

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT & TRANSPORTATION

Call to Order: By REP. MARY LOU PETERSON, CHAIRMAN, on January 8, 1993, at 8:00 AM.

ROLL CALL

Members Present:

Rep. Mary Lou Peterson, Chair (R)
Sen. Harry Fritz, Vice Chair (D)
Rep. Marjorie Fisher (R)
Sen. Gary Forrester (D)
Rep. Joe Quilici (D)
Sen. Larry Tveit (R)

Members Excused: None

Members Absent: None

Staff Present: Jon Moe, Legislative Fiscal Analyst
Terri Perrigo, Legislative Fiscal Analyst
Clayton Schenck, Legislative Fiscal Analyst
John Patrick, Office of Budget & Program Planning
Elaine Benedict, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: NONE
Executive Action: HIGHWAY TRAFFIC SAFETY; BOARD OF CRIME CONTROL; COMMISSIONER OF POLITICAL PRACTICE; AND SECRETARY OF STATE

EXECUTIVE ACTION ON HIGHWAY TRAFFIC SAFETY

Tape No. 1:A:000

Motion/Vote: REP. JOE QUILICI moved to accept the LFA budget as the base. THE MOTION CARRIED UNANIMOUSLY.

Informational Testimony:

Mr. Clayton Schenck, Legislative Fiscal Analyst, reviewed the budget for Highway Traffic Safety. EXHIBITS 1 and 2

Motion/Vote: SEN. HARRY FRITZ moved to keep the approximately \$300,000 in the Highway Traffic Safety budget, pending a bill that would remove it. THE MOTION CARRIED UNANIMOUSLY.

Questions, Responses and Discussion:

Mr. Schenck said that based on inflation figures, the executive budget is \$300 higher than the LFA budget and that if the subcommittee took action this would increase the agency's budget.

It was agreed that the difference was minor and it was not considered for a vote.

SEN. FRITZ asked if the approximate number of restored driver's licenses was 12,000. Mr. Goke, Highway Traffic Safety, answered that the number was approximately 8,000.

Motion/Vote: REP. QUILICI moved to accept the budget as amended. THE MOTION CARRIED UNANIMOUSLY.

Discussion:

Mr. Schenck advised that a later change might be necessary in order to accommodate a ground maintenance fee (a consideration which will be made for all agencies).

EXECUTIVE ACTION ON BOARD OF CRIME CONTROL

Tape No. 1:A:465

Informational Testimony:

Mr. Schenck reviewed the budget for the Board of Crime Control. EXHIBITS 3, 4 and 5. He explained that the LFA budget does not allow for the fact that approximately \$2,100 in dues were paid from the Federal Fund, but reduced from the general fund. The same issue applies to the funding of an entry level position within the office.

Motion/Vote: REP. QUILICI moved to accept the LFA budget as current base. THE MOTION CARRIED UNANIMOUSLY.

Informational Testimony:

Mr. Ed Hall, Board of Crime Control, distributed handouts. EXHIBITS 6 and 7. He requested that his grade eight FTE vacancy be filled and explained that he prolonged its vacancy in order to determine if reclassification of duties needed to be made and to accommodate changes made by Federal law concerning detention of juveniles. The position is a system by which the Federal Government monitors the agency's compliance with juvenile detention regulations.

Questions, Responses and Discussion:

CHAIRMAN MARY LOU PETERSON asked if this position was the one paid by Federal funds. Mr. Hall answered that is was.

BUDGET ITEM FTE VACANCY:

Motion/Vote: SEN. FRITZ moved to return the position to the agency. THE MOTION CARRIED UNANIMOUSLY.

BUDGET ITEM DUES:

Motion/Vote: SEN. FRITZ moved to restore the amount of the \$2,165 in dues to the general fund. THE MOTION CARRIED UNANIMOUSLY.

Questions, Responses and Discussion:

Mr. Don Merritt, Fiscal Manager for Board of Crime Control, asked that the funding for the FTE be restored to the general fund and reduced in the Federal Fund, the fund from which it is paid.

Motion/Vote: REP. QUILICI moved to amend the reduction from general funds and accept the executive budget in this circumstance. THE MOTION CARRIED UNANIMOUSLY.

BUDGET ITEM MODIFIED REQUEST--800 TELEPHONE LINE:

Questions, Responses and Discussion:

Mr. Hall addressed the \$2,000 modified request for the desired 800 number telephone system and travel funding. He explained that there would be an initial \$60 installation fee, a \$50 monthly fee, and an additional \$5/month fee for Voice Mail. This would use approximately \$700, with the remaining money going to travel expenses for the Victims Assistance Coordinator.

REP. QUILICI asked if the travel fee is for added travel or travel that is currently being done. Mr. Hall answered that it would be for added travel.

Motion: REP. QUILICI moved to approve funding for the 800 telephone number and travel expenses.

Questions, Responses and Discussion:

REP. QUILICI asked how much traveling was being done under current budget.

Mr. Hall answered that there was very little and explained that the travel is necessary to aid facilities throughout the state.

Vote: THE MOTION CARRIED with SEN. FRITZ opposing.

BUDGET ITEM LANGUAGE:

Mr. Schenck reviewed the issues of language in the budget.
EXHIBIT 4.

Motion/Vote: SEN. FRITZ moved to accept the line-item portion of the language presented. THE MOTION CARRIED UNANIMOUSLY.

Motion/Vote: SEN. FRITZ moved to accept the pass-through portion of the language. THE MOTION CARRIED UNANIMOUSLY.

BUDGET ITEM JUVENILE TRAINING PROGRAM FEES:

Mr. Hall addressed the issue of charging a fee for a juvenile training program. He explained that a majority of the money acquired comes from selling publications, which goes to the general fund, and that there is a very limited amount that comes from, or can be used for, training programs.

Motion/Vote: SEN. FRITZ moved to retain the language so that the fees generated by funds can be transferred to the agency. THE MOTION CARRIED UNANIMOUSLY.

BUDGET ITEM FEDERAL GRANTS:

Motion: SEN. FRITZ moved to allow the agency additional authority to appropriate funds obtained through newly acquired Federal grants.

Questions, Responses and Discussion:

Mr. Schenck stated that he would confer with the agency to create specific language which would allow this.

REP. FISHER asked if the Federal money could be used to hire more employees. Mr. Merritt answered that the money would only be used for law enforcement programs and could not be used for administrative purposes.

SEN. GARY FORRESTER asked if the agency might require supplementals to match the Federal funds. Mr. Hall answered that the burden of matching the funds, if necessary, would be on local government.

Vote: THE MOTION CARRIED UNANIMOUSLY.

Informational Testimony:

Mr. Schenck reviewed the issue of Senate Bill 37. EXHIBIT 4

Questions, Responses and Discussion:

REP. MARJORIE FISHER asked why the 9% funding which is passed back to the counties requires an FTE. Ms. Candy Wimmer, Board of Crime Control, answered that there is extensive regulation and guidance required to organize the county grants, establish services and account for the allotted money.

REP. QUILICI asked how this had been done after the 1991 Session

without the FTE. **Ms. Wimmer** answered that the agency did have the FTE but did not have the statutory authority it assumed it had. The agency requested this authority in order to use a portion of the 9.1% of lottery generated funds to fund the position.

REP. QUILICI asked if the FTE was reflected in the current level budget. **Mr. Schenck** answered that the position was a new position, treated in the statutory appropriation portion of the law.

Ms. Terri Perrigo, Legislative Fiscal Analyst, explained that this agency would be the first to take from lottery generated funds.

CHAIRMAN PETERSON asked if the FTE is a full position. **Mr. Merritt** answered that it is.

BUDGET ITEM ADMINISTRATIVE FUNDING:

Motion: **REP. FISHER** moved that the administrative funding come from the 9.1% received from lottery funding.

Questions, Responses and Discussions:

Mr. Schenck explained that statute would have to be changed in order to do this.

REP. QUILICI asked how banner lottery sales would effect the Board of Crime Control. **Mr. Hall** explained that a cap of \$1 million has been placed on the amount the agency can receive from lottery.

SEN. FORRESTER asked what would happen if lottery sales went down. **Ms. Wimmer** and **Mr. Hall** answered that the counties would suffer.

Motion: **REP. QUILICI** moved to accept the budget with the understanding that **Mr. Schenck** and the agency would provide language that would allow administration fees to be paid from the 9.1% and that a cap be placed on the amount.

REP. FORRESTER withdrew her motion.

Vote: **REP. QUILICI'S MOTION CARRIED UNANIMOUSLY.**

BUDGET ITEM INDIAN VICTIMS ASSISTANCE:

Motion/Vote: **SEN. FRITZ** moved to authorize use of Federal pass-through funds for Indian Victims Assistance. **THE MOTION CARRIED UNANIMOUSLY.**

EXECUTIVE ACTION ON COMMISSIONER OF POLITICAL PRACTICES

Tape No. 3:A:000

930108JG.HM1

Informational Testimony:

Ms. Terri Perrigo reviewed the budget for the office of the Commissioner of Political Practice. EXHIBIT 8

Motion/Vote: REP. QUILICI moved to accept the LFA budget. THE MOTION CARRIED UNANIMOUSLY.

Motion/Vote: REP. FISHER moved that there be a blanket acceptance of the LFA budget for all agencies. THE MOTION CARRIED UNANIMOUSLY.

BUDGET ITEM TRANSFER OF PRINTING OF INFORMATION GUIDE:

Questions, Responses and Discussion:

REP. FISHER asked if the money for printing the information guide had been taken out of the Secretary of State' budget. Ms. Perrigo answered that this was contingent on a statute change that moves the printing function to the Commissioner's Office.

Motion/Vote: REP. FISHER moved that the function of printing the information guide, and the approximately \$2,500 in funding, be moved to the office of the Commissioner of Political Practice (a transfer that includes only the portion for fiscal year 1994). THE MOTION CARRIED UNANIMOUSLY.

Discussion:

Ms. Perrigo explained that if the subcommittee voted to accept the executive budget, this would give the agency the additional \$2,500 which has been requested in order to compensate for the larger amount of printed material required after a general election.

Mr. Ed Argenbright, Commissioner of Political Practice, explained that the additional money would also cover the necessary cost of upgrading the manuals printed by his office.

Motion/Vote: REP. QUILICI moved to allow the \$2,500 increase to the budget. THE MOTION CARRIED UNANIMOUSLY.

BUDGET ITEM FTE:

Informational Testimony:

Ms. Perrigo addressed the issue of the requested .25 FTE explaining that it had been changed in the budget to a .25 FTE for each year of the biennium, rather than a .5 biennial FTE for the first year. This was changed to overcome problems it caused in the PPP system.

Questions, Responses and Discussion:

REP. FISHER asked if the .25 FTE could be filled by borrowing an employee from a different agency. Commissioner Argenbright argued that it couldn't.

REP. FISHER asked if the position is permanent or temporary. Commissioner Argenbright said it is temporary.

Motion/Vote: REP. QUILICI moved to accept the executive budget on this issue. THE MOTION CARRIED UNANIMOUSLY.

EXECUTIVE ACTION ON SECRETARY OF STATE

Tape No. 3:A:555

Questions, Responses and Discussion:

REP. QUILICI asked how the creation of an enterprise fund would affect the general fund and requested that any changes in the budget include legislative power over expenditures. Mr. Schenck explained that if the funding were changed to a proprietary account, then a statute could be enacted which would allow the legislature to maintain its power.

Informational Testimony:

Mr. Jon Moe, Legislative Fiscal Analyst, reviewed the budget for the Secretary of State. EXHIBIT 9

Motion/Vote: REP. QUILICI moved to reconsider the blanket acceptance of the LFA budget for all agencies. THE MOTION CARRIED UNANIMOUSLY.

Motion: REP. QUILICI moved to accept the LFA budget for this agency.

Motion/Vote: SEN. LARRY TVEIT moved to amend REP. QUILICI'S motion and to accept the LFA budget with the understanding that it would include the 5% reduction in FTEs. THE MOTION CARRIED UNANIMOUSLY.

Informational Testimony:

Mr. Mitchell, Chief Deputy, Secretary of State, distributed an organizational chart. EXHIBIT 10. He said that his agency could not do without the .5 FTE. This position mails annual reports, files business documents, etc. The agency would fall weeks behind without this position. The other FTE being requested maintains records, completes copy work and deals with every copying request. Eliminating this position would slow the process and cause customer dissatisfaction.

Questions, Responses and Discussion:

REP. FISHER asked how many actual bodies were employed by the

agency. Mr. Mitchell replied 36.

CHAIRMAN PETERSON asked if the funding source for the positions was being changed. Mr. Moe answered the source was being changed to the general fund. Mr. Mitchell explained that this would assist Record management with its cash flow problems.

REP. FISHER asked how the determination was made of who would be cut. Mr. Mitchell answered that they determined which duties could most easily be allocated to other positions, without forcing that position to be raised in grade level due to the increased number of duties. REP. FISHER asked if the positions that take on the duties would be lowered in grade since they would be carrying out duties of a lower grade job. Mr. Mitchell answered no.

BUDGET ITEM FTE RESTORATION:

Motion: REP. QUILICI moved that the 1.7 FTE be restored in the general fund.

Questions, Responses and Discussion:

SEN. TVEIT asked what the financial loss would be if the 1.7 FTE were not restored. Mr. Mitchell estimated that this would cost the general fund between \$100,000 and \$100,250.

Vote: A roll call vote was taken on the previous motion of REP. QUILICI. EXHIBIT 11. The vote resulted in a tie, therefore THE MOTION FAILED.

BUDGET ITEMS COMPUTER PROCESSING, PRINTING, POSTAGE AND MICROFILMING :

Motion: REP. QUILICI moved to accept the executive budget for the categories of computer processing, printing, postage and microfilming.

Questions, Responses and Discussion:

SEN. TVEIT asked why the postage rate increased so significantly. Mr. Mitchell answered that it was relative based on the service and material that would be provided.

Vote: THE MOTION CARRIED with SEN. TVEIT and REP. FISHER opposing.

BUDGET ITEM TRAVEL EXPENSES:

Informational Testimony:

Mr. Mitchell addressed the issue of travel expenses, stating that in 1992, the year on which the budget is based, the agency significantly reduced its budget at the request of the Governor

and the Legislature. He requested that the budget be returned to its prior level.

Motion/Vote: REP. QUILICI moved to accept the executive budget for travel. THE MOTION CARRIED with REP. FISHER and SEN. TVEIT opposing.

BUDGET ITEM MICROFILM RESTORATION:

The issue of microfilm restoration was rendered moot due to the previous elimination of FTEs who would carry out the duties of the restoration.

BUDGET ITEM FILE SERVER:

Informational Testimony:

Mr. Mitchell requested funding for a new file server, stating that the current one locks-up, rendering it useless for approximately six to eight hours a week.

Questions, Responses and Discussion:

REP. FISHER asked the age of the current server. Mr. Mitchell answered that it is less than two years old but, none-the-less, obsolete.

No motion was made on this issue and the budget remained at LFA level.

BUDGET ITEM FIRE PROOF STORAGE CABINETS:

Motion/Vote: REP. FISHER moved to accept purchase of fire proof cabinets at \$50,000. THE MOTION CARRIED with SEN. TVEIT opposing.

ADJOURNMENT

Adjournment: 11:55 AM



REP. MARY LOU PETERSON, Chair



ELAINE BENEDICT, Secretary

MLP/EB

HOUSE OF REPRESENTATIVES

Gen. Gov. & Hwys.

SUB-COMMITTEE

ROLL CALL

DATE

1/8/93

NAME	PRESENT	ABSENT	EXCUSED
Rep. Mary Lou Peterson Chair	X		
Sen. Harry Fritz Vice Chair	X		
Rep. Marjorie Fisher	X		
Sen. Gary Forrester	X		
Rep. Joe Quilici	X		
Sen. Larry Tveit	X		

4108 00 00000

HIGHWAY TRAFFIC SAFETY

Agency Summary

Budget Item	Actual Expenditures Fiscal 1992	Current Level Fiscal 1992	Current Level Fiscal 1993	LFA Fiscal 1994	Executive Fiscal 1994	LFA Fiscal 1995	Executive Fiscal 1995	Biennial Difference Exec.-LFA
FTE	8.50	8.50	8.50	8.50	8.50	8.50	8.50	
Personal Services	264,130	264,131	289,679	301,524	301,517	302,460	302,453	(14,530)
Operating Expenses	168,830	168,832	191,324	181,831	182,105	182,685	182,941	(196,000)
Equipment	2,955	2,956	3,000	10,166	10,100	7,730	7,600	
Local Assistance	183,080	183,080	184,080	510,000	210,000	510,000	210,000	
Grants	751,222	520,000	520,000	900,000	900,000	900,000	900,000	
Total Costs	\$1,370,219	\$1,138,999	\$1,188,083	\$1,903,521	\$1,603,722	\$1,902,875	\$1,602,994	(\$599,680)
Fund Sources								
General Fund	183,080	183,080	183,080	210,000	210,000	210,000	210,000	
State Revenue Fund	72,646	72,646	80,807	385,124	85,000	386,189	86,000	(600,313)
Federal Revenue Fund	1,114,493	883,273	924,196	1,308,397	1,308,722	1,306,686	1,306,994	633
Total Funds	\$1,370,219	\$1,138,999	\$1,188,083	\$1,903,521	\$1,603,722	\$1,902,875	\$1,602,994	(\$599,680)

Agency Description

The Highway Traffic Safety Division was established by Title 61, Chapter 2, MCA, to promote public safety, health, and welfare through efforts directed toward reducing death, injury, and property loss resulting from traffic accidents. Projects are developed and initiated in various levels of government primarily through federal grant funds provided through the division to ensure that a long-term, stable, and statewide program exists. Current program priorities include occupant protection and drinking and driving projects.

Adjustments to Actual Expenditures

	Actual Fiscal 1992	Approp. Transfer	Budget Amendment	One Time Approp.	Language Approp.	Non-Budget Expenditure	Statutory Approp.	All Other Approp.	Current Lvl Fiscal 1992
FTE	8.50								8.50
Expenditure	1,370,220		231,222						1,138,998
		General Fund	State Fund	Special Fund	Federal Fund	Cap. Projects Fund	Proprietary Fund	Other Fund	Current Unrestricted
Funding	1,370,220				231,222				1,138,998

Adjustments to Actual Expenditures

The difference between actual expenditures and the current level base for fiscal 1992 is due to budget amendment expenditures of \$231,222 for additional federal pass-through grant funds. These expenditures were in addition to the \$520,000 appropriated by the 1991 Legislature each year of the 1993 biennium for pass-through to state and local agencies for highway safety projects.

The difference between the current level total shown in this table and in the main table above is due to rounding.

4108 00 00000

HIGHWAY TRAFFIC SAFETY

Agency Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	8.50	8.50	8.50	8.50	0.00	8.50	8.50	0.00
Personal Services	264,130	289,679	301,517	301,524	(7)	302,453	302,460	(7)
Operating Expenses	168,830	191,324	182,105	181,831	274	182,941	182,685	256
Equipment	2,955	3,000	10,100	10,166	(66)	7,600	7,730	(130)
Local Assistance	183,080	184,080	210,000	510,000	(300,000)	210,000	510,000	(300,000)
Grants	<u>520,000</u>	<u>520,000</u>	<u>900,000</u>	<u>900,000</u>	<u>0</u>	<u>900,000</u>	<u>900,000</u>	<u>0</u>
Total Costs	\$1,138,997	\$1,188,083	\$1,603,722	\$1,903,521	(\$299,799)	\$1,602,994	\$1,902,875	(\$299,881)
Fund Sources								
General Fund	183,080	183,080	210,000	210,000	0	210,000	210,000	0
State Revenue Fund	72,646	80,807	85,000	385,124	(300,124)	86,000	386,189	(300,189)
Federal Revenue Fund	<u>883,270</u>	<u>924,196</u>	<u>1,308,722</u>	<u>1,308,397</u>	<u>325</u>	<u>1,306,994</u>	<u>1,306,686</u>	<u>308</u>
Total Funds	\$1,138,997	\$1,188,083	\$1,603,722	\$1,903,521	(\$299,799)	\$1,602,994	\$1,902,875	(\$299,881)

Page References

LFA Budget Analysis 1995 Biennium Vol. I - Pages A 79-82
 Governor's Executive Budget - Page A41

Current Level Differences

DRIVERS' LICENSE REINSTATEMENT FEES - The Executive Budget is lower than LFA current level due to the omission of state special revenue appropriation authority for the transfer of one-half of drivers' license reinstatement fees to counties as required by statute. Under current law, counties use these funds to provide grants to local governments for law enforcement programs. The executive proposes a policy initiative to use these fees instead to fund alcohol and drug treatment for youth served by the Department of Family Services (currently funded by general fund). The executive proposal will require an amendment to section 71-2-107(2)(b), MCA, to change the distribution and purposes for use of the funds. See discussion on LFA Vol. I, page A-80.

INFLATION DIFFERENCES

MINOR DIFFERENCES (NET)

TOTAL CURRENT LEVEL ISSUES

Budget Modifications

None

Language

None

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

(300,000) (300,000)

(99) (181)

300 300(299,799) (299,881)

4107 00 00000

CRIME CONTROL DIVISION

Agency Summary

Budget Item	Actual Expenditures Fiscal 1992	Current Level Fiscal 1992	Current Level Fiscal 1993	LFA Fiscal 1994	Executive Fiscal 1994	LFA Fiscal 1995	Executive Fiscal 1995	Biennial Difference Exec.-LFA
FTE	19.00	18.00	18.00	18.00	18.00	18.00	18.00	
Personal Services	545,042	528,375	554,985	581,040	581,042	582,904	582,908	6
Operating Expenses	229,241	181,937	219,104	178,566	182,867	181,578	185,888	8,611
Equipment	19,572	14,292	6,085	10,523	9,023	9,987	7,066	(4,421)
Grants	3,466,199	3,155,460	3,282,918	3,210,244	3,210,244	3,210,244	3,210,244	
Benefits and Claims	452,954	452,954	451,143	590,000	590,000	590,000	590,000	
Total Costs	\$4,713,009	\$4,333,018	\$4,514,235	\$4,570,373	\$4,573,176	\$4,574,713	\$4,576,106	\$4,196
Fund Sources								
General Fund	455,253	455,254	474,417	472,162	475,970	476,502	478,901	6,207
State Revenue Fund	618,025	543,995	563,498	571,903	571,903	571,903	571,903	
Federal Revenue Fund	3,639,730	3,333,769	3,476,320	3,526,308	3,525,303	3,526,308	3,525,302	(2,011)
Total Funds	\$4,713,009	\$4,333,018	\$4,514,235	\$4,570,373	\$4,573,176	\$4,574,713	\$4,576,106	\$4,196

Agency Description

The mission of the Crime Control Division is to promote public safety by strengthening the coordination and performance of the criminal and juvenile justice system. The division was created by section 2-15-2006, MCA. Under the direction of a supervisory Board of Crime Control appointed by the Governor, the Crime Control Division provides financial support, technical assistance, and supportive services to state and local criminal justice agencies. The board administers and awards several grant programs, including the Juvenile Justice and Delinquency Prevention Act, the Victim/Witness Assistance Act, the State and Local Law Enforcement Assistance Act, the Narcotics Control Assistance Program, and the State Crime Victims' Compensation program.

Adjustments to Actual Expenditures

	Actual Fiscal 1992	Approp. Transfer	Budget Amendment	One Time Approp.	Language Approp.	Non-Budget Expenditure	Statutory Approp.	All Other Approp.	Current Lvl Fiscal 1992
FTE	19.00						1.00		18.00
Expenditure	4,713,010		141,365				74,031	164,594	4,333,020
Funding									
	4,713,010		74,031	305,959					4,333,020

Adjustments to Actual Expenditures

The difference between actual expenditures and the current level base for fiscal 1992 is due to: 1) budget amendments for federal grant funds of \$97,500 for services to victims of crime on Indian Reservations and \$43,865 to enhance and expand the capability of the division's statistical analysis center; 2) statutory appropriation expenditures of 1.0 FTE and \$74,031 from net lottery proceeds for grants to counties for youth detention services; and 3) \$164,594 for continuing appropriations from prior years of federal pass-through grant funds.

DATE 1/3/95

4107 00 00000

HB

CRIME CONTROL DIVISION

Agency Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	18.00	18.00	18.00	18.00	0.00	18.00	18.00	0.00
Personal Services	528,376	554,985	581,042	581,040	2	582,908	582,904	4
Operating Expenses	181,937	219,104	182,867	178,566	4,301	185,888	181,578	4,310
Equipment	14,292	6,085	9,023	10,523	(1,500)	7,066	9,987	(2,921)
Grants	3,155,460	3,282,918	3,210,244	3,210,244	0	3,210,244	3,210,244	0
Benefits and Claims	452,954	451,143	590,000	590,000	0	590,000	590,000	0
Total Costs	\$4,333,020	\$4,514,235	\$4,573,176	\$4,570,373	\$2,803	\$4,576,106	\$4,574,713	\$1,393
Fund Sources								
General Fund	455,253	474,417	475,970	472,162	3,808	478,901	476,502	2,399
State Revenue Fund	543,994	563,498	571,903	571,903	0	571,903	571,903	0
Federal Revenue Fund	3,333,771	3,476,320	3,525,303	3,526,308	(1,005)	3,525,302	3,526,308	(1,006)
Total Funds	\$4,333,020	\$4,514,235	\$4,573,176	\$4,570,373	\$2,803	\$4,576,106	\$4,574,713	\$1,393

Page References

LFA Budget Analysis (Vol. I), A 75-78
 Stephen's Executive Budget, A40

Current Level Differences

ONE-TIME EXPENSE, SB 379 - The LFA current level is lower due to the elimination of one-time expenses from the base that were for the implementation of probation and parole officer standards development as required by Senate Bill 379, 1991 session.

2,500 2,500

FIXED COSTS ALLOCATION - The LFA current level eliminates fixed costs from the fiscal 1992 base that were paid by a statutory appropriation.

2,200 2,200

DUES - The LFA current level is lower due to a reduction of funding for dues to historical average levels. The agency paid additional dues in fiscal 1992 for voting membership in a national juvenile justice advisory group.

2,165 2,165

OFFICE EQUIPMENT - The LFA current level is higher in equipment as it allows funds for the purchase of replacement office furniture requested by the agency but not included in the Executive Budget.

(1,500) (2,921)

INFLATION DIFFERENCES

(160) (269)

MINOR DIFFERENCES (NET)

(2,402) (2,282)

TOTAL CURRENT LEVEL DIFFERENCES2,803 1,393Budget Modifications

IMPROVED VICTIM SERVICES - This Executive Budget modification provides crime victim benefits state special revenue funds to increase administrative support for the crime victim benefits program (toll-free line and additional travel). See LFA Vol. 1, page A-76.

2,020 1,960

Language and Other Issues

All pass-through grant funds were individually line-itemed in the 1993 biennium appropriations bill and language was included stating that the line-itemed pass-through grants funds were biennial appropriations, as follows:

"Items xx through xx are biennial appropriations."

The 1993 biennium appropriations bill also included the following language (adjusted for reference to fiscal year):

"All remaining federal pass-through grant appropriation authority for the 1993 biennium is authorized to continue into fiscal 1994 and fiscal 1995."

"The board of crime control shall charge tuition and fees sufficient to reimburse the general fund for costs associated with the juvenile justice training program and for technical assistance provided to local law enforcement agencies. The tuition and fees collected must be deposited in the general fund."

The agency may request language that will allow additional appropriation authority in the event that additional federal pass-through grant funds become available. A possible option is to provide the agency "legislative contract authority" similar to the method used by the Dept. of Fish, Wildlife and Parks.

ISSUE: STATUTORY APPROPRIATION—Senate Bill 37, passed in the 1991 session, provides a statutory appropriation of 9.1 percent of net lottery proceeds for state grants to counties for youth detention services. In the 1993 biennium, the agency funded 1.0 FTE and related personal services and operating expenses for grant administration through the statutory appropriation. Although the fiscal note accompanying Senate Bill 37 in the 1991 session clearly indicated that funding was required for 1.0 FTE and operating expenses, the language in the final bill limited the statutory appropriation to pass-through grants only. If the agency is to continue charging the FTE and operating costs to the statutory appropriation, section 23-7-402, MCA would have to be amended to authorize the expenditures. Another option is to provide a separate appropriation in House Bill 2 for the costs of administering the grant. It should be noted that the 1989 legislature passed House Bill 583 amending existing statutory appropriations to eliminate statutory appropriations for expenses of administering or operating a program.

EXHIBIT 4
DATE 1/8/93
HB

Positions Removed by Joint Committee Action
House Appropriations & Senate Finance and Claims
January 6, 1993

EXHIBIT 5DATE 1/8/93~~HIS~~

		Total Personal Services		FTE		Total FTE Removed	Non-Approp. FTE
Position #	Position Description	Fiscal 1994	Fiscal 1995	Removed by 5% Reduction	Removed by Being Vacant		
All or Partial General Fund Positions							
	None					0.00	
Sub-Total		0	0	0	0	0	0.00
Non-General Fund Positions						0.00	
00008	Administrative Clerk III	20,392	20,415	0.00	1.00	1.00	
						0.00	
Sub-Total		20,392	20,415	0.00	1.00	1.00	0.00
TOTAL		20,392	20,415	0.00	1.00	1.00	0.00

STATE OF MONTANA
DEPARTMENT OF JUSTICE
BOARD OF CRIME CONTROL

EXHIBIT # 6
DATE 1/8/93
HB

Marc Racicot
Attorney General



303 North Roberts
Helena, MT 59620
Tel. (406) 444-3604
FAX (406) 444-4722

MEMORANDUM

TO: *Representative Mary Lou Peterson
Members of the Sub-Committee*

FROM: *Ed Hall* *EA*

DATE: *January 7, 1993*

SUBJECT: *Crime Control budget*

Below is a short list of considerations for the Sub-Committee's Executive Session.

- 1. MBCC requests that position number 00008 Administrative Clerk III, grade 8, be reinstated as part of our base FTE budget. The position is entirely federally funded.*
- 2. MBCC requests that the appropriated amount for certain federal pass through funds be increased as follows:*

	FY92	FY94	FY95
<i>Victim Assistance</i>	<i>333,000</i>	<i>381,000</i>	<i>381,000</i>
<i>Juvenile Justice</i>	<i>221,500</i>	<i>410,000</i>	<i>410,000</i>

And that a Modification to our budget be permitted to include federal pass-through funds previously appropriated under budget amendment:

	FY92	FY94	FY95
<i>Bud.A.</i>			
<i>Indian Victim Assistance</i>	<i>97,500</i>	<i>70,000</i>	<i>70,000</i>

EXHIBIT 6

DATE 1/8/93

~~HB~~

3. MBCC requests that our general fund for current level expenditures be reinstated by \$3,170. This is the amount that was reduced from general fund that should have been reduced from federal funds. (Dues \$2,165, Federal Position \$1,005)
4. MBCC requests that a committee bill be drafted which amends the language in 23-7-401(5)(c) MCA to clearly allow for administrative costs as originally intended in administering the Statewide Regional Juvenile Detention Program.
5. MBCC requests that language be inserted to allow remaining pass-through grant authority for the 93 biennium be authorized to continue into fiscal 1994 and fiscal 95.
6. MBCC requests that the appropriations for the pass-through grant funds and the victim's benefits be biennial appropriations.

cc: Clayton S.
John P.

File Name: A:\CHECK-L

2

STATE OF MONTANA
DEPARTMENT OF JUSTICE
BOARD OF CRIME CONTROL




Marc Racicot
Attorney General

EXHIBIT 7
DATE 1/8/93
HB

303 North Roberts
Helena, MT 59620
Tel. (406) 444-3604
FAX (406) 444-4722

MEMORANDUM

TO: *Representative Mary Lou Peterson
Members of the Sub-Committee*

FROM: *Ed Hall* 

DATE: *January 7, 1993*

SUBJECT: *Justification for retaining vacant position (#00008)*

Background:

The vacant position is position number 00008, classified as an Administrative Clerk III, grade 8 and was vacated November 9, 1992. The position is within the Juvenile Justice Unit shown on the attached organizational chart. The position is entirely federally funded from Juvenile Justice and Delinquency Prevention Act funds.

The position remained vacant and has not been advertized for several related reasons. First, we are in the process of re-programming the Juvenile Probation Information System (JPIS) and this position is responsible for much of the data entry, editing, and reporting related to that database. We are just now releasing the program to the field and there was little critical need to have the position filled during the interim. Second, the federal juvenile justice act and guidelines are undergoing substantial revision (note we are seeking increased spending authority to reflect those potential changes) and we may want to redefine the position slightly to better accommodate those changes. Third, as we changed the JPIS system I was also considering reclassifying the position to reflect those changes if needed.

Justification:

We are required to report to the federal juvenile justice office the State's compliance with the federal act mandates. We do so in part by maintaining an information system to statistically track the number of youth held in detention, both secure and

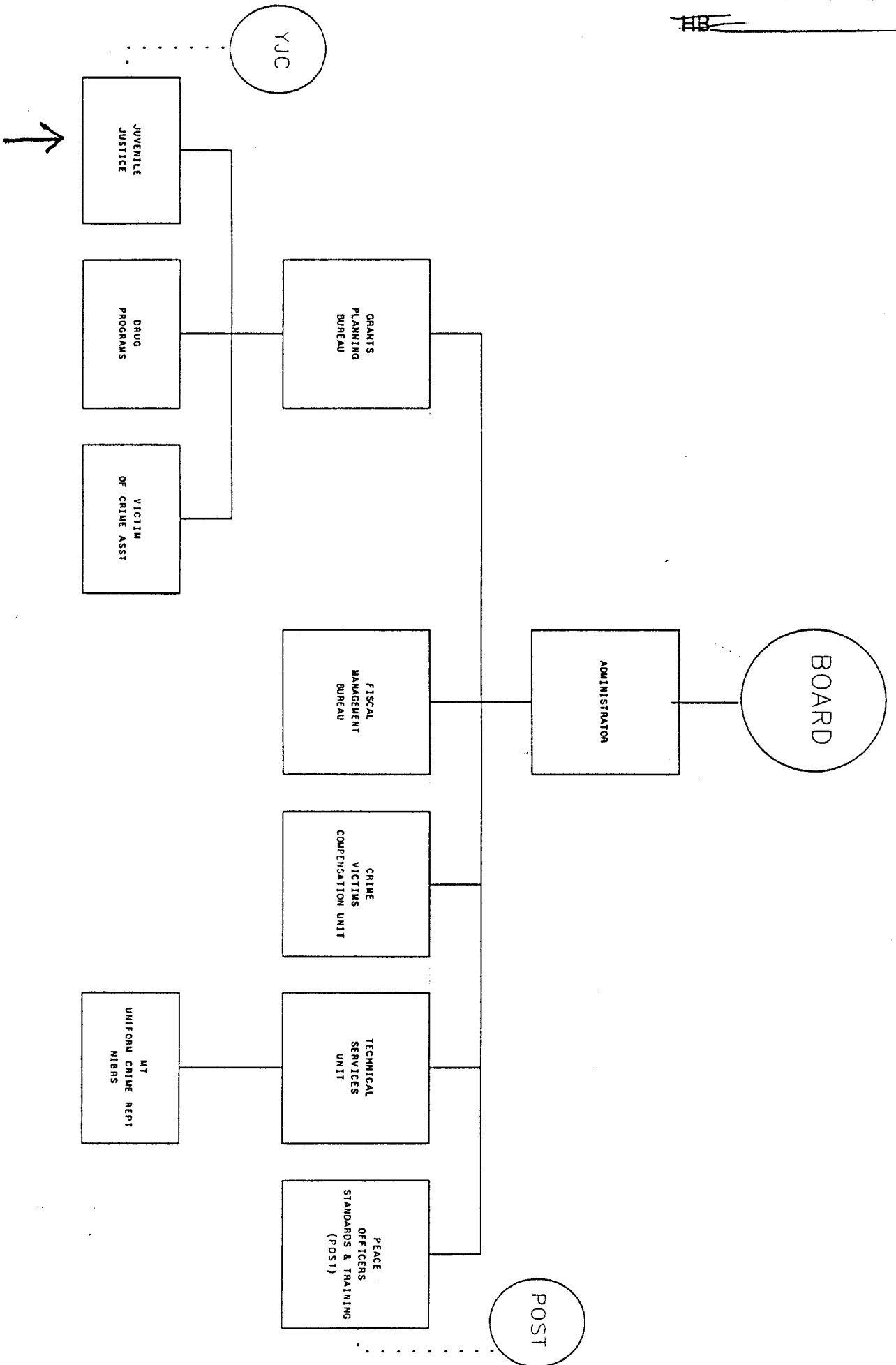
EXHIBIT 7

DATE 1/8/93

JB

non-secure. This position had the major duty of entering data from the field, editing data submitted via diskette, generating reports for others to use in composing compliance reports to the feds. The position provides training to users of the JPIS system in field (juvenile probation offices) regarding data entry, editing problems, etc. The position also had the duty of preparing correspondence, typing minutes of the Youth Justice Council meetings, mailing, etc. Because we operate the juvenile detention program as grants to regions of the state, the position also had the duty of entering data into our in-house grants management information system.

While I can not argue that this position is absolutely critical and without it we die, note that the position is fully funded from federal sources and is the only support type position within the juvenile area. This position is one of the lower grades within the division and is one of those positions which do the work, ie entering, typing, arranging, helping. If indeed the changes to JPIS and in the federal guidelines warranted, loss of the position would preclude any reclassification to enable the agency to best meet its mission regarding juvenile justice.



3202 00 00000

COMMISSIONER OF POLITICAL PRAC

DATE 1/8/93

Agency Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	3.25	3.25	3.25	3.25	0.00	3.25	3.25	0.00
Personal Services	92,858	93,761	97,697	97,576	121	98,021	97,901	120
Operating Expenses	38,172	26,212	31,315	27,859	3,456	29,135	24,774	4,361
Equipment	531	2,108	1,525	1,535	(10)	1,564	1,300	264
Debt Service	1,176	0	232	232	0	0	0	0
Total Costs	\$132,738	\$122,081	\$130,769	\$127,202	\$3,567	\$128,720	\$123,975	\$4,745
<u>Fund Sources</u>								
General Fund	132,738	122,081	130,769	127,202	3,567	128,720	123,975	4,745
Total Funds	\$132,738	\$122,081	\$130,769	\$127,202	\$3,567	\$128,720	\$123,975	\$4,745

Page References

Stephen's Executive Budget - A33
LFA Budget Analysis (Vol. I) - A 59-61

Current Level Differences

PRINTING - The Executive Budget is \$5,016 higher than LFA current level due to inclusion of: 1) \$2,500 in fiscal 1994 to print campaign finance and practice laws which is currently a function of the Secretary of State; and 2) \$2,516 more than LFA in fiscal 1995 to print the campaign finance book and forms.

CONSULTANT SERVICES - The Executive Budget includes \$2,000 for review and editing services, while LFA current level does not include funds for this purpose.

INFLATION - The Executive Budget contains \$576 more than the LFA current level due to inflationary adjustments.

MINOR DIFFERENCES - The Executive Budget contains a net \$476 more than the LFA for minor differences: 1) \$642 additional legal costs; 2) \$480 less office equipment rent; 3) \$254 additional equipment; 4) \$119 more travel and education; and 5) \$59 less communications, books, and longevity.

PERSONAL SERVICES - The Executive Budget contains \$244 more salary for the Commissioner than the LFA current level, which budgets the Commissioner's salary at the level set in statute (\$31,551 per year in fiscal 1993 and all subsequent years).

TOTAL CURRENT LEVEL DIFFERENCESBudget Modifications

None

Language

None

Exec. Over(Under) LFA
Fiscal 1994 Fiscal 1995

2,500 2,516

1,000 1,000

292 284

(347) 823

122 122

3,567 4,745

DATE 1/8/93~~HB~~

3201 01 00000

SECRETARY OF STATES OFFICE

Program Summary

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	22.50	22.50	21.25	22.50	(1.25)	21.25	22.50	(1.25)
Personal Services	543,308	536,669	552,725	563,795	(11,070)	554,103	565,183	(11,080)
Operating Expenses	361,108	406,713	366,117	346,124	19,993	419,394	364,934	54,460
Equipment	<u>7,313</u>	<u>7,561</u>	<u>13,770</u>	<u>18,427</u>	<u>(4,657)</u>	<u>7,057</u>	<u>7,057</u>	<u>0</u>
Total Costs	\$911,730	\$950,943	\$932,612	\$928,346	\$4,266	\$980,554	\$937,174	\$43,380
Fund Sources								
General Fund	<u>911,730</u>	<u>950,943</u>	<u>932,612</u>	<u>928,346</u>	<u>4,266</u>	<u>980,554</u>	<u>937,174</u>	<u>43,380</u>
Total Funds	\$911,730	\$950,943	\$932,612	\$928,346	\$4,266	\$980,554	\$937,174	\$43,380

Page References

Stephens' Executive Budget : pages A29 to A32
 LFA Budget Analysis: pages A-51 to A-58

Current Level Differences

PERSONAL SERVICES—The LFA current level is higher than the executive current level because the LFA includes all FTE authorized by 1991 legislature in current level (including the "5 percent reduction" FTE). Offsetting part of the difference, the executive current level includes some positive adjustments made during the first part of fiscal 1993 which are not in the LFA current level. The net impact of these two factors accounts for the difference in current level personal services.

(11,070) (11,080)

COMPUTER PROCESSING—The executive current level shows increase in cost of this service while the LFA current level uses historical costs which have actually decreased in recent years.

5,373 10,746

PRINTING—The LFA current level is lower because of certain printing being optional, and recognizes the cyclical nature of these expenditures.

3,550 7,250

MICROFILM SERVICES—The LFA current level uses fiscal 1992 actual expenditures. The executive current level assumes a workload increase.

3,092 4,792

POSTAGE—The LFA current level is based upon fiscal 1992 actual expenditures while executive current level assumes an increase in the number of mailings.

4,757 7,515

PUBLICATION EXPENSE—The LFA current level is lower, taking into account fiscal 1991 actuals and historical costs. The executive current level assumes that number of amendments requiring publication in fiscal 1995 will be comparable to fiscal 1993.

23,664

TRAVEL—The LFA current level uses fiscal 1992 actual expenditures.

2,254 2,425

MINOR DIFFERENCES—Generally, LFA current level uses fiscal 1992 actual expenditures.

967 (1,932)

EQUIPMENT—The LFA current level is higher than the executive current level for fiscal 1994 because the LFA current level includes a computer and printer not included in the executive current level.

(4,657)

TOTAL CURRENT LEVEL DIFFERENCES4,266 43,380Budget Modifications

Executive Budget Modifications (See LFA Budget Analysis 1995 Biennium, Vol. I, page A-53)

CORPORATE RECORDS DUPLICATION—This item would fund the cost of microfilming various records in the custody of the Secretary of State and would allow compliance with section 2-6-111(5), MCA, which specifies that the Secretary of State shall maintain at least two copies of all records.

32,500 32,500

RESTORE 5% REDUCTION—This would restore 1.25 FTE in this program that were deleted in response to section 13 of House Bill 2. It would also restore 0.45 FTE to this program that was deleted from the Records Management Program, resulting in a change of funding for these positions from proprietary to general funds.

38,526 38,569

DATE 1/8/93

HB 1/8/93

Elected Official Budget Modifications (see LFA Budget Analysis 1995 Biennium, Vol. I, pages A-53 & A-54)

NEW FILE SERVER AND UPGRADES—The agency requests a file server and new software to provide capacity to meet needs of office.

28,268

FIREPROOF STORAGE PURCHASE—Purchase of fireproof cabinets is estimated to cost \$50,000. An alternative would be lease purchase at a cost of \$12,748 per year for five years.

50,000

RECORDS FILMING—RETRIEVAL—The agency requests more efficient storage and retrieval of business registrations and uniform commercial code financing statements through purchase of microfilming equipment.

8,950

DATA PROCESSING PERSONNEL—The program requests a grade 15 data processing position to provide services currently provided by ISD, private vendors, consultants, and office staff.

33,566

33,566

Language and Other Issues

ISSUE: SENATE BILL 423—CORPORATE INFORMATION—This legislation allowed the Secretary of State to sell lists of certain corporate information. Revenues anticipated in bill's fiscal note have not been realized. Agency staff indicates that office did not have enough funding to generate lists. (See page A-54 of LFA Budget Analysis 1995 Biennium, Vol. I)

ISSUE: INCREASED CORPORATE FILING FEES—In the January 1992 special session, language was added to House Bill 2 which directed the secretary of State "to raise annual corporation report fees by an amount sufficient to deposit an additional \$150,000 in the general fund beginning in fiscal 1993". The fees which are established by administrative rules have not been increased. The Secretary of State is concerned that the fee increases would violate section 35-1-1206(3), MCA, which provides that the "fees must be reasonably related to the costs of processing the documents and preparing and providing the services". (See LFA Budget Analysis 1995 Biennium, Vol. I, page A-54)

3201 03 00000		Administrative Code Program					DATE 1/8/93	
SECRETARY OF STATES OFFICE								
Program Summary								
	Current Level	Current Level	Executive	LFA	Difference	Executive	LFA	Difference
Budget Item	Fiscal 1992	Fiscal 1993	Fiscal 1994	Fiscal 1994	Fiscal 1994	Fiscal 1995	Fiscal 1995	Fiscal 1995
FTE	3.50	3.50	3.25	3.50	(0.25)	3.25	3.50	(0.25)
Personal Services	99,762	104,379	99,013	104,413	(5,400)	99,134	104,538	(5,404)
Operating Expenses	80,241	75,864	115,877	91,338	24,539	102,129	89,409	12,720
Equipment	0	1,592	1,457	1,457	0	1,600	1,600	0
Total Costs	\$180,004	\$181,835	\$216,347	\$197,208	\$19,139	\$202,863	\$195,547	\$7,316
Fund Sources								
State Revenue Fund	180,004	181,835	216,347	197,208	19,139	202,863	195,547	7,316
Total Funds	\$180,004	\$181,835	\$216,347	\$197,208	\$19,139	\$202,863	\$195,547	\$7,316

Page References

Stephens' Executive Budget—Pages A29 to A32
 LFA Budget Analysis 1995 Biennium Vol. I—Pages A-51 to A-58

Current Level Differences

PERSONAL SERVICES—The LFA current level is higher than the executive current level primarily because the LFA analysis includes all FTE authorized by the 1991 Legislature including those FTE reductions for the "5 percent reduction" (0.25 FTE for this program).

(5,400) (5,404)

PRINTING — The LFA analysis reflects continuation at levels consistent with fiscal 1992 actual expenditures for printing of Administrative Rules of Montana and the Montana Administrative Register, while the executive current level includes additional authority in order to respond to potential demand increases and a new printing.

19,916 6,534

POSTAGE— The LFA current level is consistent with the fiscal 1992 actual expenditures. Fiscal 1992 was 62.6 percent higher than fiscal 1991 and consistent with fiscal 1990.

2,772 4,314

MINOR DIFFERENCES—Generally, LFA current level uses fiscal 1992 actual expenditures.

1,851 1,872

TOTAL CURRENT LEVEL DIFFERENCES

19,139 7,316

Budget Modifications

None

Language

None

Exec. Over(Under) LFA
 Fiscal 1994 Fiscal 1995

Budget Item	Current Level Fiscal 1992	Current Level Fiscal 1993	Executive Fiscal 1994	LFA Fiscal 1994	Difference Fiscal 1994	Executive Fiscal 1995	LFA Fiscal 1995	Difference Fiscal 1995
FTE	9.25	9.25	8.80	9.25	(0.45)	8.80	9.25	(0.45)
Personal Services	217,273	225,667	225,900	234,500	(8,600)	226,481	235,090	(8,609)
Operating Expenses	102,486	123,619	117,379	106,444	10,935	116,151	104,516	11,635
Equipment	8,355	10,000	22,395	8,355	14,040	23,755	8,355	15,400
Total Costs	\$328,115	\$359,286	\$365,674	\$349,299	\$16,375	\$366,387	\$347,961	\$18,426
<u>Fund Sources</u>								
Proprietary Fund	328,115	359,286	365,674	349,299	16,375	366,387	347,961	18,426
Total Funds	\$328,115	\$359,286	\$365,674	\$349,299	\$16,375	\$366,387	\$347,961	\$18,426

Page References

Stephens' Executive Budget—Pages A29 to A32

LFA Budget Analysis 1995 Biennium Vol. I—Pages A-51 to A-58

Current Level Differences

PERSONAL SERVICES—The LFA current level is higher than the executive current level primarily because the LFA analysis includes all FTE authorized by the 1991 Legislature including those FTE reductions for the "5 percent reduction" (0.45 FTE for this program).

OPERATING EXPENSES—The LFA current level is lower than the executive current level. The LFA analyses use fiscal 1992 actual expenditures (adjusted for fixed costs) because projected revenues which support this program are less than program costs.

EQUIPMENT—The LFA current level is lower than the executive current level because of the projected revenue shortfall as described for operating expenses above.

TOTAL CURRENT LEVEL DIFFERENCESBudget Modifications

Executive Budget Modification

RESTORE 5% REDUCTION—Restore 0.25 FTE in this program—LFA page A-53

Language and Other Issues

ISSUE: RECORDS MANAGEMENT PROGRAM REVENUES—Inadequate revenue in proprietary fund account which funds this program. See page A-54, LFA Budget Analysis 1995 Biennium Vol. I

Exec. Over	(Under)	LFA
Fiscal 1994	Fiscal 1995	Fiscal 1995

(8,600) (8,609)

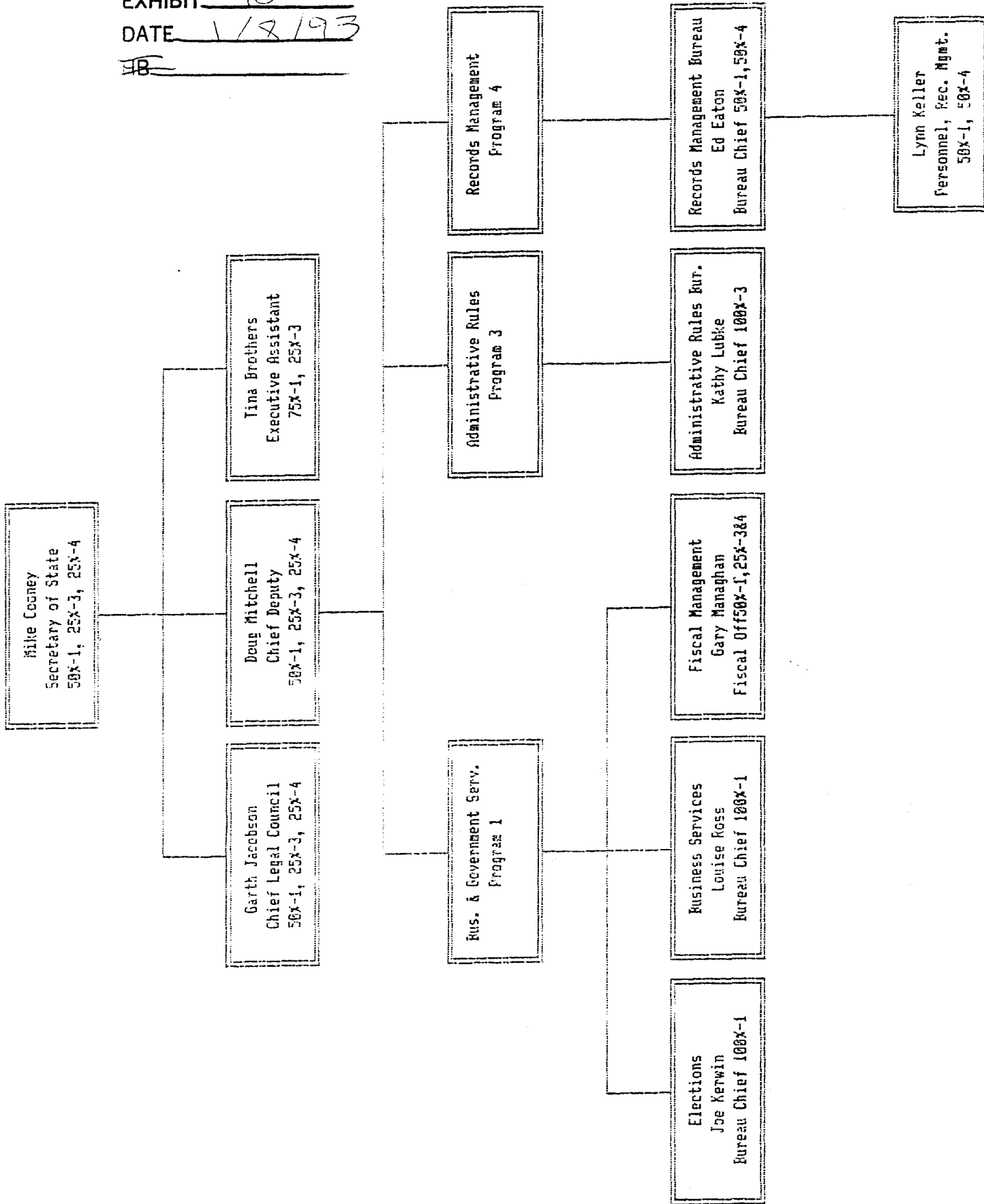
10,935 11,635

14,040 15,400

16,375 18,426

4,459 4,465

EXHIBIT 10
DATE 1/8/93
HB



HOUSE OF REPRESENTATIVES

EXHIBIT 11

Gen. Gov. & Hwys.

SUB-COMMITTEE

DATE 1/5/93~~HB~~

ROLL CALL VOTE

DATE 1/8/93 BILL NO. _____ NUMBER _____MOTION: RESTORE 1.25 + .45 FTE fromMen final. TOSEC OF STATE'S OFFICE

NAME	AYE	NO
Rep. Mary Lou Peterson-Chair		X
Sen. Harry Fritz-Vice Chair	X	
Rep. Marjorie Fisher		X
Sen. Gary Forrester	X	
Rep. Joe Quilici	X	
Sen. Larry Tveit		X

GEN. GOV. & HWYS. SUBCOMMITTEE DATE 1/8/93

PLEASE PRINT

PLEASE PRINT

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.