

MINUTES OF THE  
LEGISLATIVE, JUDICIAL AND ADMINISTRATIVE SUBCOMMITTEE

March 29, 1979  
2:40 p.m.  
Room 108  
State Capitol Building

The meeting began at 2:40 p.m. with Senator Lockrem, Acting Chairman and Senator Thiessen present. Fiscal Analyst JanDee May was also present. Others present were Ed Eaton and Les Simkins from the Budget Office; Dave Lewis and Steve Weber from the Department of Administration; Bob Kuchenbrod from the Department of Justice and Bill Groff from the Department of Revenue.

The meeting was called in order that Senator Thiessen and Senator Lockrem could go over the changes made by the House and the House Appropriations Committee to the subcommittee action and make recommendations to bring forward in the full Senate Finance and Claims Committee.

DEPARTMENT OF ADMINISTRATION

Insurance

Referring to the attached addendum, page 7, item 2, under Department of Administration, Senator Thiessen moved to add \$438,162 in 1980 and \$516,007 in 1981 in additional general funds which are required to build the self-insurance reserve fund.

The same amounts are reduced from the other funds category each year. This will be a direct appropriation rather than to the various state budgets.

Senator Lockrem concurred with the motion.

Passenger Tramway

Referring to page 7, item 1, passenger tramway increase to request of \$3,074 in 1980 and \$2,641 in 1981. These amounts would bring the original recommendation up to the \$10,800 which they feel is necessary for adequate inspections of the tramways.

Of the gross proceeds tax which goes into the general fund, they estimate collecting \$13,000 this year and are only asking for \$10,800 of this amount.

Senator Lockrem and Senator Thiessen concurred on the request for the tramway.

LEGISLATIVE AGENCIES

Legislative Council

Referring to page 5, item 3, replacement of \$100,000 of general fund with revolving authority in 1980. The revolving authority is for printing of the Montana Codes Annotated. The Council is presently charging for the new copies of the Codes which builds up the revolving fund. The FA recommends general fund to be reduced and replaced by the revolving fund to force them to spend the revolving fund.

Senator Lockrem and Senator Thiessen concurred on item 3 for replacement of \$100,000 of general fund with revolving authority.

Page 5, item 2, the reinstatement of the National Conference of State Legislators (NCSL) dues and travel. The subcommittee's feeling was not to fund both conferences, the NCSL and the Council of State Government (CSG). The Appropriations Committee reinstated the NCSL dues and travel.

The FA commented that there was travel connected with the dues for the NCSL.

Senator Thiessen moved to strike the NCSL dues and related travel. Senator Lockrem concurred with the motion.

Page 5, item 2, the addition of the lawyer upgrades was discussed. It was decided to leave it in at this time.

Page 5, item 4, decreasing of the interim studies by \$25,000 and creating a \$25,000 contingency fund. The Council mainly wanted the \$25,000 contingency for emergencies if something came up where they would need to travel to conferences or meetings. There is no financial impact. By reducing the interim studies, they create the contingency.

Senator Lockrem and Senator Thiessen concurred on deleting the \$25,000 contingency and putting the \$25,000 back into the studies.

Both Senator Thiessen and Senator Lockrem felt it important and insisted on the Forestry Task Force being moved from the Department of Natural Resources into the Legislative Council.

Legislative Fiscal Analyst

The House Appropriations Committee added funds for four analysts, one secretary and related operating expenses of \$75,030 in 1980 and \$112,545 in 1981. The FTE would come on for 8 months in 1980 and after that would be fulltime.

The request was made in relation to the overtime hours averaging

600 per analyst starting in August and ending at the end of April.

Originally a request for more staff was made to the Interim Finance Committee and they deleted it. The request was not made to the subcommittee.

Senator Thiessen moved to leave it in for the time being. Senator Lockrem concurred.

#### GOVERNOR'S OFFICE

Senator Thiessen moved to concur with item 3, page 5, for economic development, adding general fund match for federal dollars of \$50,000 each year of the biennium. Senator Thiessen in the same motion moved to strike item 2, the reinstatement of an assistant position in the Lieutenant Governor's Office by the Appropriations Committee.

Senator Lockrem stated he opposed leaving in general fund for economic development but concurred with the deleting of the position in the Lieutenant Governor's Office.

#### JUDICIARY Law Library

Last year, the out-of-state travel was federally funded. Claire Engel, Law Librarian would like to continue to travel but needs general funding. The funding would allow one out-of-state trip plus some miscellaneous - office costs, communications expenses.

Senator Lockrem moved to delete item 1, for the additional funds for travel and miscellaneous until they received information on the miscellaneous. Senator Thiessen concurred.

#### CAMPAIGN PRACTICES

Senator Thiessen moved to strike the accountant for field audits added by the Appropriations Committee in the amount of \$12,455 in 1980 and \$17,747 in 1981. Senator Lockrem concurred.

#### DEPARTMENT OF JUSTICE

Page 6, item 1, for decreasing new patrolmen from 19 to 4 and moving patrolmen's salaries to earmarked funds was concurred with by Senator Lockrem and Senator Thiessen.

Item 2, for moving several programs' cost to motor vehicle fees and from general fund was concurred in. The bill increasing these fees has passed the House and has gone to the Senate.

Senator Thiessen moved to strike item 3 for funding of the Antitrust Bureau. Senator Lockrem concurred.

Senator Thiessen moved to delete item 4 for funding of the Motor Vehicle Division administrator. Senator Lockrem concurred.

Item 5 allows for upgrades for two prosecutors and some miscellaneous operational costs.

Senator Lockrem stated that the subcommittee felt if the positions were going to be upgraded they could absorb the money out of their budget. They are exempt from the classification pay plan.

Under HB 886, previously exempt attorneys within the Legal Services Division would be classified under the pay plan. If they are classified, money would be needed to bring them up to the classified level.

Senator Lockrem commented on the Legislative Branch upgrading positions up to the Executive level and the Executive upgrading still further. He questioned where the control would come in.

Bob Kuchenbrod commented that the justification for item 6, additional mailing and printing costs for the Motor Vehicle Registration Bureau was the mailing cost for them to send out the registration receipts to owners of automobiles. Attorney General Greely decided to cut back last October on these mailings because there was 50-60% of nonusage.

If SB 754 passes, the usage will be at a higher percentage. Senator Lockrem commented that the bill was dead.

There was discussion of the Legislative intent to notify people when the registrations are due.

The cost in 1981 includes the cost of tabs on licenses for the expiration date which will need to be purchased every year.

The breakdown is \$36,000 for printing and \$33,000 and \$34,832 for postage.

It was decided to hold item 6 open to make adjustments on.

Senator Lockrem questioned how much was predicated on the uniform fee basis.

#### DEPARTMENT OF REVENUE

Senator Lockrem and Senator Thiessen both concurred to make no adjustments to the changes made by the Appropriations Committee for the Department of Revenue.

DEPARTMENT OF HIGHWAYS  
Travel Promotion

The members of the subcommittee decided to defer action on the elimination of the Travel Promotion Bureau.

DEPARTMENT OF REVENUE

Bill Groff commented on HB 914 which was killed in the House which would have allowed for the counties to provide space for the appraisers and assessors. Mr. Groff checked with attorneys in the Senate and the House. He stated that they will have to leave the language in the appropriations bill but will be going to court.

He stated they will have to pay rent to each county. They have estimated 86,000 square feet within the counties at \$4.00 to \$5.00 per square foot. The needed amount could reach \$300,000 each year. Mr. Groff commented they have no way to absorb \$300,000 a year.

Senator Lockrem commented that they would present this to the full committee.

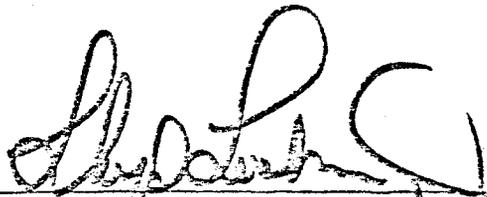
Mr. Groff stated that if the veto is defeated on HB 457, they will need \$300,000 and if passed as is \$80,000.

He stated that SB 522 is in the House and if it passes it will cost \$56,000.

The members decided to meet at 8:00 a.m. on Saturday, March 31.

The meeting was adjourned at 3:40 p.m.

Respectively submitted.

  
\_\_\_\_\_  
Vice Chairman Lloyd Lockrem

A. Legislative, Judicial, Administrative

Changes Made in Subcommittee Action

	-----1980-----		-----1981-----	
	<u>General</u>	<u>Other</u>	<u>General</u>	<u>Other</u>
<u>Legislative Council</u>				
Changes by HAC:				
1. Added lawyer upgrades	17,236		17,275	
2. Reinstated NCSL dues & travel	39,180		21,100	
3. Replaced \$100,000 of general fund with revolving authority in 1980.	(100,000)	100,000		
4. Decreased interim studies by \$25,000 and created a \$25,000 contingency fund (no financial impact).				
Total Change	\$(43,584)	\$100,000	\$38,375	-0-

Legislative Fiscal Analyst  
Changes by HAC

1. Added funds for 4 analysts, 1 secretary & related operating expenses	75,030		112,545	
---	--------	--	---------	--

Consumer Counsel  
House Changes:

1. Increased appropriation to correspond with H.B. 294		128,230		138,710
--	--	---------	--	---------

Governor's Office  
Changes by HAC:

1. OBPP-upgraded lawyer from I to III	6,581		6,581	
2. Lt. Gov.-reinstated an asst. position	25,367		25,367	
3. Economic Development-added general fund match for federal dollars	<u>50,000</u>		<u>50,000</u>	
Total Change	81,948		81,948	

Judiciary  
Changes by HAC

1. Law Library-additional funds for travel & misc.	3,227		3,228	
--	-------	--	-------	--

	-----1980-----		-----1981-----	
	<u>General</u>	<u>Other</u>	<u>General</u>	<u>Other</u>
<u>Campaign Practices</u>				
Changes by HAC				
1. Added an accountant for field audits	12,455		17,747	

Department of Justice  
Changes by HAC:

1. Decreased new patrolmen from 19 to 4 and moved patrolmen salaries to earmarked funds				
a. Patrol Operations	(137,743)	137,743	(137,743)	137,743
b. Field Services	(3,698,067)	3,520,326	(3,928,030)	3,520,740
c. Driver Licensing	(310,650)	336,067	(208,710)	235,122
2. Moved several programs' cost to motor vehicle fees and from general fund				
a. Crime Lab	(144,374)	144,374	(142,423)	142,423
b. LETS	(241,242)	241,242	(241,407)	241,407
c. LEAB	(330,432)	330,432	(344,893)	344,893
d. Central Services	(266,128)	266,128	(267,614)	267,613
3. Funded antitrust bureau		151,289		156,243
4. Funded motor vehicle division administrator		38,908		39,265
5. County prosecutor services				
a. upgrades for 2 prosec.	10,015	5,000	10,015	5,000
b. misc. operational costs	5,000		5,000	
6. Addtl. mailing & printing costs for the motor vehicle registration bur.		33,000		70,832
Total Justice	(5,113,621)	5,204,509	(5,255,805)	5,161,281

Department of Revenue  
Changes by HAC:

1. Research & infor: additional data processing & 1.5 FTE data processor	25,679		20,732	
2. Investigation: added general fund for matching purposes to hire parent locator	2,750		2,750	
3. Inheritance: postage for special mailing			2,500	
4. Operations: Misc. Op.	900		900	
Total Revenue	29,329		26,832	

	-----1980-----		-----1981-----	
	<u>General</u>	<u>Other</u>	<u>General</u>	<u>Other</u>
<u>Department of Highways</u>				
Changes by HAC:				
1. Eliminated travel promotion	(599,891)		(599,889)	
Changes by House:				
2. Reinstated travel promotion within earmarked		<u>600,000</u>		<u>600,000</u>
Total Change	(599,891)	600,000	(599,889)	600,000
<u>Department of Administration</u>				
Changes by HAC:				
1. Passenger tramway-increased to request	3,074		2,641	
2. Adjusted funding for insurance & legal	<u>438,162</u>	<u>(438,162)</u>	<u>516,007</u>	<u>(516,007)</u>
Total Change	441,236	(438,162)	518,648	(516,007)