

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
53rd LEGISLATURE - REGULAR SESSION**

JOINT SUBCOMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN ROGER DEBRUYCKER**, on February 3, 1993, at 8:00 A.M.

ROLL CALL

Members Present:

Rep. Roger DeBruycker, Chairman (R)
Sen. Cecil Weeding, Vice Chairman (D)
Sen. Gerry Devlin (R)
Sen. Greg Jergeson (D)
Rep. John Johnson (D)
Rep. William Wiseman (R)

Members Excused: None

Members Absent: None

Staff Present: Roger Lloyd, Legislative Fiscal Analyst
Florine Smith, Office of Budget & Program
Planning
Theda Rossberg, Committee Secretary

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

Committee Business Summary:

Hearing: DEPARTMENT OF FISH, WILDLIFE & PARKS
Parks Division

Executive Action: DEPARTMENT OF FISH, WILDLIFE & PARKS
Parks Division

PLEASE NOTE: SEN. WEEDING presiding as Chairman of this meeting.

Pat Graham, Director, Fish, Wildlife and Parks, showed some flip charts to the committee. He reviewed the budget cuts, goals and accomplishments as challenges. EXHIBITS 1, 1A, 2

Roger Lloyd, Legislative Fiscal Analyst, passed out a sheet showing the order in which the committee will hear the different divisions. EXHIBIT 3

He said the graph shows the amount of Legislative Contract Authority in the Department of Fish, Wildlife and Parks. That has increased substantially since fiscal 1982. See EXHIBIT 3 for

other explanations.

Dave Mott, Fiscal Administrator, Department of Fish, Wildlife and Parks, said in working with LFA and OBPP they would like to try to make the hearings a little more efficient so they could consolidate the issues.

Allocation of Administrative Costs:

Mr. Mott said this will not involve the level of expenditures and there is no difference between the LFA, OBPP and the Department on how many dollars should be spent for administrative costs. It is just a matter of how the costs are allocated to the different programs within the agency.

Out of 22 state special revenue accounts in the agency, only seven of those are paying for administrative costs. The other 15 are not contributing anything. They have included those 15 in the administrative costs. The dollar amount has not changed, only the percentage of allocation which now includes all 22 accounts. This reallocation was at the direction of the last legislative session. For a listing of all the accounts and the allocation amount see EXHIBIT 4.

SEN. WEEDING asked whether they will be asking for a funding switch. Mr. Mott said if the committee approves this concept, then he will work with the LFA and OBPP to ensure that carries through as the committee establishes the funding of each program.

He said he spent a lot of time with the Montana Wildlife Federation and tried to explain what the administrative costs are. They felt that the allocation breakdown was fair.

SEN. DEVLIN asked if they used different percentage rates. Mr. Mott said for the operation budget, the rate is a little over 10%. They developed a different rate for the capital program which is 4.5%.

Tape 1, B.

CHAIRMAN DEBRUYCKER asked for the committee's reaction to the allocation costs as presented by the Department.

SEN. WEEDING said he was in agreement with the allocation plan.

SEN. DEVLIN said he thinks those other agencies should start paying their share.

Motion/Vote: SEN. DEVLIN moved to accept the allocation of administrative costs as presented to the committee. Motion CARRIED unanimously.

Legislative Contract Authority:

Mr. Mott said this is not a new idea. In order to spend any dollars they need appropriation authority. This authority is called Legislative Contract Authority (LCA). Ninety percent of

this is spent in the Fisheries Division and the Wildlife Division. The Bonneville Power Company has contracted with FWP to assess what impact their dams have had on fisheries.

In the wildlife area, some money comes from the Bonneville Power Company dams for the loss of habitat from the dams backing up. A lot of these are long time contracts and others are less time.

This contract authority could be run through as budget amendments which is paper intensive and inefficient. The other option is to add them into the true current level.

He said the total projected LCA is \$1,655,000 in FY94 and \$2,150,000 in FY95 in the Fisheries Division. In the Wildlife Division the amount is \$1,584,000 in FY94 and \$1,531,500 in FY94. EXHIBIT 5.

He reviewed the Current Language and the Proposed Language pertaining to LCA. EXHIBIT 6.

CHAIRMAN DEBRUYCKER asked whether Mr. Mott wants the committee to take action on the LCA at this time. Mr. Mott said he would like the committee to act on LCA budget request as well as the language. The funding is special revenue funds.

Mr. Mott said there is no cash balance in the budget at this time; this is just asking for spending authority for the estimated budget.

Motion: SEN. JERGESON moved to approve the proposed language and spending authority for the proposed budget for LCA.

Discussion:

SEN. DEVLIN said he doesn't think the committee can take action on the budget figures. Mr. Mott said those figures are their best estimates.

Mr. Lloyd said as the committee goes through each division's budget, they will be running into the LCA differences. The LFA level does not include any Legislative Contract Authority. Staff thought it would be easier to present all of them to the committee at one time instead of with each agency's budget. As Mr. Mott said, these are their best estimates and they are in the Executive request.

SEN. JERGESON said this would speed up the process and give the subcommittee extra days to do its other work.

REP. JOHNSON said there is no general fund involved in any of the budget figures.

Vote: Motion FAILED 3 to 3.

Motion/Vote: SEN. JOHNSON moved to approve the propose language

for the Legislative Contract Authority. Motion CARRIED unanimously.

Mr. Mott asked whether the subcommittee want them to come back and explain this program by program?

SEN. DEVLIN said he would like a history of each division.

Mr. Lloyd said a number of the continuing projects are listed on the yellow sheet. EXHIBIT 3.

The department is required to submit a report each year to the LFA office. He went back to FY90 and these are the projects that have continued over the years and are requested to continue in FY94 and FY95.

Federal Fair Labor Standards Act: EXHIBIT 7.

Mr. Mott said the Act affects some FWP divisions. The Act says that everyone is entitled to overtime for anything over a 40-hour work week unless specifically exempt from the law. The law says that only administration, professional or executive employees are exempt from overtime payments. This provision does not apply to agriculture workers.

They have salaried people who are now covered by the overtime provision. They are normally the entry level professional type. In June of 1992 they reclassified 51 positions that worked about 5,000 hours of overtime. Of the 5,000 hours they have been able to shift over about 80% where the law says they can earn comp-time of one and one-half times. They were unable to find a way to handle about 20%.

Tape 2, A.

He said there are three divisions that will be required to pay overtime because of reclassification. EXHIBIT 8.

SEN. DEVLIN asked whether this will continue and if FWP will have to reclassify employees again in the next couple of years. Mr. Mott said there has not been a reclassification before that he knows about. Some of the other agencies will also be requesting overtime funds because of the reclassification of employees.

Mr. Lloyd said in the LFA level, overtime was budgeted at a three year average plus 15% for benefits. The column under FWP is not what is in the Executive Budget. EXHIBIT 8.

Ms. Smith said they included in the Executive base what was actually expended in FY92. They agreed to let the department bring this before the committee.

SEN. DEVLIN said this hasn't been addressed in any of the Executive budgets. He recommended waiting until the full committee can address this overtime issue. Mr. Lloyd reminded committee members that the Department of Agriculture had asked for the overtime which was approved by this committee.

Ms. Smith said she doesn't believe the full impact of this overtime issue will be felt until FY94 and FY95 because a lot of the departments are still trying to work out what positions are exempt. They are finding that more positions are qualifying for overtime instead of comp-time.

Mr. Mott said the warden sergeants are not listed on this sheet. They do a lot of field enforcement work and FWP recently found out they are subject to that law; that is why they are not listed on this sheet.

Motion/Vote: SEN. JERGESON moved to approve the overtime as listed by the department because of the Fair Labor Standards Act. Motion CARRIED unanimously.

PARKS DIVISION BUDGET REVIEW:

Mr. Lloyd said in response to CHAIRMAN DEBRUYCKER'S priority list the Parks Division provided a list of their priorities. EXHIBIT 9.

Mr. Lloyd reviewed the LFA and Executive budget differences for the Parks Division with the committee. EXHIBIT 10.

Ms. Smith said on the Land And Water Conservation Fund Grants the Executive has \$700,000 appropriation. On the Montana Conservation Corps, these federal funds are approximately \$500,000 each year for grants and should not be confused with Governor Racicot's State of the State Address.

The Governor's Office will be drafting legislation and presenting to the General Government Subcommittee the creation of a coordinator in the Governor's office to coordinate all of the basic Community Service Act projects. They are proposing \$500,000 of U I Administration Tax funds for the biennium. EXHIBIT 11.

Mr. Graham said the Park Division has the most complex issues the committee will have to deal with.

Arne Olsen, Administrator, Parks Division, showed some slides of the different parks in Montana. He reviewed some of the accomplishments and needs of the park system. Visitation to the parks has increased by 40%. EXHIBIT 12.

He said the funding source for Park Management is revenue fees, coal tax, motor boat fuel tax, general fund and some private donations.

For other areas and the funding source, see EXHIBIT 13.

Tape 2, B.

SEN. DEVLIN asked what happened to the parks that FWP has not been able to develop. Mr. Olsen said many of them are still sitting there. In the 1970's when there was a lot of coal tax available, several parks were purchased. However, there weren't

any funds set aside to take care of them. They have 30,000 acres of parks and only ten percent of that acreage has had any human disturbance; 90% of those have nothing out there.

SEN. WEEDING asked whether the state fell heir to Pompey's Pillar?

Mr. Olsen said not yet, but a lot of people thought this should be part of the state park system. They resisted because they didn't think it was significant to be in the park system and the state cannot afford what it has.

SEN. JERGESON asked whether, for the coal tax that comes in, the Long Range Planning Committee still reviews projects to purchase these parks. Mr. Olsen said for several years they haven't purchased anything with coal tax dollars. It has been shifted totally into operations. The Long Range Planning Committee has looked at taking part of the coal tax money and putting it aside and spending it now rather than letting the interest build up. After two years the interest went flat. The argument was that there are historical sites in need of repair; if something isn't done soon, they won't be here. Therefore, all that money was spent on improvements of historic sites.

CHAIRMAN DEBRUYCKER said it looks to him, according to the statements, that people would rather stay in motels than in campgrounds. Mr. Olsen said 60% of the people in the camp grounds are residents and 40% are non-resident.

CHAIRMAN DEBRUYCKER said they come to this state because they want it wild and rustic, but they want a hot shower at the same time. Mr. Olsen reviewed the budget items with the committee.

Personal Services:

Item A, the 5% FTE reduction, will be deferred until the subcommittee discusses the modification.

Item B, Overtime - has already been discussed.

Item C, Attorney Position - this position will come up when during discussion of the FTE vacancy list. They had a permanent position of chief pilot who experienced some medical problems and cannot fly anymore. A part-time position came open and, even though it was a downgrade, this person was willing to take that because he needed the work. This was a department management position. In the meantime, because of his law enforcement skills, they agreed to pick him up for a .25 FTE to work the check stations. He is now in a split position between parks and law enforcement.

SEN. JERGESON asked whether approving the Executive would put the .25 FTE back into Central Management and in the future that .25 FTE would be transferred back to us. Mr. Olsen said no, that was just a one-time-only transfer. He is a permanent employee

and they hope to keep him as long as possible. He will be working 75% in the Parks Division and 25% in enforcement.

EXECUTIVE ACTION
PARKS DIVISION

Motion/Vote: SEN. JERGESON moved the Executive which would restore .25 FTE. Motion CARRIED 4 to 2 with SEN. DEVLIN and CHAIRMAN DEBRUYCKER voting no.

Item D, Other - Mr. Olsen said this item would be deferred.

Equipment:

Item A, Vehicle - this is to buy out the vehicle account. There are some specialty vehicles in the park that they can pick up from the Department of Transportation's surplus property. These are vehicles that are not used every day; for example, a specialty item for putting in a large culvert. They don't put many miles on these vehicles, but they are already high mileage items and it raises the vehicle mileage rate in the vehicle account. It was more economical to buy that vehicle than pay a mileage fee.

Motion/Vote: SEN. WEEDING moved to approve the Executive for \$15,000 each year of the biennium for the vehicle purchase. Motion FAILED 3 to 3.

Item B, General Fund Equipment -

Mr. Olson said they didn't have any dump trucks in the system. They can get by with a smaller surplus truck. These are used to haul debris from parks, patch roads, etc.

Land and Water Conservation Fund Grants:

See Explanation Pages C-18 and C-19, EXHIBIT 14.

Mr. Olson said this is a program that is 50% federal and 50% state match. About 750 projects have been done since its inception at about \$60 million. The money comes from off-shore drilling proceeds. There are three years to spend the funds, but sometimes it takes three years to come up with the match. The \$540,000 is for the pass-through to the local communities for their parks. They need spending authority for those funds.

SEN. DEVLIN asked if they want \$700,000 instead of \$540,000.

Ms. Smith said that is the difference between the LFA and Executive budget.

SEN. DEVLIN asked whether they have any funds on hand now.

Mr. Olson said they have not had to send any money back yet.

Motion: SEN. WEEDING moved to approve the Executive for \$540,000 in FY94 and zero in FY95 for Conservation Fund Grants.

Discussion:

SEN. DEVLIN said he would like to see something like local contributions. He asked whether there was any demand to have them contribute anything.

Mr. Olson said yes, they have to come up with an equal match.

Vote: Motion CARRIED unanimously.

Montana Conservation Corps:

Mr. Olson showed a video to the committee on the Montana Conservation Corps.

CHAIRMAN DEBRUYCKER asked what the amount of the grant was in 1992. Mr. Olson said they hadn't applied for any grants last session. They knew there was money available and were successful in receiving about \$.50 million. The figures in this budget are projected figures and they received more than that. They will need that \$.50 million in spending authority.

CHAIRMAN DEBRUYCKER asked whether they need the additional general fund money to get the grant. Mr. Olson said that would not affect the grant.

Tape 3, A.

Motion/Vote: SEN. JERGESON moved to approve the Executive for \$16,825 in FY94 and \$16,908 in FY95 for Item A, General Fund. Motion CARRIED 4 to 2 with SEN. DEVLIN and CHAIRMAN DEBRUYCKER voting no.

Motion/Vote: SEN. JERGESON moved to approve the Executive for \$253,734 for each year of the biennium for Item B. Grants. Motion CARRIED unanimously.

Motion/Vote: SEN. JERGESON moved to approve the language in Item C, as follows: "Item (Parks Division) contains \$246,266 from federal funds and \$54,699 from the general fund in fiscal 1994 and \$246,266 from federal funds and \$54,699 from the general fund in fiscal 1995 for the Montana Conservation Corps. It is the intent of the legislature that the department provide a liaison position to coordinate this program with the human resource development council." Motion CARRIED unanimously.

HOUSE NATURAL RESOURCES SUBCOMMITTEE

February 3, 1993

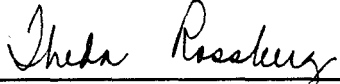
Page 9 of 9

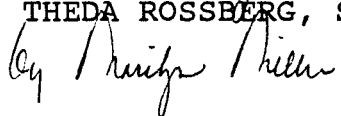
ADJOURNMENT

Adjournment: 11:45 A.M.



ROGER DEBRUYCKER, Chairman



THEDA ROSSBERG, Secretary


RD/tr

HOUSE OF REPRESENTATIVES

NATURAL RESOURCES SUB-COMMITTEE

ROLL CALL

DATE 2-03-93

NAME	PRESENT	ABSENT	EXCUSED
REP. ROGER DEBRUYCKER, CHAIRMAN	✓		
SEN. CECIL WEEDING, VICE CHAIRMAN	✓		
SEN. GERRY DEVLIN	✓		
REP. WILLIAM WISEMAN	✓		
REP. JOHN JOHNSON	✓		
SEN. GREG JERGESON	✓		

Parks Division Budget

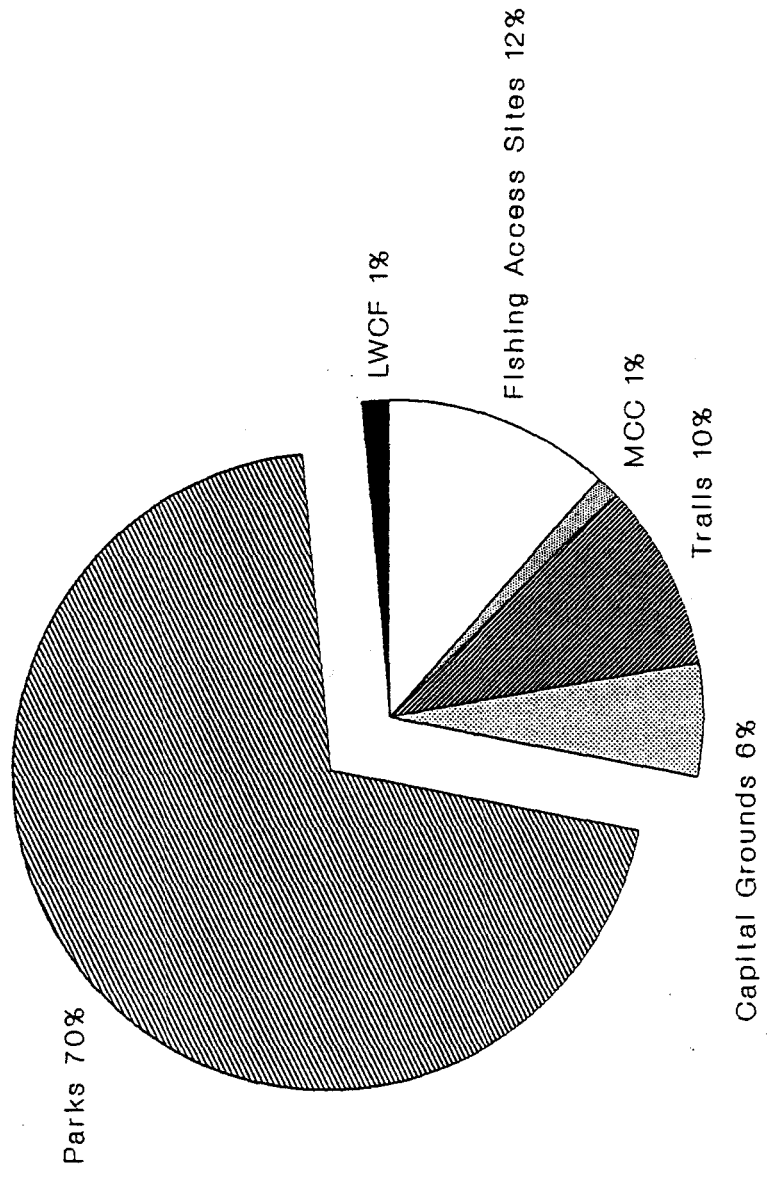


EXHIBIT 1
DATE 2/3/93
SB

GENERAL PARK MANAGEMENT

Products and Services

Parks -

- ▶ 42 Parks, 13 Affiliated Lands
 Largest - Makoshika, 8,834 Acres
 Smallest - Granite, 1 Building
- ▶ 302 Fishing Access Sites

Visitation - 2,1000,000 visitors in 1992 (estimate)

Acreage - 30,356

Tourism Benefits -

- ▶ 1650 Jobs
- ▶ \$18.15 Million Direct Labor Income
- ▶ \$50 Million Non-resident Expenditures

Most Popular Activities -

- ▶ Learning History & Culture
- ▶ Fishing
- ▶ Boating
- ▶ Picnicking
- ▶ Camping
- ▶ Wildlife Viewing

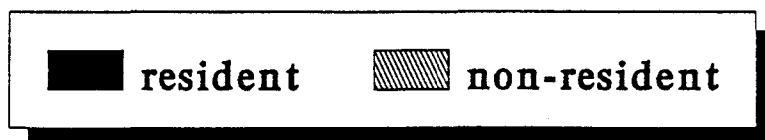
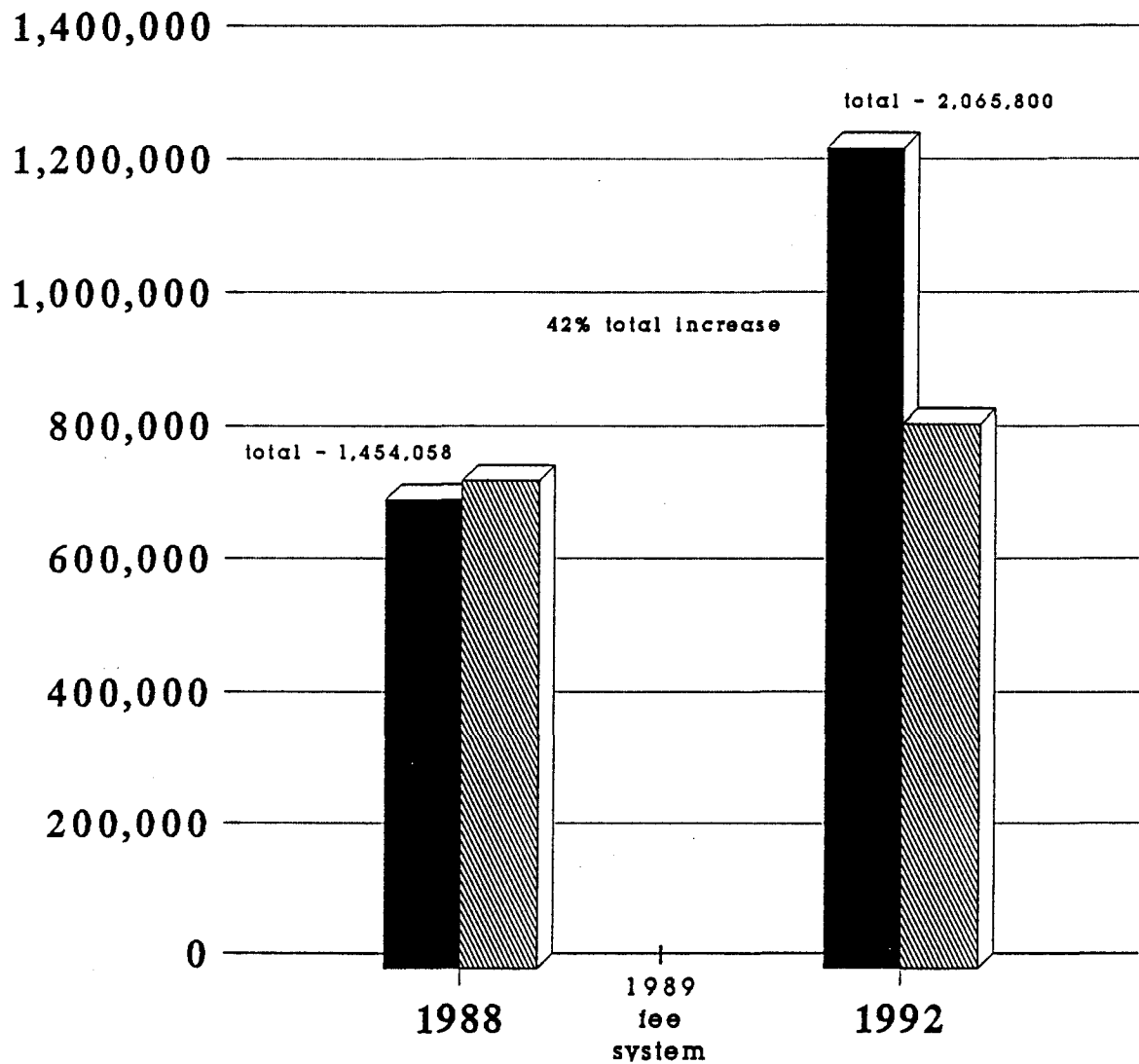
Most Needed Facilities -

- ▶ Better Roads
- ▶ Restrooms
- ▶ Drinking Water
- ▶ Campsite Improvements
- ▶ Showers
- ▶ Interpretive Facilities

EXHIBIT 1
DATE 2-3-1993
SB

EXHIBIT 1
DATE 2-3-93
SB

Visitation Montana State Parks



1988 - 1992

EXHIBIT

DATE

SB

PARKS FY93 BUDGET BY FUNDING SOURCE

SnoMo Gas Tax & Reg. (9.4%)

OHV Gas Tax & Reg. (3.2%)

Motorboat Fuel Tax (15.1%)

Grounds Maintenance (5.1%)

Federal (6.5%)

General License (15.3%)

Coal Tax (22.1%)

General Fund (8.0%)

Parks Earned Revenue (15.2%)

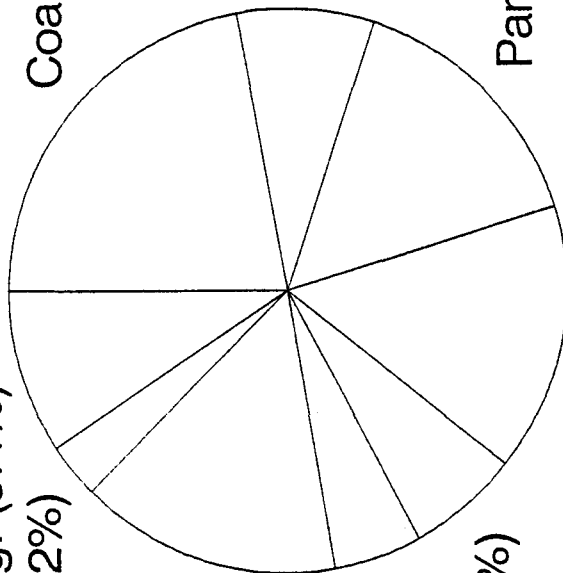


EXHIBIT 1A
DATE 2/3/93

The original is stored at the Historical Society, 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

Creating a ^{SB}

VISION

for the Future
of
Montana's Fish, Wildlife & Parks



The original is stored at the Historical Society, 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

ACCOMPLISHMENTS AND CHALLENGES

EXHIBIT 2
DATE 2/3/93

1989 - 1992



*Montana Department of
Fish, Wildlife and Parks*

November 4, 1992

2-3-93

NATURAL RESOURCES SUBCOMMITTEE

DEPARTMENT OF FISH, WILDLIFE AND PARKS

February 3, 1993

EXHIBIT 3DATE 2-3-93

SB _____

Hearing Order

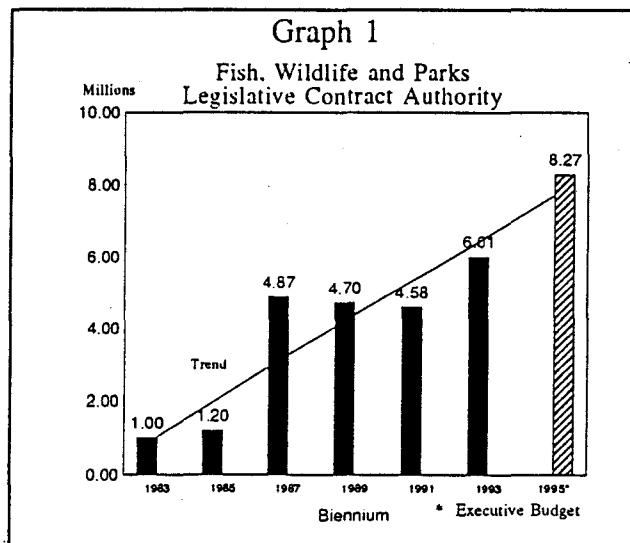
1. Department-wide Issues: 1) FLSA, 2) LCA, 3) Administrative Cost Proposal
2. Parks Division
3. Fisheries Division
4. Wildlife Division
5. Law Enforcement
6. Additional Law Enforcement Supplemental
7. Administration and Finance (Management Services)
8. Conservation Education
9. ^{FIELD Services} Department Management (Administration)
- (10. House Bill 131 - provides grants to establish & improve shooting ranges)

Department-Wide Issues

(See LFA Budget Analysis pages C 13-22)

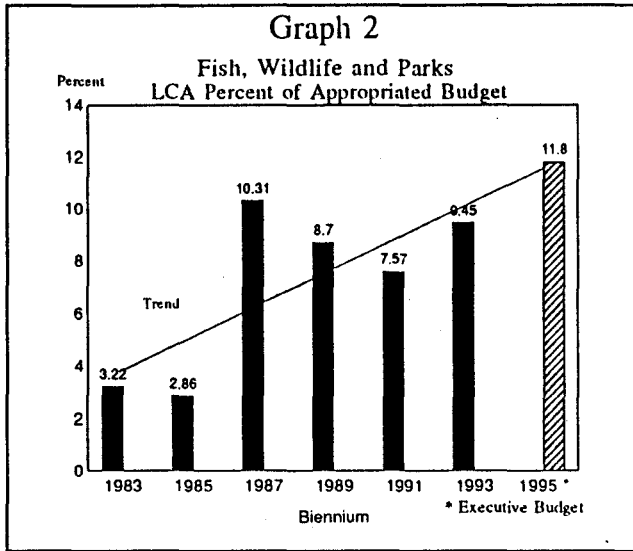
Legislative Contract Authority

1. Legislative contract authority (LCA) provides a means by which the legislature appropriates additional federal and private funds the Department of Fish Wildlife and Parks (FWP) receives after the legislature adjourns, thus eliminating the need for budget amendments. Historically, FWP has been the only agency authorized LCA; all other agencies must use the budget amendment process. However, in the 1993 biennium, LCA was also approved for the Montana State Library. The Executive Budget recommends that LCA be allowed for all state agencies during the 1995 biennium.



As shown in Graph 1, FWP has received \$22.4 million of LCA since fiscal 1982 when this mechanism was first established. Biennial LCA appropriations in FWP have increased from \$1.0 million in 1983 biennium to \$6.1 million in 1993 biennium, an average annual increase of over 18 percent. In comparison, 251 budget amendments totaling \$24.9 million were

approved for all other agencies in fiscal 1992. FTE added through LCA in FWP has also increased, from 37.58 FTE in fiscal 1990 to 48.00 FTE in fiscal 1992.



As Graph 2 shows, LCA has increased from 3.2 percent of the department's appropriated budget in the 1983 biennium to 9.5 percent in the 1993 biennium. The Executive Budget includes 11.8 percent of its 1995 biennium budget in LCA, the highest percentage since LCA began.

2. As with budget amendments, the need for LCA appropriations may not be known at the time the legislature is in session. However, there are some differences between budget amendments and LCA. Unlike budget amendments, the Legislative Finance Committee does not review each individual LCA request to

ensure it meets statutory criteria. Two of the statutory criteria of the budget amendment process is that funds were unavailable for legislative consideration and that additional services will be provided as a result of the expenditures. Much LCA activity does not meet these criterion. As Table A shows, projects funded through LCA do not provide additional services since these projects have been in existence for several biennia. The federal funds could have been presented for legislative consideration since these have been received for several years. As Table A shows, funding for many of the projects that began in fiscal 1990 with LCA and were continued with LCA in the 1993 biennium are again being requested for LCA in the 1995 biennium. The department should request spending authority for continuing projects and continuing federal funds through the budget modification process, rather than LCA.

Table A
Fish, Wildlife and Parks
Projects Continued with LCA

Project Title	Fiscal 1990	Fiscal 1991	Fiscal 1992	Request 1994	Request 1995
<u>Fisheries</u>					
Libby Res. Water Level/Fish	\$216,751	\$278,897	\$219,017	\$325,000	\$325,000
Flathead Basin Fish Monitoring	38,891	40,492	43,208	25,000	25,000
Libby Field Station Mainten.	26	800	3,934		
Upper Clark Fork EA Contract	17,987	18,500	34,182		
Bitterroot Coop Fish Biologist	32,067	32,226	34,040	50,000	50,000
Milltown Mitigation - MPC			23,489	70,000	70,000
Fort Peck Paddlefish - BLM			10,574	10,000	10,000
Madison R. Grayling/Trout	15,405	34,657	11,705		
Gallatin Forest Inventory		18,772	12,721		
Missouri R. Pallid Telemetry		5,746	2,630	20,000	20,000
Musselshell River Dace		67	1,986		
Missouri Pallid Sturgeon Study	52,968	38,359	48,022		
Yellowstone Sturgeon Study		12,189	20,543		
MT Rivers Info. System	83,086	33,086	76,995	92,000	92,000
Travel & Moving Costs	5,355	6,819	9,515		
DNRC Altamont Pipeline Study	1,421	18,329	12,168		
<u>Law Enforcement</u>					
Special Investigations	12,273	25,187	18,645		
<u>Wildlife</u>					
NWPA Mit. Coord. - USFS	16,931	17,782	20,327	25,000	25,000
Thompson Falls Mit. - MPC		1,494	11,012	4,000	4,000
Wildlife Mitigation - BPA	36,781	96,483	95,003	350,000	300,000
Hungry Horse Elk Project	79,240	47,435	87,933	150,000	150,000
Ten Lakes Bighorn Sheep			2,000	2,000	2,000
S. Fork G. Bear Project	81,655	94,265	77,358	100,000	100,000
S. Fork G. Bear Hab. - USFS	51,413	39,117	76,728		
S. Fork G. Bear Photo Monitor	10,892	9,649	10,472	50,000	50,000
Yaak G. Bear Study - USFS		946	894		
Libby/HH Wildlife Mit. - BPA		46,434	10,156		
Blackfoot/Clearwater Elk Eval.	3,581	969	4,000		
Upper Bighole Elk Opportunity	3,049	638	3,189	7,000	7,000
RMF G. Bear Project - BLM	3,587	2,623	730		
Prairie Potholes JV - FWS	26,603	39,175	30,977	150,000	150,000
Prairie Potholes JV - Private	24,559	24,863	25,025	25,000	25,000
Prairie Potholes JV - PR Grant	23,601	30,996	17,185	150,000	150,000
Hi-Line Duck Populat. - BLM		1,953	1,604		
Relocation and Training	3,157	1,538	1,649	17,000	17,000
Special Project Uniforms	1,248	1,113	379	1,000	1,000
Contract Travel	3,713	2,122	437	9,000	9,000
Memorial Account	3,400	70	1,223	4,000	4,000
Black Footed Ferret Reintro.	15,735	17,233	30,204	80,000	80,000
BLM Peregrine Reintroduction	2,010	1,565	324		
Piping Plover Study		1,288	4,143		
Tally Lake Whitetail Deer	10,747	14,482	7,144	13,000	1,000
Long Pines Turkey Study	23,309	22,501	2,105		
SW Mountain Pine Martin	6,084	19,733	19,975	11,000	3,000
Sun River Mountain Lion		793	10,906		
Elkhorn Elk Study	34,998	26,153	28,264	45,000	45,000
Maint. Elk Habitat - BLM	334	37	5,912		
Granite Butte Elk Hab. - Pvt.		11,253	7,920	10,000	10,000
<u>Conservation Education</u>					
Region 7 Interpretive Exhibits		2,343	1,527		
Banff		1,232	409		
<u>Department Management</u>					
Regional Office Assistance	37,310	41,169	49,981	200,000	200,000
Columbia Basin Council Dues	4,213	6,995	750	5,000	5,000
G. Park Ecosystem Mgn. Plan	41,476	44,422	49,405	100,000	100,000
Contract Uniforms	3,124	7,273	1,782	10,000	10,000
International Joint Commission	3,340	221	5,115		
TOTAL	\$1,032,320	\$1,292,484	\$1,251,458	\$2,110,000	\$2,040,000

3. In previous sessions, the legislature has added language in the general appropriations act concerning LCA:

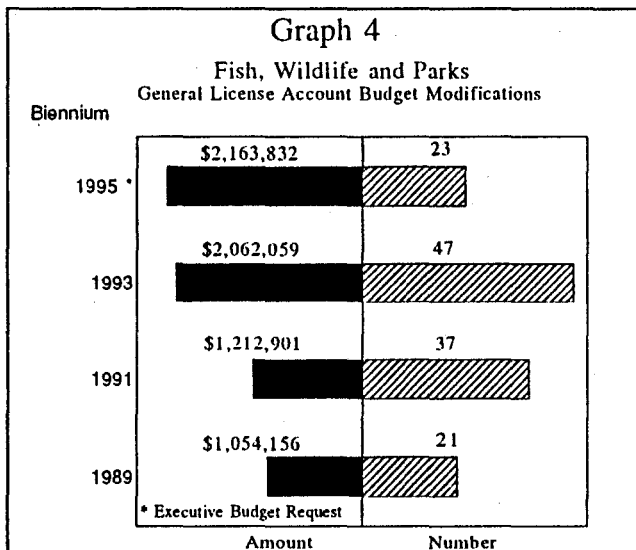
The appropriation for the legislative contract authority in items ... is subject to the following provisions:

- 1) Legislative contract authority applies only to federal and private funds.
- 2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.
- 3) A report must be submitted by the department to the legislative fiscal analyst following the end of each fiscal year of the biennium. The report must include a listing of projects, with the related amount of expenditures for each project.

The legislature may wish to include additional language requiring LCA to adhere to the same statutory criteria as budget amendments and requesting the department to report quarterly to the Legislative Finance Committee.

4. The Executive Budget includes \$8.3 million of LCA for the 1995 biennium, a 38 percent increase from the 1993 biennium appropriation. In a departure from previous biennia, \$3.9 million is requested in state special revenue from private sources. In the past, all LCA was appropriated as federal special revenue.

General License Account



The general license account is FWP's largest single funding source. Revenue is primarily hunting and fishing license fee collections. Operation expenditures from the account have been steadily increasing since fiscal 1987. Much of the increase is due to budget modifications which have added substantial spending authority to FWP (Graph 4). An LFA report issued in October 1990 analyzed the impact of the budget modifications in the 1993 biennium and concluded that, if they were approved, the account would become negative in the 1995 biennium. The modifications were approved and hunting and fishing license fees were increased in

the 1991 session (Senate Bill 171) to provide the additional revenue necessary to fund them.

If FWP's budget is funded at LFA current level, the fund balance in the general license account will increase during the 1995 biennium (Table F).

For the 1995 biennium, the Executive Budget includes 23 budget modifications totaling \$4,239,704. Of this amount, \$2,163,832 is from the general license account. At the spending level recommended in the Executive Budget, the account's fund balance will decline throughout the 1995 biennium, thus hastening the need for future fee increases (Table G).

Table F
FWP General License Account
LFA Current Level

	Fiscal 1992	Fiscal 1993	Fiscal 1994	Fiscal 1995
Beginning Balance	\$5,529,663	\$7,032,759	\$9,483,089	\$10,261,132
Revenues	<u>18,836,165</u>	<u>19,168,421</u>	<u>19,167,350</u>	<u>19,298,993</u>
Total Funds Available	\$24,365,828	\$26,201,180	\$28,650,439	\$29,560,125
<u>Disbursements</u>				
Program Expenditures	\$16,421,785	\$15,128,931	\$17,306,859	\$17,110,374
Continuing Capital Costs	541,023	514,230	410,448	34,037
Long Range Building Projects	189,327	1,074,930	672,000	672,000
Budget Modifications	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Disbursements	\$17,152,135	\$16,718,091	\$18,389,307	\$17,816,411
Adjustments	(180,934)	0	0	0
Ending Balance	\$7,032,759	\$9,483,089	\$10,261,132	\$11,743,714

Table G
FWP General License Account
Executive Budget

	Fiscal 1992	Fiscal 1993	Fiscal 1994	Fiscal 1995
Beginning Balance	\$5,529,663	\$7,032,759	\$9,483,089	\$8,626,135
Revenues	<u>18,836,165</u>	<u>19,168,421</u>	<u>19,167,350</u>	<u>19,298,993</u>
Total Funds Available	\$24,365,828	\$26,201,180	\$28,650,439	\$27,925,128
<u>Disbursements</u>				
Program Expenditures	\$16,421,785	\$15,128,931	\$17,841,057	\$17,621,242
Continuing Capital Costs	541,023	514,230	410,448	34,037
Long Range Building Projects	189,327	1,074,930	672,000	672,000
Budget Modifications	<u>0</u>	<u>0</u>	<u>1,100,799</u>	<u>2,163,832</u>
Total Disbursements	\$17,152,135	\$16,718,091	\$20,024,304	\$20,491,111
Adjustments	(180,934)	0	0	0
Ending Balance	\$7,032,759	\$9,483,089	\$8,626,135	\$7,434,017

4
2-3-93

DEPARTMENT OF FISH, WILDLIFE & PARKS
ALLOCATION OF ADMINISTRATIVE COSTS
NET IMPACT ON DEPARTMENT ACCOUNTS

FY94			FY95		
CURRENT	NEW	DIFFERENCE	CURRENT	NEW	DIFFERENCE

02061 Non-Game Wildlife Account: The source of funds is the voluntary contribution by taxpayers of income tax refunds and direct donations. These monies are to fund non-game wildlife management programs. (Section 87-5-121, MCA)

-0-	3,911	3,911	-0-	3,989	3,989
-----	-------	-------	-----	-------	-------

02085 Waterfowl Stamp Special Revenue Account: To account for revenue from the sale of stamps and related artwork for waterfowl. The money may be expended only for the protection, conservation and development of the wetlands in Montana. (Section 87-2-411, 412, MCA)

-0-	7,111	7,111	-0-	7,275	7,275
-----	-------	-------	-----	-------	-------

02086 Mountain Sheep Licenses: To account for revenue received from the annual auction of male mountain sheep licenses. The receipts must be used for the benefit of mountain sheep. (Section 87-2-722, MCA)

-0-	6,791	6,791	-0-	6,823	6,823
-----	-------	-------	-----	-------	-------

02112 Moose Auction Account: Accounts for revenue generated by the auction of one moose license each year. The funds must be used for moose related research, management, and habitat improvement. (Section 87-2-724, MCA)

-0-	923	923	-0-	950	950
-----	-----	-----	-----	-----	-----

2-3-93

FY94

FY95

CURRENT	NEW	DIFFERENCE	CURRENT	NEW	DIFFERENCE
---------	-----	------------	---------	-----	------------

02113 Upland Game Bird Enhancement:
Accounts for the costs of releasing pheasants on private lands, and enhancing upland game bird habitat. Funds are derived from a portion of the nonresident bird license, nonresident big game combination license, resident bird license, and the resident sportsman license. There is a limitation of 10% for certain program costs. (Section 87-1-246 - 250, MCA)

-0-	206,494	206,494	-0-	5,914	5,914
-----	---------	---------	-----	-------	-------

02114 Wildlife Habitat Acquisition: These funds are used for the acquisition, lease or easement of wildlife habitat. Funds are derived from a portion of the nonresident combination, antelope, moose, goat, sheep, lion, black bear, turkey, and deer combination licenses, and the resident sportsman license. A portion of these funds are earmarked for O&M. See description under account 02469, Wildlife Habitat Trust O&M. (Section 87-1-242, MCA)

-0-	112,560	112,560	-0-	112,560	112,560
-----	---------	---------	-----	---------	---------

DATE 8-2-84SB FY95

FY94

CURRENT NEW DIFFERENCE

CURRENT NEW DIFFERENCE

02115 Off-Highway Vehicle: The department receives the \$5 decal fee from owners of off-highway vehicles. The decal fee is distributed 40% for the enforcement of the off-highway vehicle registration act, and 60% for the development and implementation of an off-highway vehicle recreation program. The department also receives any fines collected for violations of this act. Fifty percent of these fines and the interest earned thereon is used for enforcement of the act, and the other 50% is used to promote vehicle safety and education. In addition, the department receives the \$5 off-highway vehicle dealer renewal of registration fee, and the \$5 registration fee. These fees are used to promote vehicle safety and education. (Sections 23-2-804, 807 and 61-3-510, MCA)

02148 Paddlefish Roe Account: The Department is authorized to enter into an agreement with a nonprofit organization to market donated paddlefish roe. The Department receives one-half of the net proceeds which are earmarked for the paddlefish fishery. (Section 87-4-601, MCA)

02149 River Restoration Account: Funds deposited in this account are earmarked for projects which will improve rivers and their associated lands for the purpose of conserving and enhancing fish and wildlife habitat. Funding of this program is provided by \$.50 from each resident fishing and sportsman license, \$1 from each nonresident season fishing license sold. (Section 87-1-258 through 87-1-259, MCA)

-0- 2,708 2,717 2,717

-0- 5,441 5,441 5,577

-0- 4,326 4,326 4,326

2-3-71

FY94

FY95

CURRENT NEW DIFFERENCE

CURRENT NEW DIFFERENCE

02213 Off-Highway Vehicle Fuel Tax: Of the state gasoline tax, 1/8 of 1% is earmarked for this accounting entity. Monies credited to this account may be used to develop and maintain facilities open to the public at no admission cost. Up to 10% of the money deposited may be used to repair areas that are damaged by off-highway vehicles. Ten percent of the money deposited must be used to promote off-highway vehicle safety. (Section 60-3-201 (1c) and (6), MCA).

-0- 12,070 12,070 -0- 11,944 11,944

02407 Snowmobile Fuel Tax: Of the state gasoline tax, .5% is earmarked for this accounting entity. Of this amount, 90% is for the development and maintenance of snowmobile facilities and the other 10% is used to promote snowmobile safety. (60-3-201(5), MCA)

79,020 45,195 (33,825) 79,020 45,220 (33,800)

02408 Coal Tax Trust Earnings: Designated for the management of the state park system. The source is the interest earned from the Coal Tax Trust Account. (15-35-108(3f), MCA)

207,350 104,520 (102,829) 204,236 105,265 (98,971)

02409 General License Account: For the support of the various programs carried on by the Department of Fish, Wildlife and Parks which benefit sportsmen. Revenue sources include the sale of fishing and hunting licenses (unless otherwise earmarked), miscellaneous permit sales, confiscated game sales, and MONTANA OUTDOOR subscription sales. (87-1-601, MCA)

2,929,375 2,849,975 (79,400) 2,946,770 3,037,778 91,009

CURRENT	NEW	DIFFERENCE
---------	-----	------------

CURRENT	NEW	DIFFERENCE
---------	-----	------------

02410 Real Property Trust Earnings - OEM:
 Supports operation, development and maintenance of department real property. Interest earned on deposits in the Real Property Trust Account is the source of revenue for this entity. (87-1-601(5), MCA)

02411 State Parks Earmarked Revenue:
 Supports general operations of the state park system. Sources are entry fees and camping fees collected at State Parks, cabin site rentals, concessionaire payments and other miscellaneous revenue. (23-1-105, MCA)

02412 Motorboat Fuel Tax: Of the gasoline taxes, .9% is earmarked for creation, improvement, and maintenance of parks where motorboats are allowed. (60-3-201(4), MCA)

02413 Motorboat Certification:
 Administration and enforcement of motorboat regulation statutes. The \$2.00 decal on motorboats and violation fines provide the funds. (23-2-512, MCA)

02414 Snowmobile Registration: Accounts for the \$2.00 decal fee for snowmobiles. Half used for enforcement of the act; the other half is used for development, maintenance, and operation of snowmobile facilities. All fines and forfeitures under this part are deposited to this account and used for snowmobile education and safety. (23-2-616, 23-2-644, MCA)

-0-	6,510	6,510	-0-	6,510	6,510
248,748	93,950	(154,799)	248,748	94,324	(154,424)
130,680	75,874	(54,806)	130,860	105,620	(25,240)
19,980	14,740	(5,240)	19,980	14,760	(5,220)
7,020	4,639	(2,381)	7,020	4,639	(2,381)

DATE 2-3-93

SB

FY94

FY95

CURRENT NEW DIFFERENCE

CURRENT NEW DIFFERENCE

02415 Fishing Access Site Acquisition and O&M: The source of funds is \$1.00 of each resident fishing license, \$1.00 of each nonresident 2-day license, and \$5.00 of each nonresident season fishing license. Funds credited to this account are used for fishing access site acquisition. Of the money, 25% can be used for operation, development and maintenance of sites acquired under this law. (87-1-605, MCA)

-0- 23,623 23,623 -0- 23,785 23,785

02469 Wildlife Habitat Trust Earnings - O&M: Funds deposited in this account are used for the development and maintenance of property managed for wildlife habitat. (See related account 02114, Wildlife Habitat Acquisition.) Interest earned on cash balances in the Wildlife Habitat Trust Account is the source of revenue for this entity. (87-1-242, MCA)

-0- 40,809 40,809 -0- 36,658 36,658

Total (Net Impact)

\$3,622,173 \$3,622,173 -0- \$3,636,634 \$3,636,634 -0-

EXHIBIT 0
DATE 2-3-93
SB

2-3-93

Department of Fish, Wildlife & Parks
FY94/95 Budget Request
LCA

DIVISION	FY94	FY95
Fisheries	1,655,000	2,150,000
Wildlife	1,584,000	1,531,500
Parks	160,000	160,000
Department Management	157,500	157,500
Conservation Education	80,000	80,000
Administration & Finance	65,000	65,000
Enforcement	55,000	55,000
Field Services	0	0
TOTAL	3,756,500	4,199,000

*deduct special rev. funds
auth*

EXHIBIT 5
 DATE 2-3-93
 SB _____

LCA FOR FY 94-95 FISHERIES

	<u>FY 94</u>	<u>FY 95</u>
<u>REGION 1</u>		
Montana Rivers Info. System (BPA)	92,000	92,000
Hungry Horse Mitigation (BPA)	419,000	419,000 -
Hungry Horse Fish Passage (BOR)	150,000	200,000
Libby Reservoir/Kootenai IFIM (BPA)	325,000	325,000
Flathead N. F. Fisheries Monitoring (F.S.)	25,000	25,000
DSL Fisheries Monitoring (State)	8,000	8,000
Glacier N. P. Fisheries Monitoring (GNP)	8,000	8,000
<u>REGION 2</u>		
Milltown Mitigation (MPC)	70,000	70,000 -
Bitterroot Co-op Position (N.F.)	50,000	50,000
ARCO Restoration Mitigation Fund	90,000	90,000 -
Bull Trout Recovery (BLM/FWS/F.S.)	70,000	70,000
<u>REGION 3</u>		
Gallatin Forest Co-op Position (F.S.)	37,000	37,000
MPC Mitigation (MPC)	76,000	271,000 -
Forest Service Contracts (F.S.)	10,000	10,000
<u>REGION 4</u>		
Missouri River Pallid Sturgeon Telemetry Study (Section 6-FWS)	20,000	20,000
MPC Mitigation (MPC)	60,000	300,000 -
BLM Co-op position (BLM)	35,000	35,000
<u>REGION 5</u>		
Bighorn River Ranger (5 months/year) (BLM)	20,000	20,000
Boulder River Creel Survey (PGM Res.)	0	10,000
<u>REGIONS 6 & 7</u>		
Pallid Sturgeon (COE)	80,000	80,000
Fort Peck Paddlefish (BLM)	10,000	10,000
TOTAL PROJECTED LCA	\$1,655,000	\$2,150,000

MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS
Wildlife Division

LCA Request for FY94 and FY95

Purpose	Funding Source	FY94	FY95
NW Power Act Mitigation Coord. USFS			
Wildlife Habitat Protection	BPA Trust	25,000	25,000
Thompson Falls Mitigation	NIPC Trust	350,000	300,000
Libby /III Mitigation	BPA Trust	4,000	4,000
Hungry Horse Elk Project	BPA Trust	250,000	275,000
Ten Lakes Bighorn Sheep	FNAWS	150,000	150,000
Ten Lakes Bighorn Sheep	USFS	2,000	2,000
W.H. Island Sheep Trapping	USFS	3,000	3,000
Sec. 6 S. Fk. Grizzly Study	FNAWS	2,000	2,000
S. Fk. Grizzly Monitoring	USFS	100,000	100,000
Upper Bighole Elk Hunter Eval.	ES	50,000	50,000
Prairie Potholes Joint Vent.	USFS	7,000	7,000
Prairie Potholes Joint Vent.	USFS	150,000	150,000
Prairie Potholes Joint Vent.	TNC	25,000	25,000
Contract Relocation/Training	PR	150,000	150,000
Special Projects - Uniforms	(overhead)	17,000	17,000
Contract Travel	(overhead)	1,000	1,000
Memorial Account	(overhead)	9,000	9,000
Nongame Newsletter	Private	4,000	4,000
Sec. 6 B - F Ferret Reint.	Anduhon	3,000	3,000
Kootenai WT Deer Project	USFS	80,000	80,000
Tally Lake WT Project	USFS	3,000	3,000
Tally Lake WT/Wolf Project	USFS	13,000	1,000
SW MT Pine Marten Project	USFS	4,000	4,000
N. Fk. Grizz. Habitat Project	USFS	11,000	3,000
E. Front. Mtn. Lion	USFS	17,000	4,500
Canyon Ferry O & M	US/SCI	26,000	30,000
Elkhorns Elk Study	BOR	8,000	8,000
Granite Butte Elk Project	USFS	45,000	45,000
Granite Butte Elk Project	BI M	15,000	6,000
Pryor Mtn. Studies	RMEF	10,000	10,000
RMEF Challenge Grant	Private	5,000	5,000
Highland Sheep	Private	20,000	20,000
Highland Sheep	BI M	15,000	15,000
	FNAWS	10,000	20,000
Totals		\$1,584,000	\$1,531,500

5
2-3-93

Current Language

If the department receives private funds, it may increase its state special revenue appropriation and decrease its federal revenue appropriation by like amounts.

The appropriation for the legislative contract authority in items 1b, 3b, 4a, 5b, 6b, 7b and 8a is subject to the following provisions:

- (1) Legislative contract authority applies only to federal and private funds.
- (2) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.
- (3) a report must be submitted by the department to the legislative fiscal analyst following the end of each the fiscal year of the biennium. The report must include a listing of projects, with the related amount of expenditures for each project.

Proposed Language

1432

The appropriation for the legislative contract authority in items Xx, Xx, Xx, Xx, Xx, Xx and Xx is subject to the following provisions:

- (1) Legislative contract authority applies only to federal and private funds.
- (2) The department may transfer appropriation authority between state special revenue and federal special revenue. Transfers may not change the total appropriated to the department for legislative contract authority.
- (3) Legislative contract authority expenditures must be reported on state accounting records. The records must be separate from current level operations.
- (4) A report must be submitted by the department to the legislative fiscal analyst following the end of each the fiscal year of the biennium. The report must include a listing of projects, with the related amount of expenditures for each project.

STATE AND LOCAL GOVERNMENT EMPLOYEES
UNDER THE FAIR LABOR STANDARDS ACT

GENERAL STATEMENT

The federal Fair Labor Standards Act (FLSA) contains minimum wage, overtime pay, and recordkeeping requirements. These requirements apply to all State and local government employees, except employees who qualify for exemption from the requirements of FLSA.

EXEMPTIONS

Certain employees are exempted from the FLSA and not subject to overtime payment.

- 1) Administrative employees:
 - a. Duties consist of implementing management policies requiring discretion and independent judgement by the employee (Personnel Manager).
- 2) Professional employees:
 - a. Work performed requires an advanced degree (Field Biologist).
- 3) Executive employees:
 - a. Duties consist of the management of a department (Division Administrator).

AGRICULTURAL WORKERS

Section 13(b)(12) of FLSA provides that the overtime pay provisions of FLSA do not apply to employees engaged in agricultural work.

EXHIBIT
DATE 2-3-93SB 2-3-93Federal Fair Labor Standards Act
Overtime Related To The Change In Status of Some Employees

Division	FWP	FY94		FWP	FY95	
		LFA	Diff.		LFA	Diff.
Admin. & Finance	\$16,500	\$9,973	\$6,527	\$18,500	\$9,973	\$8,527
Fisheries	\$5,000	\$3,954	\$1,046	\$5,000	\$3,954	\$1,046
Parks	<u>\$20,000</u>	<u>\$15,948</u>	<u>\$4,052</u>	<u>\$22,000</u>	<u>\$15,948</u>	<u>\$6,052</u>
Total	<u>\$41,500</u>	<u>\$29,875</u>	<u>\$11,625</u>	<u>\$45,500</u>	<u>\$29,875</u>	<u>\$15,625</u>

Note: Does not include change in status of warden sergeants.
This will be discussed in the Law Enforcement budget.

Signature
Approved

**Montana Department
of
Fish, Wildlife & Parks**

2-3-93



EXHIBIT 9
DATE 2-3-93
SB _____

January 26, 1993

Representative Roger DeBruycker
Chairman, Natural Resources
Appropriation Subcommittee

Dear Representative DeBruycker:

Per your request, attached is an explanation of the proposed spending cuts in general fund from our Parks program. The biennial total is \$106,988.

We will be available to address the details during our budget hearing beginning February 3.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Pat Graham', with a long horizontal flourish extending to the right.

Pat Graham,
Director

c: Roger Lloyd, LFA ✓
Flo Smith, OBPP
Arnie Olsen

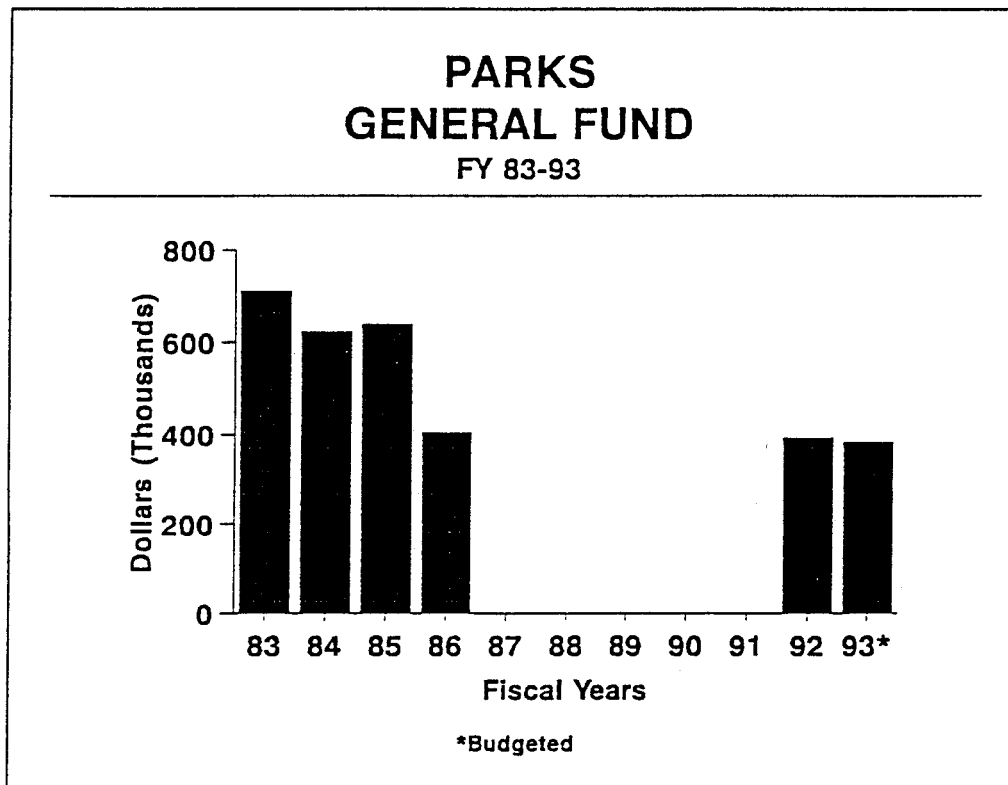
EXHIBIT 9
DATE 2-3-93

DEPARTMENT OF FISH, WILDLIFE AND PARKS
GENERAL FUND REDUCTIONS
PARKS PROGRAM
January 27, 1993

PARKS GENERAL FUND

All of the general fund at the Department of Fish, Wildlife and Parks is spent in the Parks Program.

As instructed in Representative Roger DeBruycker's letter of January 21, the targeted amount of reduction in the general fund is \$106,988. A review of the historic data shows that Parks has previously taken large reductions in general fund dollars. The FY93 general fund budget is \$384,598. Eleven years earlier FY83 expenditures from the general fund were \$712,248, or a 46% reduction. Furthermore, the general fund was entirely eliminated in FY87 through FY91. The following graph shows eleven years of general fund allocations to Parks.



The graph illustrates the Parks program has already taken significant cuts in the general fund.

PRIORITIZED LIST OF GENERAL FUND ACTIVITIES

2-3-93 -

Priority	Description	FY92 Actual	FY93 Budgeted	FY94	FY95
1	<u>Park Maintenance and Repair</u> This priority involves road, campsite and dock repairs, maintenance equipment, park utilities, weed control, and trail repairs and maintenance. (23-1-102; 7-22-2116, MCA)	\$213,738	\$175,389	\$185,833	\$185,975
2	<u>Montana Conservation Corps (MCC) Program</u> This priority involves program coordination and grant oversight of the National Community Service Act (\$500,000) and coordination with MCC Inc, and HRDCs our private non-profit partners. Other internal support is provided to field projects using youth crews from this funding source. (23-1-301 through 314, MCA)	\$ 47,590	\$ 54,272	\$ 71,471	\$ 71,631
3	<u>Visitor Services and Safety</u> This includes tour guides, visitor protection (park rangers and enforcement support), park caretakers, water quality testing, site security, safety improvements, native american and university student interns. (23-1-121; 75-6-104, MCA)	\$ 64,165	\$ 82,432	\$116,553	\$116,805
4	<u>Park Partnership Support</u> FWP has turned control of various parks over to other agencies to manage as a cost saving measure. These funds are FWP's contribution to a partnership at East Gallatin Park near Bozeman. Without this agreement, FWP would assume all maintenance and development at a much higher cost. (23-1-107; 87-1-209, MCA)	\$ 4,500	\$ 4,500	\$ 4,500	\$ 4,500
5	<u>Tourism Enhancement</u> These funds are used to investigate and establish links between State Parks and Montana's tourism industry. Examples include the economic development and tourism report done for three state parks and surrounding communities. This project also includes joint tourist information publications with Commerce. (23-1-107; 23-2-101, MCA)	\$ 8,758	\$ 8,918	\$ 19,064	\$ 11,819
6	<u>Information, Education and Interpretation</u> Includes park directional and internal signing, education and interpretation materials for youth, school groups and tourists. Special events and programming such as Bannack Days, park brochures, and a campsite reservation and information system. (87-1-210; 23-1-101, MCA)	\$ 54,671	\$ 59,087	\$ 23,814	\$ 23,814
TOTAL		\$393,422	\$384,598	\$421,235	\$414,544

Impact of Reductions

The impact of a \$106,988 reduction in general fund will be less visitor services due to a reduction in informational brochures, inadequate signing, fewer special events and elimination of our camping reservation system. Due to less promotion and directional signing there will be lower visitation to our sites. With lower visitation user fee collections will be reduced and dollars will be lost to local economies since park visitors buy goods and services in nearby communities. Further impacts include a reduction in information and education efforts especially for youth and school groups. The removal of the departments contribution to any site management partnership agreement currently in place will result in a higher financial liability for the Parks Division since they will have to assume the entire responsibility. This cut would also negatively impact community relationships and jeopardize volunteer efforts. A reduction in site security and safety improvements will result in higher potential for visitor injuries, more state liability claims, less visitor safety, more park vandalism and a higher incidence of crime. There will also be an overall decline in visitor satisfaction based on these cumulative visitor services reductions.

5201 06 00000

DEPT OF FISH, WILDLIFE & PARKS
Program Summary

Parks Division

EXHIBIT 10

DATE 2-3-99

SB

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	97.67	99.33	92.79	92.54	0.25	92.79	92.54	0.25
Personal Services	2,314,697	2,418,653	2,463,395	2,473,699	(10,304)	2,476,556	2,487,576	(11,020)
Operating Expenses	1,610,452	1,905,786	1,633,526	1,442,297	191,229	1,653,500	1,460,062	193,438
Equipment	173,069	216,251	254,782	165,250	89,532	227,932	143,017	84,915
Grants	79,936	246,173	1,200,000	406,266	793,734	500,000	246,266	253,734
Transfers	0	33,000	160,000	0	160,000	160,000	0	160,000
Total Costs	\$4,178,156	\$4,819,863	\$5,711,703	\$4,487,512	\$1,224,191	\$5,017,988	\$4,336,921	\$681,067
Fund Sources								
General Fund	393,422	384,598	421,235	423,055	(1,820)	414,544	423,055	(8,511)
State Revenue Fund	3,424,759	3,814,088	3,661,804	3,398,009	263,795	3,689,504	3,422,292	267,212
Federal Revenue Fund	122,331	314,122	1,244,200	430,466	813,734	544,200	270,466	273,734
Proprietary Fund	237,642	307,055	384,464	235,982	148,482	369,740	221,108	148,632
Total Funds	\$4,178,156	\$4,819,863	\$5,711,703	\$4,487,512	\$1,224,191	\$5,017,988	\$4,336,921	\$681,067

Page ReferencesLFA Budget Analysis, Vol. II pages C 33-35
Executive Budget pages C 10-11**Current Level Differences**

CAPITOL GROUNDS MAINTENANCE PROGRAM—The committee has already taken action on these differences. The committee has already approved the reinstatement of position #96446 (0.50 FTE). The committee may wish to add language specifying that the 0.50 FTE and expenditures from the \$15,030 appropriated for operations not be contained in the LFA and OBPP 1997 biennium budget.

PERSONAL SERVICES

- A. Both the LFA and the executive eliminates 4.99 FTE in response to the 5% personal services reduction.
 B. Overtime—The LFA current level reflects a 3-year average plus 15% benefits.
 C. Attorney position—The executive transfers 0.25 FTE (grade 12) to a grade 17 attorney in the Department Management Division *Deputy Asst. Dir. Mgmt.*
 D. Other—The executive imposes vacancy savings so the program would meet the 5% personal services reduction.

EQUIPMENT

- A. The executive includes amounts to buyout the vehicle account. *Vehicle Expenses*
 B. General Fund Equipment—The LFA level is within a 3-year average and reflects the purchase of two 1-ton trucks and does not include a utility trailer. \$8,250 in fiscal 1994 and \$12,600 in fiscal 1995 of the LFA budgeted equipment is contained in the executive "Parks Deficit" budget modification. If the LFA equipment level is approved, the modification request may be lowered by these amounts.

LAND AND WATER CONSERVATION FUND GRANTS (Biennial appropriation)—The LFA reflects approximately double fiscal 1992 actual grant expenditures. The 1991 Legislature authorized a \$700,000 biennial appropriation for this item. Excess federal authority was used for other purposes. See LFA Budget Analysis pages C 19-20 for issues concerning LWCF. *Vehicle Expenses*

MONTANA CONSERVATION CORPS

- A. General Fund—The LFA funds this program with general fund at the level approved by the 1991 Legislature.
 B. Grants (federal)—The LFA current level reflects the amount appropriated by the 1991 Legislature.
 C. The 1991 Legislature included the following language in the general appropriations act (adjusted for the 1995 biennium): "Item [Parks Division] contains \$246,266 from federal funds and \$54,699 from the general fund in fiscal 1994 and \$246,266 from federal funds and \$54,699 from the general fund in fiscal 1995 for the Montana Conservation Corps. It is the intent of the legislature that the department provide a liaison position to coordinate this program with the human resource development council." *Deputy Asst. Dir. Mgmt.*

SNOWMOBILE PROGRAM

- A. The executive requests an increase from the \$219,449 spent in fiscal 1992. *Deputy Asst. Dir. Mgmt.*

Exec. Over(Under) LFA
Fiscal 1994 Fiscal 1995

58,482 58,632

0 0

(2,735) (2,735)

(8,604) (8,673)

(4,734) (3,293)

15,000 15,000

(17,500) (22,000)

540,000 0

16,825 16,908

253,734 246,266

253,734

100,000 100,000

B. Equipment—The executive requests the purchase of snowgrooming equipment. The 1991 Legislature appropriated \$105,409 in the 1993 biennium for this purpose. Nothing was spent. *Jergensen Passed.*

PARKS GENERAL FUND—The LFA current level reflects general fund appropriated by the 1991 Legislature. *Dealin Passed*

OFF-HIGHWAY VEHICLES PROGRAM—The executive requests an increase to fund a trails EIS and for off-highway vehicle trail maintenance. *Jergensen - 40,000*

LEGISLATIVE CONTRACT AUTHORITY—See LFA Budget Analysis pages C 13-15 for a discussion of this issue.

MINOR DIFFERENCES *Dealin - Exp. Passed.*

INFLATION (Non-voting item)

TOTAL CURRENT LEVEL DIFFERENCES

Executive Budget Modifications

EXPAND FISHING ACCESS SITES—The executive recommends additional federal funds for operation and maintenance at fishing access sites. By consolidating LWCF funded sites, the number of sites eligible to receive federal funds will increase. See page C-12. *Jergensen - Passed*

STATE PARKS DEFICIT—The executive recommends general fund to reinstate 4.99 FTE eliminated in response to the 5% personal services reduction. The executive states this general fund modification is contingent on enactment of a general sales tax (see page C-11 of the Executive Budget). See pages C-12 and pages C 17-18 in the LFA Budget Analysis. If the LFA equipment level was approved (from "Equipment" above, this modification can be reduced \$8,250 in fiscal 1994 and \$12,600 in fiscal 1995.

TOTAL MODIFIED LEVEL

Language and Other Issues

A. See language written above in "Montana Conservation Corps". *deleted by J.W. met.*

B. Remaining appropriations from the Parks Miscellaneous account leaves a negative fund balance at the end of fiscal 1995 if funds are appropriated at the LFA and executive level. See LFA Budget Analysis pages C 17-18 for a discussion of this and other funding issues.

C. The issue concerning the Land and Water Conservation Fund mentioned above is on pages C 19-20 in the LFA Budget Analysis.

90,000 90,000

360 (1,990)

25,160 29,555

160,000 160,000

(1,856) (3,985)

59 (83)

1,224,191 681,067

0 60,000

294,083 303,459

294,083 363,459

DEPARTMENT OF FISH, WILDLIFE AND PARKS
Parks Division

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

EXHIBIT 10
DATE 2-8-93
SB

		Total Personal Services		FTE		Total FTE	Non-Approp.
Position #	Position Description	Fiscal 1994	Fiscal 1995	Removed by 5% Reduction	Removed by Being Vacant	Removed	FTE
All or Partial General Fund Positions							
26709	Parks Patrol Officer	14,476	14,494		0.50	0.50	
26501	Laborer	3,189	3,208		0.16	0.16	
						0.00	
Sub-Total		17,665	17,702	0.00	0.66	0.66	0.00
Non-General Fund Positions							
16424	Parks Operations Specialist	32,696	32,958		0.95	0.95	
26148	Parks Patrol Officer	15,235	15,411		0.52	0.52	
26420	Parks Patrol Officer	7,961	8,008		0.35	0.35	
26424	Parks Patrol Officer **	7,882	7,891		0.34	0.34	
96405	Parks Patrol Officer **	19,175	19,334		0.65	0.65	
26118	Laborer	2,279	2,293		0.17	0.17	
26125	Laborer	4,515	4,542		0.32	0.32	
26130	Laborer ***	3,121	3,141		0.22	0.22	
26134	Laborer ***	1,474	1,484		0.11	0.11	
26204	Laborer **	7,450	7,496		0.43	0.43	
26212	Laborer	6,992	7,034		0.40	0.40	
26224	Laborer	2,207	2,220		0.16	0.16	
26324	Laborer	4,208	4,234		0.28	0.28	
26402	Laborer **	6,161	6,198		0.41	0.41	
26404	Laborer	3,533	3,554		0.20	0.20	
26413	Laborer	14,557	14,630		0.62	0.62	
26453	Laborer	9,177	9,231		0.47	0.47	
26461	Laborer	7,721	7,821		0.47	0.47	
26504	Laborer	1,653	1,663		0.11	0.11	
26505	Laborer	3,912	3,668		0.22	0.22	
26525	Laborer	706	710		0.05	0.05	
26701	Laborer **	8,475	8,526		0.46	0.46	
26705	Laborer **	6,312	6,349		0.42	0.42	
26346	Laborer	6,587	6,627		0.40	0.40	
26352	Laborer	2,598	2,634		0.15	0.15	
26114	Administration Clerk **, ***	8,187	8,240		0.50	0.50	
26512	Research Aide	2,258	2,272		0.13	0.13	
26452	Groundskeeper *	404	404		0.02	0.02	
96446	Not Yet Classified *	5,079	5,108		0.36	0.36	
Sub-Total		202,515	203,681	0.00	9.89	9.89	0.00
TOTAL		220,180	221,383	0.00	10.55	10.55	0.00

* Already considered by the subcommittee in its deliberations on the Capitol Grounds Maintenance program.

#26452 - .09 FTE eliminated

#96446 - .50 FTE restored (was already eliminated in LFA)

** Parts of these positions are contained in the executive "Parks Deficit" modification as follows:

#26114 - .50 FTE *94-95*
#26204 - .02 FTE
#26402 - .07 FTE
#26424 - .01 FTE *.34*
#26701 - .06 FTE *.33*
#26705 - .06 FTE *Delegated moves left by the*
#96405 - .15 FTE

*** Positions where the FTE in the LFA current level are less than in the Swysgood motion:

#26114 - .60 in motion *also need to remove .50*
#26130 - .32 in motion
#26134 - .14 in motion
#26224 - .19 in motion
#26420 - .40 in motion
#26525 - .23 in motion

MONTANA COMMUNITY SERVICE ACT

2-3-93

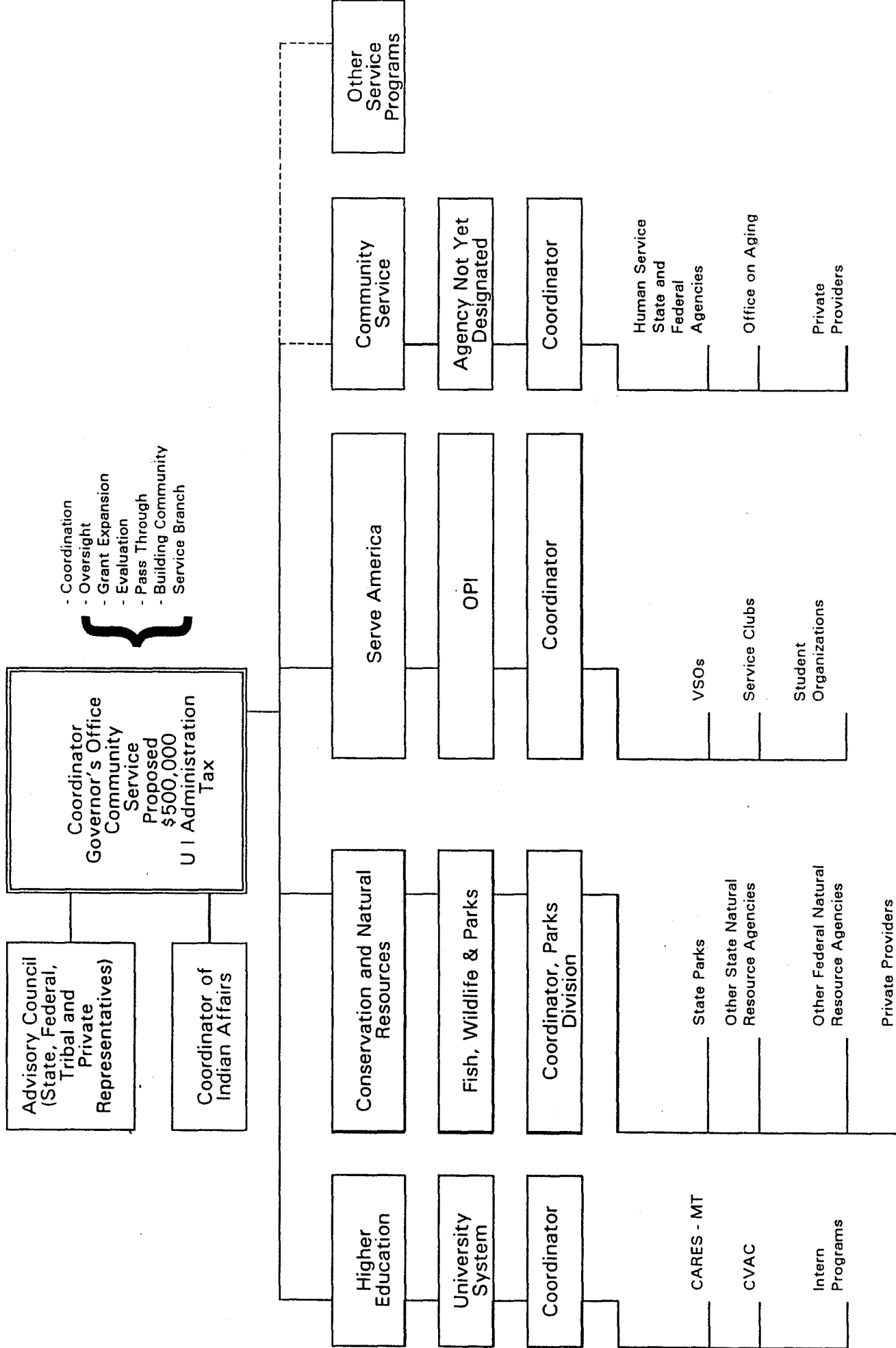


EXHIBIT 13
DATE 2-3-93
SB

ACCOMPLISHMENTS AND NEEDS OF THE STATE PARK SYSTEM

A status report to the State Park Futures Committee
and Participants in the process



September 1992

Prepared by

Montana State Parks Division
Arnold Olsen, Administrator

The original is stored at the Historical Society at 225 North Roberts
Street, Helena, MT 59620-1201. The phone number is 444-2694.

EXHIBIT 13
 DATE 2-3-93
 BY _____

PARKS DIVISION

FY93 Annual Operations Budget	\$4,819,863
Percent of FWP Budget	14.8%
FY93 Total FTEs	99.33
Permanent - 47; Seasonal 169	

Programs

Park Management:
 Historic/Pre-historic
 Cultural
 Water Based



Funding Source

Earned Revenue *fees*
 Coal Tax
 Motor Boat Fuel Tax
 General Fund
Donations

Capitol Grounds

Square Footage

Land and Water Conservation

Federal

Trails



Snowmobile Gas Tax, Decal Fees
 OHV Gas Tax, Decal Fees
 Federal
 Coal Tax

Fishing Access Sites

General License

Montanan Conservation Corps
Coordinates



General Fund
 Federal

on wildlife. However, compared with the FWP's block management program, which has enrolled 449 landowners and opened 5.7 million acres for hunting, the predator control program in fiscal 1991 responded to approximately 425 landowners who are not required to allow hunting on their property in exchange for predator control services. FWP's block management program, rather than the Department of Livestock's predator control program, may be a more efficient use of hunting and fishing license revenue for enhancing landowner-sportsman's relations.

Land and Water Conservation Fund

The department receives Land and Water Conservation Fund (LWCF) money from the federal government to assist with acquisition and development of public outdoor recreation areas and facilities. The funds are used as matching pass-through grants to local governments and for FWP qualifying projects, such as dam rebuilding and acquisition of fishing access sites. LWCF money is also used in the Long-Range Planning program for state park and fishing access site maintenance and improvement. As Table D shows, Montana's allocation of these funds have declined since the mid-1980's.

The department determines what portion of the LWCF allocation is used for pass-through grants and what portion goes to FWP projects. Spending authority for FWP projects is appropriated primarily in the Long Range Planning bill and spending authority for pass-through grants is appropriated in the general appropriations act. The Executive Budget includes \$1,030,000 of LWCF for the 1995 biennium: 1) \$320,000 in FWP long-range building projects; 2) \$700,000 as a biennial appropriation for pass-through grants; and 3) \$10,000 for the biennium for the statewide comprehensive outdoor recreation plan (SCORP) required by the LWCF program. In addition, at the end of fiscal 1992, \$776,930 of capital projects authority remains. The total of these LWCF appropriations are more than four times the amount of funds receive in the 1993 biennium. The LFA current level contains \$160,000 of biennial authority for pass-through grants or twice what was spent in fiscal 1992 and \$5,000 per year for SCORP. The legislature may wish to consider the appropriate level of LWCF authority, based on expected revenue.

Excess spending authority for LWCF pass-through funds was used in the 1991 biennium and fiscal 1992 to fund activities not considered by the legislature. Table E shows the receipts and expenditures of LWCF funds during these years, and the authority that has been transferred to other projects. In fiscal 1992, authority was transferred to the Department Management Division for support staff and to the Wildlife Division to help fund a wildlife management environmental impact statement.

Table D
Land and Water Conservation Fund
Montana's Apportionments

<u>Fiscal Year</u>	<u>Apportionment Amount</u>
1993	\$225,417
1992	\$179,618
1991	271,983
1990	151,717
1989	161,091
1988	157,645
1987	311,052
1986	437,489
1985	689,775

reduced to provide enough money to fund current level. (See related issue in Section F - Long Range Planning).

The Executive Budget includes a budget modification and funding switch to replace the \$597,542 state special revenue removed from the Parks Division program with the same amount of general fund. A policy initiative in the Executive Budget recommends that the modification and funding switch be contingent on enactment of a general sales tax. Sales tax revenue collected from accomodations would be used to fund this modification.

The Park Division's largest source of funding is interest from the Parks Acquisition Trust, which has received a portion of coal severance tax collections since 1976. The 1991 Legislature approved using the coal tax that would have flowed into the trust for program expenditures during the 1993 biennium. Beginning in fiscal 1994, these funds will again be deposited in the trust.

Grants to the Department of Livestock

FWP grants \$110,000 a year of hunting and fishing license revenue to the Department of Livestock for predator control. Since fiscal 1977, \$1.45 million has been granted for this purpose as Graph 3 shows. The annual grants have grown from \$40,000 in fiscal 1977 to \$110,000 in fiscal 1993. These grants do not appear related to wildlife management nor fulfill any of FWP's statutory duties.

The 1989 biennium agreement between FWP and the Department of Livestock (no agreement has been signed since then) states, "predation on free-roaming wildlife populations, although an altogether natural occurrence, may under certain situations and conditions be desirable to reduce or control". Although the agreement requires that Department of Livestock personnel consult with FWP concerning "losses caused by predators to fish, game or fur bearing animals, or game or nongame birds in particular geographical areas", such consultation is not done, according to staff of both departments. Under the 1989 agreement, \$95,000 of the funds granted by FWP are to be used entirely for helicopter hunting of predators. However, FWP does not determine nor direct the helicopter to specific areas with predation problems.

In addition, the agreement provides that \$15,000 per year of hunting and fishing license revenues be used for other operations relating to predator control. For the 1993 biennium, these funds finance the entire Rabies Program in the Department of Livestock. The funds are spent for reimbursement of the Animal Health Division veterinarians' time in training county personnel, for supplies and materials, and for subscriptions.

Nearly half of the Department of Livestock's predator control program is funded by hunting and fishing license revenue granted by FWP. FWP staff justify use of the revenue primarily on the basis of enhancing relations between private landowners and sportsmen, rather than for controlling predators preying

