

JOINT HOUSE-SENATE APPROPRIATIONS SUBCOMMITTEE ON NATURAL
RESOURCES AND BUSINESS REGULATION - MINUTES
February 21, 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, BOYLAN, LANE, SMITH - Present
None - Absent
Staff Present: DICK GILBERT, LFA; CAROLYN DOERING, OBPP;
and PATTIE SCOTT, SECRETARY

DEPARTMENT OF COMMERCE (Tape #65 Side A-001)

MILK CONTROL BOARD

CHAIRMAN MANUEL stated it was brought to his attention that \$4,000 in Contracted Services had been left out. He said the Committee thought they gave Milk Control 216 hours of legal time at \$37 an hour. CAROLYN DOERING stated when she calculated out the other expenses, there were only 83 hours of legal time. MS. DOERING stated their current level plus adjustments was \$3,248, plus \$1,249 for audit, which comes to \$4,497 FY84 and \$4,498 FY85 (inflated) in current level. By adding another 216 hours of legal at \$37,000 FY84 and \$7,792 FY85, leaves them short in current level. (This Committee had only approved \$8,000 FY84 and \$8,000 FY85.)

REPRESENTATIVE STOBIE MOVED TO APPROVE \$11,000 FY84 and \$11,500 FY85. MOTION FAILED WITH REPRESENTATIVES STOBIE AND HEMSTAND VOTING YES AND CHAIRMAN MANUEL AND SENATOR LANE VOTING NO. SENATOR SMITH WAS EXCLUDED. REP. STOBIE felt his motion would give them \$6,000 in legal and all their contracted services.

SENATOR LANE MOVED TO APPROVE \$12,000 FY84 and \$12,500 FY85. MOTION FAILED WITH CHAIRMAN MANUEL AND SENATOR LANE VOTING YES. REPRESENTATIVES STOBIE AND HEMSTAD VOTED NO.

REPRESENTATIVE STOBIE MADE A MOTION TO RECONSIDER \$11,000 FY84 and \$11,500 FY85. MOTION PASSED UNANIMOUSLY.

CENTRALIZED SERVICES (Tape #65 Side A-182)

Personal Services

REPRESENTATIVE HEMSTAD MOVED TO APPROVE 12 FTE's. MOTION PASSED UNANIMOUSLY.

REPRESENTATIVE HEMSTAD MADE A MOTION TO RECONSIDER HER PREVIOUS MOTION. MOTION PASSED UNANIMOUSLY.

REPRESENTATIVE HEMSTAD MOVED TO APPROVE 12 FTE IN FY85 AND 11.5 FTE IN FY85. MOTION PASSED UNANIMOUSLY.

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.5 FTE was reduced in clerical services because of some consolidation.

Operating Budget

In Contracted Services, funds for legal services were requested to help on contracts and personnel issues. This did not show up in the 1982 base because there was no legal Services Division. Also included is data processing, computer services, audits, printing, payroll service, and insurance.

REPRESENTATIVE STOBIE MOVED TO APPROVE THE OBPP FIGURES FOR OPERATIONS (LINES 2100-2800). MOTION PASSED UNANIMOUSLY.

Equipment (Tape #65 Side A-339 to end and Side B-001 to 181)

There was a \$16,000 difference between the LFA and OBPP for a Word Processor.

SENATOR LANE MOVED TO ACCEPT THE OBPP FIGURES. MOTION PASSED WITH REPRESENTATIVES HEMSTAD AND STOBIE VOTING NO.

REPRESENTATIVE HEMSTAD MADE A SUBSTITUTE MOTION TO APPROVE THE LFA FIGURES. MOTION FAILED WITH CHAIRMAN MANUEL, SENATOR LANE AND SENATOR SMITH VOTING NO. REP. HEMSTAD felt with two Word Processors now in the Department, they did not need another one. GARY BUCHANAN stated there was one in POL for 27 Boards, and one in Transportation, which is used extensively. He stated they needed the processor for current level. SENATOR SMITH wanted to be sure another one is not requested in Build Montana. MR. BUCHANAN stated he would be sure this is not duplicated. REPRESENTATIVE HEMSTAD felt subcommittee's are the place to cut, and she cannot see any need for this in current level. MS. DOERING stated regardless of Build Montana, three Word Processors for a Department the size of Commerce is not extravagant. Representatives Hemstad and Stobie remained unconvinced that this expenditure was needed in current level.

MR. BUCHANAN stated he was willing to commit himself to meeting with this Committee after transmittal to explain the details of Build Montana.

Vacancy Savings (Tape #65 Side A-181)

REPRESENTATIVE STOBIE MOVED 2% VACANCY SAVINGS. MOTION PASSED UNANIMOUSLY.

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ECONOMIC AND COMMUNITY DEVELOPMENT DIVISION (Tape #65 Side B-197)

Personal Services

CAROLYN DOERING stated the main difference is the four FTE's, which were being transferred from other areas in an effort to consolidate. There were already two FTE, so the total recommended by OBPP is six FTE. The LFA left the FTE level at two. MR. GILBERT stated he took into consideration the four FTE's transferring were on mixed funds, and now they are requesting 100% General Funds.

The breakdown of the four FTE: 1 - 20% General Fund 80% Federal Fund
1 - 100% Federal Fund
2 - Mix

One of these FTE comes from Business Assistance, three come from Community Assistance.

REPRESENTATIVE HEMSTAD stated Build Montana was also going to increase this Division. She stated her opposition to continually replacing loss of Federal funds. MR. GILBERT stated in addition to these four being transferred as having Federal fund loss, the two already in this support unit, also have Federal fund loss.

(Tape #65 Side B-321)

SENATOR SMITH MOVED TO APPROVE ONLY 3 FTE. MOTION PASSED WITH REPRESENTATIVE HEMSTAD AND SENATOR BOYLAN VOTING NO. OBPP and LFA will work out the rest of the operating costs to reflect the three FTE's.

GARY BUCHANAN stated if Build Montana passes, it would add one clerical. It will not replace the two professional and one clerical that were just eliminated. SENATOR SMITH stated that with the mix that Build Montana provides, there is no reason why Mr. Buchanan cannot run his operation.

Vacancy Savings

SENATOR SMITH MOVED NO VACANCY SAVINGS. MOTION PASSED UNANIMOUSLY.

LEGAL SERVICES DIVISION (Tape #65 Side B-461)

Personal Services

SENATOR SMITH MOVED TO APPROVE THE LFA FIGURES. MOTION PASSED UNANIMOUSLY.

Contracted Services

\$12,000 is requested for "expert witnesses." BOB WOOD, Administrator,

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stated periodically these kinds of witnesses are needed, particularly for the POL Boards. He sited the Medical and Dental Boards as examples. MS. DOERING stated when the POL Boards were approved, this was included. Legal Services is on a revolving account.

\$1,170 was requested for data processing, plus \$500 for Consumer Affairs.

The \$15,000-FY84 and \$17,000-FY85 difference between LFA and OBPP, includes the \$12,000, \$1,170, and \$500. The \$12,000 would be the revolving fund monies only, with no General Fund.

SENATOR SMITH MOVED TO APPROVE \$28,208-FY84 and \$28,952-FY85. MOTION PASSED UNANIMOUSLY.

Travel (Tape #66 Side A-001)

SENATOR BOYLAN MOVED TO APPROVE \$12,000-FY84 and \$12,000-FY85. MOTION PASSED UNANIMOUSLY.

The request was for \$22,695-FY84 and \$23,567-FY85. MS. DOERING stated the other Divisions had already budgeted for Legal travel, so it is contingent on how much this Division uses. MR. WOOD stated there are only three attorneys, with 27 POL Boards alone to work with. They need to travel for depositions, etc. The Committee did not agree and cut the request.

Equipment (Tape #66 Side A-125)

SENATOR BOYLAN MOVED TO APPROVE \$3600-FY84 AND \$240-FY85. MOTION PASSED UNANIMOUSLY.

Supplies

SENATOR SMITH MOVED TO APPROVE \$4,025-FY84 AND \$4,265-FY85. MOTION PASSED UNANIMOUSLY.

Repair/Maintenance (Tape #66 Side A-242)

SENATOR SMITH MOVED TO APPROVE \$2,351-FY84 and \$2,475-FY85. MOTION PASSED UNANIMOUSLY.

Communications

SENATOR SMITH MOVED TO APPROVE THE OBPP FIGURES. MOTION PASSED UNANIMOUSLY.

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Vacancy Savings

SENATOR SMITH MOVED NO VACANCY SAVINGS. MOTION PASSED UNANIMOUSLY.

DIRECTOR'S OFFICE

Personal Services

REPRESENTATIVE STOBIE MOVED TO APPROVE THREE FTE. MOTION PASSED
WITH SENATOR BOYLAN VOTING NO.

Contracted Services, Supplies, Communications

SENATOR LANE MOVED TO APPROVE THE OBPP FIGURES FOR LINES 2100,
2200, AND 2300. MOTION PASSED UNANIMOUSLY.

Other Operating (Tape #66 Side A-362)

SENATOR LANE MOVED TO APPROVE THE OBPP FOR LINES 2400, 2500,
2700, 2800, AND 3100. MOTION PASSED UNANIMOUSLY.

MODIFICATION - LEGAL DIVISION

This is for one attorney for the POL Division, plus one legal
secretary. Costs have already been accounted for in the POL
budgets. There are currently three attorneys for the Department.

REPRESENTATIVE STOBIE MOVED NOT TO APPROVE THE ATTORNEY. MOTION
FAILED WITH REPRESENTATIVE STOBIE, SENATOR BOYLAN AND SENATOR
SMITH VOTING YES, AND CHAIRMAN MANUEL, SENATOR LANE, AND REPRE-
SENTATIVE HEMSTAD VOTING NO.

REPRESENTATIVE STOBIE MOVED TO ACCEPT THE LEGAL SECRETARY. MOTION
PASSED UNANIMOUSLY. REPRESENTATIVE STOBIE asked Bob Wood which
he needed more, the attorney or the secretary. MR. WOOD stated
because he is forced to choose, he needs the legal secretary more.
This kind of expertise will help the current level attorneys
tremendously.

SENATORS SMITH, BOYLAN, AND LANE were excused.

HOUSING DIVISION (Tape #66 Side A-681)

Personal Services

REPRESENTATIVE STOBIE MOVED TO APPROVE THE OBPP FIGURES. MOTION
PASSED UNANIMOUSLY. Two FTE's will not be filled, unless Mr.
Olsen, the Administrator, feels it is absolutely necessary.

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Operating Budget/Equipment (Tape #66 Side B-001)

REPRESENTATIVE STOBIE MOVED TO APPROVE LINES 2100 THROUGH 3100,
OBPP FIGURES. MOTION PASSED UNANIMOUSLY.

There was some discussion on the Contracted Services. DAVE KRAFT,
Controller for the Board, stated \$140,000 is for consultant and
professional fees. This includes trustee and agent fees. Data
processing and legal fees are also included for the Section 8
Housing Program.

Vacancy Savings

REPRESENTATIVE STOBIE MOVED TO APPROVE NO VACANCY SAVINGS. MOTION
PASSED WITH REPRESENTATIVE HEMSTAD VOTING NO.

MODIFICATION - HOUSING DIVISION (Tape #66 Side B-227)

REPRESENTATIVE STOBIE MOVED TO DENY THE REQUEST. MOTION PASSED
WITH REPRESENTATIVES STOBIE AND HEMSTAD VOTING YES. CHAIRMAN MANUEL
ABSTAINED.

REPRESENTATIVE HEMSTAD MADE A MOTION TO RECONSIDER THE PREVIOUS
MOTION. MOTION PASSED UNANIMOUSLY.

REPRESENTATIVE STOBIE MOVED TO ACCEPT THE MODIFICATIONS. MOTION PASSED
UNANIMOUSLY.

There was some confusion initially. OBPP had cut one position and
Mr. Buchanan had cut one position when reorganizing. Through
discussion, it was pointed out that the Board anticipates an upswing
in the housing market and loans. They requested one FTE back to
help cover this activity.

INDIAN AFFAIRS (Tape #66 Side B-394)

CHAIRMAN MANUEL requested Representative Bardanouve to be present,
since the Senators had been excused.

CAROLYN DOERING stated she had reduced the FTE level to two because
of previous testimony from the Governor's Office. The new adjusted
level of funding would be \$62,602-FY84 and \$69,297-FY85.

REPRESENTATIVE STOBIE MOVED TO APPROVE THE TWO FTE AND \$67,602-FY84
AND \$69,279-FY85. MOTION PASSED WITH REPRESENTATIVE BARDANOUVE
ABSTAINING.

MODIFICATION - NEWSLETTER FOR INDIAN AFFAIRS

REPRESENTATIVE HEMSTAD MOVED TO APPROVE THE MODIFICATION. MOTION
PASSED WITH REPRESENTATIVE BARDANOUVE ABSTAINING.

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Vacancy Savings

REPRESENTATIVE HEMSTAD MOVED NO VACANCY SAVINGS. MOTION PASSED UNANIMOUSLY.

MODIFICATION - CENTRALIZED SERVICES (Tape #66 Side B-463)

This would be revolving fund. It is to add three FTE to provide system maintenance and update. Department of Administration no longer has staff to provide this service.

REPRESENTATIVE HEMSTAD MOVED TO APPROVE THE MODIFICATION. MOTION PASSED UNANIMOUSLY.

MODIFICATION - SITE INFORMATION CAPABILITY (Tape #67 Side A-115)

The Division wants to be able to provide out-of-state businesses with detailed site information. The request is for General Fund. REPRESENTATIVE HEMSTAD asked if this wasn't in competition with private real estate businesses. WALLY OLSEN (Commerce) did not feel it was, since he was not selling anything.

REPRESENTATIVE HEMSTAD MOVED TO DENY THIS MODIFICATION. MOTION PASSED UNANIMOUSLY. The Committee felt the private sector could handle this.

The meeting adjourned at 11:50 a.m. (Tape #67 Side A-204)

REX MANUEL, Chairman