MINUTES OF THE MEETING OF THE APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND BUSINESS REGULATION January 24, 1983

The meeting was called to order by CHAIRMAN MANUEL at 8:15 a.m. in Room 132 of the Capitol Building in Helena, Montana, on January 24, 1983. Roll call was taken and all members were present. Also present were DICK GILBERT, LFA; CAROLYN DOERING, OBPP; PATTI SCOTT, SECRETARY; and SENATOR JOHN MOHAR.

DEPARTMENT OF STATE LANDS BUDGET (Tape #21 Side A-001)

WITNESSES FOR THE DEPARTMENT: DENNIS HEMMER, Commissioner of State Lands; DAVE FISHER and CLEM DUAIME of the Montana State Volunteer Firemens Association; GARY AMESTOG, JIM WILLIAMS, KELLY BLAKE and DICK JUNTONEN of State Lands; GARY BROWN, RICHARD SANDMAN and DON UNDERWOOD of the State Forestry Division in Missoula.

COUNTY CO-OP. FIRE PROGRAM

The Committee began with DAVE FISHER and CLEM DUAIME of the Montana State Volunteer Firemens Association. MR. FISHER expressed concern over the funding for the County Fire Program. He stressed the need for the units in the field. MR. FISHER stated there are 35 counties in the program, with nine coming in last year and five more coming in this year. Several of the counties will be without fire protection without the funding. He felt the amount of money spent to do the job against the amount of money they would potentially lose in case of fire does not compare.

SENATOR SMITH asked what the additional money will be used for. DENNIS stated that the request in the budget is to continue the nine counties and the additional request is for the addition of the five new counties.

DENNIS stated that the equipment is surplus property and the Department is obligated to keep track of it. MR. FISHER stated counties that came in last year were BLAINE, MCCONE, RICHLAND, SHERIDAN, WIBAUX, CARTER, POWER RIVER, STILLWATER and BEAVER-HEAD. The ones they are trying to add are CARBON, MADISON, VALLEY, MUSSELSHELL and FERGUS. CHAIRMAN MANUEL thanked MR. FISHER and MR. DUAIME for coming to testify.

DEPARTMENT OVERVIEW

DENNIS then began with an overview of the Department and presented the Committee with a detailed narrative of his testimony. (EXHIBIT A)

VACANCY SAVINGS

DENNIS stated that vacancy savings is difficult for State Lands

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because with his small units of highly specialized employees, forced vacancy savings is actually a cut. Oftentimes, vacancy savings result from the inability to fill a specialized position, such as a mining engineer or a groundwater hydrologist. With the present state of the economy, he is not expecting much turnover, and expects less vacancy savings. He felt that taking vacancy savings would most likely result in reducing services to make it up.

CENTRAL MANAGEMENT (Tape #21 Side A-161)

MODIFICATION

DENNIS read the prepared narrative. (EXHIBIT B, Page 8) This program has a MODIFICATION FOR AN AUTOMATED DATA PROCESSING The Department is responsible for administering SYSTEM. 6.1 million acres of Trust Land for the purpose of maximizing revenues from these lands which help support education and other public institutions in Montana. These lands represent approximately 20,000 different tracts. The present manual system does not have the capability of summarizing information by grant or resource type without manually going through each Developing revenue estimates for the various tract record. Income and Interest Accounts is difficult. If automated, they may receive additional revenues from users of the information (oil companies, mineral development operations). In all, the Department feels the Automated Data Processing System would be cost-effective, provide better management and possibly increase revenues.

PILOTS

The Committee inquired about the two full time pilots the Department employs. DENNIS stated one is a manager/pilot, and that both are kept very busy. The Department also leases aircraft.

TRAINING

In response to REPRESENTATIVE HEMSTAD, DENNIS would like training money for new employees, field personnel, and particularly training in specialities such as range management and hydrology.

RECLAMATION PROGRAM (Tape #21 Side A-409)

DENNIS requested a change not shown in the Executive budget. (EXHIBIT B Page 12). He would like to spend monies from the Hard Rock Reclamation Fund. He is asking \$4,500 be added to Contracted Services from the fund. The funds would be used for labor on intensive projects on cyanide leach pads. SUBCOMMITTEE ON NATURAL RESOURCES AND BUSINESS REGULATION Page 3 January 24, 1983

SENATOR BOYLAN asked if the Department uses vehicles from the Motor Pool. DENNIS said yes, but that the Division has located its own vehicles in its field office in Billings, as they found it was cheaper.

MODIFICATION (EXHIBIT B Page 15)

The Department is requesting an additional attorney in the RECLAMATION PROGRAM because of the addition of the Forestry Division and the development of Montana's permanent program for compliance with the Federal Surface Mining Control and Reclamation Act. Funding would come from the Coal and Uranium Bureau's Federal grant, and would reflect a payment by the Federal government for the increased workload.

FTE'S (EXHIBIT B page 16)

One FTE is requested for the EIS staff Wildlife Biologist, two FTE's for the Abandoned Mine Reclamation Burea, and two FTE's for the Coal and Uranium Bureau. DENNIS has also transferred the EIS staff from the Centralized Services Division to the Reclamation Division.

MODIFICATION (EXHIBIT B Page 17)

The Department is requesting to purchase a Bell Jet Ranger III Helicopter. \$300,000 is needed. DICK JUNTONEN presented justification, stating uses in the following areas: Reclamation; Abandoned Mine (site survey and inspection); Forestry (fire suppression, maintenance of remote lookouts); Land Administration (oil and gas lease inspections, resource development); and that other agencies also would use the helicopter.

In reviewing the LEASE vs. PURCHASE method: 1. STRAIGHT LEASE: basic costs would be \$9,500 - \$12,000 per month for leasing from a private source with no equity savings, and no special equip-LEASE/PURCHASE - about \$12,600 per month. If purment. 2. chased, would have equity if they chose to purchase. Also, special equipment is installed at the factory. (They are currently using this method.) 3. PURCHASE: \$10,700 per The retained equity at the end of month for three years. the three years would be greater than \$200,000. They could save \$57,000 in interest payments. The total cost over a ten year period: STRAIGHT LEASE TOTAL COST - \$1.3 million. LEASE PURCHASE TOTAL COST - \$1.5 million. PURCHASE (FOR TEN YEARS) TOTAL COST - \$1.03 million.

Why they need another helicopter ?. Their basic reason was their present helicopters were given to them by the Federal government, mainly for Fire Suppression purposes. They have been able to use them 10% of the time for other programs, but SUBCOMMITTEE ON NATURAL RESOURCES AND BUSINESS REGULATION Page 4 January 24, 1983

some programs are taking much more time. HELICOPTERS do save time and give the Department much more flexibility. The Department does have a long history of helicopter use. No extra FTE's are requested.

DICK JUNTONEN stated the funds for purchase of the helicopter would be totally Federal. CHAIRMAN MANUEL asked if the General Fund would have to pay for the fixed costs. DICK stated the Department had allowed their share for fixed costs, rent, insurance from the Federal budget. (This was not included in the report.)

DICK GILBERT asked where would the savings be realized? DICK JUNTONEN stated that for example, when surveying, which requires photography, requires three or four people and a pilot. With a helicopter able to fly low, it would only require one person and a pilot. DICK GILBERT then asked what happens to those three or four people? DICK JUNTONEN stated those people were Contracted Services. DENNIS HEMMER stated they would still need people for survey work, but that the total process would be speeded up. DENNIS stated those costs were taken out of Contracted Services.

DENNIS stated they have had the helicopter for two months on the Lease/Purchase option at \$12,000 per month. This came from Contracted Services.

MODIFICATION - ATTORNEY (Tape #21 Side B-220)

CHAIRMAN MANUEL asked again about the Attorney Modification and what would happen if the Federal grant money to pay for the position would stop. DENNIS stated they would have to "drop" that position in that event.

RIT (RESOURCE INDEMNITY TRUST) USES (Tape #21 Side B-247)

CHAIRMAN MANUEL inquired about the RIT (Resource Indemnity Trust) request for \$439,878 FY84 and \$442,461 FY85 in the Reclamation Program and what it will be used for. DENNIS stated the money is used in Reclamation. In the past, they had used General fund. It is used for the base program, such as the Hard Rock Program, which there is no Federal funding coming into it. It is used for the Open Cut and the base Coal and Uranium Program. The RIT monies fund positions that are federally funded by matching 20%, and also funds a number of positions in the base program. CHAIRMAN MANUEL asked DENNIS, in his opinion, was this money being used for what the statute stated. DENNIS stated he was not totally familiar with the statute, but felt it was an excellent use. This (RIT) money is paid-in from the extraction of resources. They are using RIT money to be sure that after extraction, the areas are reclaimed and left in a productive state. DENNIS stated they

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are using RIT funds for a 20% match for Federal funds, with 80% coming from Federal funds.

LAND ADMINISTRATION (Tape #21 Side B-281) EXHIBIT B Page 18)

DENNIS read his request for Land Administration. CHAIRMAN MANUEL questioned the need to check crop yields. (EXHIBIT B Page 20) Had they caught someone trying to cheat the Department? DENNIS stated no, but that it is the Department's responsibility to manage these lands and to be sure what is reported to them is accurate. In these times, DENNIS feels it is an added incentive to keep those leasing state lands honest. The \$8,312 FY84 and \$13,750 FY85 is for vehicle replacement for people in the field offices.

RIT USES

CHAIRMAN MANUEL asked for justification of the use of the RIT (Resource Indemnity Trust) funds request of \$86,509 FY 84 and \$87,438 FY 85 in the Land Administration Program. DENNIS stated again they are managing the state's resources.

REORGANIZATION (Land Administration)

REPRESENTATIVE HEMSTAD asked for an explanation of the request for \$29,000 FY84 and \$31,000 FY85 in increased operating costs due to reorganization. DENNIS stated the reorganization has occurred. The Field Operations Division includes some of the old Forestry and some of the Lands Administration people. They are asking for increased travel, so those people may go out and investigate sites such as rights of way and easements, and to get more detail and control. Part of the request is also for additional maps and air photos for the field offices, so those field people do not have to travel all the way to Helena to get information. Part is also for putting data on computer. The leasees would be the primary users of the in-REPRESENTATIVE HEMSTAD clarified that they are formation. asking for General fund for these increased services.

RESOURCE DEVELOPMENT (Tape #21 Side B-573) (EXHIBIT B Page 22)

DENNIS read his request for Resource Development. REPRESENTA-TIVE STOBLE asked how much of the Capital Construction monies are earmarked for commercial projects. (Tape #22 Side A-060) DENNIS stated that none of the money has been earmarked for anything specific. REPRESENTATIVE STOBLE asked how they could ask for over \$800,000 for the biennium and not know what they are going to spend it on. DENNIS clarified that this decision is made by the STATE LAND BOARD. REPRESENTATIVE HEMSTAD asked how they could justify spending this money on a golf course. DENNIS stated that the Board only enters into a lease when they are guaranteed a return to the Trust. This decision is SUBCOMMITTEE ON NATURAL RESOURCES AND BUSINESS REGULATION Page 6 January 24, 1983

based on what is the "highest and best use" of that particular piece of land. In the case of the golf course, the Trust earns a percentage of the gross, which in this case earns more than just leasing the land for something like grazing purposes. GARY AMESTOY stated the Resource Development Money has been used since 1967, and there has never been a default. The interest charged is the same as the Federal Land Bank.

TIMBER STAND IMPROVEMENT (Tape #22 Side A-199)

REPRESENTATIVE STOBLE asked about the Timber Stand Improvement funds requested last biennium for authorization to spend these monies on brush disposal. GARY stated that the timber sales occurred but that because of the decline in the timber industry, the timber was never cut. So they are again asking for these monies in anticipation that the timber industry will again be on an upswing. They also want to use some monies to replant or make improvements on all state lands.

WHY THE INCREASE IN OPERATIONS?

SENATOR SMITH asked with the decrease in coal development, why then do they still stay on the same trend in operations or have they decreased their operations? DENNIS stated they are asking for an increase. They are asking to get into some previously neglected areas, such as the gravel pits; the return on their oil and gas leases; and whether the Trust is making all the money they can on these leases. SENATOR SMITH still questioned the increase in administration duties, and the Department sending people around to check crops and gravel DENNIS felt it is difficult to check, but that the pits. Department does need to keep up on these things, to insure the best return to the Trust. SENATOR SMITH remained unconvinced these operations should be increasing.

DATE PROCESSING MODIFICATION (Tape #22 Side A-504) (EXHIBIT B, Page 8)

DENNIS asked to reitterate the Department's need for an automated record keeping system. All of their records are manual. The Department cannot keep track of investments or any of the statistical data they are required to keep. Automating would certainly improve the efficiency of their operation. DICK GILBERT asked if there would be any reductions in FTE's as a result of automation. DENNIS said possibly because of streamlining, but because of the possibility of errors when switching to the system, he would like to retain personnel with those knowledges. SENATOR SMITH doubts there would be any reduction in FTE's, but agrees the system is needed.

Much of the initial cost for the Data System is development

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costs. It is not possible to just "buy" a preexisting program, because of the uniqueness and many facets of the responsibilities the Department has in managing state lands.

PRIORITIZING DEPARTMENT NEEDS

REPRESENTATIVE STOBLE asked DENNIS to prioritize the Department's needs, as many of their requests are quite costly; for example, the Data System and the helicopter. DENNIS said they would and bring the information tomorrow.

The meeting adjourned at 11:45 a.m. (Tape #22 Side B-073)

REX MANUEL, Chairman

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VISITORS' REGISTER

HOUSE BILL SPONSOR

COMMITTEE 1-24-83 Date

NAME	RESIDENCE	REPRESENTING	SUP- PORT	OP- POSE
Save-Fisher	1908 Mashensin St.	President - Mont. State	\checkmark	
Clem Ducame		President - Mont. State Volunteer Firemens Assoc	\checkmark	
Jim Williams		Statehands		
Kelly Blake		State Lands	, , , ,_ , , , , _ , _ , _ , _ , _ , _ ,	
Dick Juntunen		State Lande	ļ	
Im Wele	Bozeman	MYSELK	·	
Gary Amestey		State Lands	· · ·	
Dennis Henmer	Heleng	State Lands	<u> </u>	
Gary G. Brown	MISSoula	state Forester	\checkmark	
Fichard Sandman	Missoula	State Forestry Div.	~	
Dan UNDERWOOD	MISSOULA	State Forestry Dr		-
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Form CS-33 1-81

AGENCY	St.	LANOS	

PROGRAM Central MGMT

Exec. Budget Page

Exhibit

Subprogram___

Fiscal Analyst's Page____

EXPEN	1D. 1	984 BUDG	ET	198	85 BUDGE	Т
1982 Adjust		Fiscal Analyst	ExecLFA Variance	Exec. Budget	Fiscal Analyst	ExecLFA Variance
FTE	18	18	-	18	18	
Personal Serv.	458 464	455399	-3062	457461	455 236	-2,225
Operating Serv.						-
21 Contr. Serv.	זרר מר	74853	83	50911	50 899	88
22 Supplies	159982	59 41.3	- 519	66163	63030	- 3133
23 Communication	17,257	23169	5912	19694	24559	4865
24 Travel	127954	27582	- 372	29184	29237	-53
25 Rent	58278	58277	-1	61770	61,773	- 3
26 Utilities	3015	3014	- :	10 053	10052	- 1
27 Repairs	59 81.1.	59 980	114	47770	47902	t 3 Z
28 Other	4844	4040	- 804	5134	4711	-423
Subtotal	310 97 1	315,383	4412	290,585	292163	1472
Non-Operating						
1. POULEDINT	12314	11,435	- 879	1374	0	-1374
2						
3. 1100 State Surres	255,000	255,000	0	255000	255000	0
4	1					
5						
6						
Total Expenditures	1,036,749	1037,217	468	100 4420	1002399	-2021
Funding						
General Fund	853,799			819360		1.
Other Funds						1
1. 03070 G.S GRANT REIM	5. 95,000			95000		
2-06533 AIR OPERATIONS	87950			90060		
3						
						1
S. TOANI	1036749			100 44 20		
Leg:cm:a					*	*····

Exhibit B 1-24-83

STATE LANDS TESTIMONY APPROPRIATIONS HEARING

Opening Remarks

My testimony today will be directed toward the Executive budget proposal on the comparison sheet before you. I will not attempt to reconcile the differences between the LFA and Executive columns of the sheet as we did not have the final reconciliation sheets but will only address the items discussed by the LFA in the budget analysis book. If the Committee desires more detailed information about the various expenditure categories, we will be happy to furnish you that information.

The Department of State Lands is responsible for:

a) managing 5.2 million surface acres and 6.1 million subsurface acres of School Trust Land

b) mine permitting and reclamation on all land in the state

c) fire protection on state, private and portions of federal lands in the state

d) other Forestry related programs such as technical assistance to private landowners and the production of seedlings for conservation and state Forestry by the nursery

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During FY 82 approximately 61 million in distributable and non-distributable trust income was earned from school Trust Lands.

The budget before you represents the implementation of S.B. 258 which reorganized the Department of State Lands. The philosophy behind this legislation was to place in one department the total responsibility for the management of State Trust Lands. S.B. 258 mandated that the Division of Forestry, which was formerly part of the Department of Natural Resources and Conservation, be moved to the Department of State Lands. The majority of the reorganization was accomplished within the current level budgets of the Division of Forestry and the old Department of State Lands. No additional funds were appropriated by the last legislature to implement S.B. 258.

When the reorganization process began it became obvious that the basic structures of the Department of State Lands and the Forestry Division had to be changed. The basic theme of the reorganization was to decentralize the services offered by the Department. This was accomplished by using the five existing Forestry Division field offices located around the state and establishing a new office in Miles City to cover the eastern area. Included is a chart showing the new organization.

The primary reason for the decentralization was to make it easier for lessors to conduct business with the Department and to decentralize the management of Trust Lands and other Department activities in the field.

One budget item common to the Department I would like to discuss is vacancy savings. While vacancy savings may be an acceptable budget tool for agencies

with large numbers of similarly classified employees with regular turnover, in an agency like ours, with small units of highly specialized employees, enforced vacancy savings is actually a cut. Often times our vacancy savings result from the inability to fill a difficult recruitment such as a mining engineer or a groundwater hydrologist. With the present state of the economy we are not experiencing much turnover, and expect less vacancy savings. Also we are sometimes forced to create vacancy savings. For example, when an employee quits or retires we must pay his accrued annual leave and one-fourth of the accrued sick leave. Often in order to afford this "payout" we must leave his position vacant. In the last year we have had two employees retire each of whose payouts were in excess of \$10,000.

To take vacancy savings from our programs would most likely result in our being required to reduce services to make it up.

Again the purpose of my testimony is not to give a detailed reconciliation between the Fiscal Analysts' proposal and the Executive proposal, but rather to explain our budget, concentrating on the major exceptions and modifications. If at any time in the process you have questions we would welcome the opportunity to come back and explain our requests in detail.

The function of the Centralized Management Division is to perform those support services common to all units of the Department such as payroll, claims, receipts, air operations, and training.

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PROGRAM 01 - CENTRAL MANAGEMENT

	FY 84	FY 85
Personal Services	\$458,464	\$457,461
(FTEs)	18.00	18.00

<u>Explanation</u>: The net effect of reorganization on this program was a reduction in FTEs. The 7.50 FTEs that make up the Environmental Impact team were transferred to the Reclamation programs. Five FTEs involved with surface and subsurface leasing were transferred to the Lands program and two FTEs were transferred from the Forestry program to the Central Management program. These transfers were made to more appropriately reflect duties and responsibilities of each program.

Changes to Current Level:

Vacancy Savings

The Fiscal Analyst's writeup recommended that a four percent vacancy savings factor be taken. It is true that one accounting clerk position was vacant for part of last fiscal year, however we need the position now and a four percent cut in a small program like this is difficult to absorb.

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We ask the Committee not to take vacancy savings.

Training

The training function, that was a part of the Forestry program, was moved into Central Management and made into a Department wide training function. The Fiscal Analyst's Report stated that an additional \$11,553 and \$12,565 was requested in FY 84 and FY 85 for Departmental training. This was an accurate statement, however, \$5,525 was reduced from the Forestry Program current level request because of this transfer.

We need training funds for every Program in the Department, not just the Forestry Program. We ask the Committee to leave these funds in the budget.

Air Operations

The aircraft and aviation manager were moved from the Forestry program to Central Management to provide a Department wide aviation function. The primary reason for the Department's existence is the management of the approximate six million acres of school Trust Lands. Transferring the aviation program to Central Management was the most efficient way to provide aviation services to the other programs in the Department. In order to finance the direct costs (oil and gas, engine repair, etc.) of operating the aircraft, an hourly rate is charged to users. The fixed costs, such as insurance, hangar rent, salary and office expenses are not included in the hourly charge and are paid out of operating appropriations. These costs remain constant whether or not the aircraft are operated. Included in the request is \$87,940 and \$90,050 in spending authority for FY 84 and FY 85 for the direct costs of operating the Department's aircraft. The requested authority is for the Air Operation Internal Service Account and income will be transferred to this account from user budgets within the Department.

The advantage of operating the Aviation program in this manner is that costs for aircraft expenses are recorded in one budget which makes for more efficient management of the program and will allow both the Department and the Legislature to more accurately monitor Department aviation costs.

The Fiscal Analyst has suggested that the Department include all expenses in the Revolving Account. While this seems an equitable approach on its face it has several drawbacks.

In previous sessions we have shown you the cost effectiveness of using aircraft in fire fighting and other Department uses. Even if the Department didn't own aircraft we would be leasing from someone to perform Department activities. Because of the complexities of using aircraft in our activities we would still require the services of an aviation manager.

In addition the bulk of the uses of the Department's aircraft are for fire detection and suppression purposes, which is general funded, so the savings included in these fixed costs in the hourly rate are negligible.

Therefore we feel it is more appropriate to exclude the aviation manager's salary and other fixed costs (hangar rent, insurance, etc.) from the hourly

rate.

We ask that the Committee set the appropriation for the Air Operation Internal Service Account at the level recommended by OBPP.

PROGRAM 01001

CENTRAL MANAGEMENT MODIFICATION

Data Processing	FY 84 \$127,361	* * * *	FY 85 \$132,829
Personal Services (1.00 FTE) Operations	\$ 35,190 92,171		\$ 34,110 97,719
Total	\$127,361		\$132,829

Explanation: The Department of State Lands is responsible for administering 6.1 million acres of Trust Land for the purpose of maximizing revenues from these lands which help support education and other public institutions in the State of Montana. These lands represent approximately 20,000 separate tracts ranging in size from 40 to 640 acres. If the sub-surface estate is counted separately, the total number of tracts that the Department is responsible for is 40,000. The present manual system does not provide any management information. We are frequently asked questions by Legislators and state and federal agencies and lessors that relate to managing Trust Lands that we cannot respond to. The Department does not have the capability of summarizing information by grant or resource type without manually going through each tract record. Developing revenue estimates for the various Income and Interest Accounts is difficult because of the manual system.

The Office of the Legislative Auditor is in the process of issuing a program audit of the management of the state Trust Lands. Since the report has not been formally issued, we do not know what will be recommended relative to upgrading the land record system. However, through the process of responding to their questioning, it has become obvious that they have concerns for our inability to give them information in an accurate and timely manner.

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Additional Revenues May Result From Developing An Automated System. Several land people that represent oil companies and other mineral development operations have expressed an interest in subscribing to a service that provides them with information on School Trust Lands. It would not be feasible to offer this service with the present manual system. However, with an automated system we could furnish subscribers with School Trust Land information very inexpensively. The amount of money that could be raised by selling this service will depend on how much the subscriber would be willing to pay for it.

The Department feels that Data Processing will be cost effective in managing the Trust Lands. We will be able to offer current services in a more timely fashion and offer additional services some of which may result in a new source of revenue and all of which will yield better management and should realize increased revenue.

PROGRAM 03

RECLAMATION DIVISION

The functions of the Reclamation Division revolve around the three mine reclamation acts. The Reclamation Division is funded with Resource Indemnity Trust Funds, federal funds and industry EIS fees. No General Fund monies were appropriated to this program for the current biennium and none are requested for FY 84 and FY 85. The majority of the changes represent the addition of the EIS team, with industry funding. The EIS spending autority is requested to be increased to reduce the need for budget ammendments.

	FY 84	FY 85
Personal Services	\$953,504	\$951,143

Explanation: Personal Services for this division include salaries for Reclamation Division personnel. Responsibilities include reviewing mine applications, and issueing permits and licenses for exploration and mining of all minerals, including sand and gravel, copper, silver, coal and uranium among others and writing the necessary Environmental Assessments and Environmental Impact Statements. In addition all mining operations are field inspected regularly for permit compliance. These activities implement the mining related Acts the Division operates under. Expenses include the normal benefits. Current staffing levels are filled and no vacancy savings are anticipated for the biennium.

Changes to Current Level:

The only change from the 1983 biennium is the transfer of 7.50 FTEs from Centralized Services Division to Reclamation Division which are responsible for impact evaluation.

LFA Differences:

The Fiscal Analyst points out a vacancy savings of 10 percent. This was due in part to difficulty in filling positions with demanding qualifications. As I pointed out in the opening, implementing any vacancy savings will result in a detriment to the program. Therefore the Department requests no vacancy savings be deducted.

	FY 84	FY 85
Contracted Services	\$6,750,233	\$6,792,245

<u>Explanation</u>: Contracted Services expenditures for the Reclamation Division generally include printing expenses for impact assessments, consultation and professional services for both permit review and baseline EIS information, data processing, and the largest portion for contractor payments for abandoned mine reclamation. Most of these expenses are paid through grant monies and assessed fees.

Changes to Current Level:

The major change occurring since the beginning of the 1983 biennium is the completion of the Abandoned Mines Inventory and the resulting increase in the number of active Abandoned Mine Reclamation projects. By the end of the 1985 biennium the number of approved, active projects will have nearly doubled resulting in an increase in contractor payments. All of these contractor payment monies come from federal funds.

I also request a change not shown in the Executive proposal. No money was requested from the Hard Rock Reclamation Fund. Ths fund is made up of fines collected and statutorily can only be spent for reclamation or research. The reason that no funds were requested was that the Department at that time wanted to allow the fund to build up to facilitate larger projects. Since my appointment we have reevaluated this position. I feel that given the state of the economy, and certain immediate concerns, the money would be well spent this biennium. The types of projects I have in mind are labor intensive reclamation projects and a research project to solve concerns related to cyanide leach pads. In regard to the reclamation projects, if we can put people to work now it would be money well spent. I therefore request that \$45,000 be added to contracted services from the Hard Rock Reclamation Fund.

	FY 84	FY 85
Supplies & Materials	\$29,835	\$31,990

<u>Explanation</u>: Reclamation Division expenses for supplies and materials cover everyday expenses for our Division including small drilling supplies, and photo and reproduction. In order to assure that prospecting plugging procedures are followed and contamination of aquifers is prevented, the Department spot checks drill holes.

Changes to Current Level:

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No changes are included.

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	FY 84	FY 85
Communications	\$35,595	\$41,011

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Explanation: This pays for phones, mailings and related expenses.

Changes to Current Level:

None are included.

	FY	84	FY	85
Travel	\$125,	,848	\$131,	118

Explanation: Most of the Division's travel expenses are incurred during travel for mine inspections and discussions with operators and other agencies. About 1,200 sites are inspected annually and another 100 sites are inspected on a more frequent basis (quarterly and bimonthly).

Changes to Current Level:

The changes to travel represent the addition of the EIS team.

	FY 84	FY 85
Rent and Utilities	\$43,508	\$46,119
	\$ 2,339	\$ 2,934

Explanation: The Division pays a fixed share of the Department's utilities and rent.

Changes to Current Level:

There has been a one-third increase in the Division's share, due to the transfer of the 7.50 FTEs from the Centralized Services Division. There are no other changes.

	FY 84	FY 85
Repair and Maintenance	\$6,662	\$7,062

Explanation: The expenses are primarily for the repair and maintenance of vehicles and office equipment.

	FY 84	FY 85
Other:	\$73,454	\$77,861

Explanation:

Most of the expenses incurred under "other" are the indirect costs of administering federal funds. These expenses are paid to Centralized Management Division and are included in the \$95,000 shown in the Centralized Management funding.

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Changes to Current Level:

As the number of federal funds expended on Abandoned Mine Reclamation projects increases the amount needed by the Department for administrative costs will continue to rise and is reflected in our budget.

Equipment

FY 84FY 85\$24,312\$9,405

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Explanation: The Division has located vehicles in its field office in order to expedite and decrease the cost of inspections.

Changes to Current Level:

In the 1984-85 biennium we plan to replace two vehicles in the field office due to their age and maintenance costs. These vehicles are reaching the point that they are unreliable. The one to be replaced in FY 84 presently has over 100,000 miles on it. These vehicles would be paid for 80 percent with federal funds and 20 percent with RIT funds. Additionally the Department proposes to purchase a new 4X4 personnel carrier due to the increase in the number of projects requiring inspection and monitoring. Federal Abandoned Mine Reclamation monies would pay for this vehicle.

Modifications:

The Department requests an additional attorney. With the addition of Forestry Division to the Department and the development of Montana's permanent program for compliance with the federal Surface Mining Control and Reclamation Act the legal workload has increased significantly. No attorneys have been added to Department staff as a result of any of these changes. Both lawyers are presently General Fund and the General Fund functions, Land Administration, Forestry, and non-coal reclamation require two attorneys. Funding for the additional attorney would come primarily from the Coal and Uranium Bureau's federal grant, and would reflect a payment by the Federal Government for the increased workload. The two attorneys are critically overloaded and we need this additional help.

One FTE is requested for the EIS staff Wildlife Biologist. This position is needed to assure impact assessment in this area is adequate. The position was funded by contract. Pursuant to both the state's restrictions on FTEs and the Fair Labor Standards Act, this contract could no longer continue although the work is still required. Monies for this position are from fees assessed to industry for impact assessment.

The Department originally requested four new FTEs for the Abandoned Mine Reclamation Bureau. However since my appointment as Commissioner I have reevaluated our priorities. The Division is still requesting four new FTEs, however only two would go to the Abandoned Mine Reclamation Bureau. One, at grade 14, would be Office Manager and one FTE, grade 7, Administrative Aid.

The remaining two FTEs are more urgently needed in the Coal and Uranium Bureau. The processing of mine applications by the Bureau is too slow and my evaluation indicates the lack of staff is the limiting factor. By adding these two grade 13 positions the Bureau intends to decrease the backlog of applications and increase its respons-siveness to industry and the public.

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As I mentioned in opening the Department is requesting a mechanical change that would transfer the EIS staff from the Centralized Services Division to the Reclamation Division. No change in funding (which is from industry) is requested. This interdivisional transfer would facilitate interbureau cooperation and long-term planning.

The other modification requested is the purchase of a Bell Jet Ranger III helicopter. The Executive proposal asks \$300,000, the Fiscal Analyst suggests that only \$275,000 is needed, as \$25,000 is in the base budget. The \$25,000 in the base budget would be paid to Air Operations and go into the Revolving Account for fuel, repair and maintenance, therefore \$300,000 is the amount needed. The Department is presently leasing the helicopter. We did not buy it originally, because we felt a step of this magnitude should have Legislative approval. Before entering into a lease, the Department did a thorough analysis of its cost effectiveness. I have asked Dick Juntunen, Chief of the Abandoned Mine Reclamation Bureau to explain our analysis. The funds for purchase would be totally federal.

PROGRAM 04

LAND ADMINISTRATION

	EY 84		FY 85
Personal Services	\$306,811	• •	\$306,106

Explanation: The Land Administration personnel are responsible for the wise management of 41/2 million acres of surface and 6.1 million acres of sub-surface School Trust Land owned by the state. They are responsible for conducting the activities required for leases, easements, rights of way, permits, inspections and other uses of the land to insure that the Trust Lands are being efficiently managed.

Changes to Current Level:

The differences between the FY 82 FTE total and the FY 84 total is due to the transfer of five FTEs from Central Management Services to the Land Administration program for the better alignment of responsibilities within the Department.

Vacancy Savings

The vacancy savings that was referended in the LFA writeup occurred when the previous Administrator retired. This position was not immediately filled because the pay out on the accrued annual and sick leave would not permit it. We ask the Committee not to consider vacancy savings for this program.

Request for Additional Funding

Since the preparation of the budget for FY 84 and FY 85 the duties and responsibilities of five field people have been expanded and their positions reclassified. This was necessitated by the need to provide for more effective management and administration of all the Division's activities. Reclassification has amounted to a \$13,856 increase in Lands Division personal services. We have been faced with a similar situation in Forestry, in the amount of \$30,000. Since Forestry is a larger Division, I have not requested additional funding, they will have to absorb the upgrades. The Department requests that the Committee increase the personal services category by \$13,856.

	FY 84	FY 85
Operating Expenses	\$89,175	\$87,970

Explanation: The operating expenses incurred by the Land Administration program are for all activities related to the management of state owned Trust Lands. This covers expenses incurred in managing state Trust Lands for grazing, oil and gas, mining, agriculture, and special use purposes.

Changes to Current Level:

The Land Administration program has requested an increase of \$25,798 in operating costs to provide needed management services on state owned Trust Lands. Prior to reorganization the Lands Division only had five field people to perform the responsibilities in 5.2 million acres of Trust Lands. With the merging of the Forestry Division and its field offices into the Department, the Lands Division is now able to provide increased services to lessees and affected public through the field offices. This eliminates their having to travel to Helena and enables us to provide better service and more responsiveness to requests for gravel pit inspections, mineral and oil and gas leasing, easements and right of way reviews, temporary permit requests and resolvement of land use problems lessees are having.

The increase in operating costs are largely to cover increased travel and communications expenses of Lands Division and other Department employees in the field offices when used on Lands Division activities and to acquire aerial photos for better management of state land. We feel this increase is justified and a wise investment considering the over 50 million dollars this Division brings in annually on the usage of state Trust Lands.

Crop Checking Techniques

In FY 83 the Lands Division started a pilot project for determing crop yields on leased agricultural lands. The Department feels this method will potentially be more accurate for land management techniques, correct acreage determinations, and revenue predictions on crop yields on state lands. While the results of this project are not yet complete, the Department feels that this project shows sufficient merit to be continued.

	FY 84	FY 85
Equipment	\$8,312	\$13,750

<u>Explanation</u>: The equipment needed by the Land Administration program is vehicle replacement for people in the field offices. These vehicles are used to conduct the various land management activities required.

Changes to Current Level:

The request for FY 84 and FY 85 will be used for replacement of existing equipment that is wearing out. The request includes a two-wheel drive pickup for FY 84 and a four-wheel drive pickup for FY 85. Each vehicle is for a different area office. The FY 84 vehicle already has over 100,000 miles on it. If we are to require our personnel to travel to remote areas, we must equip them with reliable vehicles.

PROGRAM 05

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RESOURCE DEVELOPMENT PROGRAM

	FY 84	FY 85
Personal Services	\$156,902	\$156,560

Explanation: The Resource Development program is a state land investment program which is responsible for deriving the highest and best use of state lands for the support of the School Trust. The seven FTEs are responsible for developing projects on state lands. Funding for these personnel is derived from a percentage of the Interest and Income Fund not to exceed 21/2 percent. The percentage is decided by the Board of Land Commissioners.

Changes to Current Level:

No changes in FTEs are being requested in FY 84 and FY 85 budget request, consequently no funding increases are needed in Personal Services.

	FY 84	FY 85
Operating Expenses	\$92,350	\$98,191

Explanation: The operating expenses for the Resource Development program are used for personnel to evaluate specific projects that will develop or conserve state lands resources including water, grazing land renovations, agricultural land developments and timber stand improvements.

Changes to Current Level:

The Resource Development program has requested an increase of \$5,601 in FY 84 and \$5,842 in FY 85 for travel. The additional travel is requested from the Committee so that old Resource Development projects can be reviewed and inspected to see that they have been properly maintained. A comprehensive evaluation of all resource developments has not been attempted since inception of the program in 1967. These inspections should be completed so as to assure that the trust is receiving the highest return on its investment.

The Resource Development program would request an additional \$3,000 in both FY 84 and FY 85 to automate water inventories into the Land Base Computer System being developed. All water rights have been filed in accordance to the Senate Bill 76 concerning water adjudication, however an efficient means of storing the information is not available at this time. The additional funding would insure a comprehensive listing of our water rights by tract within the computer.

	FY 84	FY 85
Capital Construction	\$458,750	\$458,750

<u>Explanation</u>: The Resource Development program invests monies from the percentage authorized by the Board from the Interest and Income Fund. These developments include stock water projects, rangeland renovations, timber stand improvements and saline seep projects. The program is also looking into commercial projects that could potentially bring in large revenues to the Trust. In this use more funding is necessary to develop the project. Projects are amortized over a period of 20 years or less with the Trust being completely paid back on its initial investment. This program has large possibilities for increased income to the Trust and all projects require approval by the Board before implementation.

Changes to Current Level:

The Resource Development program is requesting an increase of \$369,352 for FY 84 and \$363,991 for FY 85 to begin an expansion of the program. These funds would be used for Resource Development projects. This request would increase spending authority for capital construction to \$458,750 for both FY 84 and FY 85. A large portion of the increase would be in projects involving alternative uses of state lands. This is not to say that we are moving away from the traditional agricultural and rangelend projects, but rather the addition of projects particularly in areas where the state lands, due to urban sprawl, are no longer useable for agriculture. Alternative uses are being approached slowly and cautiously to ensure that all projects produce an adequate return to the trust. The increased funding would also give the Department the ability to pay for any fees associated with the 8,000 water claims filed under Senate Bill 76. Since at this time the exact cost of these claims is unknown, no funding was included. Rather, any expenses will be deducted from funds allocated for alternative projects. The Department considers these funds as investment opportunities which can be used to increase revenue on state lands.

The Division of Forestry is charged with managing the State School Trust land that is classified as forest, fire suppression, providing technical assistance to private forest landowners, and for growing seedlings for reforestation on state forest lands and conservation plantings.

FORESTRY 25 PROGRAM

CURRENT LEVEL REQUEST

	FY 84	FY 85
Personal Services	\$3,827,248	\$3,828,179
(FTE)	174.09	174.09

Explanation: The Forestry Personal Services budget includes; salaries for the permanent employees in both the Forestry and Field Operations Division working with Forest Resource programs, and for temporary employees to do seasonal labor type work primarily in fire fighting, hazard reduction, timber stand improvement, nursery operation and normal employee fringe benefits.

Changes to Current Level:

The Executive proposal includes some changes in Personal Services as compared to their 82/83 biennium. Historically, Forestry has had \$60,000 appropriated each year in their current level budget for Fire Suppression. Thirty thousand dollars of this was in personal services and the balance was spread throughout the operating categories. Expenditures incurred above that level in Fire Suppression are covered through supplemental appropriations. The entire \$60,000 has been deleted from the current level in this request because of the

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complicating nature of accounting for those expenditures when determining the fire supplemental and the fact that the amount is a minor portion of the Fire Suppression costs.

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Another change to Forestry Personal Services is the transfer of one full time pilot position and one management analyst to the Centralized Management Division Budget.

The last change in Personal Services that I would like to discuss deals with the Council on Management Recommendation #235. This recommendation suggests that there is duplication of Centralized Services in the Department. Because of this recommendation <u>two</u> positions were deleted from the Executive proposal and <u>three</u> FTE positions from the LFA's budget. The Department does not agree with the elimination of any of the positions and requests that all three of the positions be reinstated.

A plan is being developed by the Department to streamline some of the Centralized Services' activities mentioned in the Management Council Report, however I have found by personally reviewing the work being done by the accounting staff in Missoula that actual duplication of work does not exist. On the surface it appears that way, however they are duplication of procedures; not workload. If you moved all of the accounting staff to Helena the workload would not be reduced. You still have the same number of bills to pay, the same amount of payroll to process, and the same need for FTEs. The accounting employees in Missoula are not only doing the accounting work typical of Centralized Service operation but handle a great deal of internal program accounting. I would also

like to clear up the differences between the Executive and Legislative budget. The budget office has recognized the fact that the Bureau Chief, Mr. Underwood, is a working supervisor, not only responsible for this complicated Forestry budget but also responsible for a great deal of non-accounting activities. That is why the 1.00 FTE difference exists between the two budgets.

State Forestry in Montana has always been recognized as a very progressive, efficient organization in state government. I ask that the committee give this issue a great deal of your attention and concern as I feel that Mr. Underwood and his staff are a significant part of that image.

	FY 84	FY 85
Contracted Services	\$812,273	\$851,010

<u>Explanation</u>: The Contracted Services budget in Forestry includes such things as appraiser fees, janitorial services, printing, audit fees, security protection, vehicle and building insurance, contracting of crews for tree planting and other project type work. This category of the budget also includes over \$450,000 of federal and private pass through money that goes to other government agencies.

Changes to Current Level:

Forest Fire Assessment fees collected from private landowners has increased and additional budget authority is needed to pass through the money to the other protection agencies. Forestry buildings in Missoula have been cleaned over the years by utilizing college work-study students. Federal funds for this program

have dried up and therefore it is necessary to contract a commercial cleaning company. Another adjustment that we have made is in additional appraisal fees. Specialized Services are required to appraise forest land values for purpose of setting commercial lease rates and land exchange purposes. We have also made downward adjustments in Contracted Services to include transferring the budget for aircraft insurance to Central Management Division.

	FY 84	FY 85
Supplies & Materials	\$525,786	\$564,771

Explanation: The Supplies and Materials budget in Forestry represents current level expenditures for agricultural supplies for the nursery to include seed and fertilizer, specialized fire equipment and clothing for state fire crews, gasoline and diesel fuel for the vehicle fleet, Forestry engineering supplies and shop supplies necessary to develop fire tankers and equipment for the County Fire Program.

Changes to Current Level:

A biennial appropriation was given by the last Legislature to provide money for the development of equipment and other supplies & materials costs in support of the nine counties entering the Cooperative County Fire Program. The majority of the ongoing expenditures to support these counties did not show up until FY 83. Since FY 82 is our base year these needed expenses do not show up, therefore an upward adjustment for gasoline and shop supplies is required. Also included in this category is an increase for nursery supplies. Now that we have both greenhouses operating at our state Forest tree nursery, it is anticipated that more tree containers and fertilizer will be required (earmarked revenue).

Communication

FY 84 \$94,504 FY 85 \$106,592

Explanation: The Communications caterogy includes such items as telephone and teletype services, postage and mailing, box rental and radio services.

Changes to Current Level:

The increase to this category is due to further decentralization of Department of State Lands programs. This category has also been hit hard by increased rate charges.

	FY 84	FY 85
Travel	\$83,885	\$85,379

<u>Explanation</u>: This category is made up of such items as commercial transportation, state aircraft rental, in- and out-of-state meals and lodging and vehicle mileage needed to carry out the fire, forest management and private Forestry assistance programs.

Changes to Current Level:

The increase to this category is partly due to the need to deliver fire equipment to the nine new counties added to the Coop County Fire Program in the current biennium. These funds were not expended in the 1982 base year. They will be needed in the coming biennium to continue training of volunteer fire fighters in the nine counties as well as the delivery of the remaining equipment.

FY 84FY 85\$442,116\$469,245

Explanation: The rent category in the Forestry budget includes building and office equipment leases, some small equipment rental, but primarily earmarked revenue used to contract heavy equipment in the Fire Hazard Reduction and Timber Stand Improvement programs.

Changes to Current Level:

The changes to the Forestry Rent budget include an increase in office rent due to establishing a Miles City office and leasing computer program software for the Division's mini-computer. We have also made a shift from repair and maintenance category to the rent category to accommodate aircraft pool procedures. Another major increase needed in this category is in earmarked revenue used to contract heavy equipment. Earmarked revenue in FY 82 base was not expended because of poor lumber market conditions. The timber market is expected to return to normal in 84 and 85 requiring authorization to spend Fire Hazard Reduction monies and Timber Stand Improvement monies. This could be handled by budget amendment but in view of the fact that the Legislature does not like budget amendments and due to the emergency change restricting budget amendments using earmarked revenue we are asking for the spending authority to do this work should the funds come in.

	FY 84	FY 85
Utilities	\$75,202	\$91,553

Explanation: This category includes electricity, heating fuel and propane as well as garbage and trash removal.

Rent

Changes to Current Level:

The increase to this category is due to the increased energy needs of the Forestry tree nursery greenhouse operation (earmarked revenue) as well as the fact that utility rates have gone up and will go up considerably.

LFA Differenes:

	FY 84	FY 85
Repair and Maintenance	\$296,296	\$312,485

<u>Explanation</u>: This major category includes repair and maintenance for buildings and grounds, office equipment, vehicles, radios, instruments and engineering and data processing equipment, aircraft, chain saws and materials for repair and maintenance such as spark plugs, oil and grease and antifreeze.

Changes to Current Level:

The Repair and Maintenance category reflects a transfer of spending authority from this category to the rent category to better account for aircraft costs. However, there is an increase in some sublevel categories due to the unavailability of federal excess tires, tubes, antifreeze and some repair parts. These last items will now have to be purchased.

	FY 84	FY 85
Other Expenses	\$28,170	\$29,861

Explanation: This category includes the relocating of Division personnel, subscriptions for technical magazines and registration fees for training purposes.

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Changes to Current Level:

No significant change.

	FY 84	FY 85
Equipment	\$561,269	\$624,343

<u>Explanation</u>: Forestry programs utilize and maintain equipment valued in excess of 4 million dollars. This includes a fleet of 405 vehicles used in the Forest Management, Fire Protection and County Cooperative Fire programs. The Forestry capital equipment requested is primarily replacement items of equipment and vehicles. Some items are for new technology such as specialized fire equipment and automatic data processing which are designed to bolster the Forestry programs.

During the last session of the Legislature this Committee was in agreement that a high level replacement program was necessary for Forestry firefighting equipment and fleet equipment because of the nature of use endangers life, limb or property. We are requesting that the base amount that you recommended last session plus inflation be allowed to continue in the 84/85 budget.

Changes to Current Level:

No change other than inflation.

	FY 84	FY 85
Buildings and Other Improvements	\$43,000	\$40,000

<u>Explanation</u>: The Department of State Lands own, operate and maintain buildings located throughout the state. Many of these buildings are old, outdated in regard to safety codes and in need of repair. Roof projects, siding, flooring, remodelling, plumbing and rewiring projects, to name a few, are required to keep these buildings in operating condition. The initial request in this category included some projects that were later placed on the long range building program and therefore are not shown in the Executive proposal. The LFA shows as an issue

the projects we had requested under both the long range building and our regular budget request. Those projects which we had transferred to the long range building program however, were dropped. Projects included in the Executive proposal consist of:

1) Expanding the carpenter shop used for work program for inmates at the Swan River Yough Camp.

2) Install waterline at our Central Land Office to upgrade the present three gallons/minute flow to 70 gallons/minute flow.

3) Completion of log building constructed by inmates at Swan River Youth Camp which will replace unsafe trailer presently used as an office and bunkhouse.

4) Remodeling of Fire Dispatch Center at Helena Unit Office to alleviate cramped conditions.

5) Replacement of heating system at Southwestern Land Office in Missoula.

6) Construction of log building by inmates at Swan River Yough Camp to replace worn out trailer house used as a residence at Clearwater State Forest Headquarters.

7) Remodeling of office at Stillwater State Forest to alleviate cramped conditions.

Changes to Current Level:

