

JOINT HOUSE-SENATE APPROPRIATIONS SUBCOMMITTEE ON NATURAL
RESOURCES AND BUSINESS REGULATION - MINUTES
February 10, 1983

The meeting was called to order by CHAIRMAN MANUEL at 8:15 a.m.
in Room 132 of the Capitol Building, Helena, Montana.

ROLL CALL: MANUEL, HEMSTAD, STOBIE, SMITH, BOYLAN, LANE - Present.
None - Absent
Staff Present: DICK GILBERT, LFA: CAROLYN DOERING, OBPP;
and PATTI SCOTT, SECRETARY

EXECUTIVE ACTION (Tape #50 Side A-001)

WILDLIFE DIVISION

Personal Services

REPRESENTATIVE STOBIE MOVED TO ACCEPT THE OBPP IN PERSONAL SERVICES
EXCEPT FOR THE HEALTH INSURANCE, WHICH WOULD BE THE LFA FIGURES.
MOTION PASSED UNANIMOUSLY.

Contracted Services

The request was for \$270,427 in FY84. The LFA recommended \$251,524,
a difference of \$19,003.

Six thousand dollars of this difference is in the management
of Mount Haggin. In the 1985 biennium, the Wildlife Division
will be assuming the administrative responsibilities associated
with the Mount Haggin Recreation and Wildlife Management Area.
Current level for the Division includes a \$6,094 increase for
grazing and timber consultant contracts for the recreation area.
Also included is a \$19,148 increase for taxes, fire protection,
and a range consultant associated with a logging contract on
the Mount Haggin area. These costs were previously included
in the Parks Division. The grazing revenues associated with
this activity will also be transferred to the Wildlife Division.

MR. FLYNN stated the consultant is used to oversee those timber
operations for the State. He is a forester, and does this for
private landowners also. The revenues from the timber sale
may go as high as \$2 million. This money would go to the trust
fund and the interest used for operations.

The other difference between the LFA and OBPP was a contract with
Dr. Mackey at Montana State University. MR. FLYNN stated the
Department has had a contract with Dr. Mackey for about ten
years. His expertise is used in two principle areas: as the
team leader for management of Mule Deer in Montana and as the
Student Stipend Program overseer. The research done in the
Student Stipend program is mostly on Mule Deer. The contract
with Dr. Mackey pays 3/4 of his salary and any field costs
for performing his functions.

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CAROLYN DOERING, OBPP, used current level and applied inflation to the Contracted Services. She feels the people they contract with will be needing more money because of inflation, and will pass this on to the Department. DICK GILBERT, LFA, felt that though it may be true that Dr. Mackey may ask for a slight increase in his contract because of inflation, this is assuming that the same level of work and the same level of contracts for this Division will be requested.

REPRESENTATIVE STOBIE stated if \$6,000 goes to the Mount Haggin Project for a timber consultant, is the other \$13,000 difference between OBPP and the LFA associated with inflation. The LFA and OBPP said yes.

REPRESENTATIVE STOBIE MOVED TO ADOPT THE LFA FIGURE IN CONTRACTED SERVICES, PLUS \$6,000 FOR THE MOUNT HAGGIN CONSULTANT. MOTION PASSED UNANIMOUSLY. The Committee was not convinced in these times, people wouldn't accept less for services rendered. The Committee did not accept the inflation argument.

Operating Budget

REPRESENTATIVE STOBIE MOVED TO APPROVE THE LFA FIGURES FOR LINES 2200 THROUGH 2800. MOTION PASSED UNANIMOUSLY.

Equipment (Tape #50 Side A-230)

The LFA included in FY84 \$60,134: \$23,574 in scientific apparatus, \$22,560 for a tractor, and \$15,000 for one mark sense reader, used to enter data into the computer. IN FY 85 \$62,925: \$12,925 in scientific apparatus such as radio transmitter collars and animal traps, \$50,000 for one tractor.

FY82 current level was \$88,864 and FY83 appropriation was \$50,000.

SENATOR SMITH asked for a description of the two tractors and what they would be used for. MR. FLYNN stated that the FY85 tractor is Priority #11 and will be a replacement for the operation at Freeze Out Lake. The Department has an agreement with the surrounding land owners to farm the place and leave a lure crop for the ducks to eat to keep them away from the farmers' crops.

CHAIRMAN MANUEL stated that this lure crop has helped a great deal in his area to keep these ducks out of the crops. MR. FLYNN

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stated it is not feasible to contract out the farming because they do leave so much of a crop in the ground so the farmer would not have much to sell. The tractor has about 11,000 hours and has been rebuilt once. CHAIRMAN MANUEL estimated there must be about 600 acres at Freeze Out Lake.

MR. FLYNN stated the other tractor in FY84 was Priority #10 and is \$20,000. It will be moved around to the game ranges in the Mount Haggin area, and also used for building fence. It is not really a "farming" tractor.

SENATOR SMITH asked about the equipment at Nine Pipe. MR. FLYNN stated he was not sure about the equipment, and took this opportunity to explain the Nine Pipe situation. MR. FLYNN stated that two years ago, he had contacted the Department of Agriculture for suggestions on what to do with Nine Pipe. The Department recommended FWP contact the local conservation people in the area. MR. FLYNN stated they did this, and developed a plan to phase FWP out of the farming land and to phase in contracted services to provide the farming. MR. FLYNN contracted with a person, who later backed out because he couldn't handle it. Now they are looking for another person to contract with. In addition, internally MR. FLYNN has developed a weed management policy for the Department as a whole, and is addressing the weed situations on all of their lands.

MR. FLYNN stated there are three employees at Nine Pipe. He needs the people there until they can get someone to take the farming contract. One of the positions will probably be eliminated when the contracted person gets going. Six-tenths FTE of the Regional Manager is included; .83 FTE of a biologist, .92 FTE of the Wildlife Manager salary, and .5 FTE for three laborers, which are used for check stations during the hunting season.

The main difference between the LFA and OBPP is the tractor to be moved around and used for fencing on Mount Haggin. The LFA accepted the top eleven priorities of the Department.

MR. FLYNN stated he is pursuing the possibility of getting supplies, such as fence posts from the prison.

There was a lengthy discussion on just how much equipment is needed to farm and meet the needs of fencing.

REPRESENTATIVE STOBIE MOVED TO APPROVE \$70,134 FY84 and \$62,925 FY85. FY84 INCLUDES THE LFA FIGURES, PLUS MONEY FOR A CHISEL PLOW AND A POST POUNDER. FY85 IS THE LFA FIGURE. MOTION PASSED UNANIMOUSLY.

Vacancy Savings

REPRESENTATIVE HEMSTAD MOVED 2%. MOTION PASSED UNANIMOUSLY.

RECREATION AND PARKS DIVISION (Tape #50 Side B-001)

Personal Services

The FTE difference is for the 3.56 employees transferring from the Department of Administration for grounds maintenance. CAROLYN DOERING, OBPP, stated there is an additional request to include snow removal which would change the FTE level to 3.75. The total budget for grounds maintenance will amount to \$120,540 FY85 and \$108,454 FY85. Ms. Doering has the portion that goes with the 3.75 FTE in the OBPP budget, but there is an additional \$14,000 each year that must be added for snow removal. There will be coordination required with Administration, and possibly some "up-front" money required. This will be a revolving fund. This cost is figured in the rent charges to the various agencies and then paid to the Department of Administration.

CAROLYN DOERING stated that the 3.75 FTE in Administration have been doing the grounds maintenance. SENATOR SMITH asked how many people are paid for snow removal and asked what are they doing this winter since there is no snow. MS. DOERING stated .75 FTE is associated with snow removal. Of the \$14,000, \$8,000 is for salary and \$4,000 is for equipment. MR. FLYNN stated when the Council on Management recommendation first came out, the Department compared costs around the State of maintaining grounds. He concluded there would be adequate funds from the rent monies. The three FTEs would be a Grounds Supervisor, and the two FTEs would be one Grade 10 position and one Grade 5 position. The Supervisor will be working also, and not just supervising.

MR. FLYNN understands that in the past, the Department of Administration has had unsatisfactory contracts with private vendors. The vendors were not providing the services. The Council concluded that FWP would best provide the service. There are not that many people in the private sector in Montana with the expertise to keep the system going the size of the Capitol Grounds.

MR. FLYNN stated that the one FTE at Grade 5 is used with four people in the summer, and not available in the winter. (Four people for three months uses the 12 months for that position.)

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The total FTE request is 85.04. The .56 FTE was the Green Thumb program in Kalispell, and the State assuming those duties. The Grounds Supervisor would be working on the grounds, and also doing work in the Department on requests and suggestions from citizens on ideas for the grounds. The Grade 10 position could also be split twice, and seven people would be working. REPRESENTATIVE STOBIE noted that a good grounds supervisor is important to keep the people working.

The other FTE's are in the field at the Parks, including Lewis and Clark Caverns, and some in the Helena Office working on design, etc. This is current level except for the FTE's from Administration.

SENATOR BOYLAN MOVED TO ACCEPT THE OBPP ON PERSONAL SERVICES, WHICH IS 85.04 FTES. MOTION PASSED WITH REPRESENTATIVE STOBIE VOTING NO. This includes grounds maintenance, snow removal, and the .56 Green Thumb Program. REPRESENTATIVE STOBIE felt they did not need the .56 Green Thumb.

Supplies and Materials

The difference of \$41,878 FY84 and \$44,484 FY85 relates to the transfer of the Grounds Maintenance operations.

Rent

The difference in rent between LFA and OBPP is for an employee that lives at Canyon Ferry. FWP does require some employees to live in the areas they must supervise. Because Canyon Ferry has such a high recreational use, MR. FLYNN wants to have someone out there all the time. The rent is paid to the Bureau of Reclamation, who own the buildings at the Canyon Ferry Village.

REPRESENTATIVE STOBIE MOVED TO ADOPT THE LFA FIGURES FOR LINES 2100 THROUGH 2900, EXCEPT FOR LINE 2200 - SUPPLIES, WHICH HE MOVED TO ACCEPT THE OBPP PLUS \$1200 FOR SUPPLIES FOR SNOW REMOVAL. MOTION PASSED UNANIMOUSLY. The Committee did not approve the rent for the employee at Canyon Ferry.

Equipment (Tape #50 Side B-386)

The LFA accepted the top 12 priorities in FY84 and the top 7 priorities plus priority 9 in FY85. FY82 expenditure was \$54,000 and FY83 appropriation was \$25,000. The LFA figures are a 15% increase in FY85 over the 1983 appropriation.

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OBPP included all of their equipment request, less 20% for the biennium. Neither figure includes the \$4,113 each year for snow removal.

MR. FLYNN stated the grounds equipment costs for summer maintenance is \$19,520. This had been contracted out in the past, so equipment will have to be purchased. SENATOR SMITH asked if this equipment would be purchased from Administration. MR. FLYNN said no, as the contractors owned their own equipment. \$4,113 would be snow removal equipment and would come from Administration. The \$19,520 includes purchase of a 17-horse-power mower, aerators, 2 edgers, a fertilizer broadcaster, weed eaters, a push mower, chainsaw, lawn sweeper, a 100-gallon sprayer, a hand-held sprayer, and a wheel barrel.

(Tape #51 Side A-690)

MS. DOERING clarified that the \$4,113 FY84 and \$4,113 FY85 is for rental of snow removal equipment, not purchase.

REPRESENTATIVE STOBIE MOVED TO APPROVE THE \$50,000 LFA PLUS \$19,520 FOR PURCHASE OF GROUNDS MAINTENANCE EQUIPMENT IN FY84 AND THE LFA \$41,100 IN FY85 \$4,113 PER YEAR FOR RENTAL OF SNOW REMOVAL EQUIPMENT IS INCLUDED IN OPERATIONS. MOTION PASSED UNANIMOUSLY. (The \$4,113 per year will no longer be considered a modification.)

Funding (Tape #50 Side B-654)

REPRESENTATIVE STOBIE MOVED TO USE \$350,000 OF GENERAL FUND MONEY AND TO MAKE UP THE REST WITH FEES - LICENSE, PARK, SNOWMOBILE, ETC. REPRESENTATIVE STOBIE, REPRESENTATIVE HEMSTAD, AND SENATOR BOYLAN VOTED YES. CHAIRMAN MANUEL, SENATOR SMITH, AND SEANTOR LANE VOTED NO. MOTION FAILED.

A long discussion took place over this issue. For the most part, it was philosophical. Should license fees from the sportsmen be used to subsidize the parks. CAROLYN DOERING, OBPP, pulled 5% of the General Fund and replaced it with License Fund monies. She believes you can only take so much from license fees for parks.

(Tape #51 Side A-001)

MR. FLYNN stated that the park fees do not have the volume to be totally self-supporting. The Federal Funds are specific in their use and cannot be used for Parks. The snowmobile fees can only be used for snowmobile activities. MR. FLYNN felt that license fees should not be used to support Parks.

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SENATOR SMITH also stated that hunting license fees should not be used in general Parks maintenance.

MR. FLYNN explained more about the different earmarked accounts in the Parks Division. Snowmobile Fuel Tax and Snowmobile Registration can only be used for snowmobile related activities and upkeep of things like snowmobile trails. The Coal Tax Trust Earnings is used for the operations and maintenance for parks purchased with Coal Tax Monies only. (The operations is in this budget, the acquisition is in the Long Range Building Program.) MS. DOERING sighted another example with Account Number 02412 State Parks which is Motor Vehicle Fuel Tax. Parks projected they could spend \$213,899 out of this account associated with the work they do on motor boat traffic. The LFA is projecting using \$295,000 out of this account. The current balance is only \$1400 in this account. The Department has maximized out the account and cannot absorb anything else.

CHAIRMAN MANUEL asked about Account Number 02409 General License. The OBPP is projecting \$831,093 and the LFA is projecting \$590,000. DICK GILBERT, LFA, stated that this account contributed \$491,000 to Parks in FY82. By inflating at 6%, the LFA maintained current level. The OBPP pulled 5% of General Fund and replaced this with license fee money. This is the reason the OBPP projection is larger than the LFA. CHAIRMAN MANUEL noted the Department is making an attempt to keep the General Fund contribution down, but there is a limit to just how much License Fee money can be used for Parks.

SENATOR LANE noted that these parks attract a large number of tourists, which in turn pour money into our economy through motels, food, etc.

The revenue estimates between OBPP and LFA were considerably different in some of the accounts. CAROLYN DOERING noted that the revenue estimate for the 02412 account was \$360,000, but the Department is using up a balance from 1982 to 1983 to 1984 and 1985. So she did not project an increase in the revenues in this account. The LFA did project an increase through inflation going from the 1982 base.

(Tape #51 Side A-345)

MR. FLYNN pointed out that this Division does not have a lot of flexibility with the funding sources. Snowmobile fees are used for snowmobile activities, and Coal Tax Trust Earnings

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are used for parks purchased with Coal Tax monies. By cutting what General Fund monies there are, it would be cutting out actual operations in the Parks, because of the limitations on how each of the funding sources can be used. MR. FLYNN stated he was not asking for much of an increase on the General Fund, because he is aware of the strain on the Fund. CAROLYN DOERING stated that she felt the Department had maximized out the earmarked account revenue estimates, and that the General Fund request is only \$30,000 over current level and can be attributed to the equipment requests.

MR. GILBERT, LFA, noted that the 02407 Account was projected at \$161,466 by OBPP, but the FY82 expenditure was \$178,000. He wanted to know if there was going to be some cutback in services from the account, or is the difference being made up by the General Fund. CAROLYN DOERING stated the actual budget is \$201,000 for that account, with some money going to Centralized Services and Enforcement. MR. GILBERT said he understood that but the actual expenditure from this particular program for this account in FY82 was \$178,000, so the General Fund must be making up the difference. MS. DOERING stated that the Department has cut their expenditures for FY84 and FY85, because they will not have the revenues to maintain the FY82 level. So General Fund is not making up the difference.

SENATOR BOYLAN asked what the Department will do if the General Fund is cut. MR. FLYNN stated he doesn't know. It is a reality he will have to face and decide whether to cut down operations in all of the Parks, or to close some Parks in order to maintain current level operations in others. It is a decision he would rather not make.

DICK GILBERT asked what the statutory limitations are on spending out of these different accounts. MR. FLYNN stated the only statutory requirement is with the Coal Tax money. The Snowmobile Account does say for the administration of the Snowmobile Program. The Fishing Licensing account is not regulated by statute, but more by philosophy. Sportsmen and Fishermen pay their fees, expecting them to be applied to the advancement of the sport. MR. GILBERT stated this Committee does have the authority to determine how the monies will be spent, and if they are to be missed.

CHAIRMAN MANUEL stated this Committee must make a decision on how much General License Money and General Fund is to be used in the Parks Program. MR. GILBERT suggested working off the

1982 base and increasing each account's contribution by a percentage. MS. DOERING said the funds that are actually available should be the consideration. As an example, the Department had to cut their expenditures in the Snowmobile Account, because their projected revenues were down. To figure on a percentage from the 1982 base would be projecting increased revenues, which is not the case.

(Tape #51 Side A-599)

DAVE MOTT, Administrator of Centralized Services for FWP, tried to clear up the revenue estimate question. The amount of revenue includes the revenue you expect to come in from the coming fiscal year, but also any carry-over fund balance. The OBPP figures reflect those fund balances, and there is a fund balance in the FY82 base. But the fund balances are being maximized out.

The Committee finally decided it needs to know what the fund balances are, and how these accounts are being maximized out. CHAIRMAN MANUEL instructed MS. DOERING, OBPP: MR. GILBERT, LFA: and MR. MOTT, FWP to get together and go through each of these individual funding accounts for the Parks Division, and report back tomorrow on the fund balances question.

CONSERVATION EDUCATION DIVISION (Tape #51 Side B-005)

Personal Services

SENATOR LANE MOVED TO ACCEPT THE OBPP FIGURES. MOTION PASSED UNANIMOUSLY.

Contracted Services

The request is for \$214,749. The LFA allowed \$199,237. The difference is \$15,512. MR. FLYNN explained the difference is for a contract with a writer. The Department is continually required to put out press releases and informational bulletins. A biologist may be technically qualified, but does not necessarily write so a layman can understand. The writer would be used to work out technical information and put it into a form the public can understand.

SENATOR SMITH MOVED TO ACCEPT THE LFA IN CONTRACTED SERVICES.

MOTION PASSED WITH CHAIRMAN MANUEL AND SENATOR BOYLAN VOTING NO. The Committee was not convinced the Department needed an outside writer.

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Travel

MR. FLYNN explained the difference was that the 1982 base did not include all the travel because the previous Administrator resigned. Had the position been filled, more travel would have been done. MR. FLYNN feels it is important for this person to get around the State.

SENATOR BOYLAN MOVED TO APPROVE THE OBPP TRAVEL REQUEST. MOTION PASSED WITH SENATOR SMITH AND REPRESENTATIVE STOBIE VOTING NO. REPRESENTATIVE HEMSTAD WAS EXCUSED.

Operating Budget (Tape #51 Side B-266)

REPRESENTATIVE STOBIE MOVED TO APPROVE THE OBPP FIGURES FOR LINES 2200 THROUGH 2800. MOTION PASSED UNANIMOUSLY.

Equipment

REPRESENTATIVE STOBIE MOVED TO APPROVE THE OBPP FIGURES FOR FY84 AND THE LFA FIGURES FOR FY85. MOTION PASSED UNANIMOUSLY.

This includes an \$8,000 editing machine in FY84. MR. FLYNN stated it would save the "editing" employee about 40% of his time to have this machine. The Committee felt it was worth it.

Vacancy Savings

REPRESENTATIVE STOBIE MOVED FOR 1%. MOTION PASSED UNANIMOUSLY.

ADMINISTRATION DIVISION (Tape #51 Side B-351)

Personal Services

REPRESENTATIVE STOBIE MOVED TO APPROVE THE OBPP FIGURES. MOTION PASSED UNANIMOUSLY.

Operating Budget

REPRESENTATIVE STOBIE MOVED TO APPROVE THE LFA FIGURES FOR LINES 2100 THROUGH 3100, EXCEPT TO USE THE OBPP FOR TRAVEL ON LINE 2400. MOTION PASSED UNANIMOUSLY.

Funding from State Sources

SENATOR SMITH MOVED TO APPROVE THE \$80,000. MOTION PASSED UNANIMOUSLY.


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Vacancy Savings

REPRESENTATIVE STOBIE MOVED NO VACANCY SAVINGS. MOTION PASSED
UNANIMOUSLY.

The meeting was adjourned at 11:45 a.m. (Tape #51 Side B-498)

A handwritten signature in cursive script that reads "Rex Manuel". The signature is written in black ink and is positioned above a horizontal line.

REX MANUEL, Chairman

Reflection transfer of 22.5 FTE

Exhibit A
2-10-83

AGENCY FWP

PROGRAM Administration

Subprogram _____

Exec. Budget Page _____

Fiscal Analyst's Page _____

EXPEND.	1984 BUDGET			1985 BUDGET			
	1982 Adjusted	Exec. Budget	Fiscal Analyst	Exec.-LFA Variance	Exec. Budget	Fiscal Analyst	Exec.-LFA Variance
FTE		29.50	29.50	-0-	29.50	29.50	-0-
Personal Serv.		910783	OBPP is	acceptable	811985	OBPP is	acceptable
Operating Serv.							
21 Contr. Serv.		32365	32267	-98	34307	34203	-104
22 Supplies		31291	31219	-72	33191	33087	-104
23 Communication		57050	56390	-660	66647	66540	-107
24 Travel		161697	161109	-588	169497	163554	-928
25 Rent		4977	4903	-74	5217	5197	-20
26 Utilities		29637	29577	-60	34640	34297	-343
27 Repairs		9068	9041	-27	8552	8524	-28
28 Other		19999	19745	-254	19937	19869	-68
31 EQUIPMENT		11455	10787	-668	11455	10787	-668
Subtotal							
Non-Operating							
1. <u>Productive Control</u>		30000	30000	-0-	30000	30000	-0-
2. _____							
3. _____							
4. _____							
5. _____							
6. _____							
Total Expenditures		1,145,024	1,142,911	-2,113	1,170,413	1,168,033	-2,380
Funding							
General Fund							
Other Funds							
1. _____							
2. _____							
3. _____							
4. _____							
5. _____							

Leg:cm:a

Exhibit B
2-10-83

Analysis of Private Aircraft Rental
Helena Office
July 1, 1982 through February 8, 1983

<u>Total Hours Flown</u>	<u>Cost per Hour</u>	<u>Total Cost</u>
6.0	\$ 85.00	\$510.00
2.5	85.00	212.00
2.1	255.00	535.50
1.5	255.00	382.50
1.8	255.00	459.00
1.3	255.00	331.50
1.7	275.00	467.50
3.3	85.00	280.50
1.2	75.00	90.00
3.0	275.00	825.00
3.9	275.00	1,072.00
3.4	275.00	935.00
1.2	275.00	330.00
1.1	275.00	302.50
1.0	275.00	275.00
<u>35.0</u>		<u>\$7,008.00</u>

Weighted Average Cost per hour:

$\$7,008/35 \text{ hr.} = \200.22

103/U3

OFFICE MEMORANDUM

MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS

Exhibit C
2-10-83



To Erv Kent

Date 2-9-83

From Jeannie Sewell

Subject Total Number of Tickets 1981 - Sergeants & Captains

Sergeants - 228

Captains - $\frac{49}{277}$

Exhibit D
2/10/83

Fisheries Division - 81.18 FTE's

Administration/management	11.00
1. includes 7 regional managers	
2. 4 Helena staff	
Clerical	2.42
1. Helena staff	
Laborers	17.29
Single programs	29.00
1. includes hatcheries	
Field staff	21.44
1. Those biologists and technicians assigned to field	
	<hr/>
	81.15

Wildlife Division - 82.08 FTE's

Administration/management	13.00
1. includes 7 regional managers	
2. includes 2 at research-MSU	
3. Includes 4 Helena staff	
Clerical	4.50
1. includes 2 Helena staff	
2. includes 2.5 at MSU	
Laborers	7.91
Single program	15.00
1. includes game range managers	
Field staff	41.67
1. Those biologists and technicians assigned to field	
	<hr/>
	82.08

Ecological Services - 21.17 FTE's

Administration/management	3.00
1. Helena staff	
Clerical	2.00
1. Helena staff	
Laborers	.83
Single program	5.50
Field staff	9.84
1. Those biologists and technicians assigned to field	
	<hr/>
	21.17