

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

February 2, 1983

(Tape 46, Side B,
Tape 47 and 48)

The Appropriations Sub-committee on Elected Officials and Highways met at 7:00 a.m. on February 2, 1983 in Room 437 with Chairman Quilici presiding. The following members were present:

Chairman Quilici	Senator Dover
Rep. Connelly	Senator Keating
Rep. Lory	Senator Van Valkenburg
	Senator Stimatz

Also present: JanDee May, OBPP, Doug Booker, OBPP, Leo O'Brien, LFA and Cliff Roessner, LFA.

WORK SESSION

Board of Visitors

Kelly Moorse gave the committee the Budget Modification based on a half-time Grade 10 Administrative Assistant with the added operating costs for this position. (Exhibit 1)

Senator Keating made a MOTION that the committee approve the funding for a .5 FTE for this budget. Discussion. Motion carried. The Chairman voted "no".

Governor's Office

Executive Office Program

JanDee May furnished the committee with a new set of budget figures which shows the FY82 Actual, FY83 Appropriation and the requests for FY84 and FY85. (Exhibit 2) She told the committee that the footnotes on each page reflect the changes that have been made and these figures would not necessarily match up to the pages in the budget sheets in the notebooks.

Senator Dover made a MOTION that the committee approve the 20.5 FTE's. Discussion. Motion carried.

Senator Van Valkenburg asked about the dues for the Western Interstate Nuclear Board. Mr. Wanzienried explained that this board represents western states and natural resources cabinet level people. Tim Gallagher from the Governor's staff attends. They deal with a whole series of issues such as radio-active waste disposal and compacts between states on disposal. It deals with natural development, coal development and the major issues dealing with energy.

Senator Dover made a MOTION that the committee accept "Operating Costs" and Equipment" on the revised sheets (Exhibit 2, page 1). Question. Motion carried.

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Senator Dover made a MOTION that we accept the Executive Office Program budget. Question. Motion carried.

Mansion Maintenance

Senator Dover made a MOTION that the committee accept the 2.25 FTE's. Motion carried.

Senator Dover made a MOTION that the committee accept the "Operating Expenses" and "Equipment" as listed on the revised sheets. (Page 2 of Exhibit 2) Motion carried.

Senator Dover made a MOTION that the committee accept the Mansion Maintenance Budget in total. Question. Motion carried.

Air Transportation

Senator Dover made a MOTION that the committee accept the total budget for Air Transportation. Motion carried.

OBPP

Rep. Lory made a MOTION that the committee accept the FTE's by increasing these to 19.25. Discussion. JanDee May told the committee that the agency request was for 18.25 FTE's. Rep. Lory withdrew his motion.

Senator Dover made a MOTION that the committee accept the OBPP budget. Question. Motion carried. (211)

Legal Jurisdiction Project

In answer to a question by the committee, JanDee May said that these 2 FTE's are new FTE's, an attorney and a secretary. She reminded the committee that this project will be moved to the Attorney General's office.

The \$500,000 listed in the first fiscal year of the biennium under "Contracted Services" would include payments to the two attorneys under contract plus the legal fees of the law firm which has been hired for this project. Mr. Wanzenried gave the committee a summary sheet of the active cases under this project. (Exhibit 2A) He explained that the need for the additional attorney and secretary was because the contracted attorneys were working at the maximum of their capabilities on these cases and there is a need for someone on the state level to handle some of the legal work.

In answer to a question from the Chairman, JanDee May said this attorney would be classified as an Attorney V which is a Grade 19.

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In answer to a question by Senator Van Valkenburg, Mary Jo Murray said that the attorney's fees would be about \$10,000 to \$15,000 a month.

The committee discussed the \$500,000 figure and the need for the addition of two FTE's. Some members of the committee felt that \$500,000 was too high. Mr. Wanzenried pointed out to the committee that the money expended in this area is protecting the state's rights as well as the large amount of money which is at stake.

Discussion by the committee.

Rep. Lory made a MOTION that the committee approve the Indian Jurisdiction Project budget with the exception that "Contracted Services" be reduced from \$500,000 to \$400,000 with the understanding that they can come in for a supplemental. Discussion. Motion carried. Senator Keating voted "no".

Discussion by the committee.

Rep. Lory made a MOTION that the committee approve the transfer of the Indian Jurisdiction Project from the Governor's office to the Attorney General's office. Motion carried. Senator Dover and Senator Keating voted "no".

Northwest Power Council

The Chairman noted that the funding for this council is from federal and private funds.

Rep. Lory made a MOTION that the committee approve this budget as it appears on the revised sheet. (Page 6, Exhibit 2) Discussion. Motion carried.

Lt. Governor's Office

Rep. Lory made a MOTION that the committee approve this budget as it appears on the revised sheet. (Page 7, Exhibit 2) Discussion. Motion carried.

Citizens' Advocate

Senator Dover made a MOTION that the committee approve this budget as it appears on the revised sheet. (Page 8, Exhibit 2) Discussion. Motion carried.

Budget Modifications (Tape 47, Side A)

Senator Van Valkenburg made a MOTION that the committee accept the budget modification for the EPA Permit Directory for \$12,500

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in FY84. Question. Motion carried. Senator Keating and Senator Dover voted "no".

Regarding the budget modification for the Coal Severance Tax Defense, Mr. Wanzenried told the committee that instead of \$330,000, the request is for \$300,000. Discussion.

Senator Keating made a MOTION that the name be changed from "Coal Severance Tax Defense" to "Coal Severance Tax Lobbying". Discussion.

Mr. Wanzenried told the committee that the \$250,000 that has been spent for this purpose has brought in \$125 million in tax receipts. There is an obvious leverage there with our representation in Washington. He said if there was a balance left it would revert at the end of the biennium. In answer to a question by the committee Mr. Wanzenried told the committee that they have a four-member Legislative Oversight Committee. Discussion. Motion carried. The Chairman voted "no".

Rep. Lory made a MOTION that the committee appropriate \$300,000 for this modification and that the Legislative Oversight Committee be reinstated for the biennium. Discussion.

Senator Keating: "Our coal severance tax is so high that it impedes any development of our natural resources. Since this tax was imposed we haven't opened one new mine in this state and we probably will not open another new mine except for some 20% lignite coal on the eastern part of the state. Our coal production declined 9% this last year and, by comparison, Wyoming, which has half the tax, had a 20% increase in coal production. They have opened about 11 new mines in the last three or four years. With their 18% coal severance tax they take in \$182 million in revenues while we take in \$90 million in revenues. I just don't understand any reason for defending spending general fund money to defend something that impedes development and reduces our activities. We lose jobs, we lose development, we lose tax revenues, we lose property tax base and I can't support something that reduces the development of our natural resources in this state."

Mr. Wanzenried said that as long as we have the tax level, there is an assault on the state because of it; we're whistling in the dark if we think that something real isn't happening. We could lose, because of federal funding allocations, as much as \$36 million in human services alone. He said, "I think the past biennium demonstrates that we have done a good job of defending the tax at that level. If you want to change the level, that's fine."

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Senator Van Valkenburg noted that there are a lot of other people who do not share Senator Keating's view. He said he thought the people of Montana agree that the level of the tax does impede development but they feel that that's good; they don't want the unchecked development that Wyoming has. It is a policy decision that the citizens of the state have made and have stood firmly by. It's the difference between Montana and Wyoming.

Senator Van Valkenburg pointed out to the committee that after this vote is taken there will have been spent, without considering other budget modifications, including the other coal tax modification, a big chunk of the money set aside by the Governor for modifications. Discussion.

Motion carried. Senator Keating and Senator Dover voted "no".

Rep. Lory made a MOTION that the committee do not pass the budget modification for the Lt. Governor's printing of reports to the local governments for \$3,000. Discussion. Mr. Wanzenried defended the modification, saying that there should be some mechanism to disseminate information to the local governments in an automatic fashion.

Question being called for, the Motion did not carry.

Senator Van Valkenburg made a MOTION that the committee approve the Budget Modification for the printing of this report in the Lt. Governor's budget. Motion carried. Senator Keating voted "no".

The Budget Modification for the Data Processing Equipment was brought before the committee. Troy McGee was available for questions from the committee. Discussion by the committee.

Rep. Lory made a MOTION that the committee approve this budget modification for terminals for the OBPP office.

Discussion. Motion did not carry.

Senator Van Valkenburg made a MOTION that the committee approve the Governor's budget as amended. Question. Motion carried.

The committee recessed at 8:15 a.m. (288)

The committee reconvened at 8:30 a.m.

Board of Crime Control

Mr. O'Brien explained to the committee that in one option the budget is retained at the current level of the entire portion of the general fund budget. The budget maintains funding at

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the current level and does not supplement general fund for the federal funds that will be discontinued. The other options are to fund the budget with general fund monies or to fund them through a revolving account.

Senator Van Valkenburg made a MOTION that the committee adopt the 14 FTE's. Discussion.

Senator Van Valkenburg noted that the committee, if it passes this motion, is going to have to spend more general fund money for this board than it has in the past but he said we have to have some kind of state-wide planning and technical assistance in the attempt to fight crime in Montana. He said he felt local governments in particular have benefited a great deal from the Board of Crime Control's existence. It is unfortunate that the federal government has not funded this area. He said he felt this agency has done a good job of trying to pare down this agency as the federal funds were withdrawn.

Question. Motion carried.

After some discussion, Senator Dover made a MOTION that the committee approve Option A. Discussion. Senator Dover withdrew his motion.

Senator Van Valkenburg made a MOTION that the committee approve the Operating Expenses in FY84 of \$166,979 and in FY85 \$163,252. (This is the OBPP budget which includes all of the audit fees in FY84, as it is a biennial amount.) Discussion. Motion carried.

Senator Van Valkenburg made a MOTION that we accept the Board of Crime Control's funding proposal which is mostly general fund but does provide federal funds of \$80,412 in FY84 and \$86,640 in FY85. Discussion. Mr. Lavin explained to the committee that the bill in Congress which the President vetoed containing funds for his board as pass-through money for the local agencies, may be resurrected and this money may become available for Montana. However, this money cannot be used for administrative purposes. It could, however, be used for matching funds in accepting the federal dollars. Discussion. Motion carried.

HEARINGS

Dept. of Administration

Purchasing Division

Laurie Ekanger addressed the committee. She furnished the committee with a history of the Purchasing Division, its

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organization, and the major issues concerning this division's budget. (See Exhibit 3 for her presentation) (Tape 47, Side B)

Ms. Ekanger said they felt that the LFA's budget for the Purchasing Division is reasonable. She said as they were in the transition stage, they went from 18 to 17 FTE's in the Purchasing Program because of their change to a word-processing system. The system is not up and running yet and they have already cut this FTE. The salary level is not correct and this will have to be worked out.

Regarding the vacancy savings, in a division of their size, they feel they would have to eliminate another FTE in order to accommodate this 3.5 level. (Exhibit 4) Ms. Ekanger explained the transfer of purchasing responsibility from the Purchasing Bureau to the Stores-Surplus Bureau (Exhibit 7)

Central Stores & Surplus Property

Terry Howell, Chief of Central Stores & Surplus Property, addressed the committee. Presently this bureau procures and warehouses 1,271 items consisting of forms, office supplies, fine paper, computer paper, etc.

This bureau provides quality items at the lowest possible price. The bureau saves the agencies and the taxpayers considerable money and it also provides for a fair and open competition by the industry. Some of the bureau's performance statistics for FY82 are as follows: they filled and delivered 8,936 orders for total sales of \$1,053,002.81. Their total direct net savings to the agencies was \$246,914. This savings is over and above the previous buying method. It is 25.2%. Over and above the retail the savings is about 62%. The agencies are also able to eliminate the warehousing and storage for inventory. This frees up much needed space and saves money. Ms. Howell told the committee that the bureau last year expended \$977,053. Of that, 87.1% was spent on purchase of goods for resale; salaries were 6.8%, operating expenses 4.9% and equipment 1.2%. Their inventory turned over 3.8 times.

The Surplus Property Bureau services 710 qualified state agencies, cities, counties and non-profit organizations. An average of 110 qualified donees visit the surplus property program each month. For the first two months after the re-organization this program returned \$41,770.22 to the general fund. In FY82 that return was \$49,004, in FY81 it was \$79,699 and in FY80 it was \$16,000. Before that there was no return to the general fund. The program holds two auctions per year to sell items that are not useable by state agencies. Ms.

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Howell explained the issues of difference in the budgets for this program. (These are written on page 2 of Exhibit 6)

Ms. Howell directed the committee's attention to Exhibit 7 for an explanation of the Coarse Paper and Janitorial Supplies Proposal.

The committee discussed at some length the method of rate setting for the agencies purchasing from the department and the methods which could be used to track individual agency's spending. The Chairman asked Doug Booker to look into this and see how this could be done.

Ms. Ekanger went through the budget revisions with the committee which appear on pages 2 of each of the Exhibits 4, 5 and 6. She told the committee that under "Travel" they hadn't had the program reorganized for a long enough time to be sure how much they would need. They have cut down their out-of-town travel considerably but they are doing more traveling within Helena. They would recommend the LFA's budget figure on this and if there is money left over it could revert.

(Tape 48, Side A)

After some discussion of the combination of FTE's in this division, it was determined that there are 6 FTE's in Surplus Property, 6 FTE's in Central Stores and 17 FTE's in Purchasing for a total of 29.

After more discussion, Ms. Ekanger said that in the Purchasing Program they are asking for the Fiscal Analyst's budget. They would like the OBPP and LFA to look at "Personal Services". Under "Central Stores" they are asking for additional spending authority to take on those two categories; they are asking for the LFA and OBPP to look at the salary levels and they are asking for the OBPP budget.

Senator Van Valkenburg asked how the agencies were charged. Ms. Ekanger told the committee that they add a percentage to the actual cost. This is based on time spent, storage cost, etc. Each category may vary. There is a person on staff now who will be checking all these items to be sure that they are recovering their costs and still giving the agencies the best percentage they can. The average percentage is 5%. The percentage has not increased since they have been in operation, almost three years.

Ms. Ekanger distributed a sheet which showed one category of cost comparisons in office supplies. (Exhibit 8) Discussion.

Purchasing Division

Earl Fred, Purchasing Division, addressed the committee regarding the entire division. The division's function is to see that the state's expenditure of funds for goods and services realizes a cost savings. They do this through combined purchasing and increased competitive bidding procedures. Mr. Fred said that the personal services and vacancy savings issues have already been addressed. He said they have been blessed with a very dedicated staff and they have relatively no turn-over in their division. If they have to look at a reduction in staff it is going to put them in a very precarious position as they have been criticized for the very slow turnaround time.

Mr. Fred addressed the major issues which are set forth on page 2 of Exhibit 4. Regarding "Travel" Mr. Fred said that their role in purchasing is to supervise outside purchasing on the agency level and to do this they have an audit and training program to be sure the agencies are complying with the procedures and the contracts. All four studies on purchasing for the state have recommended that the Purchasing Bureau continue their site visits on a quarterly basis. They have not been able to do that because of their staffing pattern and the workload. However, they do intend to do this. The division's projection is included in the "Travel" budget. In "Other Expenses" they request that the money for training conferences be put back in. Under "Rent" this was an estimate. They are short \$519 right now. In square footage costs they will be going from \$2.69 per square foot to \$3.28 per square foot. Using those figures they will be short approximately \$2,000 in the LFA's budget in FY84 and about \$3,000 short in FY85. In the OBPP budget they would be short \$168 in FY84 and \$120 in FY85.

Under current rent, FY83, \$14,172 is for space and \$4,719 is for data processing equipment rental. In answer to a question from Rep. Lory, Mr. Fred said the reason the equipment rental doesn't inflate is because it is a two-year lease contract.

Senator Keating asked for an itemized agency request. Ms. Ekanger said she would be happy to do this. The Chairman suggested that she get together with Cliff and Doug to do this. It was also suggested by Rep. Lory that equipment rent and space rent be separated.

The committee recessed at 10:05 a.m. (374)

WORK SESSION

The committee reconvened at 10:35 a.m.

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Supreme Court

Mike Abley and Lee Jellison represented the Supreme Court. It was noted by the committee that the current level of the FTE's is 30. This does not include the two law clerks or the clerical position in question.

Discussion.

Rep. Lory made a MOTION that the committee approve 32 FTE's. It was noted that these two additional law clerks were a modification because they were put in without the approval of the Legislature, however, they are built into the budget.

Discussion. Motion carried.

Under "Operating Expenses" it was noted that "Contracted Services" included \$68,000 for "Archives Project". Discussion of this expense. It was noted by the committee that Mike Trevor of the Department of Administration said he felt his Computer Services Division could not provide service for the full amount in the biennium. Discussion.

Senator Dover made a MOTION that the money for the Archives Project be cut in half to \$34,000 for each fiscal year and put in the Department of Administration's budget as a line item. (580) Question. Motion carried.

Regarding "Rent" this reflects the charges for moving to the new building.

Senator Dover requested that the committee go back to the printing items. Mr. Abley explained that the judiciary brochures which explains the program are used by visitors and school children. The public information pamphlet is more detailed and would be used for civic groups and schools. Discussion.

Senator Dover made a MOTION that the committee delete \$5,300 for the judiciary brochures and delete \$18,000 for the printing of the public information pamphlet. Discussion.

Rep. Lory made a SUBSTITUTE MOTION that the committee leave in the \$5,300 item and delete the \$18,000 item. Discussion.

Rep. Lory's Substitute Motion carried.

(Tape 48, Side B)

Mr. Jellison told the committee that the Montana Reports are charged by the volume and as the reports are coming out faster from the printer, this increases the figure. The cost is under

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contract so this is an actual cost. The printing for the Court and the Clerk are inflated figures. Discussion.

Senator Van Valkenburg made a MOTION that the committee approve "Contracted Services" as amended. Motion carried.

Discussion.

Senator Van Valkenburg asked what the category of "Legal Settlement" was for. Mr. Abley replied that this was the court case involving Justice Shea and the Legal Standards Committee. The court found in the Justice's favor and he was granted his court fees. These fees have not yet been paid. Senator Van Valkenburg said he would like to see a copy of that decision. Discussion.

Senator Dover made a MOTION that the committee accept the balance of "Operating Expenses" except for that legal settlement and add in "Communications" the additional amount of \$3,201 for FY84 (above the OBPP budget) and an additional \$4,074 in FY85. These are for telephone charges by Mountain Bell as the new building is not going to be part of Centel. Discussion. Motion carried.

Discussion.

Senator Keating made a MOTION that the committee add audit fees of \$11,000 for the first year of the biennium to the "Operating Expenses" the committee just approved. Discussion. Motion carried.

Regarding MONTCLIRC, Mr. Abley said there was a 5% salary increase in each year that is not included in any of the other salaries for Supreme Court Operations. He suggested that this should be backed out in order to treat this the same as any other agency salary increase. Mr. Booker agreed. Discussion.

Senator Dover made a MOTION that the MONTCLIRC budget be approved less the projected 5% salary increases. Discussion. Motion carried.

The committee discussed the request for a word processor and additional researchers in the MONTCLIRC budget. Senator Van Valkenburg expressed concern about these modifications at a time when all the budgets were tight. The committee agreed.

Senator Van Valkenburg made a MOTION that the committee reconsider its action in accepting the MONTCLIRC budget. Discussion. Motion carried.

Discussion.

Senator Van Valkenburg made a MOTION that the committee restrict the level of the 15 student researchers at current level (considering the inflation factor) and not adding more researchers

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as well as including the approval for the word processor.

The Chairman said the committee could approve the majority of the budget and wait for information on the 15 student researcher figures from the OBPP and LFA. The committee could then vote on these two items when they have the correct figures.

Senator Van Valkenburg AMENDED his MOTION to include approval of the budget as amended with those two exceptions to be approved later. Discussion. The Motion As Amended carried.

Senator Van Valkenburg requested that the Supreme Court give the committee a proposal on using a part-time or full-time secretary on the Board of Bar Examiners to cut down the costs of the bar exam from \$400 to something more reasonable like \$200. The secretarial costs on contract are very high.

Meeting adjourned at 11:20 a.m. (390)



Joe Quilici, Chairman

dm

MENTAL DISABILITIES BOARD OF VISITORS

BUDGET MODIFICATION

The budget for a half-time Grade 10 Administrative Assistant (salary, benefits, and associated operating expenses) is as follows:

	<u>FY 84</u>	<u>FY 85</u>
FTE	.50	.50
Salary	\$ 7,327	\$ 7,299
Benefits	<u>1,541</u>	<u>1,549</u>
Total Personal Services	8,868	8,848
Supplies	0	0
Communications	1,220	1,446
Travel	0	0
Rent	540	572
Repair & Maintenance	<u>68</u>	<u>72</u>
Total Operations	1,828	2,090
Equipment	<u>1,050</u>	<u>0</u>
TOTAL	<u>\$11,746</u>	<u>\$10,938</u>

The FY 84 request represents a reduction of 46% of the originally requested budget modification; FY 85 represents a reduction of 47%. Money for travel was deleted, as was money for supplies and \$400 in equipment costs.

EXECUTIVE OFFICE

	<u>FY 82 Actual</u>	<u>FY 83 Approp</u>	<u>FY 84 Request</u>	<u>FY 85 Request</u>
FTE	18.50	18.50	20.50 ¹	20.50
Salaries	\$434,248	\$517,714	\$540,027	\$537,961
Benefits	61,850	62,363	77,307	77,979
Total	<u>496,098</u>	<u>580,077</u>	<u>617,334</u>	<u>615,940</u>
Contracted Services	38,017	68,000	60,557 ²	48,927
Supplies and Materials	9,499	5,717	11,473	12,162
Communications	38,995	44,659	41,831	48,004
Travel	60,524	61,651	65,452	68,138
Rent	30,182	25,686	40,396	44,893
Repair and Maintenance	5,450	3,461	7,701	8,152
Other Expenses	61,234	62,975	53,870	55,485
Total	<u>243,901</u>	<u>272,149</u>	<u>281,280</u>	<u>285,761</u>
Equipment	<u>7,171</u>	<u>3,411</u>	<u>6,930</u>	<u>1,515</u>
Total Program	<u>\$747,170</u>	<u>\$855,637</u>	<u>\$905,544</u>	<u>\$903,216</u>
General Fund	<u>\$747,170</u>	<u>\$855,637</u>	<u>\$905,544</u>	<u>\$903,216</u>

¹ FTE and operating expenses have been adjusted to reflect the transfer of Governor's Office Centralized Services from OBPP to Executive Office Program

² Legislative Audit cost is now budgeted in this program. Was not in previous years.

³ Decrease in dues to the National Governors' Association is reflected within "Other Expenses".

MANSION MAINTENANCE

	<u>FY 82 Actual</u>	<u>FY 83 Approp</u>	<u>FY 84 Request</u>	<u>FY 85 Request</u>
FTE	3.25	3.25	2.25	2.25
Salaries	\$ 32,253	\$ 44,952	\$ 35,917	\$ 35,983
Benefits	6,664	8,483	6,908	6,978
Total	<u>38,917</u>	<u>53,435</u>	<u>42,825</u>	<u>42,961</u>
Contracted Services	1,254	3,020	1,262	1,338
Supplies and Materials	13,181	17,431	14,849	15,740
Communications	1,631	2,969	1,292	1,475
Rent	233	77	262	278
Utilities	2,261	2,602	2,881	3,517
Repair and Maintenance	286	517	322	341
Other Expenses	338	116	379	401
Total	<u>19,184</u>	<u>26,732</u>	<u>21,247</u>	<u>23,090</u>
Equipment	<u>2,115</u>	<u>500</u>	<u>850</u>	<u>250</u>
Total Program	<u>\$ 60,216</u>	<u>\$ 80,667</u>	<u>\$ 64,922</u>	<u>\$ 66,301</u>
General Fund	<u>\$ 60,216</u>	<u>\$ 80,667</u>	<u>\$ 64,922</u>	<u>\$ 66,301</u>

AIR TRANSPORTATION

	<u>FY 82 Actual</u>	<u>FY 83 Approp</u>	<u>FY 84 Request</u>	<u>FY 85 Request</u>
FTE	1.00	1.00	1.00	1.00
Salaries	\$ 20,802	\$ 24,733	\$ 23,089	\$ 23,001
Benefits	<u>3,031</u>	<u>832</u>	<u>3,401</u>	<u>3,430</u>
Total	<u>23,833</u>	<u>25,565</u>	<u>26,490</u>	<u>26,431</u>
Contracted Services	4,811	11,760	4,691	4,783
Supplies and Materials	17,621	28,000	19,845	22,006
Communications	505	1,000	495	586
Travel	2,998	4,025	3,055	3,086
Rent	0	5,160	0	0
Repair and Maintenance	<u>23,476</u>	<u>10,400</u>	<u>26,377</u>	<u>27,960</u>
Total	<u>49,411</u>	<u>60,345</u>	<u>54,463</u>	<u>58,421</u>
Equipment	<u>21,675</u>	<u>85,546</u>	<u>4,653</u>	<u>0</u>
Total Program	<u>\$ 94,919</u>	<u>\$171,456</u>	<u>\$ 85,606</u>	<u>\$ 84,852</u>
General Fund	<u>\$ 94,919</u>	<u>\$171,456</u>	<u>\$ 85,606</u>	<u>\$ 84,852</u>

OFFICE OF BUDGET AND PROGRAM PLANNING

	<u>FY 82 Actual</u>	<u>FY 83 Approp</u>	<u>FY 84 Request</u>	<u>FY 85 Request</u>
FTE	22.25	22.25	18.25	18.25
Salaries	\$469,007	\$529,816	\$475,633	\$476,264
Benefits	<u>71,688</u>	<u>87,654</u>	<u>72,931</u>	<u>73,814</u>
Total	<u>540,695</u>	<u>617,470</u>	<u>548,564</u>	<u>550,078</u>
Contracted Services	72,891	76,580	72,789	88,262
Supplies and Materials	4,057	6,283	3,758	3,983
Communications	13,471	17,438	11,558	13,484
Travel	7,200	7,935	7,819	8,156
Rent	16,819	20,196	17,137	18,518
Repair and Maintenance	4,271	5,200	6,224	6,597
Other Expenses	<u>6,965</u>	<u>6,358</u>	<u>6,948</u>	<u>7,132</u>
Total	<u>125,674</u>	<u>139,990</u>	<u>126,233</u>	<u>146,132</u>
Equipment	<u>22,805</u>	<u>3,348</u>	<u>2,400</u>	<u>2,530</u>
Total Program	<u>\$689,174</u>	<u>\$760,808</u>	<u>\$677,197</u>	<u>\$698,740</u>
General Fund	<u>\$689,174</u>	<u>\$760,808</u>	<u>\$677,197</u>	<u>\$698,740</u>

Note: FTE and operating expenses have been adjusted to reflect transfer of Centralized Services to Governor's Executive Office.

LEGAL JURISDICTION PROJECT

	<u>FY 82 Actual</u>	<u>FY 83 Approp</u>	<u>FY 84 Request</u>	<u>FY 85 Request</u>
FTE	-0-	-0-	2.00	2.00
Salaries	0	0	\$ 46,940	\$ 46,760
Benefits	0	0	8,388	8,443
Total	<u>0</u>	<u>0</u>	<u>55,328</u>	<u>55,203</u>
Contracted Services	\$ 52,632	\$ 60,795	\$500,000	0
Supplies and Materials	290	390	500	500
Communications	107	907	1,625	1,625
Travel	1,578	3,390	12,000	12,000
Rent	0	0	2,170	2,170
Other Expenses	632	216	3,000	3,000
Total	<u>55,239</u>	<u>65,698</u>	<u>519,295</u>	<u>19,295</u>
Total Program	<u>\$ 55,239</u>	<u>\$ 65,698</u>	<u>\$574,623</u>	<u>\$ 74,498</u>
General Fund	<u>\$ 55,239</u>	<u>\$ 65,698</u>	<u>\$574,623</u>	<u>\$ 74,498</u>

NORTHWEST POWER COUNCIL

	<u>FY 82 Actual</u>	<u>FY 83 Approp</u>	<u>FY 84 Request</u>	<u>FY 85 Request</u>
FTE	7.00	7.00	7.00	7.00
Salaries	\$139,754	\$203,011	\$204,352	\$203,568
Benefits	<u>15,367</u>	<u>27,433</u>	<u>23,477</u>	<u>23,413</u>
Total	<u>155,121</u>	<u>230,444</u>	<u>227,829</u>	<u>226,981</u>
Contracted Services	64,273	79,056	90,935	107,780
Supplies and Materials	2,344	2,000	2,634	2,792
Communications	5,975	9,500	5,046	5,773
Travel	41,329	28,000	44,758	46,627
Rent	6,654	7,500	7,476	7,925
Repair and Maintenance	674	0	730	774
Other Expenses	<u>1,618</u>	<u>16,000</u>	<u>12,592</u>	<u>13,348</u>
Total	<u>122,867</u>	<u>142,056</u>	<u>164,171</u>	<u>185,019</u>
Transfers	5,656			
Equipment	<u>15,111</u>	<u>1,500</u>	<u>0</u>	<u>0</u>
Total Program	<u>\$298,755</u>	<u>\$374,000</u>	<u>\$392,000</u>	<u>\$412,000</u>
Federal & Private Revenue	<u>\$298,755</u>	<u>\$374,000</u>	<u>\$392,000</u>	<u>\$412,000</u>

NOTE: Budget Office figures for FY 84 and 85 have been changed to reflect the Program's budget request.

LIEUTENANT GOVERNOR'S OFFICE

	<u>FY 82 Actual</u>	<u>FY 83 Approp</u>	<u>FY 84 Request</u>	<u>FY 85 Request</u>
FTE	5.00	5.00	6.00	6.00
Salaries	\$119,586	\$129,223	\$145,571	\$145,014
Benefits	<u>19,495</u>	<u>23,060</u>	<u>24,903</u>	<u>25,076</u>
Total	<u>139,081</u>	<u>152,283</u>	<u>170,474</u>	<u>170,090</u>
Contracted Services	7,479	2,700	10,562	11,196
Supplies and Materials	3,472	1,107	3,902	4,137
Communications	5,931	9,049	5,787	6,674
Travel	10,371	34,767	14,234	14,933
Rent	4,609	4,886	5,148	5,698
Repair and Maintenance	676	231	827	877
Other Expenses	<u>1,746</u>	<u>284</u>	<u>1,936</u>	<u>2,040</u>
Total	<u>34,284</u>	<u>53,024</u>	<u>42,396</u>	<u>45,555</u>
Equipment	<u>1,842</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Program	<u>\$175,207</u>	<u>\$205,307</u>	<u>\$212,870</u>	<u>\$215,645</u>
General Fund	<u>\$175,207</u>	<u>\$205,307</u>	<u>\$212,870</u>	<u>\$215,645</u>

Note: Contracted Services increased \$2,247 and \$2,382 for operating expenses of FTE transferred from OBPP.

CITIZENS' ADVOCATE

	<u>FY 82 Actual</u>	<u>FY 83 Approp</u>	<u>FY 84 Request</u>	<u>FY 85 Request</u>
FTE	2.00	2.00	1.00	1.00
Salaries	\$ 36,899	\$ 43,300	\$ 26,561	\$ 26,460
Benefits	4,593	5,400	3,064	3,103
Total	<u>\$ 41,492</u>	<u>\$ 48,700</u>	<u>29,625</u>	<u>29,563</u>
Contracted Services	128	46	141	149
Supplies and Materials	49	25	55	58
Communications	20,947	28,167	25,363	30,408
Repair and Maintenance	120	98	68	72
Total	<u>21,244</u>	<u>28,336</u>	<u>25,627</u>	<u>30,687</u>
Equipment	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Program	<u>\$ 62,736</u>	<u>\$ 77,036</u>	<u>\$ 55,252</u>	<u>\$ 60,250</u>
General Fund	<u>\$ 62,736</u>	<u>\$ 77,036</u>	<u>\$ 55,252</u>	<u>\$ 60,250</u>

Note: Communications budget increased to reflect projected toll-free line costs.

SUMMARY OF ACTIVE IJP CASES

Crow Tribe v. Montana

Issue: May the state impose its severance tax to Crow-owned coal mined by non-Indians on the Crow Reservation and Crow Ceded Strip?

Proceedings to Date: The U.S. District Court in Billings dismissed the case on motion of the state. The Ninth Circuit reversed, sending the case back to district court for trial. The U.S. Supreme Court refused to review the Ninth Circuit's refusal.

Future Proceedings: Trial has been scheduled for January, 1984. The Project's retained counsel, Jerry Anderson and John Ross will be conducting extensive discovery plus trial preparation in the next six months.

Northern Cheyenne v. Adsit

Issue: Whether the state or federal court will adjudicate Indian reserved water rights.

Proceedings to Date: U.S. District Court in Billings plus Great Falls dismissed federal suits filed by U.S. and tribes, thereby deferring to state courts. The Ninth Circuit reversed, holding that the disclaimer clause in Montana's Enabling Act and Constitution bars state jurisdiction and that, even absent disclaimer language, federal courts should not have dismissed. In October, U.S. Supreme Court agreed to review Ninth Circuit decision. Project filed brief in November.

Future Proceedings: Project will file brief in February and argument will be held in March.

Blackfeet Tribe v. Montana

Issue: May the state and counties collect various taxes on oil and gas production occurring on tribal lands within the reservation?

Proceedings to Date: The U.S. District Court in Great Falls held that a 1938 federal statute gave the state jurisdiction to tax. In December, 1982, the Ninth Circuit upheld the decision. The tribe may ask U.S. Supreme Court review.

Future Proceedings: If the Blackfeet ask Supreme Court review, the Project will file brief in opposition. If the Court grants review, the Project will brief other case plus at least attend the argument.

Assiniboine and Sioux Tribes v. Montana

Issue: May the state levy the new car sales tax on Indians who purchase new cars off the reservation?

Proceedings to Date: Project has made plus brief preliminary motions asking U.S. District Court in Great Falls to hold for state without trial. Motions are pending.

Future Proceedings: Possible are almost any combination of trial, appeals to Ninth Circuit and appeal to U.S. Supreme Court.

Confederated Salish and Kootenai Tribes v. Montana

Issue: May state require tribes to file applications for reserved water rights in state adjudication system?

Proceedings to Date: Case has been stayed in district court pending outcome of Adsit in U.S. Supreme Court.

Future Proceedings: Adsit case may resolve the issues disputed in this case.

PD 1/83

PURCHASING DIVISION
Department of Administration
State of Montana

PURPOSE: To insure fair, broad-based competition on state purchases.
To save money for the state through purchasing practices and
promotion of surplus property.

HISTORY: 1921 State Purchasing Department established.
1951 State Comptroller designated as state purchasing agent.
1971 Executive Reorganization Act assigned duties to Purchasing
Bureau of Department of Administration.
1976 Purchasing Bureau given Division status.
1980 Stores Bureau created within Division.
1982 Stores Bureau reorganized to include surplus property
programs.

ORGANIZATION: Purchasing Division has 29 FTE, organized into two Bureaus:

Purchasing Bureau - general fund, handles all general state
purchasing.
Stores/Surplus Bureau - proprietary fund, handles purchase of
office supplies and paper and surplus property programs.

MAJOR ISSUES: Purchasing Division has been the subject of formal studies by the:

Council of State Governments (November 1978).
Legislative Auditor's Office (May 1980).
Department of Administration Director's Office (May 1982).
Governor's Council on Management (October 1982).

These studies identify the following major issues:

1. Purchasing Division saves money for the state.

According to the Legislative Auditor's Report, in Fiscal Year
1979:

<u>Purchase Volume</u>	<u>Savings</u>	<u>Division Budget</u>	<u>NET SAVINGS</u>
\$44,000,000	4.1% or \$1,884,000	\$285,700	\$1,598,300

2. Purchasing Bureau needs to automate. This is being
accomplished with an appropriation from the 47th
Legislature.
3. Purchasing Division needs to update/clarify Montana law.
Legislation adapting the American Bar Association Model
Procurement Code is being considered by the 48th
Legislature.
4. Purchasing Division must provide quicker service to state
agencies and must transition from a primarily clerical
role to a management role in state government.

REPORT EBSR100
DATE : 01/08/83
TIME : 16/25/25

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL --- BUDGET WORKSHEET

Exhibit 4
Feb. 2, 1983

PAGE 412

AGENCY : 6101 DEPARTMENT OF ADMINISTRATION
PROGRAM : 10 PURCHASING PROGRAM
CONTROL : 00000

AF/OF	DESCRIPTION	FY 83	ORPP FY 84	LFA FY 84	DIFF. FY 84	SUB-CMT. FY 84	ORPP FY 85	LFA FY 85	DIFF. FY 85	SUB-CMT. FY 85	CURRENT LEVEL SERVICES ONLY	
0000	FULL TIME EQUIVALENT (FTE)	17.00	17.00	17.00			17.00	17.00				
1100	SALARIES	294,510	303,380	309,297	5,917		302,783	308,125	5,342			
1400	EMPLOYEE BENEFITS	73,628	43,990	43,749	-241		44,418	44,387	-31			
1500	HEALTH INSURANCE		16,320	16,320			16,320	16,320				
	TOTAL LEVEL	368,138	363,690	369,366	5,676		363,521	368,832	5,311			
2100	CONTRACTED SERVICES	66,780	72,926	79,474	6,548		74,253	84,192	9,939			
2200	SUPPLIES & MATERIALS	11,419	7,057	7,054	-3		7,481	7,475	-6			
2300	COMMUNICATIONS	22,216	29,489	29,482	-7		33,605	33,592	-13			
2400	TRAVEL	664	903	3,834	2,931		943	4,004	3,061			
2500	RENT	14,172	22,001	20,224	-1,777		24,128	21,437	-2,691			
2700	REPAIR & MAINTENANCE	791	887	887			940	940				
2800	OTHER EXPENSES	505	1,335	1,690	355		1,415	1,789	374			
	TOTAL LEVEL	116,547	134,598	142,645	8,047		142,765	153,429	10,664			
	TOTAL PROGRAM	484,685	498,288	512,011	13,723		506,286	522,261	15,975			
01100	GENERAL FUND	484,685	498,288	512,011	13,723		506,286	522,261	15,975			
	TOTAL PROGRAM	34,685	498,288	512,011	13,723		506,286	522,261	15,975			

PURCHASING DIVISION

Major Issues

Annual lease charges payable to the IBM Corporation for three terminals for division's automated system. Cost - \$1,573 each terminal. Division requested only \$1,400 for each terminal. Additional funds necessary (currently not in either OBPP or LFA budgets) are \$583 in '84 and \$618 in '85.

Vacancy Savings

LFA recommends vacancy savings of 3.5 percent in fiscal 1984 and 1985. Basing this percentage on the OBPP personal services budget results in \$12,729 in '84 and \$12,723 in '85. These figures represent a decrease of .59 FTE in both fiscal years.

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL --- BUDGET WORKSHEET

REPORT EBSR100
DATE : 01/08/83
TIME : 16/25/25

AGENCY : 6101 DEPARTMENT OF ADMINISTRATION
PROGRAM : 09 CENTRAL STORES
CONTROL : 00091 CENTRAL STORES

AGENCY : 0101 DEPARTMENT OF ADMINISTRATION										
PROGRAM : 09 CENTRAL STORES										
CONTROL : 00091 CENTRAL STORES										
AE/OE	DESCRIPTION	FY 83	ORPP FY 84	LFA FY 84	DIFF. FY 84	SUB-CMT. FY 84	ORPP FY 85	LFA FY 85	DIFF. FY 85	SUB-CMT. FY 85
0000	FULL TIME EQUIVALENT (FTE)	5.00	5.50	5.00	- .50		5.50	5.00	- .50	
1100	SALARIES	71,603	94,521	81,712	-12,809		94,180	81,399	-12,781	
1400	EMPLOYEE BENEFITS	12,717	13,706	11,570	-2,136		13,816	11,711	-2,105	
1500	HEALTH INSURANCE		5,280	4,800	-480		5,280	4,800	-480	
	TOTAL LEVEL	84,320	113,507	98,082	-15,425		113,276	97,910	-15,366	
2100	CONTRACTED SERVICES	7,200	9,328	9,263	-65		9,888	9,785	-103	
2200	SUPPLIES & MATERIALS	1,000	1,694	1,693	-1		1,794	1,793	-1	
2300	COMMUNICATIONS	2,800	6,803	6,798	-5		7,740	7,731	-9	
2400	Travel	600	26,550	24,475	-2,075		28,250	25,941	-2,309	
2500	RENT	25,822								
2700	REPAIR & MAINTENANCE	100	681	678	-3		722	717	-5	
2800	OTHER EXPENSES	100	457		-457		39		-39	
2900	GOODS PURCHASED FOR RESALE	847,032	1,667,382	1,082,164	-585,218		1,817,424	1,197,090	-620,334	
	TOTAL LEVEL	884,654	1,812,895	1,125,071	-587,824		1,865,857	1,243,057	-622,800	
3100	EQUIPMENT		12,273	600	-11,673					
	TOTAL LEVEL		12,273	600	-11,673					
	TOTAL PROGRAM	968,974	1,838,675	1,223,753	-614,922		1,979,133	1,340,967	-638,166	
06531	CENTRAL STORES		1,838,675	1,223,753	-614,922		1,979,133	1,340,967	-638,166	
	TOTAL PROGRAM		1,838,675	1,223,753	-614,922		1,979,133	1,340,967	-638,166	

CENTRAL STORES

Major Issues

1. In FY'82 and '83, Central Stores had 5.00 FTE's including the 1.00 FTE modified position for a warehouse worker. All employees are working full time to meet increased demands for office supplies and paper products.
2. A forklift was leased in FY'82. The lease purchase will be completed in FY'84. The following funds are necessary in FY'84 for the payments:

Principal	\$4,173
Interest	420
Total	<u>\$4,593</u>

3. The bureau wants to expand its inventory to include janitorial supplies and coarse paper. The categories would cost:

	<u>FY'84</u>	<u>FY'85</u>
Coarse Paper	\$337,080	\$357,305
Janitorial Supplies	247,192	262,024
Total	<u>\$584,272</u>	<u>\$619,329</u>

4. Equipment costs of \$7,500 for hydraulic lift. This equipment is necessary for loading small vehicles within the loading dock. The cost relates to FY'84 only.

Vacancy Savings

LFA recommends vacancy savings of 3.5 percent in FY'84 and '85. Basing this percentage on the OBPP personal services budget results in \$4,222 in '84 and \$4,213 in '85. These figures represent a decrease of .21 FTE in both fiscal years.

REPORT EBSR100
DATE : 01/08/83
TIME : 16/25/25

OFFICE OF BUDGET PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL --- BUDGET WORKSHEET

Exhibit 6
Feb. 2, 1983

PAGE 41

AGENCY : 6101 DEPARTMENT OF ADMINISTRATION
PROGRAM : 09 CENTRAL STORES
CONTROL : 00092 SURPLUS PROPERTY

AF/OE	DESCRIPTION	FY 83	OBPP FY 84	LIA FY 84	DIFF. FY 84	SUB-CMT. FY 84	OBPP FY 85	LIA FY 85	DIFF. FY 85	SUB-CMT. FY 85	CURRENT LEVEL SERVICES ONLY	
0000	FULL TIME EQUIVALENT (FTE)	7.00	5.50	5.00	-50		5.50	5.00	-50			
1100	SALARIES	95,990	94,717	82,135	-12,582		94,376	81,820	-12,556			
1400	EMPLOYEE BENEFITS	21,871	13,876		-13,876		13,987		-13,987			
1500	HEALTH INSURANCE		5,280	4,800	-480		5,280	4,800	-480			
	TOTAL LEVEL	117,801	113,873	86,935	-26,938		113,643	86,620	-27,023			
2100	CONTRACTED SERVICES	11,735	16,077	15,468	-609		16,406	16,391	-15			
2200	SUPPLIES & MATERIALS	12,106	12,111	12,104	-7		13,381	13,371	-10			
2300	COMMUNICATIONS	3,530	4,922	4,919	-3		5,650	5,645	-5			
2400	TRAVEL	5,500	1,776	4,061	2,285		1,813	4,096	2,283			
2500	RENT	16,577	23,844	23,648	-196		25,275	25,066	-209			
2600	UTILITIES	159	297	295	-2		315	312	-3			
2700	REPAIR & MAINTENANCE	6,754	4,546	4,540	-6		4,818	4,810	-8			
2800	OTHER EXPENSES	408	2,752	2,371	-381		2,917	2,502	-415			
2900	GOODS PURCHASED FOR RESALE	23,411	9,997	9,995	-2		10,597	10,594	-3			
	TOTAL LEVEL	60,180	76,322	77,401	1,079		81,172	82,787	1,615			
3100	EQUIPMENT		7,500	600	-6,900							
	TOTAL LEVEL		7,500	600	-6,900							
	TOTAL PROGRAM	197,981	197,695	164,936	-32,759		194,815	169,407	-25,408			
06517	SURPLUS PROPERTY	197,981	197,695	164,936	-32,759		194,815	169,407	-25,408			
	TOTAL PROGRAM	197,981	197,695	164,936	-32,759		194,815	169,407	-25,408			

SURPLUS PROPERTY

Major Issues

1. Employee benefits were omitted from the LFA budget in both FY '84 and '85.
2. In both FY '82 and '83, Surplus Property Bureau had 7.00 FTE's. All employees are working full time to meet increased demands for service.
3. Training is required to keep the staff current on new procedures for handling surplus property. Dues for the training are \$225 in '84 and \$239 in '85.
4. Equipment costs of \$7,500 for hydraulic lift in FY '84. This equipment is necessary to load small vehicles within the loading dock.

Vacancy Savings

LFA recommends vacancy savings of 3.5 percent in FY'84 and '85. Basing this percentage on the OBPP personal services budget results in \$4,222 in '84 and \$4,213 in '85. These figures represent a decrease of .21 FTE in both fiscal years.

PD 1/83

COARSE PAPER and JANITORIAL SUPPLIES

Transfer of Purchasing Responsibility within the Purchasing
Division from Purchasing Bureau to Stores/Surplus Bureau

PRESENT SITUATION: All state agencies submit requisitions to the Purchasing Bureau once a year for a year's supply of these items. Purchasing Bureau's Purchasing Agent combines the requisitions into an annual call for bids with delivery to each individual agency. Agencies must inventory and warehouse these items for the year.

PROPOSAL: Responsibility for purchasing those items will be transferred to the Stores/Surplus Bureau's purchasing agent who will develop standard specifications and issue an annual call for bids with delivery to the Stores/Surplus Bureau Warehouse. Stores/Surplus Bureau will inventory and warehouse the items and will deliver to agencies as ordered up to twice weekly.

COST SAVING: For these two items substantial cost savings can be realized by standard specifications and one place delivery.

	<u>Present Annual Cost</u>	<u>Average Stores Savings</u>	<u>Conservative Estimate of Saving from Vendors</u>
Coarse Paper	\$300,000	25.2% or 75,600	15% or 45,000
Janitorial Supplies	\$220,000	25.2% or <u>55,440</u>	13.5% or <u>29,700</u>
Total Savings		\$131,040	\$74,700

Additional savings will result from releasing agencies from committing the staff time and storage space necessary to inventory and warehouse a year's supply of these items.

Enclosure
PD 1/83

OFFICE SUPPLIES COST COMPARISON

<u>Item</u>	<u>Central Stores</u>	<u>Retail Catalog</u>	<u>Downtown Retail</u> <u>Thurber - Naegele</u>	<u>'79 Term Contract Discount</u>
8-1/2" x 11" Legal Pads - Package	4.85	10.65	10.75 11.30	6.71
Third Cut Letter File Folders - Box	4.85	10.20	10.10 10.20	6.43
No. 2 Pencils- Dozen	1.19	2.65	2.50 2.65	1.67
Flair Pens - Dozen	2.25	10.68	10.70 10.15	6.73
10" x 13" Manilla Envelopes - Box	7.25	17.44	17.05 19.00	10.99
8-1/2" x 11" Copier Paper - Case	23.50	65.50	40.00 46.90	41.27

VISITOR'S REGISTER

HOUSE ELECTED OFFICIALS/HIGHWAYS COMMITTEE

B-774 Budget Hearing: DEPT. OF ADMINISTRATION DATE February 2, 1983

~~SPONSOR~~ Purchasing, Central Stores,

Surplus Property

[illegible]

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.