there is approximately a \$12,000 difference. These reductions were for clothing allowances, federal grants and janitorial services. They no longer will need to pay janitorial services in the new facilities as it is included in the rent agreement but they have continued to request the services for 1980 and 1981.

Mr. Simkins commented on the problem of working off the two different bases. The committee discussed the Budget Office and the FA working off the same year as a base for expenditures for the next session.

The FA commented that Mr. Lytle was trying to stress that the income the FA is projecting for the schools on the schedule

the program put out with the understanding they would have more instructors to run the schools. If they did not have the instructors to run the school and without the schools they would have no money to offset the general fund to the extent recommended by the FA.

The program requests 2 police instructors and the Budget Office and the FA recommend one instructor. The FA did not recommend \$2,400 in films the first year.

Senator Thiessen moved the FA recommendation for personal services for both years.

For supplies and materials, from what they actually spent of \$30,780 the FA reduced \$1,500 for the clothing allowance. She reduced the educational supplies for \$5,600 which was federal funding. This brought the base to \$21,000 to which the FA applied inflation to bring the recommendation of \$23,500 and \$24,900.

Senator Thiessen made a motion to approve the FA recommendation, adding \$9,000 the first year and \$11,000 the second year in operating expenses.

Those in favor were Senator Thiessen, Representative Wood and Chairman Menahan. The motion passed unanimously.

Senator Thiessen made the motion to approve the FA recommendation on equipment. The motion passed unanimously.

Senator Thiessen moved to approve the budget recommendation of the FA as amended.

Those in favor were Senator Thiessen, Representative Wood and Chairman Menahan. The motion passed unanimously.

Representative Hand joined the meeting at this time.

The FA's stance is for the funding to come from general fund and earmarked funds because of the schooling for police officers being mandated by statute.

The FA adjustments in the tuition after getting together with Mr. Lytle would reduce the earmarked figures in 1980 from \$61,958 to \$49,608. The general fund would change to \$299,619. For 1981, the earmarked would be reduced from \$71,000 to \$40,768 and the general fund would increase to \$245,735 for the current level.

Senator Thiessen moved the funding as recommended by the FA.

Those in favor were Senator Thiessen, Representative Wood, Representative Hand and Chairman Menahan. The motion passed unanimously.

Under the modified level, the firing range originally requested is no longer needed; therefore, \$4,000 can be deleted from the budget. With this \$4,000 being removed, the difference is less than \$1,000 between the FA and the Budget Office.

The program requests two instructors. The new facility has 2 large classrooms which allows for running of two schools continuously through the year. In order to keep the schools running, they need the two positions.

Senator Thiessen made the motion to approve the FA recommendation and funding under the modified level.

All were in favor. The motion passed unanimously.

Fire Marshall

The program is funded through the fire insurance which goes into the general fund.

In personal services, the FA did not take a vacancy savings. The FA did have a lower benefit ratio than the Budget Office and there were some reclassifications of approximately \$850 each year that the FA did not include in her recommendation.

In operating, the difference is related to the program moving into state owned space. There present lease is not up until 1981 which is not state space. The FA rent figure is for state space not private space.

Expenses related to the cars were removed by the FA. If these items in operating were to be reinstated \$9,000 would have to be added each year.

The committee discussed adding to the FA recommendation \$850 a year for the reclassifications in personal services and \$9,000 a year back into operating expenses for the car expenses. The program requested a car each year to replace the old cars they presently have.

Senator Thiessen made the motion to approve the Executive recommendation, removing the SBAS and payroll charges and reducing the operating expenses by \$2,000.

All were in favor. The motion passed unanimously.

Senator Thiessen made the motion to approve the budget as amended.

Those in favor were Senator Thiessen, Representative Wood, Representative Hand and Chairman Menahan. The motion passed unanimously.

Under the modified, the program requests an additional FTE which was not recommended by the Budget Office.

Mr. Simkins stated the proposal was to upgrade an office position to fire marshall for the Glendive area.

Representative Wood made a motion to approve the upgrade for the position into a deputy fire marshall for the Glendive area.

Those in favor were Representative Wood, Representative Hand and Chairman Menahan. Senator Thiessen was opposed. The motion passed.

#### Identification Bureau

The difference between the Budget Office and the FA is \$9,000. The FA took a vacancy savings which amounted to a \$3,000 difference in personal services.

In contracted services, the FA deleted the janitorial services because of the program moving into state owned space.

Supplies and materials, the FA recommended what was requested.

The FA is \$1,000 lower in communications due to removing \$900 for postage. The program stated if the high-speed printer was recommended they could reduce their postage by that amount. The request for the high-speed printer has been withdrawn so the \$900 for postage will need to be added back in.

Travel was kept at the 1978 level. The program spent \$150 in 1978. They are requesting \$1,400 and \$1,500.

The difference in rent is \$2,600. They moved into state owned space from private space which reduced the rent. Utilities are no longer needed because of being in state space.

Representative Wood made the motion to approve the FA recommendation, adding \$1,000 in postage each year and \$1,000 in travel each year.

All were in favor. The motion passed unanimously.

Representative Wood made the motion to approve the budget as amended.

Those in favor were Representative Wood, Representative Hand, Chairman Menahan and Senator Thiessen. The motion passed unanimously.

#### Central Services

The major difference is within personal services. Two individuals were transferred into the Legal Services Division. The program wants two data processing people within the Central Services. The FA does not recommend funding for these positions. Another position is a .5 secretary who worked for the Motor Vehicle Administrator. The Motor Vehicle Administrator is

recommended to not be funded. The FA recommends that the .5 position be deleted.

Mr. Simkins stated they have always had a data processing program and there was never any intent for the program to sunset. He commented that the data processing is needed and the .5 FTE is also needed.

The program is absorbing the workload from the County Attorney Payroll and the Transportation of Prisoners programs without increasing staffing.

Representative Wood moved to approve the 12 FTE which would reinstate the FTE reduced by the FA recommendation.

The motion passed unanimously.

Under operating, the major difference is for the car insurance which the FA kept at the \$44,000. The request was for \$59,000 and \$64,000. This will be taken care of through the Department of Administration or added back into the budget.

The FA increased rent to \$11,000 and \$12,000 from the program request of \$3,500, with the space that could not be allocated to any other program into this budget.

There is a \$1,000 difference in travel which was kept at the 1978 level and a \$900 difference in communications.

Senator Thiessen moved to approve the FA recommendation for operating expenses.

All were in favor. The motion passed unanimously.

Senator Thiessen moved the Executive recommendation for equipment. Representative Hand seconded the motion.

All were in favor. The motion passed unanimously.

Mr. Simkins commented on the airconditioning for the Scott Hart Building and Hiway Building. To operate the airconditioning, the Department of Administration charged the program an additional 12¢ per square foot. The FA did not recommend the airconditioning due to the fact that the other programs do not have airconditioning. The cost to operate the conditioning is \$5,600 per year.

Representative Hand moved the \$5,600 each year for the airconditioning.

All were in favor. The motion passed unanimously.

Senator Thiessen moved the budget as amended.

Those in favor were Senator Thiessen, Representative Wood,

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Representative Hand and Chairman Menahan. The motion passed unanimously.

The meeting was adjourned at 10:50 a.m.

Respectfully submitted.

*William Menahan*

William Menahan, Chairman

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