

MINUTES OF THE MEETING OF THE APPROPRIATIONS SUB-COMMITTEE ON
ELECTED OFFICIALS AND HIGHWAYS

January 7, 1983

The Appropriations Sub-committee on Elected Officials and Highways met at 8:45 a.m. on January 7, 1983 in Room 437 with Chairman Joe Quilici presiding. All House members were present. The Senate members arrived late. In addition to the committee members the following were present:

Cliff Roessner, LFA
Leo O'Brien, LFA
Teresa Cohea, OBPP
Doug Booker, OBPP
JanDee May, OBPP.

Ethel Harrison, Supreme Court
Mike Abley, Supreme Court
Lee Jellison, Supreme Court
Claire Engel, Supreme Court
James Paine, Consumer Council
John C. Allen, Consumer Council
Frank Buckley, Consumer Council
Bob Kuchenbrod, Dept. of Justice
John Clark, Dept. of Revenue
Dave DePew, MPEA

Although the Senate members were not present, Francis Bardanouve, Appropriations Committee Chairman, suggested to Mr. Quilici that the meeting begin without them. Testimony can be given without a quorum, but no action can be taken by a committee without a quorum.

SUPPLEMENTAL FOR SUPREME COURT

Boards and Commissions (Tape 1, Side A, 06)

Mike Abley, Court Administrator, addressed the committee. There have been some substantial changes in the bar exams in the last two years. The estimates were less than the actual cost. When this was realized the Court raised the fee to cover the cost. That money wasn't available directly to the Court as it goes into the General Fund. The Court is asking for a supplemental to cover these costs but the Court is also generating revenue to cover those costs. The amount of the supplemental is \$6,500 in FY82 and \$11,000 for FY83 for a total amount requested for this item in the supplemental being \$17,500. Primarily, the costs are for graders and question composers. Professional graders must be hired and the questions have to be obtained from out-of-state because it is now a multiple-state bar exam.

Supreme Court Operations

Regarding the Supreme Court's operations, the costs result from the change-over from the old Court to the new. Ethel Harrison

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was just elected in the last election and she would like to make some changes. There haven't been any major changes in the last twenty-two years. Forms have to be changed, travel and training sessions for new staff to learn to operate the equipment that has been purchased (word-processing and data processing equipment). This equipment is also being utilized by the Clerk of Court's office. There is also a \$3,000 item for a filing system. When asked by the Chairman why this filing system wasn't included on the regular budget request, Mr. Abley told the committee that they would like to implement the filing system as soon as possible and not wait until the end of the fiscal year to purchase the system. He also said that files which are now stored in the Historical Society will have to be moved as the Historical Society has requested that they move the files as soon as possible because they need the space.

Mr. Abley explained to the committee that the reason he was presenting Ms. Harrison's request was that he assisted her with the cost estimation process as she was not familiar with this procedure. He said if the committee had any questions about her philosophy, etc. she would be glad to answer them.

In answer to a question by Representative Lory, Mr. Abley told the committee that they had asked Senator Turnage to introduce a bill which would allow the fee amount to "float" so they could charge the actual cost of the expense of taking the bar exam. The fee at present is \$25 while the actual cost for each bar exam is \$400.

The Senators on the committee arrived at this point in the meeting and apologized for their tardiness, saying that they had matters of great importance that had to be considered in the Senate Finance and Claims Committee. Chairman Quilici apologized to Mr. Abley for asking him to again explain the Boards and Commissions section of the Supplemental for the Supreme Court but felt that it was important for the senators to have this information. Mr. Abley repeated the request for the supplemental for the Boards and Commissions portion of the Supreme Court. The total amount of the supplemental for the Boards and Commissions is \$17,500.
(Exhibit 1)

Supreme Court Operations

Mr. Abley explained that under "Personal Services" the major expense is for the termination expenses of one of the employees. This would include accrued vacation and sick leave. This employee is the ex-deputy clerk. The other expenses involve the change-over expenses incurred by changing forms, training new employees and a complete filing changeover. It was noted that there have not been any changes in the Clerk's office for over twenty years and Mr. Abley said Ms. Harrison had some changes she would like to make. Training for new employees is for data processing and

word-processing equipment. Also expenses are included for Ms. Harrison to go to Idaho to see their system which is the type of system she would like to implement. The expense for the new filing system would be \$3,000 (5 units at \$600). Mr. Abley explained that these would be open bucket files. The reason this was not included in the regular budget for the next biennium is that Ms. Harrison would like to implement this system as soon as possible and they are trying to avoid any delay.

Senator Keating asked if this filing expense would be an on-going expense and Mr. Abley replied that it would not. This \$3,000 would be the only equipment expense for the filing system. The total amount of the supplemental requested for the operating costs of the Supreme Court is \$20,300. There being no further questions by the committee the Chairman thanked Mr. Abley for his testimony.

CONSUMER COUNCIL (230)

The Chairman told the committee as both he and Representative Lory have served or are presently serving on the Consumer Council, Senator Dover would assume the chair.

Jim Paine represented the Consumer Council. He gave the committee a brief history of the council and stressed the fact that the consuming public needed representation at the Public Service Commission hearings. He also noted that the utilities have expert representation at these hearings and that the Public Service Commission can only base its decisions on actual testimony given. Mr. Paine said if the consuming public is not represented by the Consumer Council, the only testimony the PSC has to consider in its deliberations is that of the utilities. The amount of the supplemental requested by the Consumer Council is \$100,000. The majority of this amount is for three large unanticipated cases which are set forth in Exhibit 2. Mr. Paine noted that over 3/5ths of their budget is devoted to the retention of consultants in anticipation of cases before the PSC. Mr. Paine also told the committee that they are not a general fund agency; they are funded by a consumer council tax and that is levied on all the regulated entities that are under the PSC's jurisdiction. At the end of a fiscal year if there is a balance in the earmarked fund, that is, more revenue was generated than was necessary to meet what they spent, then they subtract that from the next year's appropriation to get X number of dollars. Then based on estimates of the gross revenues of these regulated entities (gas, electric, telephone, water, sewer, motor carriers and railroads) the Department of Revenue sets a levy on that in an effort to generate enough money to meet that X dollar determination. Any money that is generated and not used in one fiscal year is used to offset the amount of the mill levy in the next fiscal year.

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Mr. Paine told the committee that the \$100,000 supplemental they are requesting is for retaining the services of consultants in cases they know are going to be coming down the line this year but which were unanticipated at the time of the budget request for the last biennium.

Mr. Paine then explained to the committee the three major cases which will generate the expense of the \$100,000. (Exhibit 2, page 1)

The committee was told by Mr. Paine that the Mountain Bell cases are by far the most expensive. There are other cases they would like to participate in but the \$100,000 would be the bare-bones budget for the three major hearings they anticipate at this time. Their budget for "Contracted Services" has already been spent at the 60% level and they have hearings pending now that they will not be able to participate in if they do not have the supplemental as requested.

In answer to questions by Senator Keating, Mr. Paine explained the structure of the PSC and the utilities without the Consumer Council. He likened the PSC to a court, with the utilities and the Consumer Council as Plaintiff and Defendant.

It was noted by several members of the committee that the Public Service Commission's budget hearings are under the Natural Resources Committee. It was felt by some members of the committee that the Consumer Council budget and the Public Service Commission budget should be heard by the same committee.

There being no further questions, Senator Dover returned the chair to Chairman Quilici.

DEPARTMENT OF JUSTICE (675)

County Attorney Payroll Program

Bob Kuchenbrod, Administrator of Central Services for the Department of Justice, addressed the committee. Mr. Kuchenbrod explained to the committee that under the County Attorney Payroll Program (CAP) the State of Montana is required by statute to pay for half the salary of a full-time county attorney. That means that they generate through Central Payroll at the state level, a monthly check to each of these county attorneys. Historically, this program has had a problem with deficits. The CAP program will require an additional \$52,000 to finish out FY83. The reasons for this deficit are: (1) the option of the attorneys to elect to go full-time (2) the funds required for PERS contributions if they elect to go full-time and (3) the estimated salary increases were not adequately budgeted. (Exhibit 3)

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There was some discussion about the possibilities of setting a deadline for the county attorneys to make a decision as to their desire to go from part-time to full-time in an effort to keep this program from always needing a supplemental appropriation. It was also suggested that they be budgeted extra money for this possibility and then revert any balance at the end of the year. It was ultimately agreed that either way, it would be an accounting problem and would also limit the local governing bodies unfairly. There being no further questions Mr. Kuchenbrod proceeded to explain the supplemental for the TOP Program.

Transportation of Prisoners (TOP) (Tape 2, Side A, 67)

This program is responsible for transporting prisoners within the State of Montana as well as returning prisoners from other states to Montana. The costs are same as state costs, per diem and rate of travel. This program fluctuates as far as costs from year to year are concerned. The supplemental request for this program is \$16,000 to cover the projected cost of transporting prisoners for the remainder of the fiscal year.

In answer to a question by Senator Stimatz, Mr. Kuchenbrod told the committee that the cost of extraditions in the past several years has gone up from 30 to 35 percent.

In answer to a question from Senator Keating, Mr. Kuchenbrod said there could be a delay of up to two months in the time between the actual extradition and payment by the state to the county. For example, they got a bill in September for transporting a prisoner in June and they didn't have the money to pay it.

Mr. Kuchenbrod further explained that the decision about transporting prisoners rests with the Governor. The county requests extradition through the Governor and he approves it.

In answer to a question by Senator Van Valkenburg, Mr. Kuchenbrod said that transportation of prisoners from the counties to the State Prison has been a part of the program as long as he has had the responsibility for it.

The committee discussed the possibilities of abuse of this program. The possibility of remedial legislation was discussed. The Chairman reminded the committee that we were hearing a supplemental request which should be considered on its own merit. If the committee would like to address the issue of abuse of this program it would be appropriate to consider this problem under the regular hearings of the budget for the coming biennium. He also pointed out that any member of the committee could introduce legislation.

The Chairman asked Mr. Kuchenbrod if he had any breakdown on the percentage of transportation costs for each county. Mr. Kuchenbrod

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did not, but said he would get them if the committee desired them. After some discussion the Chairman noted that there is no way they can project from year to year the actual number of prisoners who would be transported in any given year and that they have to estimate what they think their expenditures would be.

The supplemental request for the TOP program is \$16,000. This added to the supplemental request for the CAP program would be a total of \$68,000 requested by the Department of Justice for their supplemental request.

There being no further questions on the supplementals for the Department of Justice, Mr. Kuchenbrod was excused.

DEPARTMENT OF REVENUE (257)

Motor Vehicle Reimbursement

John Clark, Deputy Director for Support Services for the Department of Revenue addressed the committee. The Department of Revenue is requesting an additional \$350,000 for the purpose of paying the counties the reimbursement due the counties under the fee system which was instituted during the 1981 session. During the first year of the program they disbursed \$15,048,606 to the counties. (Exhibit 4) At the time the estimates were made for Senate Bill 355 a \$30 million appropriation was given, knowing that there was a possibility that that wasn't the exact figure needed. The data available at that time was limited.

In answer to a question by Senator Stimatz, Mr. Clark told the committee that in the first year of setting up the calculations from each county, different sources were used. This resulted in some counties being more accurate in their reporting than others. In order to be eligible for this program only vehicles that pay an ad valorem tax are counted. There are vehicles that are not taxed, for example, enrolled tribal members and personnel from Malmstrom Air Base. Mr. Clark said that every effort was being made to make the counts accurate. Some counties did not actually count each slip they received, the larger counties did a random sample.

In answer to a question by Senator Keating, Mr. Clark said he could not tell exactly what the total reimbursement would be. After some discussion, Terry Cohea (OBPP) told the committee that the money for this reimbursement was general fund money but that it was earmarked so that if there was any money left over that was not spent, it would revert to the general fund.

There was some discussion of possible abuse of the program by counties licensing vehicles that had not previously been licensed in order to collect the fee. It was noted that County Treasurers

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would be guilty of fraud if they knowingly included vehicles that were not entitled to the tax. In answer to a question by Senator Keating as to what they would do if the supplemental is not granted, Mr. Clark said that there was no provision to pro-rate payment to the counties and that he felt they were obligated under the law to pay the counties.

In answer to a question from Senator Keating, Ms. Cohea said there is a reserve in the executive budget to cover supplementals and this one was included in that reserve.

After some discussion Senator Van Valkenburg pointed out to the committee that at the time this estimate of \$30 million was made, there was no way they could be absolutely sure this amount of money would cover all the fees. He said it seemed to him that asking for \$350,000 in addition to the \$30 million would show that they had missed their estimate by only a little over one percent. He felt that this was no problem considering the circumstances. As there were no further questions, Mr. Clark was excused.

(Tape 2, Side B)

WORKING SESSION

After some discussion the committee decided to segregate the supplementals and vote on each one separately.

Supplemental for Supreme Court

Leo O'Brien, LFA, told the committee that a real thorough analysis on the travel, supplies, etc. for this supplemental was not done because of the delay in receiving this information and the press of time. He also said that the audit report conducted by the Legislative Auditor pointed out that (1) the Boards and Commissions have been characterized as paying excessive costs for consultants to administer the bar exam. For example, secretarial fees are paid at the rate of \$25 per hour as opposed to a normal going rate of \$10 or \$15. (2) The termination pay for the deputy clerk was based upon the deputy clerk's own records. They were not subject to approval by anyone else in the clerk's office.

Senator Van Valkenburg expressed the feeling that the expenses listed were not appropriate for a supplemental request and that this should have gone through the normal budget process. He added that he felt in the case of elected officials, a little different philosophy may be considered and that the Legislature should show some courtesy in granting requests by newly elected officials.

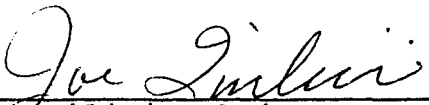
Senator Dover made a MOTION that we fund the supplemental for the Supreme Court for \$37,800. Motion was seconded by Rep. Lory. Senator Van Valkenburg made a SUBSTITUTE MOTION that the amount of \$37,800 be reduced by any amount that the LFA could identify

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as an inappropriate amount to be paid for secretarial salaries paid at the rate of \$25 for the Boards and Commissioners. After some discussion Senator Van Valkenburg withdrew his substitute motion. The original motion passed unanimously.

The Chairman called for a Work Session at 8:00 A. M. on Saturday, January 8th.

The meeting adjourned at 10:30 A. M. (869)



Joe Quilici, Chairman

dm

January 7, 1983

TO: Leo O'Brien, Assistant Fiscal Analyst,
Office of Legislative Fiscal Analyst

FROM: Lee Jellison, Supreme Court *LJ*

DATE: January 6, 1983

RE: Judiciary Supplemental Request

Pursuant to the Judiciary's 82-83 Biennium supplemental budget request the following information is provided:

BOARDS AND COMMISSIONS

After approximately two years of consideration and study, the format for conduct of the State Bar Examination and the rules for qualifications of applicants for same were restructured and updated in April 1982 (Supreme Court Order 80-120). Subsequent changes, which include two exams per year and the elimination of exemption of in-state law school graduates, have increased the costs of administering the bar exam considerably.

The increased costs have been offset by an increase in the application fee. However, that fee goes directly into the State General Fund, and an interim expenditure authority increase is requested.

FY 82	\$ 6,500
FY 83	11,000
Total 82-83 Biennium	<u>\$17,500*</u>

*While all cost categories have increased, contracted services is the major area of increase due to the following two items:

11 Graders at \$300/exam (2 exams/yr)	\$ 6,600
14 Question composers at \$200 each (2 exams/yr)	5,600
Total Per Year	<u>\$12,200</u>

SUPREME COURT OPERATIONS

The term for the elected office of Clerk of the Supreme Court ended on December 31, 1982. Consequently, 1982 was an election year for the position. Ms. Ethel Harrison was newly elected to the Clerk's position in the election and will be taking office on January 1, 1983. Ms. Harrison has worked in cooperation with this office in developing a supplemental budget request for FY83. The request is pursuant to the transitional costs of assuming her duties as the new Clerk. These costs are in various categories to include: accrued leave for terminating employees; reprinting of legal and all other documents; supplies, stamps and seals; training funds and the expansion of the new filing system to accommodate all records.

	<u>FY83</u>
Personal Services	
Accrued Leave (Terminating Employee)	\$7,800
Clerk/Typist Position Upgrade	<u>1,500</u>
Total Personal Services	<u>\$9,300</u>
Operating Expenses	
Reprint Forms	2,000
Supplies/Misc.	1,500
Travel and Training	
IBM System School	
Registration	
1 Person - 1 week	500
1 Person - 2 weeks	1,000
Travel	
1 Person - 1 week	800
1 Person - 2 weeks	1,250
Instate Clerks Conference	
2 People at \$325 each	650
Idaho System Review	
1 Person Travel	<u>300</u>
Total Operating Expense	\$8,000
Equipment	
Complete Filing System Changeover	
5 Units at \$600 each	3,000
	<u><u> </u></u>
TOTAL TRANSITION COSTS	\$20,300



STATE OF MONTANA
OFFICE OF BUDGET AND PROGRAM PLANNING
OPERATIONAL PLAN/BUDGET
AMENDMENT

EXPLANATION/JUSTIFICATION
(SEE REVERSE FOR INSTRUCTIONS)

Agency Request No.	1	Page	12	of	12
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AGENCY	CODE	NAME
	1112	Consumer Counsel

THE INFORMATION FOLLOWING IS TO SUPPORT THE ATTACHED OPERATIONAL PLAN/BUDGET AMENDMENT REQUEST

The attached report shows the amount needed to fund Montana Consumer Counsel participation in certain unanticipated utility cases during fiscal year 1982-83. The cases, and the associated costs which we anticipate will be incurred are:

- A. Mountain Bell general rate increase to be filed in March or April, 1983 (also anticipate an "access charge" case, explained herein, to be filed spring 1983.

\$65,000.00

- B. Mountain Bell-to pay for a cost of service study as requested by the Montana Public Service Commission in current Bell rate case, Docket 82.2.8

\$25,000.00

- C. MDU - participation in a proceeding before the Federal Energy Regulatory Commission

\$10,000.00

TOTAL REQUEST \$100,000.00

A. JUSTIFICATION FOR MONEY FOR MOUNTAIN BELL FILING

This office has been informed that the Mountain States Telephone and Telegraph Company intends to file another application for general rate relief in Montana in March or April of this fiscal year, 1983.

The number of Mountain Bell general rate case filings in the very recent past were unanticipated. (February 5, 1979, Docket No. 6652; December 5, 1980, Docket No. 80.12.100; February 18, 1982, Docket No. 82.2.8.) Mountain Bell had filed one general rate case (March, 1977) in recent years prior to 1979, before the rapid-fire filings as described above.

The Mountain Bell cases are the most expensive type to participate in for this office. They are complex and are quite different from general gas or electric filings. We generally are compelled to retain the services of at least three witnesses in such cases: (1) a revenue requirements witness (tax and accounting expert); (2) a rate of return witness (cost of capital expert); and (3) a rate design witness (to address the complex problem of what service offerings get what degree of rate increases).

We have spent over \$107,000 in Docket No. 82.2.8 for consultant services, over one-third of the \$300,000 allotted for contracted services in our 1982-83 fiscal year budget. We believe that Montana consumers have certainly received their money's worth as evidenced by the Public Service Commission's adoption of many Consumer Counsel positions in its final order.

It is obvious, however, that to effectively participate in the upcoming Bell filing, more funds are needed.

Additionally, this office anticipates the need for additional funds due primarily to the many consequences of AT&T divestiture of the Bell operating companies and a significant amount of far-reaching actions that are being taken by the Federal Communications Commission. For example, for many years monies received by AT&T for interstate toll service (long distance) have been divided up (AT&T and the operating companies) by what is referred to as the "separations" process. This process is being phased out. Local operating companies will, in the future, be compensated for utilization of their facilities in making toll calls by use of an access charge. The FCC is currently considering various proposals to properly determine levels of access charges. We anticipate Mountain Bell will file an access charge case during this fiscal year. We simply do not know how much money for contractual services would be needed to effectively participate in such a proceeding.

We are asking for \$65,000 to fund participation in these Bell filings. We believe this to be a very conservative estimate. It is based on the fact that between February 18, 1982 (the day of the last Bell general filing) and June 30, 1982 (end of fiscal year) our office spent \$64,942.00 for contractual services on this case. This involved trips to Denver, Colorado (Bell headquarters) to analyze Bell justification and many hours of expert witness analysis and preparation of pre-filed testimony.

We conclude, therefore, that \$65,000 is the bare-bones minimum needed to effectively participate in these unanticipated proceedings.

B. JUSTIFICATION FOR MONEY FOR COST OF SERVICE STUDY
FOR CURRENT MOUNTAIN BELL CASE

On February 18, 1982, Mountain States Telephone and Telegraph Company applied to the Montana Public Service Commission for authority to increase rates for telephone service in Montana to generate additional annual revenues of some \$31,008,029.

The Montana Consumer Counsel participated in said proceeding and sponsored the testimony of several witnesses, including a service category cost of service study proposed by Dr. John W. Wilson, a telecommunications consultant. Such a study attempts to determine the actual costs of providing telephone service by service category offerings of Mountain Bell. It is a complex, involved study requiring a significant number of man-hours input and computer time.

The Public Service Commission's final order (No. 4948) in this Docket No. 82.2.8 requests a revised "run" of the Wilson cost of service study. (Finding of Fact No. 103.) Mountain Bell is charged with providing the updated 1981 data to the Wilson firm. Bell is not constrained from a simultaneous filing of alternative calculations. The Commission described Dr. Wilson's study as "a major step in the right direction" in an effort to determine just what it does cost to provide a given telephone service offering.

We contend that performing a revised run will be in the best interests of Montana, Mountain Bell telephone subscribers

and respectfully request \$25,000 funding to do so. The Wilson firm has informed us that the cost of a computer run will be between \$25,000 and \$30,000. We therefore are asking for the low-end-of-the-spectrum funds.

C. JUSTIFICATION FOR MONEY FOR FERC INTERVENTION

Montana-Dakota Utilities Company (MDU) has filed an application before the Federal Energy Regulatory Commission (FERC) in Docket No. CP82-487-000, for authority to restructure its operations. MDU proposes to transfer all of its pipeline facilities, land rights, existing gas supply, transportation and sales operations in North Dakota, South Dakota, Montana and Wyoming to a newly-formed subsidiary that would be subject only to the FERC's jurisdiction. Currently, the Montana Public Service Commission and the comparable regulatory agencies in the aforementioned states have jurisdiction over these facilities.

MDU lists among its reasons for this application a desire to "improve greatly" its gas utility earnings. Obviously, they contemplate greater rate relief from the federal agency should the utility be successful in its application.

The application essentially seeks to replace state regulation with federal regulation in order to charge higher natural gas rates.

This office is attempting to coordinate its efforts with other parties in opposition, specifically the Montana Public Service Commission, the South Dakota Public Utilities Commission and the Wyoming Commission. It is our hope that at least the Montana and South Dakota regulatory agencies would be willing to share/split any incurred expenses. We contemplate the necessity of retaining an expert witness to file testimony and

participate in the FERC proceeding. It is possible that Washington, D.C. legal counsel may also be needed.

It is difficult to evaluate the precise dollar amount of expenses such an effort would entail. Our office's experience with consultants would lead us to believe that approximately \$30,000 in work product and expense would be incurred with an expert witness's participation. We therefore believe that \$10,000 at a minimum would be needed if this office were to pay for a third of such costs.

MDU's customers have been subjected to many natural gas increases in recent years. We believe the resulting increases from this application are unnecessary and should be strongly resisted.

January 7, 1983

STATE
OF
MONTANA

DEPARTMENT OF JUSTICE

CENTRAL SERVICES DIVISION

303 Roberts, Helena, Montana 59620 (406) 449-3800

TO: Cliff Roessner, Analyst
Office of the Legislative Fiscal Analyst

FROM: Bob Kuchenbrod, Administrator
Central Services Division

SUBJECT: Department of Justice - Supplemental Request
48th Legislative Assembly

DATE: 5 January 1983

(1) The Department of Justice is requesting supplemental funds from the general fund for two of our ongoing programs, the County Attorney Payroll (CAP) Program and the Transportation of Prisoners (TOP) (2) program.

The CAP will require an additional \$52,000 for the remainder of FY 1983. The original appropriation is short due to the funds required in FY 82 (deficit of \$33,000) and the remainder, \$19,000, is required for FY 1983.

The reasons for the shortages are the option of the attorneys to elect to go full time; the funds required for PERS contributions if they elect to go full time; and the estimated salary increases were not adequately budgeted.

During the 1981 biennium Jefferson County and Phillips County elected to have full time county attorneys, we were budgeted \$6,935 for each one-half time salary--the cost of a full time, one-half time salary is \$18,375.

Elected officials have the option to join PERS, if they decide to do so, 6 percent of the salary must be made available.

Senate Bill 50 of the last session based the salary of the county attorneys on the 1980 federal census of the population of each county. At the time we were formulating our budget, we did not have the census, instead we used 7 percent as allowed by SB 50--30 of the 56 county attorneys received an increase in excess of the 7 percent.

A supplemental of \$39,000 was required during the last biennium (1981).

The TOP program costs are very difficult to estimate. The extradition of prisoners to Montana and the transporting of prisoners to Montana

Cliff Roessner
5 January 1983
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State Prison can fluxuate thousands of dollars each month. Last session two supplementals were required, one for \$19,000 in January 1981, and a second for \$45,000 in March 1981. The extradition costs in February of that year went from an estimated \$3,000 to \$25,000.

The costs are incurred by the law enforcement officials and their prisoners in meals, lodging and actual transportation. State rates govern the costs.

The Department of Justice estimates an additional \$16,000 will be needed, if everything remains constant, for FY 1983.

enp

SUPPLEMENTAL FOR MOTOR VEHICLE REIMBURSEMENT

In 1982 the Department of Revenue disbursed \$15,048,606.48 to 48 counties. Amounts ranged from \$735.24 to Golden Valley County to \$2,745,835.51 to Yellowstone County. The reimbursement sent to each county was equal to the difference between the total ad valorem tax on light vehicles in 1981 and what the fee system would have brought in if it had been in effect.

The reimbursement for 1983 (and future years) will also be based on the statistics for 1981. Counties were required to report the number of light vehicles for which reimbursement was being sought. The amount of reimbursement divided by the number of vehicles gives the average reimbursement per vehicle in each county. For 1983 (and future years) County Treasurers will report the number of eligible vehicles registered in their respective counties. This number multiplied by the average reimbursement per vehicle yields the amount which will be sent the county.

The state reimbursed counties for the lost revenue on 602, 633 vehicles in 1982. It is certain that the number of vehicles will increase for 1983; it is not certain in which counties the major increases will occur. The amount requested will cover 10123 additional vehicles (a 1.68% increase statewide) at the statewide average of \$24.97. It may be that the estimate of additional funding needed is too low but, until the reports from the counties come in, it is impossible to forecast how many light vehicles will be involved. All reports are due by February 1 so accurate information will be available after that date.

<u>COUNTY</u>	<u>NUMBER</u>	<u>TOTAL</u>	<u>AVG/VEHICLE</u>
Beaverhead	6640	92,176.51	13.88
Big Horn	6781	-0-	-0-
Blaine	4347	-0-	-0-
Broadwater	3022	37,150.87	12.29
Carbon	7492	137,327.65	18.33
Carter	1715	25,443.04	14.84
Cascade	55684	1,564,285.58	28.09
Chouteau	6768	34,521.16	5.10
Custer	9434	299,707.36	31.77
Daniels	2844	27,699.22	9.74
Dawson	12034	308,054.40	25.60
Deer Lodge	8031	365,385.69	45.50
Fallon	3676	-0-	-0-
Fergus	10724	268,050.38	25.00
Flathead	46336	1,092,641.70	23.58
Gallatin	30669	1,032,250.77	33.66
Garfield	1773	21,449.20	12.10
Glacier	5502	80,347.06	14.59
Golden Valley	616	3,615.66	5.87
Granite	3320	39,294.70	11.84
Hill	13429	221,621.54	16.50
Jefferson	5485	166,373.29	30.33
Judith Basin	2844	18,922.38	6.65
Lake	13356	172,887.60	12.94
Lewis & Clark	32570	983,886.89	30.21
Liberty	2411	735.24	.30
Lincoln	13374	174,241.69	13.03
Madison	5576	60,831.44	10.91
McCone	1372	10,448.25	7.62
Meagher	2120	45,236.31	21.34
Mineral	2834	99,568.80	35.13
Missoula	51149	2,219,968.20	43.40
Musselshell	4114	34,326.63	8.34
Park	11713	226,943.30	19.38
Petroleum	696	-0-	-0-
Phillips	4486	10,163.46	2.26
Pondera	6072	80,962.09	13.33
Powder River	2597	-0-	-0-
Powell	4862	113,086.06	23.26
Prairie	1786	21,069.35	11.80
Ravalli	17541	200,650.82	11.44
Richland	9675	-0-	-0-
Roosevelt	6563	59,536.03	9.07
Rosebud	8317	-0-	-0-
Sanders	7056	132,815.36	18.85
Sheridan	6355	-0-	-0-
Silver Bow	25336	1,197,364.38	47.26
Stillwater	5434	63,078.02	11.61
Sweet Grass	3147	56,296.07	17.89
Teton	6509	116,766.25	17.94

Toole	6405	50,004.10	7.81
Treasure	1041	7,950.98	7.64
Valley	7996	267,062.21	33.40
Wheatland	1970	45,499.14	23.10
Wibaux	1671	7,783.08	4.66
Yellowstone	<u>77393</u>	<u>2,745,835.51</u>	<u>35.48</u>
	602,663	\$15,048,616.48	24.97

VISITORS' REGISTER

HOUSE Elected Officials/Hwy's COMMITTEE

~~BILL~~ _____

Date Jan 7, 1983

SPONSOR Supplementals

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
Mike Abley	Helena	Supreme Court		
Lee Sellers	Helena	Supreme Court		
Edgel Harrison	Helena	Supreme Court		
Clare Engel	Helena	Supreme Court		
James Paine	Helena	MT Consumer Council		
Doug Booker	Helena	OBPP		
T. Cohen	Helena	OBPP		
John P. Allen	Helena	MT Consumer Council		
Bob Kuchta	Helena	Justice		
Rome Ryan	"	MPEX		
John Clark	"	Dept of Rev		
Frank Buckley	"	Consumer Council		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.