

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON APPROPRIATIONS

Call to Order: By Chairman Bardanouve, on March 6, 1989, at 8 a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Judy Rippingale, Pam Joehler, and Clayton
Schenck, LFA Tape 1, side A

Announcements/Discussion: Chairman Bardanouve said the committee would hear a review of what the subcommittee in General Government and Highways had approved. He said he would remind the committee that the pay plan is not in the bill and will increase personal services by 4%. He said part of the \$14 million we are criticized for is because we did not take vacancy savings, which was a full committee decision. He asked Representative Quilici, Chairman of the subcommittee to go through the budget. Chairman Bardanouve asked the committee to take notes on amendments or changes they wished to discuss. He said they would receive the explanation at this time, action would come later.

Representative Quilici said his General Government and Highways subcommittee consisted of Representatives Nisbet, Swysgood, Tveit and himself, Senators Tveit, Stimatz and Regan. He said his staff was Pam Joehler and Clayton Schenck. He said it was a good committee and an excellent staff.

Representative Quilici, assisted by two analysts, Mr. Schenck and Mrs. Joehler, walked the committee through the subcommittee recommendations. EXHIBIT 1 and 2 are attached. Exhibit 1 is the section of the bill dealing with General Government and Highways, exhibit 2 is the explanation of the section. It was commented by Chairman Bardanouve that this section had not been approved by the Legislature, and those references should be changed to subcommittee.

Beginning on A-1, exhibit 2, Representative Quilici read the Program Description, Language, budget, and expansion items

under each program. Chairman Bardanouve left to attend a hearing for a short time, and with Representative Spaeth not present at the time, Representative Thoft chaired a short section of the meeting. Representative Quilici reminded the committee there were no vacancy savings taken in the budget, and it would give a false impression in comparison with '88.

Questions from the Committee: A-28, Governor's office, Chairman Bardanouve told the committee he understood there is a bill for the Flathead River Basin, and if it passes there would be a change here.

A-33, Office of Budget & Program Planning, (530), Chairman Bardanouve asked about the increase in FTE. He said while there might not be many in an area, throughout the budget there crept in 1 or 1/2 or more, and they added up. Representative Quilici said the budget was below the Executive recommendation. Representative Bardanouve said at the present time they had 16.8. Florine Smith explained there was a transfer from the Executive budget to their office to coordinate resolution of the state wide audit. The Federal government required that one person be designated to coordinate all of the response on that particular item, and that position was working. She said they are requesting for '90-'91, 1.5 FTE. the .5 FTE would be for fy'90 to increase a position to full time. It is half time in '90, full time in '91. The other is to increase their analyst staff by one.

A-38, Governor's Office, Mental Disabilities Board of Visitors. Representative Bardanouve asked if it were general fund in the positions, and Kelly Morse, Board of Visitors, said no, they were solely funded by federal funds.

Side 2, Tape 1), A-42, Chairman Bardanouve asked about the language on page A-42.

He asked what money this would be, and was told it is not general fund money, it is state special funds.

Some discussion was held on the change in not taking vacancy savings, and having done so before, that it leaves a distorted picture. Representative Cody asked if there was some way to determine how many dollars we are talking about on vacancy savings, and was told she could have those figures.

A-53, under equipment allowances for office equipment for 5 FTE added for insurance regulation, Representative Quilici said there were a number of bills asking for more regulation of the insurance industry. He said they can't do this without the FTE. Representative Marks (210) asked if this was assuming some of these bills passed, and Rep. Quilici answered yes. Chairman Bardanouve (219) said the committee

had authorized an actuary last session but the office said they could not hire one for the amount of money we gave them.

Representative Cody said, because this is coming out of the state special revenue for these 5 FTE, when something like this comes up does the insurance industry itself come in and say that is okay? Representative Quilici answered that usually the insurance people come in, and if they have an objection to it they will let you know.

A-55, State Auditor's Office, Language: Representative Quilici said they had authorized a Wang System and it was obsolete or overloaded in 2 years. He said they are supposed to go through ISD (Information Services Division) for the system design etc., yet they run into this all the time.

Representative Bardanoue asked if this computer system was bought through the ISD, and Mr. Schenck said the Wang system was approved in terms of the concept. ISD did not do the system development on it, it was done in-house. Chairman Bardanoue said he felt they should write in the boiler plate somewhere that there shall not be a system anywhere in state government that has not been approved by the ISD. Representative Quilici said the language is in this bill for this system, and Chairman Bardanoue said he felt it should include all computer systems in state government. Representative Marks said he understood this is the law now, since there is language in another act. Mrs. Bennett, Director of the State Auditor's Office, said the system was not obsolete, they could purchase another disc drive, but it would be more expensive than conversion. She said when they purchased this system the P.C. technology was not available. The computer world is changing, and they will be able to sell their terminals to other state agencies because they do have the disc drives that go with the terminals we have.

A-59, Indian Legal Jurisdiction, Department of Justice: (369) Representative Cody asked why so much increase, and Mr. Schenck answered that was because it was because there is a biennial appropriation of \$100,000 for a contingency that shows in the first year of the biennium. FY'88 only spent approximately 1/2 of that appropriation, so you are comparing a one year actual expenditure to a biennial appropriation.

A-60, (399), under funding, Chairman Bardanoue asked if this were all general fund, Rep. Quilici answered yes.

A-63, Drivers Services Bureau, CVOL Clearinghouse Grant. Chairman Bardanoue asked why the difference in funding that it looked like in the second year it was not \$100,000 but \$182,000 a year. Mr. Schenck answered that this program was implemented in the 1989 biennium, the Commercial Driver's License Information System, and there is \$100,000 per year carry over to continue the program as it was started last

biennium. This biennium they are adding \$103,000 in fy'90 and \$82,000 in fy'91 for the second phase of that which is to install the national electronic communications system.

Representative Peck asked why state special revenue declined that much and was told by Mr. Schenck that it was the de-earmarking. He said the reason for that particular decrease is primarily because the motor vehicle fund had a short fall in terms of comparing it to the 1989 biennium funds. Rep. Quilici said there are 9 or 10 funds come out of the motor vehicle funds and there was not enough money to fund them, so there was a short fall. Mr. Schenck said there was over a million dollar fund balance that was available last session that was utilized over the revenues for that biennium.

A-65. Representative Cody asked about the language saying the Highway Patrol could not find the qualified people. It was explained that applicants must attend a training school and they have not been able to train enough to fill the slots. Marc Racicot, Attorney General, said before they could place a Highway Patrolman on duty he had to go through a training program through the Law Academy. He said they have only been able to place 15 people in that training. He said he thought it was .25 FTE per person to put them through the training, and since they did not have enough FTE they could only train 15 officers a year, and when they had more retirements than that, they only had those 15 qualified applicants. He said they did not have enough money in the budget to train applicants to fill the vacancies.

Discussion was held on the weapons, and Mr. Racicot said they had requested one and received another, but the one they got was as good as the first, but a lot less money. In answer to a question from the committee he said it is a foreign made weapon, and still a 9 millimeter. He said there is an American made weapon, the Smith and Wesson, but it is substantially more money.

Chairman Bardanouve said there was some inconsistency. In the Highway Patrol it shows a 2 1/2 increase in personnel from the Executive budget, and you go back to Drivers' Services Bureau and it shows a decrease, and they are comparing it to actual. He said he felt they should use the same base. Mr. Schenck answered that he showed both as being comparison between the actual and subcommittee for fy'88. Columns 1 versus column 4 is the comparison.

Representative Quilici said on A-68 there is language in the Communications program to receive a specific cost allocation plan in the 1991 budget request. Mr. Schenck said this language has been in the appropriations for the past 2 bienniums. The last Attorney General did provide an analysis as to which agencies were using the system and to what extent they were using it for comparison purposes.

There was not a specific cost allocation plan presented along with that information. Representative Quilici said he thought they had the information now, and it could be inserted. Representative Cody asked who the user agencies are and was told the Police, Sheriff, Livestock Commission etc.

A-71, the 65 MPH Enforcement Squad, funded entirely from federal funds from the U. S. Dept of Transportation with 3 FTE. Representative Cody asked if that was all they did was to enforce the 65 mile an hour speed limit. Mr. Racicot said they spend their time enforcing the 65 mile an hour speed limit, and they do spend some time on secondary roads also, but that is all they do.

A-72, Motor Vehicle Registration. Representative Cody said this goes back to fees again and is an area where they have had a lot of complaints. Mr. Racicot said he did not know why the month of January was chosen, with all the registration from recreation vehicles, etc. coming in January, it was a poor choice. He said that is a busy time of the year, some of the local were not trained, there was some input problem in getting all the information into the computers, and now it takes on the average of 45 seconds to 1 minute to register a vehicle.

In answer to a question from Chairman Bardanouve on a bill on motor vehicles that pertains to this area, and was wondering if the language had to be changed. Mrs. Rippingale said they are keeping track of several bills including this one, and following Senate action, if the bill passes, this bill will be adjusted, either in the Senate or in Conference Committee.

A-75, County Attorney Payroll. Some discussion was held on the change from part time to full time county attorneys and that the counties can increase the salaries equal to 70% of the last previous calendar year's consumer price index for all urban consumers. Representative Quilici said when the counties decide to do this, by statute the state must conform.

A-77, (327), Chairman Bardanouve asked if there was any relation between the Highway Patrol training and the Law Academy training, and was told by Mr. Racicot that the training is provided by the same facility and there are a number of instructors are used by both. He said some used different instructors, since the coroner's training was different than the Highway Patrol, for example.

A-81, Criminal Investigations, Program Expansions, General Investigator. Chairman Bardanouve expressed concern that with the justification of gradual increases in investigation officers, he was concerned that we would eventually wind up with a State Police force within the A.G. office.

*Representative Quilici said there was concern in that area at the hearing, also.

A-85, Central Services Division, Dept. Justice, Funding, Mr. Schenck said this particular program was completely general fund, but since the Dept. of Justice is 25% general fund over all, the funds were not supporting the funds required for that program and this provides an allocation from the 4 largest funding sources and reduces the general fund by 72% compared to fy'88, replacing that 20% motor vehicle fund, 50% state special revenue, and reduces the general to 25%.

Tape 2, B, 000. A-89. Funding. Chairman Bardanouve asked if they had included a supplemental. He said he had just testified before a Senate Finance committee on the supplemental for transport. Representative Quilici said there is one added for '89, but it doesn't include an increase for it.

A-90, Forensic Science Division, asked if the equipment funds at \$60,000, was an increase. Rep. Quilici said no, federal funds are increased. Rep. Marks asked what the base it is built on is, and was told last biennium they only spent \$63,000 and we are increasing it to \$120,000 all federal funds for the intoxilizers. Rep. Cody said there was a big hassle in Colorado over these machines and asked if we had any trouble with them. Mr. Racicot said any time there is a new technology introduced into a court room setting, it takes some time to challenge it by lawyers. There has been nationwide challenges to the use of the intoxilizers, but it is fairly well settled now, and they do not look for any problems. He said you have to maintain and calibrate these machines constantly. Chairman Bardanouve expressed concern over a law passed last year that takes \$400,000 of general fund. Rep. Quilici said this is pass through monies, but is coming from that particular bill. It is a collection of fines for re-instatement of drivers license, etc. Rep. Quilici said this was a new fee, and was Rep. Connelly's bill.

Representative Marks asked how the Highway Safety program coordinates with the 65 MPH squad. Mr. Schenck said the Highway Safety Division administers federal grants, and they provide the grant money that funds the 65 MPH enforcement squad. It is a pass through grant. Rep. Marks asked if the money that was used to enforce the 65 MPH could be used to replace general fund money in the Traffic Safety funding. Rep. Quilici said the Highway Traffic Safety Division requires a 10% match. Chairman Bardanouve said the LFA would prepare a memo on this for Rep. Marks. Mr. Racicot said he would prepare for Rep. Cobb something to show if and how well, those programs are working.

Representative Bardanouve said a couple of years ago he had asked

Mr. LaFaver if he could combine some bureaus or divisions, and get rid of some of the deputies and chiefs. Mr. LaFaver had done one, and he asked Mr. Racicot if he thought this might be possible in the Dept. of Justice and Mr. Racicot said this was one of the things they were looking at, and he would try to get an answer for him.

A-104, Department of Revenue, Rep. Thoft mentioned the annual sales assessment. Wasn't that all to do with some local appraisers? He asked if anything had happened. Rep. Quilici said no, if anything, they got a supplemental. There was discussion on cutting down the reappraisal cycle, the 5 years becoming 7 years, etc. Mr. Nordtvedt said (660) they have a bill that modifies the procedure in the House, and thinks it can eliminate the necessity for frequent appraisal cycles. He said it would update on a one year basis by market trends, construction, etc. He said to do this right it would require more resources than the department was given in '87. He said it is easy to make downward adjustments which was done last year and they used I 105 as an excuse to make an upward adjustment. Rep. Kadas said his impression of 436 was it would not save a lot of dollars, but give more accurate and up to date information. Mr. Nordtvedt said it could only save money if it were kept up to date so that a big army of people did not have to go out so often for a major appraisal cycle.

Tape 3, Side A, 000. Rep. Kadas asked if Mr. Nordtvedt believed there needs to be the ability to go up as well as down on property appraisals, and was told yes. Rep. Marks asked, in the theory of the annual reviews, if works, there should also be some savings in STAB and also in the legal division on appeals. Mr. Nordtvedt said if it works well, it should reduce the appeals, if it works poorly, it will increase appeals. Representative Quilici said Revenue did not have to eat the first year appraisal cost in-house. They had a supplemental last time that picked that up. Mr. Nordtvedt checked and said they were funded for that first year.

(090) A-105, Child Support. Representative Cobb asked if the Department was not collecting their share, he felt they should have collected twice as much child support.

(134) Chairman Bardanouve asked when the big auction sale was to be held and Mr. Nordtvedt said it was coming up this summer and the total reappraised value is about \$40,000 or \$50,000 dollars. He said it should have much more potential value to families because of their family genealogy significance.

(181) A-115, Elected & Deputy Assessors. Chairman Bardanouve asked why the big difference between the LFA recommendations and the Governor's recommendations, Mrs. Joehler answered that the state is paying the contract for some of the counties for the counties 100% of the funding--the state sends the funding for the assessor and deputy and the county

issues one pay check, and this happens in 19 counties. The rest of the counties, the assessor gets a check from the state and one from the county. For those counties where the state is sending the salaries directly to the county and the county is cutting one check to the assessor that shows up as an operating cost, as a contracted service. The executive budget continued that, the LFA and Legislature just considered one dollar amount for personal services. In answer to a further question she answered, associated with the counties that are now cutting one check to the assessors, the executive recommendation figured how many FTE that translated into and reduced it from their FTE count. There is really no difference in FTE, it is merely a matter of how it was calculated. (233) Representative Bardanoue said he thought the Legislature might be prolonging the agony of assessment. He asked if there shouldn't be some difference in the cost if the committee reduced the appropriation and put it over a longer period. Mr. Nordtvedt said there were two possibilities, either extend the cycle or add 39 FTE to finish the job on time.

More discussion was held on the 5 years always turning to 7 and a slow start then on the next 5 years, that there has been no real plan promulgated for this 5 year program, and not being able to pin down an answer. Mr. Nordtvedt said they are working on some specific plans to resolve the situation, and referred to the bill in committee.

(359) Chairman Bardanoue asked why the big jump in personal services and Mrs. Joehler said this was because the Executive originally recommended 3 auditors be transferred from Motor Fuels Tax Division to the Income Tax Division. After discussion with the departments, the subcommittee moved 3 auditors back to the motor fuels tax division.

Chairman Bardanoue announced a recess until adjournment of the House.

The meeting reconvened at 2 p.m. and the subcommittee continued on the bill. Representative Swysgood took over in the absence of Rep. Quilici and began on page A-124, Dept. of Administration, Director's office.

A-127, (466), Publications and Graphics, Chairman Bardanoue asked why the 30% increase. Rep. Swysgood said it was the pass through to the private vendors. Mrs. Joehler answered the agency came in for a budget amendment during fiscal '88 and requested \$500,000 additional spending authority in '88 and approximately the same in '89 because of the demand from the agencies for printing jobs they sent out to private vendors. Chairman Bardanoue asked why the private vendors and was told by Mr. Marvin Aklestein that they are trying to catch up with pass through. He said the agency's printing is increasing and said one example was the 4% accommodations tax that created additional printing, Vo-Techs, the Lottery

etc. He said another reason is that some jobs were contracted out prior to the pass through and they are now starting to come through the pass through, and we need the increase to handle all those people. In answer to a question on printing for the Lottery, he said that is done by a private contractor, but is part of the pass through in their office.

A-129, (566), Publications and Graphics, Administration.

Following the presentation Representative Bardanoue said under the new program it seems to cost more than before. He asked if they are spending more for the same work, or buying more, and Mr. Aklestein said the photo copy is about 1% cheaper, but now they are doing it through a private center. He said we are actually spending less at 1% per copy than it was to purchase the copiers and handle the maintenance. This way the private vendor is handling all the maintenance, providing the copier, etc.

In answer to a question, Mrs. Joehler said the fees go into a proprietary fund, and if revenues exceed expenditures it either stays in fund balance for appropriation in the next legislature or can be used to reduce rates. He said they use a fee of about 5 cents per copy and it is close to breaking even.

Tape 3, Side B, A-135, Language. Representative Marks asked if this wasn't sort of unusual language, and Rep. Swysgood said they just wanted to make sure that if the PPP system went to the auditors office, the 2 FTE could be replaced, but they have to be there in fy'90. They can be removed in '91, and we wanted our intention shown.

(017) Chairman Bardanoue said on page A-134 it states the division overexpanded its operating budget by nearly 100% in fy'88 due primarily to funding a consulting contract which was not budgeted, and he asked for clarification. Mrs. Joehler said the agency transferred funds from other programs still within the information services division, but a separate budget program into the administration program to fund a disaster contingency plan study. She said they spent around \$95,000 for the study, and the subcommittee did not replace those funds.

(042) Rep. Marks asked what was the purpose of the horizontal movement of money, and Mike Travers answered that they had a savings in the equipment area and transferred funds. We went through the proper process, we got a budget change to our operational plan and hired a consultant to come in and (sort of subsequent to Senate Bill 279, last session that put a lot of disaster and security responsibilities on the department) and we asked them to study our security set up, our disaster recovery capabilities, etc. We gave training and provided sessions to have all our agencies to improve security awareness, and we are asking for continuing funds

to implement the recommendations for that study.

The committee took a break for session, and reconvened at 2:40 p.m.

Dept. of Administration:

A-138, Systems Development. Representative Cody asked if there were some way to break out the funds generated by fees and to see which were meeting the cost of the service and where the subsidization comes from. She was told they could get the information for her.

A-140, Telecommunications, Representative Bardanouve asked why so much more money in telecommunications, and was told they told them the long distance telephone calls would increase that much.

A-141, Emergency 911. Chairman Bardanouve said he hears a lot of criticism on the 911 system, and there was some discussion on the cost to all telephone users and the service not there as yet.

A-150, Personnel, Employee Benefits. Chairman Bardanouve asked about the \$13,765 in contracted services for reviewing the deferred compensation plan, and asked if this was paid out of the general fund. He said he felt a charge should be made against it since it was a select group. Laurie Ekanger answered that he was correct and that is where it comes from.

The committee went back to A-128 and continued where they had left off.

(475) A-128, Dept. of Administration, Publications and Graphics, Operations: Chairman Bardanouve said it looks as though the new program costs more than before

Side B, (198). A-144, General Services, Chairman Bardanouve asked about the \$69,047 for anticipated contract price increases when the existing janitorial and other contracts are rebid, and was told by Rep. Swysgood said it was indicated to the subcommittee that the price per square foot was going to increase and the anticipated price here is what they told us it was going to increase to.

A-153, Tort Claim Division: Representative Bardanouve said this is one agency that has saved Montana a lot of money. He said this is not a liability, it is an asset. Rep. Swysgood said in subcommittee it was stated it was \$40 some million that they saved us. John Maynard said in 1986 they were told what they needed for reserve, and in the last few years they have brought that down from being \$38 million short and brought it down in the last 2 years to \$29 million as a figure we need to have. Chairman Bardanouve said, that

means the claims against Montana have been brought down that much? Mr. Maynard answered yes.

A-153, Budget: Representative Thoft said he couldn't understand if they had a vacancy savings of 17 percent why you gave them an added 3 FTE. Mrs. Joehler said with a staff of 8 1/2 FTE, it only takes one vacancy to have a pretty high vacancy savings rate. They had one staff attorney that was vacant for much of the year. She said the subcommittee restored the full funding for the lawyer position and added a paralegal and a risk manager. Rep. Swysgood said contracted services took a lot of money, and the subcommittee put the FTE in because it will save money over the contracted services.

A-157, Tax Appeal Board. Chairman Bardanouve asked why the increase from 5.77 to 11 in personal services, and was told that is the counties that opted to take state secretarial positions. Only 17 counties chose to make them county positions, the other 39 opted to take state positions, and that is the FTE that relates to those 39. They are state employees out in the counties.

Tape 4, Side A, 000. Chairman Bardanouve addressed himself to Mr. Ashley, Acting Director for the Department of Administration and asked him if it were possible to consolidate some of the agencies or bureaus within the departments and cut down on some of the chiefs and deputies. Mr. Ashley promised to take a hard look at this, but many of the programs are administered by the same person.

Department of Highways, (137), Representative Quilici resumed giving the subcommittee report.

A-171, Preconstruction. Chairman Bardanouve said that aerial surveys were being used for work, one FTE was eliminated and 3 were added. He asked if this really saved work, why more personnel? Mr. Monroe said where you are seeing the savings is they are building up their photogrammetry unit. He said this in turn should lead to a net reduction in survey costs in the next biennium as ground survey crews can be reduced. He said by the end of the biennium they should be able to reduce their personnel by 30.

A-173. State Motor Pool. Representative Bardanouve (285) asked about the 37% increase in operating cost. Rep. Quilici said it is mostly equipment. Representative Cody asked who checks these state vehicles to see if they are safe, need rubber, or whatever. Rep. Quilici said there is 5 FTE in the staff of the motor pool. Rep. Cody said the reason she was concerned was because she had a report from an individual who drove a state vehicle on ice with slick tires, and was frightened. She felt it was wrong to ask the state employees to drive defective equipment. Representative Quilici said that is the purpose of the

increase in this budget, to give them a safe vehicle to drive. He said the average mileage is between 75,000 and 80,000, but sometimes a vehicle with low maintenance could be good at over 80,000 miles. They do overhaul some motors, he was told, if there is enough life left in the car.

Representative Menahan asked if they were ever handed down to another agency, perhaps in Columbia Falls, or somewhere where they need a vehicle and don't have the money. Mr. Salisbury said when they auction them off all state entities have the first right to purchase them before that auction. He said in 1983 they transferred vehicles to the Dept. of Institutions at no cost. Rep. Bardanoue gave the figures on eliminated FTE and new FTE, and said there were a lot of new ones. Rep. Quilici said this had to do with hiring if they had more construction, also some were in pre-construction.

A-180, Adjutant General. (614). Representative Thoft asked about the 1/4 FTE and an increase of nearly 19%. Rep. Quilici said he was not sure, but it was probably vacancy savings involved there.

A-187, Disaster Coordination & Response. (722), Representative Cody asked if this program addressed drought and fire and those things, or is this separate. Rep. Quilici said no. Rep. Cody said the Dept. of Health has something on Hazardous materials, and asked if this was an overlap, or what. Rep. Quilici said this is the main response organization to handle this. Mr. Ken Grebe, Disaster and Emergency Services, said the Environmental Protection Agency has in their budget \$5 million for hazardous Material Training. He said this training is done by the experts at the training school in Great Falls. The State Department of Health also gives training which is more of the scientific side of the program.

Chairman Bardanoue reminded the committee that they still had the pay plan to put in this and it would be considerably above the Governor's budget. He asked the committee to go back and see if they could find a little here and there to cut the budget.

Chairman Bardanoue announced the committee would hear the Institutions Report at 8 A.M. tomorrow morning.

Adjournment At: 4:45 p.m.


REP. FRANCIS BARDANOUE, Chairman

HOUSE COMMITTEE ON APPROPRIATIONS

March 6, 1989

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DAILY ROLL CALL

HOUSE APPROPRIATIONS

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date

3/6/89

NAME	PRESENT	ABSENT	EXCUSED
REPRESENTATIVE BARDANOUVE	✓		
REPRESENTATIVE SPAETH	✓		
REPRESENTATIVE PECK	✓		
REPRESENTATIVE IVERSON	✓		
REPRESENTATIVE SWIFT	✓		
REPRESENTATIVE QUILICI	✓		
REPRESENTATIVE BRADLEY	✓		
REPRESENTATIVE PETERSON	✓		
REPRESENTATIVE MARKS	✓		
REPRESENTATIVE CONNELLY	✓		
REPRESENTATIVE MENAHAN	✓		
REPRESENTATIVE THOFT	✓		
REPRESENTATIVE KADAS	✓		
REPRESENTATIVE SWYSGOOD	✓		
REPRESENTATIVE KIMBERLEY	✓		
REPRESENTATIVE NISBET	✓		
REPRESENTATIVE COBB	✓		
REPRESENTATIVE GRINDE	✓		
REPRESENTATIVE CODY	✓		
REPRESENTATIVE GRADY	✓		

A. GENERAL GOVERNMENT AND HIGHWAYS

		<u>Fiscal 1990</u>			<u>Fiscal 1991</u>		
		State	Federal		State	Federal	
		General	Special	Revenue	General	Special	Revenue
		<u>Fund</u>		<u>Proprietary</u>	<u>Fund</u>		<u>Proprietary</u>
				<u>Total</u>			<u>Total</u>
6	LEGISLATIVE AUDITOR						
7	1. Operations						
8	1,031,677	1,035,008		2,066,685	1,009,581	1,051,636	2,061,217
9	2. Lottery Consulting Services						
10	16,000			16,000			
11							
12	Total						
13	1,031,677	1,051,008		2,082,685	1,009,581	1,051,636	2,061,217
14	Item 2 is contingent upon the state lottery implementing an automated lotto-type game.						
15	Item 2 is a biennial appropriation.						
16	LEGISLATIVE FISCAL ANALYST						
17	1. Operations						
18	753,169			753,169	831,482		831,482
19	2. Consultants						
20	20,000			20,000			
21	3. Intern Analyst						
22	12,675			12,675			
23	4. Committee Meeting Days						
24	13,600			13,600			
25	5. Data Processing						

EXHIBIT

DATE

HB

1
3-6-89
100

DEPARTMENT OF JUSTICE
HIGHWAY TRAFFIC SAFETY



STAN STEPHENS, GOVERNOR

303 N. ROBERTS

STATE OF MONTANA

(406) 444-3412

HELENA, MONTANA 59620

March 6, 1989

DATE 3/6/89
RE 100 2.9

Honorable Francis Bardanouve
Chairman, House Appropriations
House of Representatives
State Capitol
Helena, Montana

Sir:

May I offer the following brief written response to several questions which arose concerning the Highway Traffic Safety Division, Department of Justice, during the House Appropriation Committee meeting of March 6, 1989.

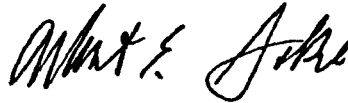
A. MCA 61-2-106, as passed into law by the legislature in 1987, provides that a \$50 reinstatement fee shall be collected from those persons convicted of DUI in Montana before their license may be reinstated. The law provides that the fees collected shall be awarded to those counties that have a DUI Task Force and an approved plan to address the drinking and driving problem. If a county has no task force or approved plan, no funds are provided. The line item appropriation in the Highway Traffic Safety Division (HTSD) budget of \$200,000 simply allows those funds collected to be reimbursed to counties that are eligible. Since only what is collected can be reimbursed, the law insures that no drain to the General Fund can occur. In fact, it is estimated that about \$40,000 per year will remain in the General Fund as a surplus. No administrative charges are made against this fund by the HTSD.

Since DUI Task Forces were begun in this state in 1984, we have been able to cut DUI related accidents by an impressive 40% statewide, with the vast majority of those cuts coming from counties with active local task forces working on the problem in their communities. This reduction amounts to over 1000 fewer injuries per year from a program funded by the abusers, not the general taxpayer.

B. One of the programs funded with federal funds by the HTSD for several bienniums has been what is referred to as the "55 Squad" in the Montana Highway Patrol Division. Congress earmarks a given sum of money each year for enforcement of the National 55 MPH speed limit. I requested that the Patrol seek specific authority from the Montana Legislature before this project was funded. As long as the federal funds are earmarked for this purpose, I would recommend continuing funding of the squad as has been approved in the past.

We have endeavored to work the squad in high accident areas of the Interstate and Primary road system, which need additional enforcement coverage and not just emphasize a lot of 55 MPH tickets.

Respectfully,

A handwritten signature in black ink, appearing to read "Albert E. Goke", written in a cursive style.

Albert E. Goke
Administrator

AEG:nh