

4107 Crime Control Division						All Programs		
Legislative Adopted Budget								
L01 Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Personal Services	1,058,895	1,243,480	1,281,439	1,290,649	2,302,375	2,572,088	269,713	11.7%
Operating Expenses	755,049	741,577	879,309	758,073	1,496,626	1,637,382	140,756	9.4%
Equipment & Intangible Assets	-	6,790	-	-	6,790	-	(6,790)	-100.0%
Grants	6,504,797	29,123,332	6,811,789	6,811,789	35,628,129	13,623,578	(22,004,551)	-61.8%
Total Costs	8,318,741	31,115,179	8,972,537	8,860,511	39,433,920	17,833,048	(21,600,872)	-54.8%
General Fund	2,195,808	2,304,278	2,445,896	2,394,384	4,500,086	4,840,280	340,194	7.6%
State/other Special Rev. Funds	67,087	131,984	164,028	164,084	199,071	328,112	129,041	64.8%
Federal Spec. Rev. Funds	6,055,846	28,678,917	6,362,613	6,302,043	34,734,763	12,664,656	(22,070,107)	-63.5%
Total Funds	8,318,741	31,115,179	8,972,537	8,860,511	39,433,920	17,833,048	(21,600,872)	-54.8%

The following figure shows the spending reduction proposals by the executive for all programs. The description of each decision package follows the figure.

4107 Crime Control Division						All Programs	
Budget Reduction Percentages							
<i>Executive Spending Reductions (Jan. 29, 2010)</i>							
		-2.03%	-2.92%	-2.47%	Total Funds	Total Funds	Total Funds
Decision Package		FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11
PL00101 Gen Fund OTO and Admin 5%		(15,320)	(25,294)	(40,614)	(15,320)	(25,294)	(40,614)
PL00102 Carryforward 5% Reduction		(34,379)	-	(34,379)	(34,379)	-	(34,379)
PL00103 Juvenile Detention 5% Reduction		-	(44,323)	(44,323)	-	(44,323)	(44,323)
PL00104 Fixed Costs 5% Reduction		-	(403)	(403)	-	(403)	(403)
Present Law Total		(49,699)	(70,020)	(119,719)	(49,699)	(70,020)	(119,719)
Total All Decision Packages		(49,699)	(70,020)	(119,719)	(49,699)	(70,020)	(119,719)

PL

101

Gen Fund OTO and Admin 5%

DP101 includes a reduction of \$ 320.00 from FY10 OTO maintenance fee, \$15,000 from FY10 OTO NIBRS and \$25,697 from FY11 general administration funds.

The reductions in the FY10 OTO GF are permissive and some of the reduction can be made up from new Federal sources. The reductions in the FY11 GF administration will have to come from reduced travel and other operating expenditures. Efforts will be made to avoid reducing mandatory services where possible.

PL

102

Carryforward 5% Reduction

DP102 is a reduction of all MBCC GF carry forward of 34,379. This source of funding is generally used to cover some of the unknown costs that arise each year. Where the costs are unknown it is not possible to say if they are mandatory or permissive.

PL

103

Juvenile Detention 5% Reduction

DP103 is a 5% reduction in 2011 general fund grants for the Juvenile Detention centers. The grant funding is mandated by law and the appropriation level is approved by legislature. The funding level for these grants has gone down over the years due to special sessions and across the board reductions. Normally the GF grants are fully expended within the first 6 months of the year. We are proposing the reduction for FY11 in order to give local government some lead time in planning their budgets. We would prefer not to reduce these grant funds but they are a major share of our GF and are used in calculating our target leaving little choice.

PL

104

Fixed Costs 5% Reduction

This DP reduces the fixed costs by \$403 in FY2011; per OBPP request.

4110 Department Of Justice Legislative Adopted Budget							All Programs	
L01 Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Personal Services	37,299,436	41,652,605	46,334,755	46,726,454	78,952,041	93,061,209	14,109,168	17.9%
Operating Expenses	20,506,827	20,570,837	23,437,281	25,110,441	41,077,664	48,547,722	7,470,058	18.2%
Equipment & Intangible Assets	2,090,990	2,310,630	2,167,240	2,167,240	4,401,620	4,334,480	(67,140)	-1.5%
Grants	-	-	-	-	-	-	-	0.0%
Benefits & Claims	860,152	864,021	1,935,631	1,935,631	1,724,173	3,871,262	2,147,089	124.5%
Transfers	-	-	-	-	-	-	-	0.0%
Debt Service	830,342	7,936,794	1,940,288	1,824,840	8,767,136	3,765,128	(5,002,008)	-57.1%
Total Costs	61,587,747	73,334,887	75,815,195	77,764,606	134,922,634	153,579,801	18,657,167	13.8%
General Fund	23,761,709	25,275,706	26,325,462	26,529,395	49,037,415	52,854,857	3,817,442	7.8%
State/other Special Rev. Funds	35,011,954	44,540,438	45,959,074	47,687,016	79,552,392	93,646,090	14,093,698	17.7%
Federal Spec. Rev. Funds	1,335,049	1,736,714	1,749,167	1,760,313	3,071,763	3,509,480	437,717	14.3%
Proprietary Funds	1,479,035	1,782,029	1,781,492	1,787,882	3,261,064	3,569,374	308,310	9.5%
Total Funds	61,587,747	73,334,887	75,815,195	77,764,606	134,922,634	153,579,801	18,657,167	13.8%

The following figure shows the spending reduction proposals by the executive for all programs. The description of each decision package follows the figure.

4110 Department Of Justice Budget Reduction Percentages				All Programs		
				-2.72%	-1.02%	-1.86%
Executive Spending Reductions (Jan. 29, 2010)				General Fund	General Fund	General Fund
Decision Package				FY 2010	FY 2011	FY 2010-11
PL00011 Major Litigation Carry-Forward				(660,763)	-	(660,763)
PL00021 OCP Settlement Distribution funds				-	-	-
PL00181 Meth Watch Program				-	(200,000)	(200,000)
PL00281 Consumer Education Settlement Carry-Forward				-	-	-
PL00291 Fixed costs reductions				-	(15,649)	(15,649)
PL00321 Forensic Science Lab Equipment				(54,634)	(54,639)	(109,273)
Present Law Total				(715,397)	(270,288)	(985,685)
Total All Decision Packages				(715,397)	(270,288)	(985,685)

PL

11

Major Litigation Carry-Forward

The Legal Services Division could reduce \$660,763 in general fund FY 2009 carry-forward authority as part of its 5% reduction under 17-7-140, MCA. The division has major litigation general fund carry-forward authority of \$660,763 in subclass 170FL, which exists as a result of the FY 2009 non-expended appropriation for the Yellowstone River Compact. The department anticipates that its litigation costs over the 2011 biennium will be maintained within the current level appropriation. Therefore, it is expected that there will be no impact to the state if it is necessary to reduce this carry-forward authority. However, the state has no way of predicting when/if a major litigation case will arise, and there is no way to predict what the cost could be in representing a case. The Department of Justice is statutorily required to provide services for cases that do arise. In the event that costs providing major litigation services throughout the 2011 biennium exceed the total current biennial appropriation the department must find funding for this purpose elsewhere, which may include a request to the 2011 legislature for a supplemental appropriation.

PL

21

OCP Settlement Distribution funds

The Attorney General, through the Office of Consumer Protection may pursue legal action or participate in class action lawsuits against entities suspected of harming Montana citizens with unfair or deceptive business practices. When the courts rule in favor of the State of Montana often times there is a monetary award or settlement that is paid to the state for education, protection, or aid. Section 30-14-143(1), MCA states that costs and fees received or recovered by the department are to be deposited into a state special revenue account and used to defray the expenses of the department in discharging its administrative and regulatory powers and duties. Any excess civil fines, costs, or fees are transferred to the general fund. The Attorney General has determined that he could relinquish \$79,261 in FY 2008 carry-forward authority in subclass 173F8; \$136,731 in FY 2009 carry-forward in subclass 173F9; and \$114,793 in FY 2011 current authority from the Office of Consumer Protection state special revenue fund 02140, along with fund balance, to assist the state in reducing its general fund budget as detailed under section 17-7-140, MCA. The reduction of spending authority and fund balance from the Office of Consumer Protection will have minimal impact on the department or the citizens of Montana at this time as the Attorney General is prioritizing potential uses for these funds.

PL

181

Meth Watch Program

The Division of Criminal Investigation (DCI) could reduce the general fund appropriation allocated to the methamphetamine watch media campaign. The 2009 legislature provided a restricted, biennial, one-time-only appropriation of \$500,000 in general fund for this media campaign which is designed to reduce methamphetamine addiction, especially among young Montanans. This public awareness campaign uses television, newspapers, radio, billboards, and movie screens to focus on the damage meth use causes individuals, families, and communities. DCI has not issued a 'request for proposal' (RFP) or tied up the meth watch media funds as of this date. DCI could reduce this appropriation by \$200,000 over the biennium. The department believes that the reduction of \$200,000 will not adversely impact the methamphetamine watch media campaign. FY 2009 funds are still encumbered for the ongoing release of media campaigns. A new approach to educating the public about the damage meth use causes was recently released statewide. The balance of \$300,000 will provide the department with the capability to proceed with the RFP process and secure a vendor to continue the public awareness campaign prior to June 30, 2010. This program has reduced the number of teens addicted to methamphetamine across Montana and it remains a high priority for the department. The Attorney General believes that a reduced RFP will meet his objective to support the methamphetamine watch media campaign through June 30, 2011.

PL

281

Consumer Education Settlement Carry-Forward

The Central Services Division could reduce \$10,000 in state special revenue consumer education settlement fund 02140, subclass 210F8, FY 2008 carry-forward authority as reductions under 17-7-140, MCA, as well as the accompanying fund balance. Section 30-14-143(1), MCA, provides that excess money in the state special revenue fund is transferred to the general fund. The Attorney General is prioritizing the potential uses for the consumer protection settlement funds and has determined that, if necessary, he could relinquish these funds to the general fund.

PL

291

Fixed costs reductions

The Office of Budget and Program Planning informed the Department of Justice that its total assigned fixed costs would be reduced by \$15,649. The department has chosen to make this reduction for FY 2011 in Program 29, Justice Information and Technology Division.

PL

321

Forensic Science Lab Equipment

The Forensic Science Division (FSD) could reduce the general fund appropriation allocated for crime lab equipment replacement. The 2009 legislature provided a restricted, biennial, one-time-only appropriation of \$109,273 in general fund for equipment replacement and purchases. FSD equipment replacement schedules encourage lab instrument upgrades on a six year cycle; many pieces are currently more than seven years old. As FSD has not experienced any malfunctions to date in FY 2010, we could put a hold on any scheduled equipment purchases and potentially eliminate this appropriation of \$109,273 over the biennium. The department believes at this time that the reduction will not adversely impact the forensic crime lab. The department also understands that sensitive laboratory equipment must be up and running to meet testing requirements critical to law enforcement across the state of Montana. If a piece of equipment malfunctions the department would have to find the authority to replace it. The department does not expect this reduction to impact constituents or staff as long as existing equipment is functioning properly.

6108 Office Of The Public Defender							All Programs	
Legislative Adopted Budget								
L01 Budget Version	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Personal Services	11,077,564	11,663,426	11,737,899	11,847,905	22,740,990	23,585,804	844,814	3.7%
Operating Expenses	8,068,574	7,928,489	8,161,223	8,040,780	15,997,063	16,202,003	204,940	1.3%
Equipment & Intangible Assets	123,370	60,653	123,370	123,370	184,023	246,740	62,717	34.1%
Total Costs	19,269,508	19,652,568	20,022,492	20,012,055	38,922,076	40,034,547	1,112,471	2.9%
General Fund	19,226,052	19,577,568	19,979,036	19,968,599	38,803,620	39,947,635	1,144,015	3.0%
State/other Special Rev. Funds	43,456	75,000	43,456	43,456	118,456	86,912	(31,544)	-26.6%
Total Funds	19,269,508	19,652,568	20,022,492	20,012,055	38,922,076	40,034,547	1,112,471	2.9%

6108 Office Of The Public Defender						All Programs	
Budget Reduction Percentages							
						0.00%	-5.00%
Executive Spending Reductions (Jan. 29, 2010)						-2.50%	
Decision Package	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds	
	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11	
PL00001 Budget Reductions under 17-7-140	-	(990,951)	(990,951)	-	(990,951)	(990,951)	
PL00002 Travel Reduction-Commission	-	(3,500)	(3,500)	-	(3,500)	(3,500)	
PL00003 5 % Plan-Fixed Cost Reduction	-	(3,979)	(3,979)	-	(3,979)	(3,979)	
Present Law Total	-	(998,430)	(998,430)	-	(998,430)	(998,430)	
Total All Decision Packages	-	(998,430)	(998,430)	-	(998,430)	(998,430)	

PL

1

Budget Reductions under 17-7-140

Reduce or eliminate current services provided by the agency.

PL

2

Travel Reduction-Commission

Limit the number of commission meetings held in person to four per year.

PL

3

5 % Plan-Fixed Cost Reduction

5% Plan-Fixed Cost Reduction

6401 Department Of Corrections						All Programs		
Legislative Adopted Budget								
L01 Budget Vers ion	Base	Approp	Budgeted	Budgeted	Biennium	Biennium	Biennial	Biennial
Budget Item	FY 2008	FY 2009	FY 2010	FY 2011	FY 2008-09	FY 2010-11	Change	Percent
Personal Services	65,035,582	69,153,604	72,010,614	72,482,475	134,189,186	144,493,089	10,303,903	7.7%
Operating Expenses	85,728,107	113,574,533	94,260,495	98,658,055	199,302,640	192,918,550	(6,384,090)	-3.2%
Equipment & Intangible Assets	207,507	300,190	207,507	207,507	507,697	415,014	(92,683)	-18.3%
Benefits & Claims	4,175,855	4,508,563	4,175,855	4,175,855	8,684,418	8,351,710	(332,708)	-3.8%
Transfers	2,124,917	1,866,299	2,124,917	2,124,917	3,991,216	4,249,834	258,618	6.5%
Debt Service	-	216,708	-	-	216,708	-	(216,708)	-100.0%
Total Costs	157,271,968	189,619,897	172,779,388	177,648,809	346,891,865	350,428,197	3,536,332	1.0%
General Fund	153,515,661	185,172,717	167,423,497	172,718,753	338,688,378	340,142,250	1,453,872	0.4%
State/other Special Rev. Funds	3,106,783	3,665,848	4,565,655	4,141,930	6,772,631	8,707,585	1,934,954	28.6%
Federal Spec. Rev. Funds	134,148	223,376	134,079	134,068	357,524	268,147	(89,377)	-25.0%
Proprietary Funds	515,376	557,956	656,157	654,058	1,073,332	1,310,215	236,883	22.1%
Total Funds	157,271,968	189,619,897	172,779,388	177,648,809	346,891,865	350,428,197	3,536,332	1.0%

The following figure shows the spending reduction proposals by the executive for all programs. The description of each decision package follows the figure.

6401 Department Of Corrections						All Programs	
Budget Reduction Percentages						-1.58%	-2.30%
Executive Spending Reductions (Jan. 29, 2010)						-1.94%	
Decision Package	General Fund	General Fund	General Fund	Total Funds	Total Funds	Total Funds	
	FY 2010	FY 2011	FY 2010-11	FY 2010	FY 2011	FY 2010-11	
PL00101 Board of Pardons and Parole Contract Reduction	(5,000)	(7,500)	(12,500)	(5,000)	(7,500)	(12,500)	
PL00102 Training Budget Reduction	-	(7,447)	(7,447)	-	(7,447)	(7,447)	
PL00103 HR/Training Leadership Training Reduction	(15,000)	(15,000)	(30,000)	(15,000)	(15,000)	(30,000)	
PL00104 Outside Medical Reduction	(100,000)	(100,000)	(200,000)	(100,000)	(100,000)	(200,000)	
PL00105 IT Replacements Reduction	-	(200,000)	(200,000)	-	(200,000)	(200,000)	
PL00106 Advisory Councils Reduction	(8,348)	(10,190)	(18,538)	(8,348)	(10,190)	(18,538)	
PL00107 Personnel Services Offset Collections	(100,000)	(100,000)	(200,000)	-	-	-	
PL00108 Fixed Costs Budget Reduction	-	(23,238)	(23,238)	-	(23,238)	(23,238)	
PL00201 PRC Per Diem 1%/Year	-	(187,147)	(187,147)	-	(187,147)	(187,147)	
PL00202 Reduce Elkhorn Meth Treatment 20%	-	(365,000)	(365,000)	-	(365,000)	(365,000)	
PL00203 Treatment Per Diem 1% FY 2011	-	(140,036)	(140,036)	-	(140,036)	(140,036)	
PL00204 NW PRC	(1,226,984)	(1,226,984)	(2,453,968)	(1,226,984)	(1,226,984)	(2,453,968)	
PL00205 P&P Leased Vehicle Return	(70,000)	(160,000)	(230,000)	(70,000)	(160,000)	(230,000)	
PL00206 PS Offset with Supervision Fees	(500,000)	(500,000)	(1,000,000)	-	-	-	
PL00301 Decrease MSP Operating Budget	(165,000)	(165,000)	(330,000)	(165,000)	(165,000)	(330,000)	
PL00302 CCA Per Diem Rate Reduction	-	(215,348)	(215,348)	-	(215,348)	(215,348)	
PL00401 License Plate OTO Appropriation Reduction	(100,000)	-	(100,000)	(100,000)	-	(100,000)	
PL00501 Juvenile Delinquency Incentive Programs Reduction	-	(300,000)	(300,000)	-	(300,000)	(300,000)	
PL00502 PS Offset Parental Contributions	(350,000)	(250,000)	(600,000)	-	-	-	
Present Law Total	(2,640,332)	(3,972,890)	(6,613,222)	(1,690,332)	(3,122,890)	(4,813,222)	
Total All Decision Packages	(2,640,332)	(3,972,890)	(6,613,222)	(1,690,332)	(3,122,890)	(4,813,222)	

PL

101

Board of Pardons and Parole Contract Reduction

Funding is permissive. During the last legislative session, the Board of Pardons and Parole requested and received \$7,500 for each year of the biennium in funding for an outside attorney. This was to be used to assist with administrative rule changes and to give expert advice regarding case law affecting policy and procedure. The funding reduction requested will reduce the BOPP budget by \$5,000 in FY 10 and \$7,500 in FY 11.

PL

102

Training Budget Reduction

Funding is permissive. The funding for training/subscriptions/licenses was built into the department's base budget in fiscal year 2008 for the purposes of dues to the Association of State Correctional Administrators (ASCA), newspaper and legal publication subscriptions, Montana administrative rules subscription, access to the Lexis legal research system and training programs for staff. The funding reduction requested will reduce the director's office budget by \$7,447 in FY 11.

PL

103

HR/Training Leadership Training Reduction

Funding is permissive. The funding for the leadership training was built into the department's base budget in fiscal year 2008 for the purposes of getting top managers focused on shared values, the agency mission and vision, and planning to specifically target our internal communications goals. The funding reduction requested will reduce the Human Resources/Training budget by \$15,000 in FY 10 and \$15,000 in FY 11.

PL

104

Outside Medical Reduction

Funding is permissive. The funding for outside medical was built into the department's base budget in fiscal year 2008 for the purposes of providing adequate medical care for inmates. The funding reduction requested will reduce the outside medical budget by \$100,000 in FY 10 and \$100,000 in FY 11.

The Department of Corrections is required by law to provide adequate medical care for inmates. High dollar off site medical care for inmates is urgent or emergent which makes the outside medical expenses unpredictable.

PL

105

IT Replacements Reduction

Funding is permissive. The funding for Information Technology replacements was built into the department's base budget in fiscal year 2008 for the purposes of providing replacement computers, printers, and critical equipment to maintain compliance with state policy. The funding reduction requested will reduce the Information Technology replacement budget by \$200,000 in FY 11.

PL

106

Advisory Councils Reduction

Funding is permissive. The funding for Department of Corrections Advisory Council and Crime Victims Advisory Council was built into the department's base budget in fiscal year 2008 for the purposes of providing these councils' a way to formally provide input on issues, policies and practices within the department. The funding reduction requested will reduce the budget by \$8,348 in FY 10 and \$10,190 in FY 11. This will eliminate both councils.

PL

107

Personnel Services Offset Collections

Funding is permissive. This request is for additional authority to use state special revenue to offset general fund personal services. This is a cash balance above the departments spending authority.

PL

108

Fixed Costs Budget Reduction

Funding is permissive. The fixed costs budget will be reduced by \$23,238 in FY 11.

PL

201

PRC Per Diem 1%/Year

Funding is permissive. Eliminating the 1% per-diem increase would have an undetermined effect on the services provided by the prerelease centers.

PL

202

Reduce Elkhorn Meth Treatment 20%

Funding is permissive. This reduction will decrease capacity of the program by 20% in FY11.

PL

203

Treatment Per Diem 1% FY 2011

Funding is permissive. Eliminating the 1% per-diem increase will have an undetermined effect on the services in the treatment programs.

PL

204

NW PRC

Funding is permissive. The department received funding from the 2009 legislature for a 40 bed prerelease center in Northwest Montana. This reduction will eliminate that project.

PL
205
P&P Leased Vehicle Return

Funding is permissive. This reduction will eliminate 14 vehicles used by probation and parole officers.

PL
206
PS Offset with Supervision Fees

Funding is permissive. This request is for additional authority to use state special revenue to offset general fund personal services.

PL
301
Decrease MSP Operating Budget

Funding is permissive. This reduces Montana State Prison's operating budget by \$330,000.

PL
302
CCA Per Diem Rate Reduction

Funding is permissive. A funding per diem rate increase of 2% in FY 10 and 4% for FY 11 was given in the 2009 legislative Session. This proposal will eliminate the per diem rate increases for FY 11 at the Crossroads Correctional Center in Shelby.

PL
401
License Plate OTO Appropriation Reduction

Funding is mandatory. The state is required to produce and distribute license plates to tax payers. This appropriation is one-time-only money for the general funded license plate production. The proposal is to reduce the budget by \$100,000 in FY 10.

PL
501
Juvenile Delinquency Incentive Programs Reduction

Funding is permissive. This reduces the juvenile placement funds by \$300,000.

PL
502
PS Offset Parental Contributions

Funding is permissive. This request is for additional authority to use state special revenue to offset general fund personal services at Pine Hills Youth Correctional Facility \$350,000 and Riverside Youth Correctional Facility \$250,000. This revenue is generated by court ordered parental contributions and Social Security benefits.