VISITOR'S REGISTER

HOUSE House Human Services Sub COMMITTEE

BILL _____ DATE 2-5 83

SPONSOR _____

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Rod Sager		D. of Labor		
Geo. Harris		OBPP		
Stan Flaherty				

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

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

FORM CS-33

MINUTES OF THE MEETING OF THE JOINT APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES
February 5, 1983

Begin Tape 33 Side 2

The meeting was called to order at 8:30 a.m. by Chairman Shontz.

All subcommittee members were present except for Sen. Pete Story who was excused.

Also present were: Peggy Williams and Larry Finch, fiscal analysts and Rod Sager from the Department of Labor and George Harris from the office of budget and planning.

EXECUTIVE SESSION ON HUMAN RIGHTS DIVISION BUREAU

Chairman Shontz opened the meeting with a brief overview of some of the areas of concern: The division has requested a modification for two additional FTE in FY84 and 1.25FTE in FY85, they are asking for an increase in general fund due to a decrease in federal funds. The attorney Chairman Shontz visited with felt that possibly one of the modifications was in fact their lost position they were asking for general funds for. The last problem they are having is the backlog and they have requested $25,000 per year general fund money in each year of the biennium to deal with this backlog. To reduce the backlog issue the Chairman suggested setting up a revolving account and that would allow litigants to pay the commission a fee that would go into the revolving account to pay for hearings to perhaps get the cases resolved sooner. Chairman Shontz felt that an employer would probably be willing to play this as it would be a much less costly measure for employers than waiting as they have to now for months and months.

George Harris from the budget office told the committee the executive budget did not support an increase in general fund. They have shown in the executive budget support for the human rights budget. As they pointed out yesterday they will live within the $265,692 budget which includes $90,195 of federal funds in fiscal year 1984. Neither does the budget office support the request for an additional $25,000 annually to reduce backlog, but they do support the .5 hearings officer to be funded out of contracted services. They support the aging inventory modification and the housing modification.

REP. MENAHAN made a MOTION to accept the executive budget for the Human Rights Division Bureau.

Sen. Aklestad voiced his disapproval for approving the executive budget because he felt they had a vast increase in general fund money and because four years ago it was brought out in discussion that this group was out looking for work which he felt was wrong

they had a backlog already. He feels there is a duplication because many of the cases turned in to the Human Rights Division are also turned in to personnel appeals division, at least those relating to state government. Rep. Menahan disagreed with this statement because he felt they had to let the people know they were there so they would know they had recourse and where they could go for help.

Rep. Winslow wanted to know what the bottom line on the budget was and Larry Finch told him the exhibit handed out today (exhibit 1) was simply a breakdown of the FTE and what they do and salaries.

Sen. Regan felt we should let them do their job as rapidly as they could. That would be better all around for everyone.

Sen. Aklestad felt the reason there were so many cases backlogged for so long was due to the judicial system being so lengthly in their procedures.

SEN. AKLESTAD made a SUBMOTION that we accept the LFA budget in 1984 and the LFA in 1985. He felt the FTE level was more in line. SEN. AKLESTAD voted yes to this motion and the remainder voted no. The MOTION failed.

When voting began for the adoption of the first motion to accept the executive budget all committee members voted yes except for Sen. Aklestad and Sen. Story who was excused. The MOTION carried.

Chairman Shontz wanted to know if the committee wanted to make a motion to set up a revolving fund so that if people wanted to expediate their case they could pay to have their case expedited. Sen. Regan and Sen. Aklestad resisted this idea. Sen. Regan felt that with a system like the revolving account those that could pay would be the first to be served, and that this would be unfair.

SEN. REGAN made a MOTION to put in $25,000 general fund above the executive request per year to help expediate the cases. MOTION carried with Rep. Winslow and Sen. Aklestad voting no. The voting will be left open until Sen. Story can cast his vote. MOTION failed when Sen. Story also voted no.

George Harris wanted clarification that the two modifications in the executive budget are above the $265,692 figure and $264,102 figures. They are separate mods and these federal funds are in addition to this.

The remaining item, pointed out by Larry Finch, was the language to be inserted for the social security offset payments. See exhibit 2 from February 4, 1983 meeting.

This allows authority of $95,000 in FY84 and $102,000 in FY85 for social security offset payments. SEN. REGAN made a MOTION to approve the language. MOTION carried.

The last item of business the committee needed to vote on was to put $3,500 dollars of revolving fund authority in the Personnel Appeals Division in 1985 only to continue the program of cataloging the cases. The committee already voted to give them $4,000 seed money the first year and this would continue this project. REP. MENAHAN made a MOTION to approve of this and the MOTION carried.

The meeting was adjourned at 9 a.m.

End of Tape 33 Side 2 at 292

John Shontz, Chairman

Carol Duval

Carol Duval, Secretary

At the request of Chairman Shontz, Exhibit 2, a memo from Budget Director, Dave Lewis was entered into the minutes.

Exhibit I
2/5/83

— HUMAN RIGHTS FTE (1985 BIENNIUM) —

		FY1984	FY 1985	FY 1984	FY 1985
	Current Level (LFA)	7.00 FTE	7.00	$168,910	$168,699
	ADD:				
	Secretary	.50 FTE	.50	8,000	8,000
		7.50 FTE	7.50	$176,910	$176,699
	Secretary	.50 FTE	.50	8,000	8,000
		8.00 FTE	8.00	$184,910	$184,699
Mod. 1	Hearings Officer	.50 FTE	.50	13,153	13,104
		8.50 FTE	8.50	$198,063	$197,803
Mod. 2	CASE BACKLOG	1.00 FTE	.25	18,000	4,725
		9.50 FTE	8.75	$216,063	$202,528
Mod. 3	Housing Disc.	1.00 FTE	1.00	25,000	25,000
		10.50 FTE	9.75 FTE	$241,063	$227,528

exhibit 2
2/5/83

OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING

TED SCHWINDEN, GOVERNOR

CAPITOL BUILDING

STATE OF MONTANA

(406) 449-3616

HELENA, MONTANA 59620

M E M O R A N D U M

TO: Represenative John Shontz
Chairman Human Services Subcommittees

FROM: Dave Lewis
Budget Director Dave Lewis

RE: Human Rights Division Budget

DATE: March 15, 1983

At the time the Human Rights budget was prepared, the federal funding for current level was expected to be $90,195 in FY 84 and $95,607 in FY 85. Subsequent to the time our budget book was published we were notified that there would be a shortfall in federal funds in this budget.

On January 28, 1983 Mr. John Rayburn from the Equal Employment Opportunity Commission in Washington, D.C. informed us that these funds for current level FY 1983 were expected to drop to $67,300. It is anticipated that the same amount will be available for FY 84 and 85 if the workload remains fairly constant.

As you are aware, the executive budget has increased general fund in this program by 23.3% over the 1983 biennium. As a result, we do not feel that an additional increase in general funds to replace the loss of federal funds can be justified.

cc: Ed Lien
Marjorie Brown

GEORGE1:J/1

SJS-2673