

### Agency Budget Comparison

The following table summarizes the total budget for the agency by year, type of expenditure, and source of funding.

Agency Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	410.08	410.08	411.08	411.08	410.08	411.08	1.00	0.24%
Personal Services	27,508,677	28,995,376	29,916,629	29,999,369	56,504,053	59,915,998	3,411,945	6.04%
Operating Expenses	8,319,831	8,744,097	7,949,906	7,939,183	17,063,928	15,889,089	(1,174,839)	(6.88%)
Equipment & Intangible Assets	142,165	128,663	130,870	130,870	270,828	261,740	(9,088)	(3.36%)
Grants	0	0	0	0	0	0	0	n/a
Benefits & Claims	0	0	0	0	0	0	0	n/a
Transfers	0	0	0	0	0	0	0	n/a
Debt Service	11,651	30,354	11,651	11,651	42,005	23,302	(18,703)	(44.53%)
<b>Total Costs</b>	<b>\$35,982,324</b>	<b>\$37,898,490</b>	<b>\$38,009,056</b>	<b>\$38,081,073</b>	<b>\$73,880,814</b>	<b>\$76,090,129</b>	<b>\$2,209,315</b>	<b>2.99%</b>
General Fund	33,937,675	35,467,158	35,696,873	35,765,914	69,404,833	71,462,787	2,057,954	2.97%
State Special	1,922,472	2,305,683	2,189,251	2,192,170	4,228,155	4,381,421	153,266	3.62%
Federal Special	122,177	125,649	122,932	122,989	247,826	245,921	(1,905)	(0.77%)
<b>Total Funds</b>	<b>\$35,982,324</b>	<b>\$37,898,490</b>	<b>\$38,009,056</b>	<b>\$38,081,073</b>	<b>\$73,880,814</b>	<b>\$76,090,129</b>	<b>\$2,209,315</b>	<b>2.99%</b>

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Legislative Budget Analysis, D-1

### Executive Budget Comparison

The following table compares the legislative budget in the 2013 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2010	Executive Budget Fiscal 2012	Legislative Budget Fiscal 2012	Leg - Exec. Difference Fiscal 2012	Executive Budget Fiscal 2013	Legislative Budget Fiscal 2013	Leg - Exec. Difference Fiscal 2013	Biennium Difference Fiscal 12-13
FTE	410.08	419.58	411.08	(8.50)	422.24	411.08	(11.16)	
Personal Services	27,508,677	30,834,085	29,916,629	(917,456)	31,106,595	29,999,369	(1,107,226)	(2,024,682)
Operating Expenses	8,319,831	8,346,360	7,949,906	(396,454)	8,335,637	7,939,183	(396,454)	(792,908)
Equipment & Intangible Assets	142,165	142,165	130,870	(11,295)	142,165	130,870	(11,295)	(22,590)
Grants	0	0	0	0	0	0	0	0
Benefits & Claims	0	0	0	0	0	0	0	0
Transfers	0	0	0	0	0	0	0	0
Debt Service	11,651	11,651	11,651	0	11,651	11,651	0	0
<b>Total Costs</b>	<b>\$35,982,324</b>	<b>\$39,334,261</b>	<b>\$38,009,056</b>	<b>(\$1,325,205)</b>	<b>\$39,596,048</b>	<b>\$38,081,073</b>	<b>(\$1,514,975)</b>	<b>(\$2,840,180)</b>
General Fund	33,937,675	36,952,194	35,696,873	(1,255,321)	37,020,776	35,765,914	(1,254,862)	(2,510,183)
State/Other Special	1,922,472	2,259,135	2,189,251	(69,884)	2,452,283	2,192,170	(260,113)	(329,997)
Federal Special	122,177	122,932	122,932	0	122,989	122,989	0	0
<b>Total Funds</b>	<b>\$35,982,324</b>	<b>\$39,334,261</b>	<b>\$38,009,056</b>	<b>(\$1,325,205)</b>	<b>\$39,596,048</b>	<b>\$38,081,073</b>	<b>(\$1,514,975)</b>	<b>(\$2,840,180)</b>

The legislature provided general fund support that is \$2.5 million below the executive budget. The legislature:

- Adopted portions of the statutorily required 5% base reduction plan submitted by the branch, including application of a 2% vacancy savings rate, for reductions totaling about \$2 million for the biennium
- Provided funding for the Court Help program that was about \$200,000 for the biennium lower than requested
- Utilized \$100,000 per year of state special revenue from fines and fees to replace general fund
- Removed funding for selected contracts (\$140,000 for the biennium) and reduced general fund support for out of state travel by 25%

State special revenue is impacted due to:

- Reductions adopted as part of the 5% reduction plan
- Non approval of a decision package increasing funding from the accrued leave account
- Funding for Water Court FTE at a lower level than requested
- Increased usage of state special revenue from fines and fees to offset general fund expenditures

### Agency Highlights

<b>Judicial Branch Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>◆ Total funding and general fund for the Judicial Branch increases 3% when the 2011 and 2013 biennia are compared</li> <li>◆ The biennial difference is primarily due to the following: <ul style="list-style-type: none"> <li>• Adoption of reductions included in the statutorily required 5% base reduction plan prepared by the branch equating to about \$2 million for the biennium</li> <li>• Annualization of funding for three new judges added by the 2009 Legislature for the entire biennium rather than six months</li> <li>• Provision of \$400,000 general fund for the biennium for the Court Help Program (formerly self-help) is included in the 2013 biennium</li> </ul> </li> <li>◆ The legislature recommends that the Legislative Finance Committee monitor the following items during the interim: <ul style="list-style-type: none"> <li>• The Court Help Program</li> <li>• The Water Court</li> </ul> </li> </ul>

### Agency Discussion

General fund support for the branch increases \$2.1 million or about 3% between the two biennia due to increases in statewide present law adjustments and provision of funding to annualize the costs of three new district court judges that took office in January 2011. The additional judgeships were authorized by the 2009 Legislature. Because the base budget only included funding for a portion of the costs of the new judges and associated staff and operating costs additional funding was provided by the legislature. The legislature also provided an appropriation of \$400,000 for the Court Help Program (formerly self help), which has been funded with one time only appropriations for the past two biennia. These increases were partially offset by reductions included in the agency's statutorily required plan to reduce general fund and certain state special revenues by 5%. Among the reductions was the imposition of 2% vacancy savings.

### *Recommendations for Interim Monitoring*

The legislature recommends that the Legislative Finance Committee monitor the following programs and activities during the interim:

- The Court Help Program
- The Water Court

### Funding

The following table summarizes funding for the agency, by program and source. Funding for each program is discussed in detail in the individual program narratives that follow.

Total Agency Funding 2013 Biennium Budget					
Agency Program	General Fund	State Spec.	Fed Spec.	Grand Total	Total %
01 Supreme Court Operations	\$ 18,261,912	\$ 381,338	\$ 245,921	\$ 18,889,171	24.82%
02 Boards And Commissions	555,556	148,101	-	703,657	0.92%
03 Law Library	1,691,289	-	-	1,691,289	2.22%
04 District Court Operations	49,991,639	506,491	-	50,498,130	66.37%
05 Water Courts Supervision	-	3,345,491	-	3,345,491	4.40%
06 Clerk Of Court	962,391	-	-	962,391	1.26%
<b>Grand Total</b>	<b>71,462,787</b>	<b>4,381,421</b>	<b>245,921</b>	<b>76,090,129</b>	<b>100.00%</b>

The branch receives the majority of its funding from the general fund. The largest sources of state special revenue are the Natural Resources Operation fund and Water Adjudication fund, which support the Water Court. Other sources of state special revenue include fines and fees, assessments for training events, and the accrued county sick/vacation leave fund. Federal funds received by the branch support the court assessment program.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	33,937,675	33,937,675	67,875,350	94.98%	35,982,324	35,982,324	71,964,648	94.58%
Statewide PL Adjustments	2,218,273	2,300,412	4,518,685	6.32%	2,312,118	2,394,427	4,706,545	6.19%
Other PL Adjustments	496,925	483,827	980,752	1.37%	639,857	629,565	1,269,422	1.67%
New Proposals	(956,000)	(956,000)	(1,912,000)	(2.68%)	(925,243)	(925,243)	(1,850,486)	(2.43%)
<b>Total Budget</b>	<b>\$35,696,873</b>	<b>\$35,765,914</b>	<b>\$71,462,787</b>		<b>\$38,009,056</b>	<b>\$38,081,073</b>	<b>\$76,090,129</b>	

### Program Budget Comparison

The following table summarizes the total budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	65.75	65.75	64.25	64.25	65.75	64.25	(1.50)	(2.28%)
Personal Services	4,630,756	4,970,608	5,016,338	5,013,986	9,601,364	10,030,324	428,960	4.47%
Operating Expenses	4,602,133	4,630,604	4,430,802	4,428,045	9,232,737	8,858,847	(373,890)	(4.05%)
Equipment & Intangible Assets	0	5,199	0	0	5,199	0	(5,199)	(100.00%)
Grants	0	0	0	0	0	0	0	n/a
Transfers	0	0	0	0	0	0	0	n/a
<b>Total Costs</b>	<b>\$9,232,889</b>	<b>\$9,606,411</b>	<b>\$9,447,140</b>	<b>\$9,442,031</b>	<b>\$18,839,300</b>	<b>\$18,889,171</b>	<b>\$49,871</b>	<b>0.26%</b>
General Fund	8,959,376	9,257,526	9,133,539	9,128,373	18,216,902	18,261,912	45,010	0.25%
State Special	151,336	223,236	190,669	190,669	374,572	381,338	6,766	1.81%
Federal Special	122,177	125,649	122,932	122,989	247,826	245,921	(1,905)	(0.77%)
<b>Total Funds</b>	<b>\$9,232,889</b>	<b>\$9,606,411</b>	<b>\$9,447,140</b>	<b>\$9,442,031</b>	<b>\$18,839,300</b>	<b>\$18,889,171</b>	<b>\$49,871</b>	<b>0.26%</b>

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Legislative Budget Analysis, D-11

### Funding

The bulk of the program's funding comes from the general fund. State special revenues supporting the program include revenue from a portion of the dissolution of marriage fees that are used to provide civil legal services for indigent victims of domestic violence (3-2-714, MCA) and fees collected by drug courts. Federal funds support the court assessment program.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	8,959,376	8,959,376	17,918,752	98.12%	9,232,889	9,232,889	18,465,778	97.76%
Statewide PL Adjustments	180,243	172,588	352,831	1.93%	180,998	173,400	354,398	1.88%
Other PL Adjustments	4,862	7,351	12,213	0.07%	51,762	54,251	106,013	0.56%
New Proposals	(10,942)	(10,942)	(21,884)	(0.12%)	(18,509)	(18,509)	(37,018)	(0.20%)
<b>Total Budget</b>	<b>\$9,133,539</b>	<b>\$9,128,373</b>	<b>\$18,261,912</b>		<b>\$9,447,140</b>	<b>\$9,442,031</b>	<b>\$18,889,171</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	Fiscal 2012					Fiscal 2013				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					497,274					494,922
Inflation/Deflation					(6,516)					(6,026)
Fixed Costs					(309,760)					(315,496)
<b>Total Statewide Present Law Adjustments</b>		<b>\$180,243</b>	<b>\$0</b>	<b>\$755</b>	<b>\$180,998</b>		<b>\$172,588</b>	<b>\$0</b>	<b>\$812</b>	<b>\$173,400</b>
DP 1002 - Rent North Park Building	0.00	4,862	0	0	4,862	0.00	7,351	0	0	7,351
DP 1003 - Drug Court Fees	0.00	0	46,900	0	46,900	0.00	0	46,900	0	46,900
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$4,862</b>	<b>\$46,900</b>	<b>\$0</b>	<b>\$51,762</b>	<b>0.00</b>	<b>\$7,351</b>	<b>\$46,900</b>	<b>\$0</b>	<b>\$54,251</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$185,105</b>	<b>\$46,900</b>	<b>\$755</b>	<b>\$232,760</b>	<b>0.00</b>	<b>\$179,939</b>	<b>\$46,900</b>	<b>\$812</b>	<b>\$227,651</b>

DP 1002 - Rent North Park Building - The legislature provided funding for increased lease payments for space rented at the Old Federal Building in Helena. The increase is required per the lease agreement.

DP 1003 - Drug Court Fees - The legislature provided an appropriation of state special revenue to expend fees collected from drug court participants. The drug courts anticipate that fee collections will significantly increase in the 2013 biennium. The fees that are collected will be used for drug court operating costs.

### New Proposals

New Proposals	Fiscal 2012					Fiscal 2013					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1001 - Court Help Program - Restricted/OTO											
01	0.00	200,000	0	0	200,000	0.00	200,000	0	0	200,000	
DP 9701 - Remove funding for selected contracts											
01	0.00	(66,627)	0	0	(66,627)	0.00	(66,627)	0	0	(66,627)	
DP 9703 - Reduce General Fund for Out of State Travel											
01	0.00	(761)	0	0	(761)	0.00	(761)	0	0	(761)	
DP 95101 - 5% Plan - 2% Vacancy Savings											
01	0.00	(80,443)	0	0	(80,443)	0.00	(80,443)	0	0	(80,443)	
DP 95102 - 5% Plan - Civil Legal Assistance											
01	0.00	0	(7,567)	0	(7,567)	0.00	0	(7,567)	0	(7,567)	
DP 95106 - 5% Plan - Supreme Court Operations											
01	0.00	(23,310)	0	0	(23,310)	0.00	(23,310)	0	0	(23,310)	
DP 95113 - 5% Plan - Reduce CAP by 35%											
01	0.00	(14,254)	0	0	(14,254)	0.00	(14,254)	0	0	(14,254)	
DP 95115 - 5% Plan - Reduce Drug Courts by 35%											
01	0.00	(247,949)	0	0	(247,949)	0.00	(247,949)	0	0	(247,949)	
DP 95117 - 5% Plan - Supreme Court Reduce FTE											
01	(3.00)	(91,478)	0	0	(91,478)	(3.00)	(91,478)	0	0	(91,478)	
DP 96113 - Restore 5% Plan - Reduce CAP by 35%											
01	0.00	5,702	0	0	5,702	0.00	5,702	0	0	5,702	
DP 96115 - Restore 5% Plan - Reduce Drug Courts by 35%											
01	0.00	247,949	0	0	247,949	0.00	247,949	0	0	247,949	
DP 96117 - Restore 5% Plan - Supreme Court Reduce FTE											
01	1.50	60,229	0	0	60,229	1.50	60,229	0	0	60,229	
<b>Total</b>	<b>(1.50)</b>	<b>(\$10,942)</b>	<b>(\$7,567)</b>	<b>\$0</b>	<b>(\$18,509)</b>	<b>(1.50)</b>	<b>(\$10,942)</b>	<b>(\$7,567)</b>	<b>\$0</b>	<b>(\$18,509)</b>	

DP 1001 - Court Help Program - Restricted/OTO - The legislature provided general fund of \$200,000 per year in a restricted, biennial, one time only appropriation to support the Court Help program, which provides assistance to litigants representing themselves in civil cases. In the past the program has consisted of:

- Full-time staffed court help law centers in Kalispell and Billings

- A program coordinator
- A legal resources developer charged with increasing the number of attorneys willing to provide free legal services
- Part-time law centers in Missoula and Bozeman

This program was funded by one-time-only appropriations for both the 2009 and 2011 biennia. 2011 biennium funding for the program was included in HB 645, which implemented the federal American Recovery and Reinvestment Act (ARRA).

DP 9701 - Remove funding for selected contracts - The legislature reduced general fund support by \$70,669 and state special revenue by \$2,000 per year to reflect the removal of base funding for selected contracts.

DP 9703 - Reduce General Fund for Out of State Travel - The legislature reduced general fund support for out of state travel by 25%.

DP 95101 - 5% Plan - 2% Vacancy Savings - 2% vacancy savings was applied to all positions in the Supreme Court Operations Program, except for the justices whose salaries may not be reduced during their term of office (Montana Constitution, Article VII, section 7). The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95102 - 5% Plan - Civil Legal Assistance - State special revenue from filing fee revenue used to contract with Montana Legal Services to provide legal representation for indigent victims in civil matters in domestic violence cases and for alternative dispute resolution initiatives in family law cases was reduced. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95106 - 5% Plan - Supreme Court Operations - Funding was eliminated or reduced for certain operational expenses, including printing and mailing of pay advices, reducing the number of communication devices, and eliminating subscriptions for certain on-line legal research services. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95113 - 5% Plan - Reduce CAP by 35% - Funding for the Court Assessment Program was reduced by 35%. The Court Assessment Program is a federally funded program requiring a state general fund match that assesses and assists district courts in moving child abuse and neglect cases through the court system and achieving permanency for children as quickly as possible. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95115 - 5% Plan - Reduce Drug Courts by 35% - Funding for drug courts was reduced by 35%. The current general fund appropriation supports statewide administrative and technical services, local drug court coordination services, and client treatment and support services for the following drug courts: Billings Adult Misdemeanor Drug Court; Butte-Silver Bow Family Drug Court; 4th Judicial District Youth Drug Court; 4th Judicial District Family Drug Court; 4th Judicial District Drug Court Co-Occurring Docket; 7th Judicial District Youth Treatment Court; 8th Judicial District Adult Drug Treatment Court; 8th Judicial District Juvenile Drug Treatment Court; 16th Judicial District Treatment Court; Gallatin County Treatment Court; Mineral County Adult Drug Treatment Court; Yellowstone County Family Drug Treatment Court. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95117 - 5% Plan - Supreme Court Reduce FTE - Funding was reduced to eliminate an information technology business analyst and trainer position (1.00 FTE) and a financial analyst position (0.50 FTE). The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 96113 - Restore 5% Plan - Reduce CAP by 35% - The legislature restored the reduction made in DP 95113.

DP 96115 - Restore 5% Plan - Reduce Drug Courts by 35% - The legislature restored funding for drug courts, which was reduced in DP 95115.

DP 96117 - Restore 5% Plan - Supreme Court Reduce FTE - The legislature restored a portion of the FTE reduction included in DP 95117.

**Program Budget Comparison**

The following table summarizes the total executive budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	3.00	3.00	3.00	3.00	3.00	3.00	0.00	0.00%
Personal Services	173,145	183,917	191,563	191,961	357,062	383,524	26,462	7.41%
Operating Expenses	188,096	175,569	166,684	153,449	363,665	320,133	(43,532)	(11.97%)
<b>Total Costs</b>	<b>\$361,241</b>	<b>\$359,486</b>	<b>\$358,247</b>	<b>\$345,410</b>	<b>\$720,727</b>	<b>\$703,657</b>	<b>(\$17,070)</b>	<b>(2.37%)</b>
General Fund	281,138	288,237	284,313	271,243	569,375	555,556	(13,819)	(2.43%)
State Special	80,103	71,249	73,934	74,167	151,352	148,101	(3,251)	(2.15%)
<b>Total Funds</b>	<b>\$361,241</b>	<b>\$359,486</b>	<b>\$358,247</b>	<b>\$345,410</b>	<b>\$720,727</b>	<b>\$703,657</b>	<b>(\$17,070)</b>	<b>(2.37%)</b>

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**Funding**

This program receives the majority of its funds from the general fund. State special revenue from fees charged for training events provides a portion of the program’s funding.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	281,138	281,138	562,276	101.21%	361,241	361,241	722,482	102.68%
Statewide PL Adjustments	22,563	22,779	45,342	8.16%	22,399	22,848	45,247	6.43%
Other PL Adjustments	13,286	0	13,286	2.39%	13,286	0	13,286	1.89%
New Proposals	(32,674)	(32,674)	(65,348)	(11.76%)	(38,679)	(38,679)	(77,358)	(10.99%)
<b>Total Budget</b>	<b>\$284,313</b>	<b>\$271,243</b>	<b>\$555,556</b>		<b>\$358,247</b>	<b>\$345,410</b>	<b>\$703,657</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the legislature. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	Fiscal 2012					Fiscal 2013				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					22,350					22,748
Inflation/Deflation					15					31
Fixed Costs					34					69
<b>Total Statewide Present Law Adjustments</b>		<b>\$22,563</b>	<b>(\$164)</b>	<b>\$0</b>	<b>\$22,399</b>		<b>\$22,779</b>	<b>\$69</b>	<b>\$0</b>	<b>\$22,848</b>
DP 2001 - Judicial Standards Rest/Bien	0.00	13,286	0	0	13,286	0.00	0	0	0	0
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$13,286</b>	<b>\$0</b>	<b>\$0</b>	<b>\$13,286</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$35,849</b>	<b>(\$164)</b>	<b>\$0</b>	<b>\$35,685</b>	<b>0.00</b>	<b>\$22,779</b>	<b>\$69</b>	<b>\$0</b>	<b>\$22,848</b>

DP 2001 - Judicial Standards Rest/Bien - The legislature provided funding to support the constitutionally mandated Judicial Standards Commission. For the past three biennia the legislature has provided a \$25,000 restricted, biennial appropriation to support costs associated with the investigations of complaints against judges. In FY 2010, the base budget year, expenditures of \$5,857 were incurred. The funding included in this decision package increases the funding approved by the legislature for this purpose to a total of \$25,000 for the biennium.

### New Proposals

New Proposals	Fiscal 2012					Fiscal 2013					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 2002 - Continuation of 2% reduction - 2009 Session											
02	0.00	(5,472)	0	0	(5,472)	0.00	(5,472)	0	0	(5,472)	
DP 9701 - Remove funding selected contracts											
02	0.00	(1,442)	(2,000)	0	(3,442)	0.00	(1,442)	(2,000)	0	(3,442)	
DP 95101 - 5% Plan - 2% Vacancy Savings											
02	0.00	(3,932)	0	0	(3,932)	0.00	(3,932)	0	0	(3,932)	
DP 95103 - 5% Plan - Boards and Commissions Operations											
02	0.00	(21,828)	(4,005)	0	(25,833)	0.00	(21,828)	(4,005)	0	(25,833)	
DP 95116 - 5% Plan - Boards and Commissions Reduce FTE											
02	(0.60)	(12,069)	0	0	(12,069)	(0.60)	(12,069)	0	0	(12,069)	
DP 96116 - Restore 5% Plan - Boards & Commissions Reduce FTE											
02	0.60	12,069	0	0	12,069	0.60	12,069	0	0	12,069	
<b>Total</b>	<b>0.00</b>	<b>(\$32,674)</b>	<b>(\$6,005)</b>	<b>\$0</b>	<b>(\$38,679)</b>	<b>0.00</b>	<b>(\$32,674)</b>	<b>(\$6,005)</b>	<b>\$0</b>	<b>(\$38,679)</b>	

DP 2002 - Continuation of 2% reduction - 2009 Session - The 2% reduction in funding approved by the legislature in the 2009 session was taken out of personal services and so was not included in the program base budget as a reduction. This reduction is in accordance with 17-7-102(10)(b), MCA.

DP 9701 - Remove funding selected contracts - The legislature removed funding for selected contracts included in the base budget.

DP 95101 - 5% Plan - 2% Vacancy Savings - A 2% vacancy savings rate was applied to all positions (3.0 FTE) in the Boards and Commissions Program. Employees assigned to the program process complaints and manage commissions charged with investigating complaints against attorneys and judges. Commission staff also manage mandatory training for judges in the courts of limited jurisdiction and judges in the District Courts. In addition, the program provides staff support to the Sentence Review Board. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95103 - 5% Plan - Boards and Commissions Operations - Funding for operational expenses such as printing, contracted services, office supplies, postage, long distance and other telephone costs, travel, and meeting costs was reduced. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95116 - 5% Plan - Boards and Commissions Reduce FTE - A reduction of a 0.60 FTE position was applied to the program. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 96116 - Restore 5% Plan - Boards & Commissions Reduce FTE - The legislature restored funding for personal services (FTE) that was removed in DP 95116.

**Program Budget Comparison**

The following table summarizes the total budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	6.75	6.75	6.75	6.75	6.75	6.75	0.00	0.00%
Personal Services	395,695	392,725	405,365	405,287	788,420	810,652	22,232	2.82%
Operating Expenses	372,701	412,609	335,230	335,237	785,310	670,467	(114,843)	(14.62%)
Equipment & Intangible Assets	108,479	69,326	97,184	97,184	177,805	194,368	16,563	9.32%
Debt Service	7,901	22,854	7,901	7,901	30,755	15,802	(14,953)	(48.62%)
<b>Total Costs</b>	<b>\$884,776</b>	<b>\$897,514</b>	<b>\$845,680</b>	<b>\$845,609</b>	<b>\$1,782,290</b>	<b>\$1,691,289</b>	<b>(\$91,001)</b>	<b>(5.11%)</b>
General Fund	884,776	897,514	845,680	845,609	1,782,290	1,691,289	(91,001)	(5.11%)
State Special	0	0	0	0	0	0	0	n/a
<b>Total Funds</b>	<b>\$884,776</b>	<b>\$897,514</b>	<b>\$845,680</b>	<b>\$845,609</b>	<b>\$1,782,290</b>	<b>\$1,691,289</b>	<b>(\$91,001)</b>	<b>(5.11%)</b>

**Page Reference**

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**Funding**

The law library is funded entirely with general fund.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	884,776	884,776	1,769,552	104.63%	884,776	884,776	1,769,552	104.63%
Statewide PL Adjustments	9,695	9,624	19,319	1.14%	9,695	9,624	19,319	1.14%
Other PL Adjustments	0	0	0	0.00%	0	0	0	0.00%
New Proposals	(48,791)	(48,791)	(97,582)	(5.77%)	(48,791)	(48,791)	(97,582)	(5.77%)
<b>Total Budget</b>	<b>\$845,680</b>	<b>\$845,609</b>	<b>\$1,691,289</b>		<b>\$845,680</b>	<b>\$845,609</b>	<b>\$1,691,289</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the legislature. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					9,670					9,592
Inflation/Deflation					25					32
<b>Total Statewide Present Law Adjustments</b>		<b>\$9,695</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,695</b>		<b>\$9,624</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,624</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$9,695</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,695</b>	<b>0.00</b>	<b>\$9,624</b>	<b>\$0</b>	<b>\$0</b>	<b>\$9,624</b>

**New Proposals**

New Proposals Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9701 - Remove funding selected contracts 03	0.00	(2,600)	0	0	(2,600)	0.00	(2,600)	0	0	(2,600)
DP 9703 - Reduce General Fund for Out of State Travel 03	0.00	(1,009)	0	0	(1,009)	0.00	(1,009)	0	0	(1,009)
DP 95107 - 5% Plan - Law Library Operations 03	0.00	(45,182)	0	0	(45,182)	0.00	(45,182)	0	0	(45,182)
<b>Total</b>	<b>0.00</b>	<b>(\$48,791)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$48,791)</b>	<b>0.00</b>	<b>(\$48,791)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$48,791)</b>

DP 9701 - Remove funding selected contracts - The legislature removed funding for selected contracts that was included in the base budget.

DP 9703 - Reduce General Fund for Out of State Travel - The legislature reduced general fund support for out of state travel by 25%.

DP 95107 - 5% Plan - Law Library Operations - Funding for the purchase of books and other library materials was reduced. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

**Proprietary Rates**

**Proprietary Program Description**

The Law Library requests that a contractor perform online searches and recovers the costs charged by the contractor for those searches from the requesting party.

Expenses

The only expenses charged to this fund are the costs of online searches/research.

Revenues

Revenues are charged based upon the cost of the search/research performed and are based upon the cost charged by the contractor.

Funding Sources

Funding for this service comes from payments made by the various state, county, and city agencies that use the service.

Proprietary Rates

No change is proposed.

This program is funded with an enterprise type proprietary fund. As such, the legislature does not appropriate funds or approve rates for the program. Instead, the legislature reviews the report for the enterprise fund and identifies any concerns with the financial position of the fund.

**Program Budget Comparison**

The following table summarizes the total budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	311.08	311.08	311.58	311.58	311.08	311.58	0.50	0.16%
Personal Services	20,614,284	21,695,401	22,395,022	22,482,461	42,309,685	44,877,483	2,567,798	6.07%
Operating Expenses	2,880,010	3,217,803	2,780,657	2,781,692	6,097,813	5,562,349	(535,464)	(8.78%)
Equipment & Intangible Assets	25,399	40,577	25,399	25,399	65,976	50,798	(15,178)	(23.01%)
Grants	0	0	0	0	0	0	0	n/a
Benefits & Claims	0	0	0	0	0	0	0	n/a
Debt Service	3,750	7,500	3,750	3,750	11,250	7,500	(3,750)	(33.33%)
<b>Total Costs</b>	<b>\$23,523,443</b>	<b>\$24,961,281</b>	<b>\$25,204,828</b>	<b>\$25,293,302</b>	<b>\$48,484,724</b>	<b>\$50,498,130</b>	<b>\$2,013,406</b>	<b>4.15%</b>
General Fund	23,363,992	24,554,598	24,951,676	25,039,963	47,918,590	49,991,639	2,073,049	4.33%
State Special	159,451	406,683	253,152	253,339	566,134	506,491	(59,643)	(10.54%)
Federal Special	0	0	0	0	0	0	0	n/a
<b>Total Funds</b>	<b>\$23,523,443</b>	<b>\$24,961,281</b>	<b>\$25,204,828</b>	<b>\$25,293,302</b>	<b>\$48,484,724</b>	<b>\$50,498,130</b>	<b>\$2,013,406</b>	<b>4.15%</b>

**Page Reference**

Legislative Budget Analysis, D-23

**Funding**

The bulk of the funding for District Court Operations comes from the general fund. State special revenue supporting the program comes from court imposed fines and fees and county payments to the accrued sick/vacation leave fund made at the time of state assumption of District Court costs. Federal funds supporting the program are generally time limited grant awards that support special projects such as drug courts.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	23,363,992	23,363,992	46,727,984	93.47%	23,523,443	23,523,443	47,046,886	93.17%
Statewide PL Adjustments	1,961,894	2,052,482	4,014,376	8.03%	1,962,073	2,052,848	4,014,921	7.95%
Other PL Adjustments	478,777	476,476	955,253	1.91%	478,777	476,476	955,253	1.89%
New Proposals	(852,987)	(852,987)	(1,705,974)	(3.41%)	(759,465)	(759,465)	(1,518,930)	(3.01%)
<b>Total Budget</b>	<b>\$24,951,676</b>	<b>\$25,039,963</b>	<b>\$49,991,639</b>		<b>\$25,204,828</b>	<b>\$25,293,302</b>	<b>\$50,498,130</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the legislature. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	Fiscal 2012					Fiscal 2013				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					1,967,129					2,055,669
Inflation/Deflation					(5,235)					(3,187)
Fixed Costs					179					366
<b>Total Statewide Present Law Adjustments</b>		<b>\$1,961,894</b>	<b>\$179</b>	<b>\$0</b>	<b>\$1,962,073</b>		<b>\$2,052,482</b>	<b>\$366</b>	<b>\$0</b>	<b>\$2,052,848</b>
DP 4001 - New Judges and Staff Base Adjustment	4.50	478,777	0	0	478,777	4.50	476,476	0	0	476,476
<b>Total Other Present Law Adjustments</b>	<b>4.50</b>	<b>\$478,777</b>	<b>\$0</b>	<b>\$0</b>	<b>\$478,777</b>	<b>4.50</b>	<b>\$476,476</b>	<b>\$0</b>	<b>\$0</b>	<b>\$476,476</b>
<b>Grand Total All Present Law Adjustments</b>	<b>4.50</b>	<b>\$2,440,671</b>	<b>\$179</b>	<b>\$0</b>	<b>\$2,440,850</b>	<b>4.50</b>	<b>\$2,528,958</b>	<b>\$366</b>	<b>\$0</b>	<b>\$2,529,324</b>

DP 4001 - New Judges and Staff Base Adjustment - The legislature provided funding to support three new judges (and support staff) as provided by the 2009 Legislature in SB 158. The three additional judges were elected in November 2010 and took office in January 2011. A District Court judge was added in the 1st, 11th and 13th judicial districts (one each). The Judicial Branch received an appropriation to support 5.0 FTE (10.0 FTE for six months of the year) and associated costs in FY 2011. Because the FY 2010 base budget does not include a full year's costs related to the additional judges and staff, annualization of the anticipated costs was included in the 2013 biennium budget.

**New Proposals**

New Proposals	Fiscal 2012					Fiscal 2013					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9702 - Funding Shift - Gen Fund to Supervision/Court Fees	04	0.00	(100,000)	100,000	0	0	0.00	(100,000)	100,000	0	0
DP 9703 - Reduce General Fund for Out of State Travel	04	0.00	(644)	0	0	(644)	0.00	(644)	0	0	(644)
DP 95101 - 5% Plan - 2% Vacancy Savings	04	0.00	(318,676)	0	0	(318,676)	0.00	(318,676)	0	0	(318,676)
DP 95104 - 5% Plan - DC Operations - Probation Fees	04	0.00	0	(6,478)	0	(6,478)	0.00	0	(6,478)	0	(6,478)
DP 95109 - 5% Plan - District Court Operations Costs	04	0.00	(22,583)	0	0	(22,583)	0.00	(22,583)	0	0	(22,583)
DP 95110 - 5% Plan - DC Contract Court Reporters	04	0.00	(31,417)	0	0	(31,417)	0.00	(31,417)	0	0	(31,417)
DP 95111 - 5% Plan - DC Eliminate Funding Tumbleweed Contract	04	0.00	(59,280)	0	0	(59,280)	0.00	(59,280)	0	0	(59,280)
DP 95112 - 5% Plan - DC Fixed Contract GALs	04	0.00	(115,160)	0	0	(115,160)	0.00	(115,160)	0	0	(115,160)
DP 95114 - 5% Plan - DC Reduce Family Evaluator by 35%	04	0.00	(124,154)	0	0	(124,154)	0.00	(124,154)	0	0	(124,154)
DP 95118 - 5% Plan - DC - Reduce FTE Youth Court	04	(4.00)	(172,100)	0	0	(172,100)	(4.00)	(172,100)	0	0	(172,100)
DP 95119 - 5% Plan - District Court Reduce FTE	04	(6.00)	(265,028)	0	0	(265,028)	(6.00)	(265,028)	0	0	(265,028)
DP 96114 - Restore 5% Plan - DC Reduce Fam Evaluator by 35%	04	0.00	88,628	0	0	88,628	0.00	88,628	0	0	88,628
DP 96118 - Restore 5% Plan - DC - Reduce FTE Youth Court	04	2.00	93,209	0	0	93,209	2.00	93,209	0	0	93,209
DP 96119 - Restore 5% Plan - District Court Reduce FTE	04	4.00	174,218	0	0	174,218	4.00	174,218	0	0	174,218
<b>Total</b>	<b>(4.00)</b>	<b>(\$852,987)</b>	<b>\$93,522</b>	<b>\$0</b>	<b>(\$759,465)</b>	<b>(4.00)</b>	<b>(\$852,987)</b>	<b>\$93,522</b>	<b>\$0</b>	<b>(\$759,465)</b>	

DP 9702 - Funding Shift - Gen Fund to Supervision/Court Fees - The legislature reduced general fund by \$100,000 per year and increased funding from the state special revenue from fines and fees, including supervision fees.

DP 9703 - Reduce General Fund for Out of State Travel - The legislature reduced general fund support for out of state travel by 25%.

DP 95101 - 5% Plan - 2% Vacancy Savings - A 2% vacancy saving rate was applied to positions in the District Court Operations Program, except for the judges whose salaries may not be reduced during their term of office (Montana Constitution, Article VII, section 7). The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95104 - 5% Plan - DC Operations - Probation Fees - State special revenue support from probation fees revenue was reduced. Items impacted by the reduction may include training, supplies and materials, and other miscellaneous expenditure categories. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95109 - 5% Plan - District Court Operations Costs - Funding reductions include elimination of a subscription for certain on-line legal research services and the annual evaluation of selected out-of-state placements, programs, and services for juveniles referred to the Youth Court. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95110 - 5% Plan - DC Contract Court Reporters - Funding for contracted court reporters to fill in for state employee official reporters was reduced. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95111 - 5% Plan - DC Eliminate Funding Tumbleweed Contract - Funding for the contract with the Tumbleweed Runaway Program that provides services to low-risk juvenile offenders and their families in Yellowstone County was reduced. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95112 - 5% Plan - DC Fixed Contract GALs - Funding was reduced for guardians ad litem in child abuse and neglect cases. The reduction would impact services offered in the 2<sup>nd</sup> Judicial District (Butte-Silver Bow County). The branch intends to negotiate contracts with providers and significantly reduce the payments for these services. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95114 - 5% Plan - DC Reduce Family Evaluator by 35% - Funding for programs in Flathead and Yellowstone counties that have in-house and contract staff providing evaluations and recommendations to the court in contested parenting or custody matters was reduced. Program staff conduct parenting investigations in contested cases and make recommendations to the court in difficult or contested parenting cases. The services will be reduced by 35%. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95118 - 5% Plan - DC - Reduce FTE Youth Court - Funding for 4.00 FTE positions in the juvenile probation offices that provide services to juveniles referred to Youth Court was reduced. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95119 - 5% Plan - District Court Reduce FTE - Funding was reduced for 6.00 FTE positions that provide support services to the District Courts. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 96114 - Restore 5% Plan - DC Reduce Fam Evaluator by 35% - The legislature restored a portion of the funding for family evaluator services that was removed in DP 95114.

DP 96118 - Restore 5% Plan - DC - Reduce FTE Youth Court - The legislature restored funding for a portion of the youth court FTE reduction that was included in DP 95118.

DP 96119 - Restore 5% Plan - District Court Reduce FTE - The legislature restored a portion of the FTE reduction made in DP 95119

### Program Budget Comparison

The following table summarizes the total executive budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	18.00	18.00	20.00	20.00	18.00	20.00	2.00	11.11%
Personal Services	1,300,692	1,338,299	1,470,748	1,469,022	2,638,991	2,939,770	300,779	11.40%
Operating Expenses	222,603	252,655	192,461	196,686	475,258	389,147	(86,111)	(18.12%)
Equipment & Intangible Assets	8,287	13,561	8,287	8,287	21,848	16,574	(5,274)	(24.14%)
<b>Total Costs</b>	<b>\$1,531,582</b>	<b>\$1,604,515</b>	<b>\$1,671,496</b>	<b>\$1,673,995</b>	<b>\$3,136,097</b>	<b>\$3,345,491</b>	<b>\$209,394</b>	<b>6.68%</b>
State Special	1,531,582	1,604,515	1,671,496	1,673,995	3,136,097	3,345,491	209,394	6.68%
<b>Total Funds</b>	<b>\$1,531,582</b>	<b>\$1,604,515</b>	<b>\$1,671,496</b>	<b>\$1,673,995</b>	<b>\$3,136,097</b>	<b>\$3,345,491</b>	<b>\$209,394</b>	<b>6.68%</b>

### Page Reference

Legislative Budget Analysis, D-27

### Funding

The Water Court is supported entirely by state special revenue from the renewable resources grant and loan account and the water adjudication account. Legislation passed by the 2007 Legislature (HB 473 of the regular session) transferred \$25.0 million from the general fund to the state special revenue account for adjudication of water rights claims.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	0	0	0	0.00%	1,531,582	1,531,582	3,063,164	91.56%
Statewide PL Adjustments	0	0	0	0.00%	93,075	92,768	185,843	5.56%
Other PL Adjustments	0	0	0	0.00%	96,032	98,838	194,870	5.82%
New Proposals	0	0	0	0.00%	(49,193)	(49,193)	(98,386)	(2.94%)
<b>Total Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$1,671,496</b>	<b>\$1,673,995</b>	<b>\$3,345,491</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

	Fiscal 2012					Fiscal 2013				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Present Law Adjustments										
Personal Services					91,378					90,230
Inflation/Deflation					954					1,015
Fixed Costs					743					1,523
<b>Total Statewide Present Law Adjustments</b>		<b>\$0</b>	<b>\$93,075</b>	<b>\$0</b>	<b>\$93,075</b>		<b>\$0</b>	<b>\$92,768</b>	<b>\$0</b>	<b>\$92,768</b>
DP 5001 - Water Court Rent Increase	0.00	0	5,782	0	5,782	0.00	0	8,802	0	8,802
DP 5002 - Water Court Additional FTE	2.00	0	90,250	0	90,250	2.00	0	90,036	0	90,036
<b>Total Other Present Law Adjustments</b>	<b>2.00</b>	<b>\$0</b>	<b>\$96,032</b>	<b>\$0</b>	<b>\$96,032</b>	<b>2.00</b>	<b>\$0</b>	<b>\$98,838</b>	<b>\$0</b>	<b>\$98,838</b>
<b>Grand Total All Present Law Adjustments</b>	<b>2.00</b>	<b>\$0</b>	<b>\$189,107</b>	<b>\$0</b>	<b>\$189,107</b>	<b>2.00</b>	<b>\$0</b>	<b>\$191,606</b>	<b>\$0</b>	<b>\$191,606</b>

DP 5001 - Water Court Rent Increase - The legislature provided funding for a 3% per year increase in rent payments as provided in the lease agreement.

DP 5002 - Water Court Additional FTE - The legislature shifted 2.00 FTE and related funding dedicated to water adjudication from the Department of Natural Resources and Conservation (DNRC) to the Water Court.

**New Proposals**

Program	Fiscal 2012					Fiscal 2013					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 95105 - 5% Plan - Water Court Operations	05	0.00	0	(49,193)	0	(49,193)	0.00	0	(49,193)	0	(49,193)
<b>Total</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$49,193)</b>	<b>\$0</b>	<b>(\$49,193)</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$49,193)</b>	<b>\$0</b>	<b>(\$49,193)</b>	

DP 95105 - 5% Plan - Water Court Operations - Funding for operational expense categories was reduced. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

**Program Budget Comparison**

The following table summarizes the total budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	5.50	5.50	5.50	5.50	5.50	5.50	0.00	0.00%
Personal Services	394,105	414,426	437,593	436,652	808,531	874,245	65,714	8.13%
Operating Expenses	54,288	54,857	44,072	44,074	109,145	88,146	(20,999)	(19.24%)
<b>Total Costs</b>	<b>\$448,393</b>	<b>\$469,283</b>	<b>\$481,665</b>	<b>\$480,726</b>	<b>\$917,676</b>	<b>\$962,391</b>	<b>\$44,715</b>	<b>4.87%</b>
General Fund	448,393	469,283	481,665	480,726	917,676	962,391	44,715	4.87%
<b>Total Funds</b>	<b>\$448,393</b>	<b>\$469,283</b>	<b>\$481,665</b>	<b>\$480,726</b>	<b>\$917,676</b>	<b>\$962,391</b>	<b>\$44,715</b>	<b>4.87%</b>

**Page Reference**

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**Funding**

This program is funded entirely by the general fund.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	448,393	448,393	896,786	93.18%	448,393	448,393	896,786	93.18%
Statewide PL Adjustments	43,878	42,939	86,817	9.02%	43,878	42,939	86,817	9.02%
Other PL Adjustments	0	0	0	0.00%	0	0	0	0.00%
New Proposals	(10,606)	(10,606)	(21,212)	(2.20%)	(10,606)	(10,606)	(21,212)	(2.20%)
<b>Total Budget</b>	<b>\$481,665</b>	<b>\$480,726</b>	<b>\$962,391</b>		<b>\$481,665</b>	<b>\$480,726</b>	<b>\$962,391</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the executive. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments										
Budget Item	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					43,488					42,547
Inflation/Deflation					390					392
<b>Total Statewide Present Law Adjustments</b>		<b>\$43,878</b>	<b>\$0</b>	<b>\$0</b>	<b>\$43,878</b>		<b>\$42,939</b>	<b>\$0</b>	<b>\$0</b>	<b>\$42,939</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$43,878</b>	<b>\$0</b>	<b>\$0</b>	<b>\$43,878</b>	<b>0.00</b>	<b>\$42,939</b>	<b>\$0</b>	<b>\$0</b>	<b>\$42,939</b>

**New Proposals**

New Proposals Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 601 - Continuation of 2% reduction - 2009 Session 06	0.00	(9,438)	0	0	(9,438)	0.00	(9,438)	0	0	(9,438)
DP 9703 - Reduce General Fund for Out of State Travel 06	0.00	(1,168)	0	0	(1,168)	0.00	(1,168)	0	0	(1,168)
DP 95108 - 5% Plan - Clerk of Court Operations 06	0.00	(22,420)	0	0	(22,420)	0.00	(22,420)	0	0	(22,420)
DP 96108 - Restore 5% Plan - Clerk of Court Operations 06	0.00	22,420	0	0	22,420	0.00	22,420	0	0	22,420
<b>Total</b>	<b>0.00</b>	<b>(\$10,606)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$10,606)</b>	<b>0.00</b>	<b>(\$10,606)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$10,606)</b>

DP 601 - Continuation of 2% reduction - 2009 Session - The 2% reduction approved by the legislature in the 2009 session was taken out of personal services and so was not included in the base budget as a reduction. This decision package continues the reduction in accordance with 17-7-102(10)(b), MCA.

DP 9703 - Reduce General Fund for Out of State Travel - The legislature reduced general fund support for out of state travel by 25%.

DP 95108 - 5% Plan - Clerk of Court Operations - Funding for operational expense categories including copying, office supplies, postage, records storage, long distance and other telephone charges, travel, office equipment maintenance, and training was reduced. The branch included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 96108 - Restore 5% Plan - Clerk of Court Operations - The legislature restored the reduction made in DP 95108.

### Agency Budget Comparison

The following table summarizes the total budget for the agency by year, type of expenditure, and source of funding.

Agency Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	19.50	19.50	17.50	17.50	19.50	17.50	(2.00)	(10.26%)
Personal Services	1,209,250	1,272,528	1,085,896	1,086,755	2,481,778	2,172,651	(309,127)	(12.46%)
Operating Expenses	711,072	768,164	661,767	662,393	1,479,236	1,324,160	(155,076)	(10.48%)
Equipment & Intangible Assets	13,042	0	13,042	13,042	13,042	26,084	13,042	100.00%
Grants	3,548,184	13,675,531	6,052,947	6,052,947	17,223,715	12,105,894	(5,117,821)	(29.71%)
Transfers	531,723	1,218,134	1,204,639	1,204,639	1,749,857	2,409,278	659,421	37.68%
<b>Total Costs</b>	<b>\$6,013,271</b>	<b>\$16,934,357</b>	<b>\$9,018,291</b>	<b>\$9,019,776</b>	<b>\$22,947,628</b>	<b>\$18,038,067</b>	<b>(\$4,909,561)</b>	<b>(21.39%)</b>
General Fund	2,351,300	2,386,384	2,200,211	2,198,036	4,737,684	4,398,247	(339,437)	(7.16%)
State Special	37,595	291,808	152,086	152,086	329,403	304,172	(25,231)	(7.66%)
Federal Special	3,624,376	14,256,165	6,665,994	6,669,654	17,880,541	13,335,648	(4,544,893)	(25.42%)
<b>Total Funds</b>	<b>\$6,013,271</b>	<b>\$16,934,357</b>	<b>\$9,018,291</b>	<b>\$9,019,776</b>	<b>\$22,947,628</b>	<b>\$18,038,067</b>	<b>(\$4,909,561)</b>	<b>(21.39%)</b>

### Page Reference

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### Executive Budget Comparison

The following table compares the legislative budget in the 2013 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2010	Executive Budget Fiscal 2012	Legislative Budget Fiscal 2012	Leg – Exec. Difference Fiscal 2012	Executive Budget Fiscal 2013	Legislative Budget Fiscal 2013	Leg – Exec. Difference Fiscal 2013	Biennium Difference Fiscal 12-13
FTE	19.50	20.00	17.50	(2.50)	20.00	17.50	(2.50)	
Personal Services	1,209,250	1,301,458	1,085,896	(215,562)	1,301,935	1,086,755	(215,180)	(430,742)
Operating Expenses	711,072	831,876	661,767	(170,109)	807,256	662,393	(144,863)	(314,972)
Equipment & Intangible Assets	13,042	13,042	13,042	0	13,042	13,042	0	0
Grants	3,548,184	5,948,992	6,052,947	103,955	5,904,669	6,052,947	148,278	252,233
Transfers	531,723	1,204,639	1,204,639	0	1,204,639	1,204,639	0	0
<b>Total Costs</b>	<b>\$6,013,271</b>	<b>\$9,300,007</b>	<b>\$9,018,291</b>	<b>(\$281,716)</b>	<b>\$9,231,541</b>	<b>\$9,019,776</b>	<b>(\$211,765)</b>	<b>(\$493,481)</b>
General Fund	2,351,300	2,456,750	2,200,211	(256,539)	2,384,634	2,198,036	(186,598)	(443,137)
State/Other Special	37,595	152,736	152,086	(650)	152,736	152,086	(650)	(1,300)
Federal Special	3,624,376	6,690,521	6,665,994	(24,527)	6,694,171	6,669,654	(24,517)	(49,044)
<b>Total Funds</b>	<b>\$6,013,271</b>	<b>\$9,300,007</b>	<b>\$9,018,291</b>	<b>(\$281,716)</b>	<b>\$9,231,541</b>	<b>\$9,019,776</b>	<b>(\$211,765)</b>	<b>(\$493,481)</b>

The legislature provided funding for the agency that is about \$500,000 total funds and \$443,000 general fund lower than the executive request. The difference is primarily due to a reduction of \$438,000 general fund for 2.00 FTE (that are currently vacant) and associated costs contingent upon passage and approval of HB 230. Additionally, the legislature did not approve federal funds to support the addition of 0.50 FTE administrative support staff that was funded with a one-time-only appropriation for the 2011 biennium.

**Agency Highlights**

<b>Montana Board of Crime Control Major Budget Highlights</b>	
<ul style="list-style-type: none"> <li>◆ General fund support for the agency decreases 7.2% (\$339,000) when the two biennia are compared,                             <ul style="list-style-type: none"> <li>• Increases in general fund support due to statewide present law adjustments are offset by decreases in other present law adjustments and the removal of funding for 2.00 FTE (currently vacant) contingent upon passage and approval of HB 230</li> <li>• HB 230 would change the administrative attachment for this agency to the Department of Corrections instead of the Department of Justice</li> </ul> </li> <li>◆ Total funding for the agency decreases between the two biennia due to changes in federal funding levels</li> </ul>	

**Agency Discussion**

Total funding for the agency decreases almost \$5 million or over 20% between the two biennia. This reduction is primarily due to the adjustment of funding for federal grants to the level of revenues anticipated for the 2013 biennium. General fund support for the agency decreases primarily due to a reduction in funding that is contingent upon passage and approval of HB 230, which would change the administrative attachment for this program from the Department of Justice to the Department of Corrections and reduce 2.00 FTE.

**Funding**

General fund supports agency operations and grants to regional juvenile detention centers. Agency operations receives most of its support from the general fund with the balance funded primarily with federal funds. State special revenue for the misdemeanor domestic violence intervention program is administered by this agency. Federal funds administered by the agency come from seventeen different federal grants with the majority of these funds being pass-through funds that go to state and local agencies. A small portion of the federal grant funds support agency operations. The amount of administrative costs that may be recovered from federal grants varies from 0% to 10% depending upon the grant source, with the average administrative cost rate for all federal grants administered by the agency being 5.46%.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Budget Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Budget Biennium Fiscal 12-13	Percent of Budget
Base Budget	2,351,300	2,351,300	4,702,600	106.92%	6,013,271	6,013,271	12,026,542	66.67%
Statewide PL Adjustments	165,710	163,614	329,324	7.49%	179,001	180,587	359,588	1.99%
Other PL Adjustments	(85,957)	(85,957)	(171,914)	(3.91%)	3,120,287	3,120,287	6,240,574	34.60%
New Proposals	(230,842)	(230,921)	(461,763)	(10.50%)	(294,268)	(294,369)	(588,637)	(3.26%)
<b>Total Budget</b>	<b>\$2,200,211</b>	<b>\$2,198,036</b>	<b>\$4,398,247</b>		<b>\$9,018,291</b>	<b>\$9,019,776</b>	<b>\$18,038,067</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the executive. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					71,957					72,466
Inflation/Deflation					(2,933)					(2,888)
Fixed Costs					109,977					111,009
<b>Total Statewide Present Law Adjustments</b>		<b>\$165,710</b>	<b>\$1,169</b>	<b>\$12,122</b>	<b>\$179,001</b>		<b>\$163,614</b>	<b>\$1,169</b>	<b>\$15,804</b>	<b>\$180,587</b>
DP 102 - Database Software Maintenance Contracts	0.00	15,600	0	21,375	36,975	0.00	15,600	0	21,375	36,975
DP 103 - Adjust Pass Through Grant Authority / Admin	0.00	0	115,130	2,788,694	2,903,824	0.00	0	115,130	2,788,694	2,903,824
DP 104 - Sexual Assault Services Formula Grant	0.00	0	0	160,000	160,000	0.00	0	0	160,000	160,000
DP 105 - Project Safe Neighborhood Grant	0.00	0	0	138,500	138,500	0.00	0	0	138,500	138,500
DP 106 - Office Relocation	0.00	(75,860)	(1,158)	(16,297)	(93,315)	0.00	(75,860)	(1,158)	(16,297)	(93,315)
DP 140 - Other Reductions made for MCA 17-7-140	0.00	(25,697)	0	0	(25,697)	0.00	(25,697)	0	0	(25,697)
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>(\$85,957)</b>	<b>\$113,972</b>	<b>\$3,092,272</b>	<b>\$3,120,287</b>	<b>0.00</b>	<b>(\$85,957)</b>	<b>\$113,972</b>	<b>\$3,092,272</b>	<b>\$3,120,287</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$79,753</b>	<b>\$115,141</b>	<b>\$3,104,394</b>	<b>\$3,299,288</b>	<b>0.00</b>	<b>\$77,657</b>	<b>\$115,141</b>	<b>\$3,108,076</b>	<b>\$3,300,874</b>

DP 102 - Database Software Maintenance Contracts - The legislature provided funding for various software maintenance contracts including:

- o \$1,200 (federal funds) for the Automated Victims Information Database (AVID) web-based system utilized by victim services programs throughout the state to gather federally required statistical information for the STOP Violence Against Women Act (VAWA), Sexual Assault Services Program (SASP), the Victims of Crime Act (VOCA), and the Family Violence Prevention and Services programs.
- o \$12,175 (50% federal fund 50% general fund) for the National Incident Based Reporting System (NIBRS) - incident-based reporting system used by law enforcement agencies to collect and report data on crimes.
- o \$16,000 for BEYOND 20/20 (50% federal fund 50% general fund) web based analytic application that allows the user to produce reports and charts based on any NIBRS elements by simply pointing and clicking on their internet browser.
- o \$7,600 (general fund) for the Juvenile Detention Record Information System (JDRIS) used to track juvenile detention data for monitoring and reporting state compliance with the Juvenile Justice and Delinquency Prevention Act of 2002 (JJDP Act). This system is part of a case management system that is used by some of the regional juvenile detention centers. The maintenance costs for this system were funded for the current biennial as a one-time-only appropriation.

DP 103 - Adjust Pass Through Grant Authority / Admin - The legislature provided funding for adjustments to state special and federal funding for various grants that are passed through the agency to other entities. Adjustments are due to changes in the estimated amounts that will be received and awarded and changes in accounting practices consistent with government accounting standards.

DP 104 - Sexual Assault Services Formula Grant - The legislature approved funding for a new federal grant that was received for the first time in September 2009. The Sexual Assault Services Grant Program (SASP), funded through the Office on Violence against Women (OVW) under the Violence against Women Act (VAWA), supports services for victims of sexual assault. The agency anticipates an annual grant of around \$160,000 and is eligible to use 5% of the grant to help cover the administrative costs of the program.

DP 105 - Project Safe Neighborhood Grant - The legislature approved funding for the Project Safe Neighborhoods (PSN) grant, which is a federal initiative through the U.S. Department of Justice, Bureau of Justice Assistance. This grant is made available to the U.S. Attorney who has requested that the MBCC be the fiscal agent and administrator for the grant. Up to 10% of the grant may be used for administrative costs. This grant program is designed to reduce gun and gang crime in America.

DP 106 - Office Relocation - The legislature removed funding for rental for non-state buildings from the agency budget and added funding for parking costs. Effective October 2010 the agency offices have been relocated from a non-state owned building to a state owned building (the Peg Condon building). Rental costs at the new location are estimated at \$8.906 and \$8.954 per square foot for FY 2012 and 2013, respectively. The agency leases 9,000 square feet of space at the new location.

DP 140 - Other Reductions made for MCA 17-7-140 - The legislature continued the same level of funding reductions as those occurring in the 2011 biennium in accordance with 17-7-140, MCA. However, the legislature applied a portion of the funding reduction to agency operations instead of reducing general fund support for grants to juvenile detention centers.

### New Proposals

New Proposals Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 700 - Juvenile Detention Funding										
01	0.00	0	0	0	0	0.00	0	0	0	0
DP 701 - Reduce Funding - Impact of HB 230										
01	(2.00)	(219,093)	(650)	(62,776)	(282,519)	(2.00)	(219,172)	(650)	(62,798)	(282,620)
DP 702 - Reduce general fund support for travel										
01	0.00	(11,749)	0	0	(11,749)	0.00	(11,749)	0	0	(11,749)
<b>Total</b>	<b>(2.00)</b>	<b>(\$230,842)</b>	<b>(\$650)</b>	<b>(\$62,776)</b>	<b>(\$294,268)</b>	<b>(2.00)</b>	<b>(\$230,921)</b>	<b>(\$650)</b>	<b>(\$62,798)</b>	<b>(\$294,369)</b>

DP 700 - Juvenile Detention Funding - The legislature decreased general fund support for contracts in the base budget and increased funding for juvenile detention grants to counties by \$45,455 per year and included all funding for juvenile detention costs as a restricted appropriation.

DP 701 - Reduce Funding - Impact of HB 230 - The legislature reduced funding for the agency based upon the anticipated impact of HB 230, which changes the administrative attachment for this agency to the Department of Corrections. This reduction is contingent upon passage and approval of HB 230.

DP 702 - Reduce general fund support for travel - The legislature reduced general fund support for travel costs by \$11,749 per year or 40% of the base budget expenditure level.

### Language

The legislature included the following language in HB 2.

“The appropriation for Justice System Support is increased by \$219,093 in general fund money, \$650 state special revenue, and \$62,776 in federal funds in fiscal year 2012 and \$219,172 in general fund money, \$650 state special revenue, and \$62,798 in federal funds in fiscal year 2013 if HB 230 is not passed and approved.”

“Funding in Juvenile Detention may be used only for payments to counties for juvenile detention costs.”

“All pass-through grant authority is biennial. All remaining pass-through grant appropriations, up to \$100,000 in general fund money, \$180,000 in state special revenue, and \$7 million in federal funds, including reversions, for the 2011 biennium are authorized to continue and are appropriated in fiscal year 2012 and fiscal year 2013.”

### Agency Budget Comparison

The following table summarizes the total legislative budget for the agency by year, type of expenditure, and source of funding.

Agency Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	752.05	752.05	750.89	754.85	752.05	754.85	2.80	0.37%
Personal Services	45,224,471	45,355,993	49,957,932	50,274,220	90,580,464	100,232,152	9,651,688	10.66%
Operating Expenses	20,867,277	25,904,682	25,409,412	24,880,208	46,771,959	50,289,620	3,517,661	7.52%
Equipment & Intangible Assets	1,995,547	2,111,490	2,265,547	2,265,547	4,107,037	4,531,094	424,057	10.33%
Benefits & Claims	1,011,704	1,868,328	934,654	934,654	2,880,032	1,869,308	(1,010,724)	(35.09%)
Transfers	0	0	0	0	0	0	0	n/a
Debt Service	674,549	2,348,703	2,438,359	2,438,359	3,023,252	4,876,718	1,853,466	61.31%
<b>Total Costs</b>	<b>\$69,773,548</b>	<b>\$77,589,196</b>	<b>\$81,005,904</b>	<b>\$80,792,988</b>	<b>\$147,362,744</b>	<b>\$161,798,892</b>	<b>\$14,436,148</b>	<b>9.80%</b>
General Fund	24,957,152	25,938,858	26,353,927	26,802,538	50,896,010	53,156,465	2,260,455	4.44%
State Special	41,651,649	48,102,143	50,961,844	50,651,897	89,753,792	101,613,741	11,859,949	13.21%
Federal Special	1,405,530	1,760,313	1,492,068	1,493,495	3,165,843	2,985,563	(180,280)	(5.69%)
Other	0	0	0	0	0	0	0	n/a
Other	1,759,217	1,787,882	2,198,065	1,845,058	3,547,099	4,043,123	496,024	13.98%
<b>Total Funds</b>	<b>\$69,773,548</b>	<b>\$77,589,196</b>	<b>\$81,005,904</b>	<b>\$80,792,988</b>	<b>\$147,362,744</b>	<b>\$161,798,892</b>	<b>\$14,436,148</b>	<b>9.80%</b>

### Page Reference

Legislative Budget Analysis, D-40

### Executive Budget Comparison

The following table compares the legislative budget in the 2013 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2010	Executive Budget Fiscal 2012	Legislative Budget Fiscal 2012	Leg - Exec. Difference Fiscal 2012	Executive Budget Fiscal 2013	Legislative Budget Fiscal 2013	Leg - Exec. Difference Fiscal 2013	Biennium Difference Fiscal 12-13
FTE	752.05	752.89	750.89	(2.00)	752.85	754.85	2.00	
Personal Services	45,224,471	49,643,781	49,957,932	314,151	49,683,628	50,274,220	590,592	904,743
Operating Expenses	20,867,277	28,638,924	25,409,412	(3,229,512)	27,989,642	24,880,208	(3,109,434)	(6,338,946)
Equipment & Intangible Assets	1,995,547	2,265,547	2,265,547	0	2,265,547	2,265,547	0	0
Benefits & Claims	1,011,704	1,261,704	934,654	(327,050)	1,261,704	934,654	(327,050)	(654,100)
Transfers	0	0	0	0	0	0	0	0
Debt Service	674,549	2,524,549	2,438,359	(86,190)	2,524,549	2,438,359	(86,190)	(172,380)
<b>Total Costs</b>	<b>\$69,773,548</b>	<b>\$84,334,505</b>	<b>\$81,005,904</b>	<b>(\$3,328,601)</b>	<b>\$83,725,070</b>	<b>\$80,792,988</b>	<b>(\$2,932,082)</b>	<b>(\$6,260,683)</b>
General Fund	24,957,152	27,391,940	26,353,927	(1,038,013)	27,391,113	26,802,538	(588,575)	(1,626,588)
State/Other Special	41,651,649	50,986,728	50,961,844	(24,884)	50,729,737	50,651,897	(77,840)	(102,724)
Federal Special	1,405,530	1,492,068	1,492,068	0	1,493,495	1,493,495	0	0
Capital Projects	0	2,250,000	0	(2,250,000)	2,250,000	0	(2,250,000)	(4,500,000)
Proprietary	1,759,217	2,213,769	2,198,065	(15,704)	1,860,725	1,845,058	(15,667)	(31,371)
<b>Total Funds</b>	<b>\$69,773,548</b>	<b>\$84,334,505</b>	<b>\$81,005,904</b>	<b>(\$3,328,601)</b>	<b>\$83,725,070</b>	<b>\$80,792,988</b>	<b>(\$2,932,082)</b>	<b>(\$6,260,683)</b>

The level of funding provided by the legislature for the agency is \$6.3 million total funds and \$1.7 million general fund lower than the executive request. \$4.5 million of this difference is related to the legislature taking no action on funding for capital project payments that was unnecessarily included in the executive request.

General fund support for the agency is \$1.7 million lower than the executive requests due to offsetting adjustments. The legislature:

- Reduced funding consistent with the statutorily required 5% base reduction plan submitted by the agency (not including reductions included in the executive budget), about \$1.1 million for the biennium
- Shifted funding for the executive protection function from the general fund to the highway patrol recruitment and retention state special revenue fund, slightly more than \$0.5 million for the biennium
- Provided partial funding in FY 2013 for two elected official requests (the Child Sexual Predator Unit and Prescription Drug Diversion Unit) previously funded with federal grants, about \$0.5 million

Similarly, offsetting adjustments in state special revenues have a net impact reducing funding from these sources by \$100,000 for the biennium. The legislature:

- Reduced funding consistent with the statutorily required 5% base reduction plan submitted by the agency (not including reductions included in the executive budget), about \$1.3 million for the biennium
- Shifted funding for the executive protection function to the highway patrol recruitment and retention state special revenue fund, slightly more than \$0.5 million for the biennium
- Reduced state special revenue funding for highway patrol base adjustments, \$0.9 million
- Did not approve a request for increased appropriations of consumer settlement proceeds, \$0.5 million
- Provided funding for statutorily required increases in highway patrol trooper salaries, \$1.9 million

### Agency Highlights

<b>Department of Justice Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>◆ Funding for the department increases 9.8% (\$14.4 million) between the two biennia with the majority of the increase (\$11.9 million) in state special revenue</li> <li>◆ State special revenue increases 13.2% (\$11.9 million) between the two biennia due to: <ul style="list-style-type: none"> <li>• Statewide present law adjustments</li> <li>• Debt payments for information technology projects (\$6.6 million)</li> <li>• Funding for highway patrol trooper salary increases (\$1.9 million)</li> <li>• Funding for the new insurance verification system (\$1.8 million)</li> <li>• Funding increases for the Criminal Justice Information System (CJIS) (\$1.1 million)</li> </ul> </li> <li>◆ General fund support for the department increases 4.4% (\$2.3 million) between the two biennia primarily due to increases in statewide present law adjustments that are offset by reductions made that are consistent with the statutorily required 5% base reduction plan submitted by the agency</li> <li>◆ The legislature recommends that the Legislative Finance Committee conduct interim monitoring of the: <ul style="list-style-type: none"> <li>• Vehicle Insurance Verification System (VIVS)</li> <li>• Motor Vehicle Division</li> </ul> </li> </ul>

### Agency Discussion

Total funding for the department increases \$14.4 million or 9.8% between the two biennia. This increase is primarily comprised of increases in state special revenue of \$11.9 million or 13.2% between the two biennia related to information technology projects and funding for the highway patrol. State special revenue increases include:

- Debt payments related to the Montana Enhanced Registration and Licensing Information Network (MERLIN), \$3.7 million
- License plate production, \$3.3 million
- Highway patrol trooper salary increases, \$1.9 million
- Additional highway patrol troopers (8.00 FTE), \$1.2 million

- Criminal Justice Information Network (CJIN), \$1.2 million
- Vehicle Insurance Verification System (VIVS), \$1 million
- MHP information technology (SMART Cop), \$0.9 million

General fund increases 4.4% or \$2.3 million between the two biennia primarily due to increases in statewide present law adjustments that are offset by spending reductions, primarily those associated with the statutorily required 5% base reduction plan submitted by the agency.

#### *Recommended Interim Monitoring*

The legislature recommends that the Legislative Finance Committee monitor the following items:

- Vehicle Insurance Verification System
- Motor Vehicle Division

#### **Funding**

The following table summarizes funding for the agency, by program and source. Funding for each program is discussed in detail in the individual program narratives that follow.

Total Agency Funding 2013 Biennium Budget						
Agency Program	General Fund	State Spec.	Fed Spec.	Proprietary	Grand Total	Total %
01 Legal Services Division	\$ 11,136,661	\$ 419,440	\$ 1,246,361	\$ -	\$ 12,802,462	7.91%
02 Office Of Consumer Protection	-	1,566,935	-	-	1,566,935	0.97%
07 Gambling Control Division	-	5,755,129	-	2,274,826	8,029,955	4.96%
12 Motor Vehicle Division	15,091,504	21,232,442	-	1,579,886	37,903,832	23.43%
13 Highway Patrol Division	-	62,987,170	-	-	62,987,170	38.93%
18 Div. Of Criminal Investigation	11,727,490	7,133,321	1,734,195	-	20,595,006	12.73%
28 Central Services Division	1,043,909	1,598,199	-	158,776	2,800,884	1.73%
29 Information Technology Service	6,981,586	267,350	5,007	29,635	7,283,578	4.50%
32 Forensic Science Division	7,175,315	653,755	-	-	7,829,070	4.84%
Grand Total	<u>53,156,465</u>	<u>101,613,741</u>	<u>2,985,563</u>	<u>4,043,123</u>	<u>161,798,892</u>	<u>100.00%</u>

Funding for the department varies by division and function. General fund supports the Forensic Science Division, executive protection function (in the 2011 biennium), several functions within the Division of Criminal Investigation, 60% of the cost of the motor vehicle titling and registration and driver licensing, and some legal services. State special revenue from consumer settlement proceeds supports the Office of Consumer Protection, highway state special and the recruitment and retention fund support the highway patrol, gambling license fees support Gambling Control, and motor vehicle fees support the debt payment for the development and implementation of a computer system. Federal funds combined with general fund support Medicaid fraud investigation and the child protection unit within the legal division. Proprietary funds support liquor licensing functions and legal services provided under contract to other agencies.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	24,957,152	24,957,152	49,914,304	93.90%	69,773,548	69,773,548	139,547,096	86.25%
Statewide PL Adjustments	2,195,479	2,171,084	4,366,563	8.21%	4,559,185	4,546,430	9,105,615	5.63%
Other PL Adjustments	607,844	585,094	1,192,938	2.24%	8,608,085	7,911,538	16,519,623	10.21%
New Proposals	(1,406,548)	(910,792)	(2,317,340)	(4.36%)	(1,934,914)	(1,438,528)	(3,373,442)	(2.08%)
<b>Total Budget</b>	<b>\$26,353,927</b>	<b>\$26,802,538</b>	<b>\$53,156,465</b>		<b>\$81,005,904</b>	<b>\$80,792,988</b>	<b>\$161,798,892</b>	

**Language and Statutory Authority**

The legislature included the following language in HB 2.

“Funding in DCI Legal Assistance may be used only for contracted legal services in support of the Child Sexual Predator Unit and Prescription Drug Diversion Enforcement Unit.”

**Program Budget Comparison**

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	53.50	53.50	52.00	52.00	53.50	52.00	(1.50)	(2.80%)
Personal Services	3,789,288	4,228,226	4,071,707	4,069,498	8,017,514	8,141,205	123,691	1.54%
Operating Expenses	1,209,458	1,126,215	1,397,431	1,394,518	2,335,673	2,791,949	456,276	19.54%
Benefits & Claims	934,654	928,328	934,654	934,654	1,862,982	1,869,308	6,326	0.34%
<b>Total Costs</b>	<b>\$5,933,400</b>	<b>\$6,282,769</b>	<b>\$6,403,792</b>	<b>\$6,398,670</b>	<b>\$12,216,169</b>	<b>\$12,802,462</b>	<b>\$586,293</b>	<b>4.80%</b>
General Fund	5,160,413	5,328,135	5,570,619	5,566,042	10,488,548	11,136,661	648,113	6.18%
State Special	190,815	381,026	209,853	209,587	571,841	419,440	(152,401)	(26.65%)
Federal Special	582,172	573,608	623,320	623,041	1,155,780	1,246,361	90,581	7.84%
<b>Total Funds</b>	<b>\$5,933,400</b>	<b>\$6,282,769</b>	<b>\$6,403,792</b>	<b>\$6,398,670</b>	<b>\$12,216,169</b>	<b>\$12,802,462</b>	<b>\$586,293</b>	<b>4.80%</b>

**Page Reference**

Legislative Budget Analysis, D-50

**Funding**

The division receives the majority of its funding from the general fund. Each of the various functions within the division has a unique funding source. Attorneys are supported primarily by general fund with state special revenue from highway special revenue, tobacco settlement funds, and other funds supporting specific activities. Additionally, work for the Reserved Water Rights Compact Commission is funded by the Department of Natural Resources and Conservation; prosecution of hunting violations is funded by the Department of Fish, Wildlife and Parks; and prosecution of worker’s compensation violations is funded by the State Fund. The cost of major litigation is supported entirely by the general fund. Funding for assistance to crime victims comes from the general fund and federal grants.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	5,160,413	5,160,413	10,320,826	92.67%	5,933,400	5,933,400	11,866,800	92.69%
Statewide PL Adjustments	422,788	417,750	840,538	7.55%	482,974	477,391	960,365	7.50%
Other PL Adjustments	300,000	300,000	600,000	5.39%	300,000	300,000	600,000	4.69%
New Proposals	(312,582)	(312,121)	(624,703)	(5.61%)	(312,582)	(312,121)	(624,703)	(4.88%)
<b>Total Budget</b>	<b>\$5,570,619</b>	<b>\$5,566,042</b>	<b>\$11,136,661</b>		<b>\$6,403,792</b>	<b>\$6,398,670</b>	<b>\$12,802,462</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the legislature. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					616,006					613,250
Vacancy Savings					(171,005)					(170,919)
Inflation/Deflation					(11,291)					(11,076)
Fixed Costs					49,264					46,136
<b>Total Statewide Present Law Adjustments</b>		<b>\$422,788</b>	<b>\$19,038</b>	<b>\$41,148</b>	<b>\$482,974</b>		<b>\$417,750</b>	<b>\$18,772</b>	<b>\$40,869</b>	<b>\$477,391</b>
DP 112 - Major Litigation (Biennial)	0.00	300,000	0	0	300,000	0.00	300,000	0	0	300,000
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$300,000</b>	<b>0.00</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$300,000</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$722,788</b>	<b>\$19,038</b>	<b>\$41,148</b>	<b>\$782,974</b>	<b>0.00</b>	<b>\$717,750</b>	<b>\$18,772</b>	<b>\$40,869</b>	<b>\$777,391</b>

DP 112 - Major Litigation (Biennial) - This legislature provided a \$600,000 restricted, biennial appropriation for expenditures related to major litigation.

**New Proposals**

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9701 - Reduce Funding for Personal Services											
01	0.00	(13,820)	0	0	(13,820)	0.00	(13,359)	0	0	(13,359)	
DP 55400 - 4% Personal Services Reduction LSD											
01	(1.50)	(148,762)	0	0	(148,762)	(1.50)	(148,762)	0	0	(148,762)	
DP 95103 - 5% Plan - Reduce Major Litigation											
01	0.00	(150,000)	0	0	(150,000)	0.00	(150,000)	0	0	(150,000)	
<b>Total</b>	<b>(1.50)</b>	<b>(\$312,582)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$312,582)</b>	<b>(1.50)</b>	<b>(\$312,121)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$312,121)</b>	

DP 9701 - Reduce Funding for Personal Services - In addition to adoption of the 4% general fund reduction in personal services costs, the legislature adopted several small unspecified reductions equating to less than one-half of a percent of the base budget for personal services for the program.

DP 55400 - 4% Personal Services Reduction LSD - The legislature adopted a 4% reduction in personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be reduced.

DP 95103 - 5% Plan - Reduce Major Litigation - The legislature reduced funding for major litigation. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

**Program Budget Comparison**

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	9.00	9.00	9.00	9.00	9.00	9.00	0.00	0.00%
Personal Services	553,540	543,868	551,426	550,853	1,097,408	1,102,279	4,871	0.44%
Operating Expenses	215,490	264,929	232,750	231,906	480,419	464,656	(15,763)	(3.28%)
Benefits & Claims	77,050	940,000	0	0	1,017,050	0	(1,017,050)	(100.00%)
<b>Total Costs</b>	<b>\$846,080</b>	<b>\$1,748,797</b>	<b>\$784,176</b>	<b>\$782,759</b>	<b>\$2,594,877</b>	<b>\$1,566,935</b>	<b>(\$1,027,942)</b>	<b>(39.61%)</b>
State Special	846,080	1,748,797	784,176	782,759	2,594,877	1,566,935	(1,027,942)	(39.61%)
<b>Total Funds</b>	<b>\$846,080</b>	<b>\$1,748,797</b>	<b>\$784,176</b>	<b>\$782,759</b>	<b>\$2,594,877</b>	<b>\$1,566,935</b>	<b>(\$1,027,942)</b>	<b>(39.61%)</b>

**Page Reference**

Legislative Budget Analysis, D-55

**Funding**

The program is funded entirely with state special revenue from the settlement of consumer protection litigation.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	0	0	0	0.00%	846,080	846,080	1,692,160	107.99%
Statewide PL Adjustments	0	0	0	0.00%	15,146	13,729	28,875	1.84%
Other PL Adjustments	0	0	0	0.00%	0	0	0	0.00%
New Proposals	0	0	0	0.00%	(77,050)	(77,050)	(154,100)	(9.83%)
<b>Total Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$784,176</b>	<b>\$782,759</b>	<b>\$1,566,935</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the legislature. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments										
	-----Fiscal 2012-----				-----Fiscal 2013-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					20,861					20,265
Vacancy Savings					(22,975)					(22,952)
Inflation/Deflation					167					173
Fixed Costs					17,093					16,243
<b>Total Statewide Present Law Adjustments</b>		<b>\$0</b>	<b>\$15,146</b>	<b>\$0</b>	<b>\$15,146</b>		<b>\$0</b>	<b>\$13,729</b>	<b>\$0</b>	<b>\$13,729</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>\$15,146</b>	<b>\$0</b>	<b>\$15,146</b>	<b>0.00</b>	<b>\$0</b>	<b>\$13,729</b>	<b>\$0</b>	<b>\$13,729</b>

**New Proposals**

New Proposals Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 95104 - 5% Plan - Reduce Benefit Claim Payments 02	0.00	0	(77,050)	0	(77,050)	0.00	0	(77,050)	0	(77,050)
<b>Total</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$77,050)</b>	<b>\$0</b>	<b>(\$77,050)</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$77,050)</b>	<b>\$0</b>	<b>(\$77,050)</b>

DP 95104 - 5% Plan - Reduce Benefit Claim Payments - The legislature reduced funding (state special revenue) expended for benefits and claims. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

**Page Reference**

Legislative Budget Analysis, D-58

**Proprietary Program Description**

The Agency Legal Services Bureau (ALS) provides legal, hearing examiner, and investigative services to state agency clients on a contract basis. ALS attorneys and investigators bill clients for their services, case-related, and incidental costs. The division consists of 17.00 FTE funded from the revenues generated. The customers served are state agencies, boards, and commissions that have entered into contracts with ALS.

The Attorney General is the legal officer for the state per Article VI, Section 4(4), of the Montana Constitution. 2-4-611(2), MCA provides that state agencies may request from the Attorney General's Office a hearing examiner in a contested case. State agencies have the option to use in-house or private counsel and investigators instead of ALS. Executive Order 5-93 provides that agencies must receive approval from the Legal Services Review Committee (made up of a representative of the Attorney General, Budget Director, and the Governor's Chief Legal Counsel) prior to contracting for outside legal services.

**Program Narrative**Expenses

The primary costs for the division are personal services and operating costs. Factors that influence costs include the state pay plan, the ability to recruit and retain staff, and general inflationary pressures that increase costs for items such as utilities, rent, supplies, and equipment.

Revenues

Revenues are generated by fees charged to other state agencies for services provided. The source of funds used by agencies to pay ALS varies by agency and program.

Funding Sources

This program provides services to other state agencies that are funded by the general fund, state special revenue, and federal funds. Funding for the payment of services varies dependent upon agency.

**Present Law Adjustments**

The only present law adjustments for this fund are statewide present law adjustments.

**Proprietary Rate Explanation**

The legislature approved rates of \$88.00 per hour for attorneys and \$49.00 per hour for investigators.

**Proprietary Revenues and Expenses**

Revenues are generated by fees charged to other state agencies for services provided. The primary cost drivers are personal services and fixed operating costs. There will be no one-time expenses. The average billable hours for staff are anticipated to remain the same for the next biennium. The working capital for FY 2010 is \$23,950, and is calculated in accordance with state accounting policy. The working capital is anticipated to remain static for the next biennium. The fund has historically operated with a negative fund balance. Since expenditures are expected to exceed revenue in the next biennium, the fund will continue to operate with a negative fund balance.

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	51.50	51.50	50.50	50.50	51.50	50.50	(1.00)	(1.94%)
Personal Services	3,023,961	3,066,427	3,225,530	3,228,115	6,090,388	6,453,645	363,257	5.96%
Operating Expenses	754,355	858,772	730,939	683,651	1,613,127	1,414,590	(198,537)	(12.31%)
Equipment & Intangible Assets	79,900	132,158	79,900	79,900	212,058	159,800	(52,258)	(24.64%)
Debt Service	960	3,723	960	960	4,683	1,920	(2,763)	(59.00%)
<b>Total Costs</b>	<b>\$3,859,176</b>	<b>\$4,061,080</b>	<b>\$4,037,329</b>	<b>\$3,992,626</b>	<b>\$7,920,256</b>	<b>\$8,029,955</b>	<b>\$109,699</b>	<b>1.39%</b>
State Special	2,795,632	2,987,224	2,900,687	2,854,442	5,782,856	5,755,129	(27,727)	(0.48%)
Other	1,063,544	1,073,856	1,136,642	1,138,184	2,137,400	2,274,826	137,426	6.43%
<b>Total Funds</b>	<b>\$3,859,176</b>	<b>\$4,061,080</b>	<b>\$4,037,329</b>	<b>\$3,992,626</b>	<b>\$7,920,256</b>	<b>\$8,029,955</b>	<b>\$109,699</b>	<b>1.39%</b>

### Page Reference

Legislative Budget Analysis, D-60

### Funding

Gambling control activities are supported primarily by state special revenue generated from gambling licensing fees. Liquor licensing fees (a proprietary fund) support division functions related to liquor licensing. A small amount of funds from the tobacco settlement state special revenue account support activities related to enforcement of settlement provisions.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	0	0	0	0.00%	3,859,176	3,859,176	7,718,352	96.12%
Statewide PL Adjustments	0	0	0	0.00%	298,184	300,169	598,353	7.45%
Other PL Adjustments	0	0	0	0.00%	72,095	25,286	97,381	1.21%
New Proposals	0	0	0	0.00%	(192,126)	(192,005)	(384,131)	(4.78%)
<b>Total Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$4,037,329</b>	<b>\$3,992,626</b>	<b>\$8,029,955</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					386,325					388,893
Vacancy Savings					(136,412)					(136,516)
Inflation/Deflation					5,738					7,482
Fixed Costs					42,533					40,310
<b>Total Statewide Present Law Adjustments</b>		<b>\$0</b>	<b>\$216,010</b>	<b>\$0</b>	<b>\$298,184*</b>		<b>\$0</b>	<b>\$217,448</b>	<b>\$0</b>	<b>\$300,169*</b>
DP 701 - IT Web-Entry System Enhancements - OTO\Bien -	0.00	0	50,000	0	50,000	0.00	0	0	0	0
DP 702 - GCD Base Adjustments	0.00	0	15,467	0	22,095*	0.00	0	17,700	0	25,286*
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>\$65,467</b>	<b>\$0</b>	<b>\$72,095*</b>	<b>0.00</b>	<b>\$0</b>	<b>\$17,700</b>	<b>\$0</b>	<b>\$25,286*</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>\$281,477</b>	<b>\$0</b>	<b>\$370,279*</b>	<b>0.00</b>	<b>\$0</b>	<b>\$235,148</b>	<b>\$0</b>	<b>\$325,455*</b>

\* "Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 701 - IT Web-Entry System Enhancements - OTO\Bien - - The legislature provided a one-time-only, biennial appropriation to enhance the web entry system. The division plans to work with its customers to identify ways to improve the functionality and convenience of the system. The improvements may require changes to the database (GenTax) or web interface (MII). This system is being used for online reporting of 99% of video gambling machines.

DP 702 - GCD Base Adjustments - The legislature provided funding for increased office rent and overtime.

**New Proposals**

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9703 - Remove funding for vacant FTE	07	(1.00)	0	(36,640)	0	(52,344)*	(1.00)	0	(36,556)	0	(52,223)*
DP 95105 - 5% Plan - Delay Gambling Investigations/Inspection	07	0.00	0	(139,782)	0	(139,782)	0.00	0	(139,782)	0	(139,782)
<b>Total</b>		<b>(1.00)</b>	<b>\$0</b>	<b>(\$176,422)</b>	<b>\$0</b>	<b>(\$192,126)*</b>	<b>(1.00)</b>	<b>\$0</b>	<b>(\$176,338)</b>	<b>\$0</b>	<b>(\$192,005)*</b>

\* "Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 9703 - Remove funding for vacant FTE - The legislature removed funding for a vacant position, a 1.00 FTE tax examiner.

DP 95105 - 5% Plan - Delay Gambling Investigations/Inspection - The legislature decreased funding for operating costs by reducing travel and delaying vehicle purchases. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	155.00	155.00	151.89	151.85	155.00	151.85	(3.15)	(2.03%)
Personal Services	6,144,044	4,944,263	6,408,121	6,411,398	11,088,307	12,819,519	1,731,212	15.61%
Operating Expenses	7,197,410	11,749,000	10,326,005	9,897,750	18,946,410	20,223,755	1,277,345	6.74%
Equipment & Intangible Assets	37,269	33,149	57,269	57,269	70,418	114,538	44,120	62.65%
Transfers	0	0	0	0	0	0	0	n/a
Debt Service	523,010	2,191,700	2,373,010	2,373,010	2,714,710	4,746,020	2,031,310	74.83%
<b>Total Costs</b>	<b>\$13,901,733</b>	<b>\$18,918,112</b>	<b>\$19,164,405</b>	<b>\$18,739,427</b>	<b>\$32,819,845</b>	<b>\$37,903,832</b>	<b>\$5,083,987</b>	<b>15.49%</b>
General Fund	7,066,503	7,515,382	7,567,775	7,523,729	14,581,885	15,091,504	509,619	3.49%
State Special	6,224,978	10,774,452	10,631,459	10,600,983	16,999,430	21,232,442	4,233,012	24.90%
Other	0	0	0	0	0	0	0	n/a
Other	610,252	628,278	965,171	614,715	1,238,530	1,579,886	341,356	27.56%
<b>Total Funds</b>	<b>\$13,901,733</b>	<b>\$18,918,112</b>	<b>\$19,164,405</b>	<b>\$18,739,427</b>	<b>\$32,819,845</b>	<b>\$37,903,832</b>	<b>\$5,083,987</b>	<b>15.49%</b>

### Page Reference

Legislative Budget Analysis, D-64

### Funding

Driver's licensing and vehicle titling and registration functions are supported by the general fund (60%) and highways state special revenue fund (40%). State special revenues collected for fees support payment of debt that was incurred for the development and implementation of the computer system known as the Montana Enhanced Registration and Licensing Information Network (MERLIN). Proprietary funds collected from fees charged for e-government services support online web based services that may be used by the public.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	7,066,503	7,066,503	14,133,006	93.65%	13,901,733	13,901,733	27,803,466	73.35%
Statewide PL Adjustments	458,756	447,175	905,931	6.00%	803,364	782,819	1,586,183	4.18%
Other PL Adjustments	245,869	212,918	458,787	3.04%	4,768,092	4,363,173	9,131,265	24.09%
New Proposals	(203,353)	(202,867)	(406,220)	(2.69%)	(308,784)	(308,298)	(617,082)	(1.63%)
<b>Total Budget</b>	<b>\$7,567,775</b>	<b>\$7,523,729</b>	<b>\$15,091,504</b>		<b>\$19,164,405</b>	<b>\$18,739,427</b>	<b>\$37,903,832</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	Fiscal 2012				Fiscal 2013					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					667,406					670,309
Vacancy Savings					(272,461)					(272,573)
Inflation/Deflation					18,787					20,533
Fixed Costs					389,632					364,550
<b>Total Statewide Present Law Adjustments</b>		<b>\$458,756</b>	<b>\$339,689</b>	<b>\$0</b>	<b>\$803,364*</b>		<b>\$447,175</b>	<b>\$331,181</b>	<b>\$0</b>	<b>\$782,819*</b>
DP 1202 - IT Electronic Commerce	0.00	0	0	0	350,000*	0.00	0	0	0	0
DP 1203 - IT VIVS Online Motor Vehicle Liability Insur	0.00	0	486,170	0	486,170	0.00	0	486,170	0	486,170
DP 1204 - IT Just in Time License Plate Production Contract	0.00	0	1,672,140	0	1,672,140	0.00	0	1,672,140	0	1,672,140
DP 1205 - MVD Debt Payments Due to BOI - BIEN	0.00	0	1,850,000	0	1,850,000	0.00	0	1,850,000	0	1,850,000
DP 1206 - MVD Base Adjustments	0.75	245,869	163,913	0	409,782	0.75	212,918	141,945	0	354,863
<b>Total Other Present Law Adjustments</b>	<b>0.75</b>	<b>\$245,869</b>	<b>\$4,172,223</b>	<b>\$0</b>	<b>\$4,768,092*</b>	<b>0.75</b>	<b>\$212,918</b>	<b>\$4,150,255</b>	<b>\$0</b>	<b>\$4,363,173</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.75</b>	<b>\$704,625</b>	<b>\$4,511,912</b>	<b>\$0</b>	<b>\$5,571,456*</b>	<b>0.75</b>	<b>\$660,093</b>	<b>\$4,481,436</b>	<b>\$0</b>	<b>\$5,145,992*</b>

\* "Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 1202 - IT Electronic Commerce - The legislature provided funding for the development, operation, and enhancement of electronic commerce (e-government) applications related to motor vehicle titling, registration and records, and driver licensing and records.

DP 1203 - IT VIVS Online Motor Vehicle Liability Insur - The legislature provided funding for the implementation of the online Motor Vehicle Liability Insurance Verification System (VIVS). 61-6-157(3) (i), MCA, requires that VIVS be installed and operational no later than July 1, 2011. The actual cost for the maintenance of VIVS is currently unknown but is estimated to be \$0.50 per year for each light vehicle, heavy truck, bus, and motor home registered in Montana.

DP 1204 - IT Just in Time License Plate Production Contract - The legislature provided funding to annualize operating expenditures associated with the implementation of the contract for license plate production.

DP 1205 - MVD Debt Payments Due to BOI - BIEN - The legislature provided a biennial appropriation to fund debt payments associated with the Motor Vehicle System, Phase One, Titling System project (MVS1) and the Motor Vehicle System, Phase Two, Vehicle Registration and Driver Licensing/Driver Control System project (MVS2).

DP 1206 - MVD Base Adjustments - The legislature provided funding for multiple items such as increases in rent, information technology charges, vehicles, and postage.

**New Proposals**

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9701 - Reduce Funding for Personal Services	12	0.00	(14,575)	0	0	(14,575)	0.00	(14,089)	0	0	(14,089)
DP 55400 - 4% Personal Services Reduction MVD	12	(3.86)	(156,890)	0	0	(156,890)	(3.90)	(156,890)	0	0	(156,890)
DP 95106 - 5% Plan - Delay Insurance Verification Roll Out	12	0.00	0	(64,671)	0	(64,671)	0.00	0	(64,671)	0	(64,671)
DP 95107 - 5% Plan - Reduce Driver Licensing Office and Serv	12	0.00	(31,888)	(40,760)	0	(72,648)	0.00	(31,888)	(40,760)	0	(72,648)
<b>Total</b>	<b>(3.86)</b>	<b>(\$203,353)</b>	<b>(\$105,431)</b>	<b>\$0</b>	<b>(\$308,784)</b>	<b>(3.90)</b>	<b>(\$202,867)</b>	<b>(\$105,431)</b>	<b>\$0</b>	<b>(\$308,298)</b>	

DP 9701 - Reduce Funding for Personal Services - The legislature reduced funding for personal services. In addition to adoption of the 4% general fund reduction in personal services costs, the legislature adopted several small unspecified reductions equating to less than one-half of a percent of the base budget for personal services for the program.

DP 55400 - 4% Personal Services Reduction MVD - The legislature reduced general fund support for personal services by 4%. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be reduced.

DP 95106 - 5% Plan - Delay Insurance Verification Roll Out - The legislature reduced state special revenue expenditures by delaying implementation of the insurance verification system. Current statute provides that the system be operational by July 1, 2011 however HB 367 would delay implementation of this system. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95107 - 5% Plan - Reduce Driver Licensing Office and Serv - The legislature reduced funding for driver licensing services. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

**Program Budget Comparison**

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	289.00	289.00	297.75	297.75	289.00	297.75	8.75	3.03%
Personal Services	20,329,636	20,489,755	23,339,401	23,352,153	40,819,391	46,691,554	5,872,163	14.39%
Operating Expenses	5,923,460	6,213,638	6,641,257	6,437,299	12,137,098	13,078,556	941,458	7.76%
Equipment & Intangible Assets	1,608,530	1,499,424	1,608,530	1,608,530	3,107,954	3,217,060	109,106	3.51%
<b>Total Costs</b>	<b>\$27,861,626</b>	<b>\$28,202,817</b>	<b>\$31,589,188</b>	<b>\$31,397,982</b>	<b>\$56,064,443</b>	<b>\$62,987,170</b>	<b>\$6,922,727</b>	<b>12.35%</b>
General Fund	194,236	197,402	0	0	391,638	0	(391,638)	(100.00%)
State Special	27,667,390	28,005,415	31,589,188	31,397,982	55,672,805	62,987,170	7,314,365	13.14%
<b>Total Funds</b>	<b>\$27,861,626</b>	<b>\$28,202,817</b>	<b>\$31,589,188</b>	<b>\$31,397,982</b>	<b>\$56,064,443</b>	<b>\$62,987,170</b>	<b>\$6,922,727</b>	<b>12.35%</b>

**Page Reference**

Legislative Budget Analysis, D-71

**Funding**

General fund in this division supports the executive protection function. All other functions are supported by state special revenue with the bulk of the costs supported by highways state special revenue. The highway patrol recruitment and retention fund supported by a \$5 vehicle registration fee may be used to support the cost of additional uniformed officers, equipment, and pay increases. Please refer to the narrative for the Department of Transportation in Section C of the narrative for a discussion of the highway state special revenue fund.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	194,236	194,236	388,472	0.00%	27,861,626	27,861,626	55,723,252	88.47%
Statewide PL Adjustments	275,033	275,542	550,575	0.00%	1,525,183	1,585,466	3,110,649	4.94%
Other PL Adjustments	(183,912)	(183,912)	(367,824)	0.00%	2,534,495	2,283,006	4,817,501	7.65%
New Proposals	(285,357)	(285,866)	(571,223)	0.00%	(332,116)	(332,116)	(664,232)	(1.05%)
<b>Total Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$31,589,188</b>	<b>\$31,397,982</b>	<b>\$62,987,170</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----				-----Fiscal 2013-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					1,089,466					1,103,718
Inflation/Deflation					141,176					186,035
Fixed Costs					294,541					295,713
<b>Total Statewide Present Law Adjustments</b>		<b>\$275,033</b>	<b>\$1,250,150</b>	<b>\$0</b>	<b>\$1,525,183</b>		<b>\$275,542</b>	<b>\$1,309,924</b>	<b>\$0</b>	<b>\$1,585,466</b>
DP 700 - Revise Adjusted Base Funding - Dec 15th Revision	0.00	(183,912)	183,912	0	0	0.00	(183,912)	183,912	0	0
DP 1301 - Troopers on the Road	8.00	0	613,665	0	613,665	8.00	0	612,374	0	612,374
DP 1302 - Executive Protection	1.00	0	103,830	0	103,830	1.00	0	103,632	0	103,632
DP 1303 - IT Smart COP	0.00	0	567,000	0	567,000	0.00	0	317,000	0	317,000
DP 1304 - MHP Base Adjustments	0.00	0	300,000	0	300,000	0.00	0	300,000	0	300,000
DP 1307 - MHP Salary Increase per Survey	0.00	0	950,000	0	950,000	0.00	0	950,000	0	950,000
<b>Total Other Present Law Adjustments</b>	<b>9.00</b>	<b>(\$183,912)</b>	<b>\$2,718,407</b>	<b>\$0</b>	<b>\$2,534,495</b>	<b>9.00</b>	<b>(\$183,912)</b>	<b>\$2,466,918</b>	<b>\$0</b>	<b>\$2,283,006</b>
<b>Grand Total All Present Law Adjustments</b>	<b>9.00</b>	<b>\$91,121</b>	<b>\$3,968,557</b>	<b>\$0</b>	<b>\$4,059,678</b>	<b>9.00</b>	<b>\$91,630</b>	<b>\$3,776,842</b>	<b>\$0</b>	<b>\$3,868,472</b>

DP 700 - Revise Adjusted Base Funding - Dec 15th Revision - The legislature adopted the adjusted base funding shift included by the Governor in the December 15<sup>th</sup> revisions to the executive budget. The impact of this adjustment is to decrease general fund and increase state special revenue by a like amount.

DP 1301 - Troopers on the Road - The legislature provided funding for 8.00 FTE additional troopers and related operating costs.

DP 1302 - Executive Protection - The legislature provided funding for 1.00 FTE, overtime, and increased operating costs for executive protection.

DP 1303 - IT Smart COP - The legislature provided funding for information technology enhancements and equipment replacement for the Smart COP Computer Aided Dispatch/Records Management System. Smart COP provides an integrated information system for the MHP dispatch and patrol. The system includes software, hardware, and services to support dispatch operations and an in-car mobile solution including a laptop, printer, card reader, wireless connection, and various other equipment. Smart Cop will be in an operations and maintenance mode, which includes the need to refresh equipment to ensure high quality system operation.

DP 1304 - MHP Base Adjustments - The legislature provided funding for various operating cost increases including overtime, rent and travel.

DP 1307 - MHP Salary Increase per Survey - The legislature provided funding for increases in trooper salaries as determined by a salary survey and provided for in statute.

**New Proposals**

New Proposals Program	-----Fiscal 2012-----					-----Fiscal 2013-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 9702 - Funding Shift - Executive Protection	13	0.00	(164,753)	164,753	0	0	0.00	(165,262)	165,262	0	0
DP 55400 - 4% personal services reduction MHP	13	(0.25)	(12,425)	0	0	(12,425)	(0.25)	(12,425)	0	0	(12,425)
DP 95111 - 5% Plan - Reduce Executive Protection	13	0.00	(108,179)	0	0	(108,179)	0.00	(108,179)	0	0	(108,179)
DP 95112 - 5% Plan - Reduce Uniformed Officers	13	0.00	0	(211,512)	0	(211,512)	0.00	0	(211,512)	0	(211,512)
<b>Total</b>	<b>(0.25)</b>	<b>(\$285,357)</b>	<b>(\$46,759)</b>	<b>\$0</b>	<b>(\$332,116)</b>	<b>(0.25)</b>	<b>(\$285,866)</b>	<b>(\$46,250)</b>	<b>\$0</b>	<b>(\$332,116)</b>	

DP 9702 - Funding Shift - Executive Protection - The legislature shifted funding for the executive protection function from the general fund to the Highway Patrol Recruitment and Retention state special revenue fund.

DP 55400 - 4% personal services reduction MHP - The legislature adopted a 4% reduction in personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be reduced.

DP 95111 - 5% Plan - Reduce Executive Protection - The legislature reduced funding for the executive protection function. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95112 - 5% Plan - Reduce Uniformed Officers - The legislature reduced state special revenue expenditures by reducing the level of trooper coverage on highways. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

**Program Budget Comparison**

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	100.00	100.00	98.75	102.75	100.00	102.75	2.75	2.75%
Personal Services	5,516,849	5,799,544	6,066,101	6,368,528	11,316,393	12,434,629	1,118,236	9.88%
Operating Expenses	3,246,841	3,508,461	3,705,729	3,914,324	6,755,302	7,620,053	864,751	12.80%
Equipment & Intangible Assets	170,162	351,101	270,162	270,162	521,263	540,324	19,061	3.66%
Debt Service	0	0	0	0	0	0	0	n/a
<b>Total Costs</b>	<b>\$8,933,852</b>	<b>\$9,659,106</b>	<b>\$10,041,992</b>	<b>\$10,553,014</b>	<b>\$18,592,958</b>	<b>\$20,595,006</b>	<b>\$2,002,048</b>	<b>10.77%</b>
General Fund	5,339,655	5,426,411	5,608,697	6,118,793	10,766,066	11,727,490	961,424	8.93%
State Special	2,773,107	3,048,258	3,567,052	3,566,269	5,821,365	7,133,321	1,311,956	22.54%
Federal Special	821,090	1,184,437	866,243	867,952	2,005,527	1,734,195	(271,332)	(13.53%)
<b>Total Funds</b>	<b>\$8,933,852</b>	<b>\$9,659,106</b>	<b>\$10,041,992</b>	<b>\$10,553,014</b>	<b>\$18,592,958</b>	<b>\$20,595,006</b>	<b>\$2,002,048</b>	<b>10.77%</b>

**Page Reference**

Legislative Budget Analysis, D-79

**Funding**

The division is supported by a combination of general fund, state special revenue, and federal funds. General fund supports criminal investigations, fire prevention and investigation, match for federal funds supporting Medicaid fraud investigations, drug task forces, the computer crime unit, sexual and violent offender registry, amber alert, child sexual abuse response team, and Public Safety Officer Standards and Training (POST).

The three largest sources of state special revenue supporting the division are Montana Law Enforcement Academy surcharges that support operation of the academy, criminal justice information network (CJIN) revenue that supports itself, and revenue from criminal justice background checks that are paid in exchange for completion of a background check.

The largest source of federal funds is Medicaid funding that supports investigation of Medicaid fraud. Other federal grants support drug enforcement task forces and homeland security functions. Federal funds for homeland security and grants received through the Montana Board of Crime Control (MBCC) did not reach the budgeted level in the 2011 biennium and are included in the 2013 biennium request at the level received in the base budget year.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	5,339,655	5,339,655	10,679,310	91.06%	8,933,852	8,933,852	17,867,704	86.76%
Statewide PL Adjustments	439,469	444,105	883,574	7.53%	698,051	707,144	1,405,195	6.82%
Other PL Adjustments	51,697	61,898	113,595	0.97%	739,213	745,883	1,485,096	7.21%
New Proposals	(222,124)	273,135	51,011	0.43%	(329,124)	166,135	(162,989)	(0.79%)
<b>Total Budget</b>	<b>\$5,608,697</b>	<b>\$6,118,793</b>	<b>\$11,727,490</b>		<b>\$10,041,992</b>	<b>\$10,553,014</b>	<b>\$20,595,006</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----				-----Fiscal 2013-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					846,123					853,094
Vacancy Savings					(254,519)					(254,793)
Inflation/Deflation					(22,402)					(16,292)
Fixed Costs					128,849					125,135
<b>Total Statewide Present Law Adjustments</b>		<b>\$439,469</b>	<b>\$213,429</b>	<b>\$45,153</b>	<b>\$698,051</b>		<b>\$444,105</b>	<b>\$216,177</b>	<b>\$46,862</b>	<b>\$707,144</b>
DP 1803 - DCI Base Adjustments	0.00	51,697	0	0	51,697	0.00	61,898	0	0	61,898
DP 1804 - IT Criminal Justice Info Network (CJIN) BIEN/OTO	0.00	0	575,000	0	575,000	0.00	0	575,000	0	575,000
DP 1805 - MLEA Motor Pool Leased Vehicle Return	0.00	0	(9,120)	0	(9,120)	0.00	0	(9,120)	0	(9,120)
DP 1806 - Criminal Records Identification Section - FTE	1.00	0	121,636	0	121,636	1.00	0	118,105	0	118,105
<b>Total Other Present Law Adjustments</b>	<b>1.00</b>	<b>\$51,697</b>	<b>\$687,516</b>	<b>\$0</b>	<b>\$739,213</b>	<b>1.00</b>	<b>\$61,898</b>	<b>\$683,985</b>	<b>\$0</b>	<b>\$745,883</b>
<b>Grand Total All Present Law Adjustments</b>	<b>1.00</b>	<b>\$491,166</b>	<b>\$900,945</b>	<b>\$45,153</b>	<b>\$1,437,264</b>	<b>1.00</b>	<b>\$506,003</b>	<b>\$900,162</b>	<b>\$46,862</b>	<b>\$1,453,027</b>

DP 1803 - DCI Base Adjustments - The legislature provided funding for overtime for criminal investigators and rent increases for division offices located throughout the state. Annual rent cost increases range between 3% and 4% per year.

DP 1804 - IT Criminal Justice Info Network (CJIN) BIEN/OTO - The legislature provided a biennial, one-time only appropriation for the costs of the Criminal Justice Information Network (CJIN) upgrade that is completed once every four years.

DP 1805 - MLEA Motor Pool Leased Vehicle Return - The legislature decreased funding for the Montana Law Enforcement Academy due to the discontinuation of the lease of one motor pool vehicle. The reduction in cost due to the return of a leased vehicle is offset by a \$4,880 per year increase in gasoline and vehicle costs. The division will use a surplus highway patrol vehicle instead of a leased vehicle.

DP 1806 - Criminal Records Identification Section - FTE - The legislature provided for 1.00 FTE for staffing and operational cost increases based on criminal history record information requests completed and to support transfer of monies owed to the Federal Bureau of Investigations (FBI) when fingerprint background checks are conducted by the FBI.

**New Proposals**

New Proposals Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1801 - Prescription Drug Diversion Unit										
18	0.00	0	0	0	0	3.00	297,298	0	0	297,298
DP 1802 - Child Sexual Predator Unit										
18	0.00	0	0	0	0	1.00	97,459	0	0	97,459
DP 9701 - Reduce Funding for Personal Services										
18	0.00	(15,046)	0	0	(15,046)	0.00	(14,544)	0	0	(14,544)
DP 9704 - DCI Child Sexual Predator/Rx Drug Divers. Legal Sv										
18	0.00	0	0	0	0	0.00	100,000	0	0	100,000
DP 9706 - MLEA general funded position from Corrections										
18	0.00	50,934	0	0	50,934	0.00	50,934	0	0	50,934
DP 55400 - 4% Personal Services Reduction DCI										
18	(2.25)	(161,956)	0	0	(161,956)	(2.25)	(161,956)	0	0	(161,956)
DP 95108 - 5% Plan - CRISS Program Reduction										
18	0.00	0	(37,000)	0	(37,000)	0.00	0	(37,000)	0	(37,000)
DP 95109 - 5% Plan - MLEA Program Reduction										
18	0.00	0	(70,000)	0	(70,000)	0.00	0	(70,000)	0	(70,000)
DP 95110 - 5% Plan - MCSART Program Reduction										
18	0.00	(96,056)	0	0	(96,056)	0.00	(96,056)	0	0	(96,056)
<b>Total</b>	<b>(2.25)</b>	<b>(\$222,124)</b>	<b>(\$107,000)</b>	<b>\$0</b>	<b>(\$329,124)</b>	<b>1.75</b>	<b>\$273,135</b>	<b>(\$107,000)</b>	<b>\$0</b>	<b>\$166,135</b>

DP 1801 - Prescription Drug Diversion Unit - The legislature provided general fund for FY 2013 to shift funding for the Prescription Drug Diversion Unit from a federally funded grant to the general fund.

DP 1802 - Child Sexual Predator Unit - The legislature provided general fund for FY 2013 to shift the Child Sexual Predator Program from a federally funded grant program to the general fund.

DP 9701 - Reduce Funding for Personal Services - In addition to adoption of the 4% general fund reduction in personal services costs, the legislature adopted several small unspecified reductions equating to less than one-half of a percent of the base budget for personal services for the program.

DP 9704 - DCI Child Sexual Predator/Rx Drug Divers. Legal Sv - The legislature provided a restricted appropriation to support contracted legal services for the Child Sexual Predator and Prescription Drug Division Units.

DP 9706 - MLEA general funded position from Corrections - The legislature reduced funding in the Department of Corrections and increased funding in the Department of Justice to reflect the movement of funding related to training provided by the Law Enforcement Academy for corrections staff from one department to the other.

DP 55400 - 4% Personal Services Reduction DCI - The legislature adopted a 4% reduction of personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be reduced.

DP 95108 - 5% Plan - CRISS Program Reduction - The legislature reduced state special revenue support for the Criminal Records Information Services Section (CRISS). The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95109 - 5% Plan - MLEA Program Reduction - The legislature reduced state special revenue expended to support the Montana Law Enforcement Academy (MLEA). The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95110 - 5% Plan - MCSART Program Reduction - The legislature reduced funding for the Montana Child Sexual

Abuse Response Team (MCSART). The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	19.00	19.00	18.70	18.70	19.00	18.70	(0.30)	(1.58%)
Personal Services	1,034,470	1,109,775	1,145,220	1,144,628	2,144,245	2,289,848	145,603	6.79%
Operating Expenses	255,049	224,550	291,711	219,325	479,599	511,036	31,437	6.55%
Equipment & Intangible Assets	0	0	0	0	0	0	0	n/a
<b>Total Costs</b>	<b>\$1,289,519</b>	<b>\$1,334,325</b>	<b>\$1,436,931</b>	<b>\$1,363,953</b>	<b>\$2,623,844</b>	<b>\$2,800,884</b>	<b>\$177,040</b>	<b>6.75%</b>
General Fund	492,526	534,677	535,872	508,037	1,027,203	1,043,909	16,706	1.63%
State Special	724,976	727,308	819,631	778,568	1,452,284	1,598,199	145,915	10.05%
Other	72,017	72,340	81,428	77,348	144,357	158,776	14,419	9.99%
<b>Total Funds</b>	<b>\$1,289,519</b>	<b>\$1,334,325</b>	<b>\$1,436,931</b>	<b>\$1,363,953</b>	<b>\$2,623,844</b>	<b>\$2,800,884</b>	<b>\$177,040</b>	<b>6.75%</b>

### Page Reference

Legislative Budget Analysis, D-85

### Funding

The Central Services Division is funded by allocation of costs among the various funding sources supporting the department. General fund provides slightly more than one third of the division's funding. State special revenue, the largest source being highway state special revenue, provides more than half of the division funding. Proprietary funds including liquor licensing fees and fees for agency legal services provide the remainder of the division's funding.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	492,526	492,526	985,052	94.36%	1,289,519	1,289,519	2,579,038	92.08%
Statewide PL Adjustments	64,300	36,406	100,706	9.65%	168,366	95,329	263,695	9.41%
Other PL Adjustments	0	0	0	0.00%	0	0	0	0.00%
New Proposals	(20,954)	(20,895)	(41,849)	(4.01%)	(20,954)	(20,895)	(41,849)	(1.49%)
<b>Total Budget</b>	<b>\$535,872</b>	<b>\$508,037</b>	<b>\$1,043,909</b>		<b>\$1,436,931</b>	<b>\$1,363,953</b>	<b>\$2,800,884</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					180,293					179,617
Vacancy Savings					(48,589)					(48,564)
Inflation/Deflation					(5)					9
Fixed Costs					36,667					(35,733)
<b>Total Statewide Present Law Adjustments</b>		<b>\$64,300</b>	<b>\$94,655</b>	<b>\$0</b>	<b>\$168,366*</b>		<b>\$36,406</b>	<b>\$53,592</b>	<b>\$0</b>	<b>\$95,329*</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$64,300</b>	<b>\$94,655</b>	<b>\$0</b>	<b>\$168,366*</b>	<b>0.00</b>	<b>\$36,406</b>	<b>\$53,592</b>	<b>\$0</b>	<b>\$95,329*</b>

\* "Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

**New Proposals**

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9701 - Reduce Funding for Personal Services											
28	0.00	(1,781)	0	0	(1,781)	0.00	(1,722)	0	0	(1,722)	
DP 55400 - 4% Personal Services Reduction CSD											
28	(0.30)	(19,173)	0	0	(19,173)	(0.30)	(19,173)	0	0	(19,173)	
<b>Total</b>	<b>(0.30)</b>	<b>(\$20,954)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$20,954)</b>	<b>(0.30)</b>	<b>(\$20,895)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$20,895)</b>	

DP 9701 - Reduce Funding for Personal Services - In addition to adoption of the 4% general fund reduction in personal services costs, the legislature adopted several small unspecified reductions equating to less than one-half of a percent of the base budget for personal services for the program.

DP 55400 - 4% Personal Services Reduction CSD - The legislature adopted a 4% reduction in personal services funded with general fund. The reduction includes the permanent reduction of FTE and was included in the statutorily required 5% base reduction plan submitted by the agency. The agency had not specified what position would be reduced.

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	41.00	41.00	39.50	39.50	41.00	39.50	(1.50)	(3.66%)
Personal Services	2,292,833	2,523,378	2,521,791	2,521,335	4,816,211	5,043,126	226,915	4.71%
Operating Expenses	1,033,084	977,628	1,031,431	1,028,751	2,010,712	2,060,182	49,470	2.46%
Equipment & Intangible Assets	90,135	87,831	90,135	90,135	177,966	180,270	2,304	1.29%
<b>Total Costs</b>	<b>\$3,416,052</b>	<b>\$3,588,837</b>	<b>\$3,643,357</b>	<b>\$3,640,221</b>	<b>\$7,004,889</b>	<b>\$7,283,578</b>	<b>\$278,689</b>	<b>3.98%</b>
General Fund	3,279,451	3,451,147	3,492,298	3,489,288	6,730,598	6,981,586	250,988	3.73%
State Special	120,929	122,014	133,730	133,620	242,943	267,350	24,407	10.05%
Federal Special	2,268	2,268	2,505	2,502	4,536	5,007	471	10.38%
Other	13,404	13,408	14,824	14,811	26,812	29,635	2,823	10.53%
<b>Total Funds</b>	<b>\$3,416,052</b>	<b>\$3,588,837</b>	<b>\$3,643,357</b>	<b>\$3,640,221</b>	<b>\$7,004,889</b>	<b>\$7,283,578</b>	<b>\$278,689</b>	<b>3.98%</b>

### Page Reference

Legislative Budget Analysis, D-89

### Funding

The division is funded primarily with general fund and state special revenue from gambling licensing fees and highway state special revenue. The balance of the division's funding comes from a very small amount of federal funds (Medicaid) and proprietary funds, including liquor licensing fees and agency legal service fees.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	3,279,451	3,279,451	6,558,902	93.95%	3,416,052	3,416,052	6,832,104	93.80%
Statewide PL Adjustments	347,309	344,299	691,608	9.91%	361,767	358,631	720,398	9.89%
Other PL Adjustments	32,000	32,000	64,000	0.92%	32,000	32,000	64,000	0.88%
New Proposals	(166,462)	(166,462)	(332,924)	(4.77%)	(166,462)	(166,462)	(332,924)	(4.57%)
<b>Total Budget</b>	<b>\$3,492,298</b>	<b>\$3,489,288</b>	<b>\$6,981,586</b>		<b>\$3,643,357</b>	<b>\$3,640,221</b>	<b>\$7,283,578</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					408,764					408,285
Vacancy Savings					(108,068)					(108,045)
Inflation/Deflation					541					706
Fixed Costs					60,530					57,685
<b>Total Statewide Present Law Adjustments</b>		<b>\$347,309</b>	<b>\$12,801</b>	<b>\$237</b>	<b>\$361,767*</b>		<b>\$344,299</b>	<b>\$12,691</b>	<b>\$234</b>	<b>\$358,631*</b>
DP 2906 - ITSD Base Adjustments	0.00	32,000	0	0	32,000	0.00	32,000	0	0	32,000
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$32,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$32,000</b>	<b>0.00</b>	<b>\$32,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$32,000</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$379,309</b>	<b>\$12,801</b>	<b>\$237</b>	<b>\$393,767*</b>	<b>0.00</b>	<b>\$376,299</b>	<b>\$12,691</b>	<b>\$234</b>	<b>\$390,631*</b>

\* "Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 2906 - ITSD Base Adjustments - The legislature provided funding for overtime, on-call, and call-out costs.

### New Proposals

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 55400 - 4% Personal Services Reduction ITSD											
29	(1.50)	(103,738)	0	0	(103,738)	(1.50)	(103,738)	0	0	(103,738)	
DP 95101 - 5% Plan - Extend Computer Replacement Cycle											
29	0.00	(62,724)	0	0	(62,724)	0.00	(62,724)	0	0	(62,724)	
<b>Total</b>	<b>(1.50)</b>	<b>(\$166,462)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$166,462)</b>	<b>(1.50)</b>	<b>(\$166,462)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$166,462)</b>	

DP 55400 - 4% Personal Services Reduction ITSD - The legislature adopted a 4% reduction of personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be reduced.

DP 95101 - 5% Plan - Extend Computer Replacement Cycle - The legislature reduced funding by extending the computer replacement cycle and delaying purchases in the 2013 biennium. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

**Program Budget Comparison**

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	34.05	34.05	32.80	32.80	34.05	32.80	(1.25)	(3.67%)
Personal Services	2,539,850	2,650,757	2,628,635	2,627,712	5,190,607	5,256,347	65,740	1.27%
Operating Expenses	1,032,130	981,489	1,052,159	1,072,684	2,013,619	2,124,843	111,224	5.52%
Equipment & Intangible Assets	9,551	7,827	159,551	159,551	17,378	319,102	301,724	1,736.24%
Debt Service	150,579	153,280	64,389	64,389	303,859	128,778	(175,081)	(57.62%)
<b>Total Costs</b>	<b>\$3,732,110</b>	<b>\$3,793,353</b>	<b>\$3,904,734</b>	<b>\$3,924,336</b>	<b>\$7,525,463</b>	<b>\$7,829,070</b>	<b>\$303,607</b>	<b>4.03%</b>
General Fund	3,424,368	3,485,704	3,578,666	3,596,649	6,910,072	7,175,315	265,243	3.84%
State Special	307,742	307,649	326,068	327,687	615,391	653,755	38,364	6.23%
<b>Total Funds</b>	<b>\$3,732,110</b>	<b>\$3,793,353</b>	<b>\$3,904,734</b>	<b>\$3,924,336</b>	<b>\$7,525,463</b>	<b>\$7,829,070</b>	<b>\$303,607</b>	<b>4.03%</b>

**Page Reference**

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**Funding**

The division is funded primarily with general fund. State special revenue from earmarked alcohol funds provides the balance of the division’s funding and supports certification, equipment maintenance, and training of law enforcement in the use of breath testing equipment.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	3,424,368	3,424,368	6,848,736	95.45%	3,732,110	3,732,110	7,464,220	95.34%
Statewide PL Adjustments	187,824	205,807	393,631	5.49%	206,150	225,752	431,902	5.52%
Other PL Adjustments	162,190	162,190	324,380	4.52%	162,190	162,190	324,380	4.14%
New Proposals	(195,716)	(195,716)	(391,432)	(5.46%)	(195,716)	(195,716)	(391,432)	(5.00%)
<b>Total Budget</b>	<b>\$3,578,666</b>	<b>\$3,596,649</b>	<b>\$7,175,315</b>		<b>\$3,904,734</b>	<b>\$3,924,336</b>	<b>\$7,829,070</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget proposed by the legislature. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					312,402					311,439
Vacancy Savings					(114,091)					(114,051)
Inflation/Deflation					(29,825)					(7,077)
Fixed Costs					37,664					35,441
<b>Total Statewide Present Law Adjustments</b>		<b>\$187,824</b>	<b>\$18,326</b>	<b>\$0</b>	<b>\$206,150</b>		<b>\$205,807</b>	<b>\$19,945</b>	<b>\$0</b>	<b>\$225,752</b>
DP 3201 - FSD Equipment (OTO/BIEN)	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
DP 3202 - FSD Base Adjustment	0.00	12,190	0	0	12,190	0.00	12,190	0	0	12,190
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$162,190</b>	<b>\$0</b>	<b>\$0</b>	<b>\$162,190</b>	<b>0.00</b>	<b>\$162,190</b>	<b>\$0</b>	<b>\$0</b>	<b>\$162,190</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$350,014</b>	<b>\$18,326</b>	<b>\$0</b>	<b>\$368,340</b>	<b>0.00</b>	<b>\$367,997</b>	<b>\$19,945</b>	<b>\$0</b>	<b>\$387,942</b>

DP 3201 - FSD Equipment (OTO/BIEN) - The legislature provided a biennial, one-time-only appropriation for purchasing new and/or replacement scientific equipment.

DP 3202 - FSD Base Adjustment - The legislature provided funding for increased property management, travel, and training costs.

### New Proposals

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9705 - Funding Shift from Alcohol Tax to Highways SSR	32	0.00	0	0	0	0	0.00	0	0	0	0
DP 55400 - 4% Personal Services Reduction FSD	32	(1.25)	(109,526)	0	0	(109,526)	(1.25)	(109,526)	0	0	(109,526)
DP 95102 - 5% Plan - Non Renewal Equipment Lease	32	0.00	(86,190)	0	0	(86,190)	0.00	(86,190)	0	0	(86,190)
<b>Total</b>	<b>(1.25)</b>	<b>(\$195,716)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$195,716)</b>	<b>(1.25)</b>	<b>(\$195,716)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$195,716)</b>	

DP 9705 - Funding Shift from Alcohol Tax to Highways SSR - The legislature shifted funding supporting certification, equipment maintenance, and training of law enforcement in the use of breath testing equipment from the alcohol tax state special revenue fund to the highways non restricted state special revenue fund.

DP 55400 - 4% Personal Services Reduction FSD - The legislature adopted a 4% reduction of personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be reduced.

DP 95102 - 5% Plan - Non Renewal Equipment Lease - The legislature reduced funding for an equipment lease. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

### Agency Budget Comparison

The following table summarizes the total budget for the agency by year, type of expenditure, and source of funding.

Agency Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	39.00	39.00	40.00	40.00	39.00	40.00	1.00	2.56%
Personal Services	2,866,511	3,092,742	3,055,764	3,056,595	5,959,253	6,112,359	153,106	2.57%
Operating Expenses	573,095	596,398	652,331	639,229	1,169,493	1,291,560	122,067	10.44%
Debt Service	6,080	6,080	6,080	6,080	12,160	12,160	0	0.00%
<b>Total Costs</b>	<b>\$3,445,686</b>	<b>\$3,695,220</b>	<b>\$3,714,175</b>	<b>\$3,701,904</b>	<b>\$7,140,906</b>	<b>\$7,416,079</b>	<b>\$275,173</b>	<b>3.85%</b>
State Special	3,420,213	3,669,577	3,607,664	3,596,470	7,089,790	7,204,134	114,344	1.61%
Federal Special	25,473	25,643	106,511	105,434	51,116	211,945	160,829	314.64%
<b>Total Funds</b>	<b>\$3,445,686</b>	<b>\$3,695,220</b>	<b>\$3,714,175</b>	<b>\$3,701,904</b>	<b>\$7,140,906</b>	<b>\$7,416,079</b>	<b>\$275,173</b>	<b>3.85%</b>

### Page Reference

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### Executive Budget Comparison

The following table compares the legislative budget in the 2013 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2010	Executive Budget Fiscal 2012	Legislative Budget Fiscal 2012	Leg - Exec. Difference Fiscal 2012	Executive Budget Fiscal 2013	Legislative Budget Fiscal 2013	Leg - Exec. Difference Fiscal 2013	Biennium Difference Fiscal 12-13
FTE	39.00	40.00	40.00	0.00	40.00	40.00	0.00	
Personal Services	2,866,511	3,045,532	3,055,764	10,232	3,007,785	3,056,595	48,810	59,042
Operating Expenses	573,095	652,331	652,331	0	639,229	639,229	0	0
Debt Service	6,080	6,080	6,080	0	6,080	6,080	0	0
<b>Total Costs</b>	<b>\$3,445,686</b>	<b>\$3,703,943</b>	<b>\$3,714,175</b>	<b>\$10,232</b>	<b>\$3,653,094</b>	<b>\$3,701,904</b>	<b>\$48,810</b>	<b>\$59,042</b>
State/Other Special	3,420,213	3,597,432	3,607,664	10,232	3,547,660	3,596,470	48,810	59,042
Federal Special	25,473	106,511	106,511	0	105,434	105,434	0	0
<b>Total Funds</b>	<b>\$3,445,686</b>	<b>\$3,703,943</b>	<b>\$3,714,175</b>	<b>\$10,232</b>	<b>\$3,653,094</b>	<b>\$3,701,904</b>	<b>\$48,810</b>	<b>\$59,042</b>

The legislature did not approve the executive request for increased funding to pay retirement benefits.

### Agency Highlights

<b>Public Service Regulation Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>◆ Funding from state special revenue increases less than 2% between the 2011 and 2013 biennia</li> <li>◆ Present law adjustments and a decrease in the applied vacancy savings rate from 4% to 2% are the only adjustments to the agency budget and increase the agency budget by \$275,173 total funds</li> <li>◆ Funding for the agency comes primarily from state special revenue derived from a tax on regulated entities</li> </ul>

**Agency Discussion**

The legislature reduced the applied vacancy savings rate for the agency from 4% to 2% and added 1.00 FTE for a pipeline safety engineer.

**Funding**

Public Service Regulation (PSR) is funded primarily by a fee that is levied on regulated companies, based on funding appropriated by the legislature for a specific fiscal year. Fees are deposited directly into a state special revenue account and are based upon a percentage of the gross operating revenue from all activities regulated by the commission for the calendar quarter of operation (69-1-402, MCA). The department also administers a small amount of federal pipeline safety grant funds.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	General Fund				Total Funds			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	0	0	0	0.00%	3,445,686	3,445,686	6,891,372	92.92%
Statewide PL Adjustments	0	0	0	0.00%	83,044	59,497	142,541	1.92%
Other PL Adjustments	0	0	0	0.00%	136,679	147,911	284,590	3.84%
New Proposals	0	0	0	0.00%	48,766	48,810	97,576	1.32%
<b>Total Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$3,714,175</b>	<b>\$3,701,904</b>	<b>\$7,416,079</b>	

**Present Law Adjustments**

The “Present Law Adjustments” table shows the changes to the adjusted base budget. “Statewide Present Law” adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

	Fiscal 2012				Fiscal 2013					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					159,445					159,874
Vacancy Savings					(97,532)					(97,620)
Inflation/Deflation					(4,574)					(4,505)
Fixed Costs					25,705					1,748
<b>Total Statewide Present Law Adjustments</b>		<b>\$0</b>	<b>\$83,044</b>	<b>\$0</b>	<b>\$83,044</b>		<b>\$0</b>	<b>\$59,497</b>	<b>\$0</b>	<b>\$59,497</b>
DP 3 - Pipeline Safety Federal Award and Match	0.00	0	1,893	14,595	16,488	0.00	0	1,893	14,595	16,488
DP 5 - Computer Replacement	0.00	0	0	0	0	0.00	0	6,955	0	6,955
DP 6 - Building Rent	0.00	0	12,305	0	12,305	0.00	0	18,736	0	18,736
DP 7 - One Call	0.00	0	0	25,000	25,000	0.00	0	0	25,000	25,000
DP 8 - Pipeline Safety Engineer	1.00	0	41,443	41,443	82,886	1.00	0	40,366	40,366	80,732
<b>Total Other Present Law Adjustments</b>	<b>1.00</b>	<b>\$0</b>	<b>\$55,641</b>	<b>\$81,038</b>	<b>\$136,679</b>	<b>1.00</b>	<b>\$0</b>	<b>\$67,950</b>	<b>\$79,961</b>	<b>\$147,911</b>
<b>Grand Total All Present Law Adjustments</b>	<b>1.00</b>	<b>\$0</b>	<b>\$138,685</b>	<b>\$81,038</b>	<b>\$219,723</b>	<b>1.00</b>	<b>\$0</b>	<b>\$127,447</b>	<b>\$79,961</b>	<b>\$207,408</b>

DP 3 - Pipeline Safety Federal Award and Match - The legislature provided funding for anticipated increases in the pipeline safety federal grant. The federal grant supports inspection of natural gas pipeline construction, transmission integrity management, and operator qualifications as well as other related activities.

DP 5 - Computer Replacement - The legislature provided funding for replacement of computer equipment based upon a five year replacement cycle as recommended by the Information Technology Services Division, Department of Administration. The funding provided is the difference between the amount included in the base budget and the total estimated cost of replacement equipment.

DP 6 - Building Rent - The legislature provided funding for increased rental costs per the contract (3% per year) negotiated by the General Services Division, Department of Administration.

DP 7 - One Call - The legislature provided funding for the U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, State Pipeline Safety, One Call Grant program to support efforts of state pipeline safety offices to reduce the incidence of damage to underground facilities during excavation.

DP 8 - Pipeline Safety Engineer - The legislature provided funding for 1.00 FTE pipeline safety engineer and associated operating expenses. An additional pipeline safety engineer was provided to fulfill responsibility to effectively audit and monitor pipeline operators and to ensure the pipeline safety regulations are followed.

### New Proposals

New Proposals Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 700 - Reduce Applied Vacancy Savings to 2%										
01	0.00	0	48,766	0	48,766	0.00	0	48,810	0	48,810
DP 95100 - 5% Plan - Operating Budget Reductions										
01	0.00	0	(117,405)	0	(117,405)	0.00	0	(117,405)	0	(117,405)
DP 95101 - 5% Plan Personal Service Reductions										
01	(1.00)	0	(53,208)	0	(53,208)	(1.00)	0	(53,208)	0	(53,208)
DP 96100 - Restore 5% Plan - Operating Budget Reductions										
01	0.00	0	117,405	0	117,405	0.00	0	117,405	0	117,405
DP 96101 - Restore 5% Plan - Personal Service Reductions										
01	1.00	0	53,208	0	53,208	1.00	0	53,208	0	53,208
<b>Total</b>	<b>0.00</b>	<b>\$0</b>	<b>\$48,766</b>	<b>\$0</b>	<b>\$48,766</b>	<b>0.00</b>	<b>\$0</b>	<b>\$48,810</b>	<b>\$0</b>	<b>\$48,810</b>

DP 700 - Reduce Applied Vacancy Savings to 2% - The legislature reduced the applied vacancy savings rate for this agency from 4% to 2%.

DP 95100 - 5% Plan - Operating Budget Reductions - The agency included a reduction in operating expenses as part of its statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The funds were later restored in DP 96100.

DP 95101 - 5% Plan Personal Service Reductions - The agency included an unspecified reduction in personal services as part of its statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The funds were later restored in DP 96101.

DP 96100 - Restore 5% Plan - Operating Budget Reductions - The legislature restored funding for the reductions made in DP 95100.

DP 96101 - Restore 5% Plan - Personal Service Reductions - The legislature restored funding for the reductions made in DP 95101.

### Agency Budget Comparison

The following table summarizes the total legislative budget for the agency by year, type of expenditure, and source of funding.

Agency Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	200.50	200.50	200.50	200.50	200.50	200.50	0.00	0.00%
Personal Services	11,912,040	11,553,705	12,532,611	12,520,413	23,465,745	25,053,024	1,587,279	6.76%
Operating Expenses	7,959,536	7,938,224	8,421,260	8,367,782	15,897,760	16,789,042	891,282	5.61%
Equipment & Intangible Assets	21,118	123,370	21,118	21,118	144,488	42,236	(102,252)	(70.77%)
<b>Total Costs</b>	<b>\$19,892,694</b>	<b>\$19,615,299</b>	<b>\$20,974,989</b>	<b>\$20,909,313</b>	<b>\$39,507,993</b>	<b>\$41,884,302</b>	<b>\$2,376,309</b>	<b>6.01%</b>
General Fund	19,849,276	19,571,843	20,874,989	20,834,313	39,421,119	41,709,302	2,288,183	5.80%
State Special	43,418	43,456	100,000	75,000	86,874	175,000	88,126	101.44%
Federal Special	0	0	0	0	0	0	0	n/a
<b>Total Funds</b>	<b>\$19,892,694</b>	<b>\$19,615,299</b>	<b>\$20,974,989</b>	<b>\$20,909,313</b>	<b>\$39,507,993</b>	<b>\$41,884,302</b>	<b>\$2,376,309</b>	<b>6.01%</b>

### Page Reference

Legislative Budget Analysis, D-102

### Executive Budget Comparison

The following table compares the legislative budget in the 2013 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2010	Executive Budget Fiscal 2012	Legislative Budget Fiscal 2012	Leg – Exec. Difference Fiscal 2012	Executive Budget Fiscal 2013	Legislative Budget Fiscal 2013	Leg – Exec. Difference Fiscal 2013	Biennium Difference Fiscal 12-13
FTE	200.50	216.50	200.50	(16.00)	216.50	200.50	(16.00)	
Personal Services	11,912,040	13,499,779	12,532,611	(967,168)	13,485,337	12,520,413	(964,924)	(1,932,092)
Operating Expenses	7,959,536	8,265,055	8,421,260	156,205	8,212,813	8,367,782	154,969	311,174
Equipment & Intangible Assets	21,118	80,396	21,118	(59,278)	72,895	21,118	(51,777)	(111,055)
<b>Total Costs</b>	<b>\$19,892,694</b>	<b>\$21,845,230</b>	<b>\$20,974,989</b>	<b>(\$870,241)</b>	<b>\$21,771,045</b>	<b>\$20,909,313</b>	<b>(\$861,732)</b>	<b>(\$1,731,973)</b>
General Fund	19,849,276	21,707,345	20,874,989	(832,356)	21,661,333	20,834,313	(827,020)	(1,659,376)
State/Other Special	43,418	137,885	100,000	(37,885)	109,712	75,000	(34,712)	(72,597)
Federal Special	0	0	0	0	0	0	0	0
<b>Total Funds</b>	<b>\$19,892,694</b>	<b>\$21,845,230</b>	<b>\$20,974,989</b>	<b>(\$870,241)</b>	<b>\$21,771,045</b>	<b>\$20,909,313</b>	<b>(\$861,732)</b>	<b>(\$1,731,973)</b>

The legislative budget for this agency is \$1.7 million general fund below the executive request. The legislature did not approve executive requests for funding to:

- o Increase staffing in both the public and appellate defender offices
- o Reduce managers caseloads
- o Replace computer equipment and copiers
- o Add records management staff

## Agency Highlights

<b>Office of State Public Defender Major Budget Highlights</b>	
<ul style="list-style-type: none"> <li>◆ The general fund biennial increase for the agency is 5.8% or \$2.3 million               <ul style="list-style-type: none"> <li>• Funding for the agency increases due to statewide present law adjustments and provision of a restricted, one time only appropriation of \$300,000 per year for contracted services and equipment replacement</li> <li>• The legislature did not approve executive requests for increased staffing or replacement of computer equipment and copiers</li> </ul> </li> <li>◆ The legislature recommends that changes to reporting requirement in 47-1-201(9)(a), MCA be included in legislation to implement the appropriations act</li> </ul>	

## Agency Discussion

The legislature provided funding for the agency that consists of:

- o The agency base budget plus statewide present law adjustments
- o An unspecified increase of \$300,000 per that may be used only for contracted services and to replace computer equipment and copiers

### *Recommendations for Interim Monitoring*

The legislature recommends that the Legislative Finance Committee monitor this agency during the interim.

### *Implementation Legislation*

The legislature recommends that statutory changes be included in legislation to implement the appropriations act that amends 47-1-201(9) (a), MCA to specify that:

- o reports required by that section include unduplicated case counts; and
- o the specified report be provided to the Legislative Finance Committee for the previous fiscal year by September 30th.

## Funding

The following table summarizes funding for the agency, by program and source. Funding for each program is discussed in detail in the individual program narratives that follow.

Total Agency Funding 2013 Biennium Budget				
Agency Program	General Fund	State Spec.	Grand Total	Total %
01 Office Of Public Defender	\$ 39,780,521	\$ 175,000	\$ 39,955,521	95.39%
02 Office Of Appellate Defender	1,928,781	-	1,928,781	4.61%
Grand Total	<u>\$ 41,709,302</u>	<u>\$ 175,000</u>	<u>\$ 41,884,302</u>	100.00%

The agency is funded primarily by the general fund. A small amount of state special revenue from reimbursements for services provided is also available to the agency.

**Budget Summary by Category**

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	19,849,276	19,849,276	39,698,552	95.18%	19,892,694	19,892,694	39,785,388	94.99%
Statewide PL Adjustments	725,713	685,037	1,410,750	3.38%	782,295	716,619	1,498,914	3.58%
Other PL Adjustments	0	0	0	0.00%	0	0	0	0.00%
New Proposals	300,000	300,000	600,000	1.44%	300,000	300,000	600,000	1.43%
<b>Total Budget</b>	<b>\$20,874,989</b>	<b>\$20,834,313</b>	<b>\$41,709,302</b>		<b>\$20,974,989</b>	<b>\$20,909,313</b>	<b>\$41,884,302</b>	

**Language and Statutory Authority**

The legislature included the following language in HB 2.

“Funding in Office of Public Defender – Restricted may be used only to support contracted services or replacement of computers, servers, or copiers.”

The legislature recommends that statutory changes be included in legislation to implement the appropriations act that amend 47-1-201(9)(a), MCA to specify that the reports required by that section include unduplicated case counts and that the specified report be provided to the Legislative Finance Committee for the previous fiscal year by September 30th.

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	191.50	191.50	191.50	191.50	191.50	191.50	0.00	0.00%
Personal Services	11,399,342	10,980,333	11,932,230	11,920,542	22,379,675	23,852,772	1,473,097	6.58%
Operating Expenses	7,595,524	7,726,874	8,057,000	8,003,513	15,322,398	16,060,513	738,115	4.82%
Equipment & Intangible Assets	21,118	123,370	21,118	21,118	144,488	42,236	(102,252)	(70.77%)
<b>Total Costs</b>	<b>\$19,015,984</b>	<b>\$18,830,577</b>	<b>\$20,010,348</b>	<b>\$19,945,173</b>	<b>\$37,846,561</b>	<b>\$39,955,521</b>	<b>\$2,108,960</b>	<b>5.57%</b>
General Fund	18,972,566	18,787,121	19,910,348	19,870,173	37,759,687	39,780,521	2,020,834	5.35%
State Special	43,418	43,456	100,000	75,000	86,874	175,000	88,126	101.44%
Federal Special	0	0	0	0	0	0	0	n/a
<b>Total Funds</b>	<b>\$19,015,984</b>	<b>\$18,830,577</b>	<b>\$20,010,348</b>	<b>\$19,945,173</b>	<b>\$37,846,561</b>	<b>\$39,955,521</b>	<b>\$2,108,960</b>	<b>5.57%</b>

### Page Reference

Legislative Budget Analysis, D-113

### Funding

The Office of the Public Defender is funded primarily from the general fund. A small amount of state special revenue from collection of reimbursement for services also supports the program.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	18,972,566	18,972,566	37,945,132	95.39%	19,015,984	19,015,984	38,031,968	95.19%
Statewide PL Adjustments	637,782	597,607	1,235,389	3.11%	694,364	629,189	1,323,553	3.31%
Other PL Adjustments	0	0	0	0.00%	0	0	0	0.00%
New Proposals	300,000	300,000	600,000	1.51%	300,000	300,000	600,000	1.50%
<b>Total Budget</b>	<b>\$19,910,348</b>	<b>\$19,870,173</b>	<b>\$39,780,521</b>		<b>\$20,010,348</b>	<b>\$19,945,173</b>	<b>\$39,955,521</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					1,030,081					1,017,890
Vacancy Savings					(497,193)					(496,690)
Inflation/Deflation					(28,678)					(27,073)
Fixed Costs					190,154					135,062
<b>Total Statewide Present Law Adjustments</b>		<b>\$637,782</b>	<b>\$56,582</b>	<b>\$0</b>	<b>\$694,364</b>		<b>\$597,607</b>	<b>\$31,582</b>	<b>\$0</b>	<b>\$629,189</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$637,782</b>	<b>\$56,582</b>	<b>\$0</b>	<b>\$694,364</b>	<b>0.00</b>	<b>\$597,607</b>	<b>\$31,582</b>	<b>\$0</b>	<b>\$629,189</b>

## New Proposals

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9701 - Contract/Equipment Funding - Restricted/OTO											
01	0.00	300,000	0	0	300,000	0.00	300,000	0	0	300,000	
DP 95101 - 5% Plan - Reduce Contract Attorney Services											
01	0.00	(489,322)	0	0	(489,322)	0.00	(489,322)	0	0	(489,322)	
DP 95102 - 5% Plan - Computer Hardware											
01	0.00	0	(2,171)	0	(2,171)	0.00	0	(2,171)	0	(2,171)	
DP 95400 - 4% Personal Services Reduction - Program 1											
01	(12.00)	(477,285)	0	0	(477,285)	(12.00)	(477,285)	0	0	(477,285)	
DP 96101 - Restore 5% Plan - Contract Attorney Services											
01	0.00	489,322	0	0	489,322	0.00	489,322	0	0	489,322	
DP 96102 - Restore 5% Plan - Computer Hardware											
01	0.00	0	2,171	0	2,171	0.00	0	2,171	0	2,171	
DP 96400 - Restore 5% Plan - 4% Personal Svc Reduction, Prog1											
01	12.00	477,285	0	0	477,285	12.00	477,285	0	0	477,285	
<b>Total</b>	<b>0.00</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$300,000</b>	<b>0.00</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$300,000</b>	

DP 9701 - Contract/Equipment Funding - Restricted/OTO - The legislature provided \$300,000 general fund per year as a restricted, one time only appropriation that may be used for contracted services, or replacement of computers, servers, or copiers.

DP 95101 - 5% Plan - Reduce Contract Attorney Services - The legislature reduced general fund support for contracted attorney services. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95102 - 5% Plan - Computer Hardware - The legislature reduced state special revenue support for computer hardware. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95400 - 4% Personal Services Reduction - Program 1 - The legislature reduced general fund for personal services. This item was included in the statutorily required 5% reduction plan submitted by the agency.

DP 96101 - Restore 5% Plan - Contract Attorney Services - The legislature restored general fund removed from the agency budget consistent with the agency submitted 5% plan.

DP 96102 - Restore 5% Plan - Computer Hardware - The legislature restored \$2,171 state special revenue per year for computer hardware that was included in the 5% reduction plan.

DP 96400 - Restore 5% Plan - 4% Personal Svc Reduction, Prog1 - The legislature restored general fund to the agency that was removed in accordance with the agency submitted 5% plan.

### Program Budget Comparison

The following table summarizes the total executive budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	9.00	9.00	9.00	9.00	9.00	9.00	0.00	0.00%
Personal Services	512,698	573,372	600,381	599,871	1,086,070	1,200,252	114,182	10.51%
Operating Expenses	364,012	211,350	364,260	364,269	575,362	728,529	153,167	26.62%
<b>Total Costs</b>	<b>\$876,710</b>	<b>\$784,722</b>	<b>\$964,641</b>	<b>\$964,140</b>	<b>\$1,661,432</b>	<b>\$1,928,781</b>	<b>\$267,349</b>	<b>16.09%</b>
General Fund	876,710	784,722	964,641	964,140	1,661,432	1,928,781	267,349	16.09%
<b>Total Funds</b>	<b>\$876,710</b>	<b>\$784,722</b>	<b>\$964,641</b>	<b>\$964,140</b>	<b>\$1,661,432</b>	<b>\$1,928,781</b>	<b>\$267,349</b>	<b>16.09%</b>

### Page Reference

Legislative Budget Analysis, D-120

### Funding

The Appellate Defender Program is supported entirely by the general fund.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	876,710	876,710	1,753,420	90.91%	876,710	876,710	1,753,420	90.91%
Statewide PL Adjustments	87,931	87,430	175,361	9.09%	87,931	87,430	175,361	9.09%
Other PL Adjustments	0	0	0	0.00%	0	0	0	0.00%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
<b>Total Budget</b>	<b>\$964,641</b>	<b>\$964,140</b>	<b>\$1,928,781</b>		<b>\$964,641</b>	<b>\$964,140</b>	<b>\$1,928,781</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the executive. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments										
Budget Item	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					112,698					112,168
Vacancy Savings					(25,015)					(24,995)
Inflation/Deflation					248					257
<b>Total Statewide Present Law Adjustments</b>		<b>\$87,931</b>	<b>\$0</b>	<b>\$0</b>	<b>\$87,931</b>		<b>\$87,430</b>	<b>\$0</b>	<b>\$0</b>	<b>\$87,430</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$87,931</b>	<b>\$0</b>	<b>\$0</b>	<b>\$87,931</b>	<b>0.00</b>	<b>\$87,430</b>	<b>\$0</b>	<b>\$0</b>	<b>\$87,430</b>

**New Proposals**

The “New Proposals” table summarizes all new proposals requested by the Governor. Descriptions and LFD discussion of each new proposal are included in the individual program narratives.

New Proposals										
Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 95400 - 4% Personal Services Reduction - Program 2										
02	(0.50)	(24,016)	0	0	(24,016)	(0.50)	(24,016)	0	0	(24,016)
DP 96400 - Restore 5% Plan - 4% Personal Svc Reduction Prog2										
02	0.50	24,016	0	0	24,016	0.50	24,016	0	0	24,016
<b>Total</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

DP 95400 - 4% Personal Services Reduction - Program 2 - The legislature reduced general fund support for personal services. This item was included in the statutorily required 5% plan submitted by the agency.

DP 96400 - Restore 5% Plan - 4% Personal Svc Reduction Prog2 - The legislature restored general fund that was removed from the agency budget in DP 95400.

### Agency Budget Comparison

The following table summarizes the total legislative budget for the agency by year, type of expenditure, and source of funding.

Agency Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	1,303.64	1,303.64	1,281.64	1,281.64	1,303.64	1,281.64	(22.00)	(1.69%)
Personal Services	69,610,880	72,382,475	70,595,862	70,622,733	141,993,355	141,218,595	(774,760)	(0.55%)
Operating Expenses	93,944,707	95,303,055	96,067,986	98,996,578	189,247,762	195,064,564	5,816,802	3.07%
Equipment & Intangible Assets	201,078	207,507	239,866	239,866	408,585	479,732	71,147	17.41%
Benefits & Claims	3,343,082	4,055,855	2,936,847	2,936,847	7,398,937	5,873,694	(1,525,243)	(20.61%)
Transfers	2,848,950	2,124,917	2,848,950	2,848,950	4,973,867	5,697,900	724,033	14.56%
<b>Total Costs</b>	<b>\$169,948,697</b>	<b>\$174,073,809</b>	<b>\$172,689,511</b>	<b>\$175,644,974</b>	<b>\$344,022,506</b>	<b>\$348,334,485</b>	<b>\$4,311,979</b>	<b>1.25%</b>
General Fund	165,758,162	169,198,753	167,223,656	170,187,989	334,956,915	337,411,645	2,454,730	0.73%
State Special	3,561,540	4,086,930	4,755,524	4,746,959	7,648,470	9,502,483	1,854,013	24.24%
Federal Special	20,872	134,068	20,872	20,872	154,940	41,744	(113,196)	(73.06%)
Other	608,123	654,058	689,459	689,154	1,262,181	1,378,613	116,432	9.22%
<b>Total Funds</b>	<b>\$169,948,697</b>	<b>\$174,073,809</b>	<b>\$172,689,511</b>	<b>\$175,644,974</b>	<b>\$344,022,506</b>	<b>\$348,334,485</b>	<b>\$4,311,979</b>	<b>1.25%</b>

### Page Reference

Legislative Budget Analysis, D-124

### Executive Budget Comparison

The following table compares the legislative budget in the 2013 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2010	Executive Budget Fiscal 2012	Legislative Budget Fiscal 2012	Leg – Exec. Difference Fiscal 2012	Executive Budget Fiscal 2013	Legislative Budget Fiscal 2013	Leg – Exec. Difference Fiscal 2013	Biennium Difference Fiscal 12-13
FTE	1,303.64	1,289.14	1,281.64	(7.50)	1,289.14	1,281.64	(7.50)	
Personal Services	69,610,880	71,275,144	70,595,862	(679,282)	71,298,642	70,622,733	(675,909)	(1,355,191)
Operating Expenses	93,944,707	101,832,252	96,067,986	(5,764,266)	107,276,335	98,996,578	(8,279,757)	(14,044,023)
Equipment & Intangible Assets	201,078	687,078	239,866	(447,212)	245,078	239,866	(5,212)	(452,424)
Benefits & Claims	3,343,082	3,343,082	2,936,847	(406,235)	3,343,082	2,936,847	(406,235)	(812,470)
Transfers	2,848,950	2,848,950	2,848,950	0	2,848,950	2,848,950	0	0
<b>Total Costs</b>	<b>\$169,948,697</b>	<b>\$179,986,506</b>	<b>\$172,689,511</b>	<b>(\$7,296,995)</b>	<b>\$185,012,087</b>	<b>\$175,644,974</b>	<b>(\$9,367,113)</b>	<b>(\$16,664,108)</b>
General Fund	165,758,162	175,317,022	167,223,656	(8,093,366)	180,351,473	170,187,989	(10,163,484)	(18,256,850)
State/Other Special	3,561,540	3,959,153	4,755,524	796,371	3,950,588	4,746,959	796,371	1,592,742
Federal Special	20,872	20,872	20,872	0	20,872	20,872	0	0
Proprietary	608,123	689,459	689,459	0	689,154	689,154	0	0
<b>Total Funds</b>	<b>\$169,948,697</b>	<b>\$179,986,506</b>	<b>\$172,689,511</b>	<b>(\$7,296,995)</b>	<b>\$185,012,087</b>	<b>\$175,644,974</b>	<b>(\$9,367,113)</b>	<b>(\$16,664,108)</b>

The legislature provided general fund that is \$18.3 million or 5.1% lower than the executive budget as a result of offsetting reductions and increases. The legislature:

- Adopted spending reductions consistent with the statutorily required 5% base reduction plan submitted by the agency totaling about \$6.9 million for the biennium
- Utilized state special revenue funds to offset general fund expenditures, \$1.8 million
- Did not approve funding for certain bed expansions such as:
  - Adult community corrections bed expansion, \$2.1 million
  - A prerelease center in northwestern Montana, \$1.2 million
- Provided less funding that requested for:
  - Secure prison beds, \$2.7 million

- Outside medical care, \$1.2 million

State special revenue support increases by \$1.6 million when compared to the executive request, which is reflective of legislative action shifting funding for certain expenditures from the general fund to state special revenue funds. The largest of these shifts (\$1.4 million) included reducing general fund support for probation and parole office rent and replacing it with state special revenue funds from supervision fees and restitution administrative fees.

### Agency Highlights

<b>Department of Corrections Major Budget Highlights</b>	
<ul style="list-style-type: none"> <li>◆ Total funding for the department increases 1.3% or \$4.3 million between biennia               <ul style="list-style-type: none"> <li>• General fund support increases less than 1% or \$2.5 million primarily due to reductions of about \$10 million that are offset by present law adjustments annualizing the cost of current beds of about \$13.2 million</li> <li>• New proposals include reductions in personal services that would eliminate 25.00 FTE positions</li> </ul> </li> <li>◆ State special revenue funding increases primarily due to the use of supervision fees and restitution administrative fees instead of general fund to support some expenditures</li> <li>◆ The legislature did not approve funding for expansion of adult community corrections beds but did provide funding for an additional 20 secure assisted living beds and 100 male secure prison beds in FY 2013</li> <li>◆ The legislative budget, like the executive budget, generally funds beds for fewer offenders than the department estimates will enter the system for the 2013 biennium, with one exception. The level of male secure prison beds budgeted for FY 2013 exceeds the estimated population of offenders by 20 beds</li> <li>◆ The department estimates that the Average Daily Population (ADP) of offenders will increase:               <ul style="list-style-type: none"> <li>• 2.0% per year in male prison beds</li> <li>• 4.7% per year in community residential programs</li> <li>• 1.8% per year in total</li> </ul> </li> <li>◆ The legislature recommends that the Legislative Finance Committee monitor the following during the interim:               <ul style="list-style-type: none"> <li>• The average daily population of offenders</li> <li>• Secure assisted living beds (to be developed)</li> </ul> </li> </ul>	

### Agency Discussion

Total funding for the department increases \$4.3 million or 1.3% between the two biennia. General fund support increases \$2.5 million or less than 1% while state special revenue support increase \$1.9 million or 24.2%.

In addition to general fund reductions of about \$6.9 million consistent with the statutorily required 5% plan submitted by the agency, the legislature also adopted other smaller reductions totaling \$1.3 million and funding shifts from general fund to state special revenue funds totaling \$1.8 million. These reductions are offset by increases in present law adjustments for items other than overtime and inmate pay totaling \$13.2 million for the biennium.

State special revenue support for the agency increases due to legislative action that shifted funding for expenditures from the general fund to state special revenue funds, including supervision fees, restitution administrative fees, and parental

cost of care payments for juveniles.

### *Population and Bed Increases*

The legislative budget, like the executive request, generally funds beds for fewer offenders than the department estimates will enter the system during the 2013 biennium (except in FY 2013 in secure custody). Overall the department estimates that the offender population will grow by 1.8% per year, while male secure custody increases 2% per year, community corrections residential programs grow by 4.7% per year, and probation and parole caseloads grow by 1.2% per year.

Summary of Budgeted Bed Increases Compared to Population Estimates						
Program	Estimated ADP Increase (per dept)		Bed Increase in Legislative Budget		Diff Budget Less Estimated ADP	
	FY 2012	FY 2013	FY 2012	FY 2013	FY 2012	FY 2013
Adult Community Corrections	108	196	43	43	(65)	(153)
Secure Custody	<u>151</u>	<u>205</u>	<u>105</u>	<u>225</u>	<u>(46)</u>	<u>20</u>

The legislative budget for adult community corrections provides funding for 65 and 153 fewer beds in FY 2012 and FY 2013, respectively than the estimated population of offenders included in the department's December 2010 population estimate. The legislature did not approve funding of increased community corrections beds, including requests for 40 prerelease beds in northwestern Montana and 34 additional community beds of an unspecified type. The legislature did provide funding to annualize the cost of community corrections beds operational within the 2011 biennium.

In secure custody the legislative budget provides funding for 46 fewer and 20 more beds in FY 2012 and FY 2013, respectively than the estimated population of offenders. The legislature did not approve funding for increased secure prison beds at the level requested. Rather than funding 20 secure assisted living beds for FY 2012 and 144 prison beds (conversion of the Missoula facility from use as an assessment and sanction center to use as a regional prison) for FY 2013, the legislature provided funding for 20 secure assisted living beds and 100 prison beds in FY 2013. The location of these beds was not specified. The legislature also provided funding to annualize the costs of secure prison beds operational within the 2011 biennium.

### *Recommendations for Interim Monitoring*

The legislature recommends that the Legislative Finance Committee monitor the following items during the interim:

- The average daily population of offenders
- Secure assisted living beds (to be developed in during the 2013 biennium)

### *Legislative Intent*

The legislature reduced general fund support and increased state special revenue to reflect a reduction in costs related to collection of utility payments from employees residing in state owned housing. The legislature also directed staff to include information in the narrative to HB 2 and the Fiscal Report indicating that the legislature encourages the department to discontinue the provision of housing to employees by the end of the 2013 biennium.

## Funding

The following table summarizes funding for the agency, by program and source. Funding for each program is discussed in detail in the individual program narratives that follow.

Total Agency Funding 2013 Biennium Budget						
Agency Program	General Fund	State Spec.	Fed Spec.	Proprietary	Grand Total	Total %
01 Admin And Support Services	\$ 32,606,698	\$ 1,017,574	\$ -	\$ 194,818	\$ 33,819,090	9.71%
02 Adult Community Corrections	116,746,523	2,532,254	-	-	119,278,777	34.24%
03 Secure Custody Facilities	150,242,246	258,336	18,346	-	150,518,928	43.21%
04 Mont Correctional Enterprises	1,585,781	3,989,349	-	1,183,795	6,758,925	1.94%
05 Youth Services	36,230,397	1,704,970	23,398	-	37,958,765	10.90%
Grand Total	<u>\$337,411,645</u>	<u>\$ 9,502,483</u>	<u>\$ 41,744</u>	<u>\$ 1,378,613</u>	<u>\$348,334,485</u>	100.00%

The department receives most of its funding from the general fund, with a small amount of the department's funding coming from state special revenue. The four largest state special revenue funds are:

- o The canteen revolving fund, which receives revenue from the sale of items (such as personal hygiene items) to inmates
- o Probation and parole supervision fees collected from offenders under the supervision of the department
- o Pine Hills donations, interest, and income funds that come mostly from the collection of interest and income on school trust lands
- o Juvenile placement costs of care that comes from payments made by parents and other responsible parties toward the costs of care of juveniles under the supervision of juvenile parole (Corrections) or juvenile probation (Judicial Branch)

The remainder of the department's funding comes from proprietary funds such as license plate manufacturing and prison ranch operations.

## Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	165,758,162	165,758,162	331,516,324	98.25%	169,948,697	169,948,697	339,897,394	97.58%
Statewide PL Adjustments	91,277	100,126	191,403	0.06%	(21,154)	(21,175)	(42,329)	(0.01%)
Other PL Adjustments	7,217,712	10,188,741	17,406,453	5.16%	7,882,712	10,853,741	18,736,453	5.38%
New Proposals	(5,843,495)	(5,859,040)	(11,702,535)	(3.47%)	(5,120,744)	(5,136,289)	(10,257,033)	(2.94%)
<b>Total Budget</b>	<b>\$167,223,656</b>	<b>\$170,187,989</b>	<b>\$337,411,645</b>		<b>\$172,689,511</b>	<b>\$175,644,974</b>	<b>\$348,334,485</b>	

## Language and Statutory Authority

The legislature included the following language in HB 2.

“Administrative and Support Services includes \$6,185,415 general fund money and \$451,242 state special revenue in fiscal year 2012 and \$6,190,227 general fund money and \$451,325 state special revenue in fiscal year 2013 that may be used only to support personal services costs of the Administrative and Support Services Program.”

“Adult Community Corrections includes general fund monies of \$14,847,809 in fiscal year 2012 and \$14,850,880 in fiscal year 2013 that may be used only to support personal services costs of the Adult Community Corrections Program.”

“Secure Custody Facilities includes \$37,156,156 general fund money, \$100,000 state special revenue in fiscal year 2012 and \$37,168,034 general fund money and \$100,000 state special revenue in fiscal year 2013 that may be used only to support personal services costs of the Secure Custody Facilities.”

“Montana Correctional Enterprises includes general fund monies of \$640,085 in fiscal year 2012 and \$639,025 in fiscal year 2013, state special revenue of \$24,514 in fiscal year 2012 and \$24,261 in fiscal year 2013, and proprietary funds of \$230,477 in fiscal year 2012 and \$231,385 in fiscal year 2013 that may be used only to support personal services costs of the Montana Correctional Enterprises Program.”

“Youth Services includes general fund monies of \$10,526,138 in fiscal year 2012 and \$10,532,826 in fiscal year 2013 and state special revenue of \$331,362 in fiscal year 2012 and \$331,362 in fiscal year 2013 that may be used only to support personal services costs of the Youth Services Division Program.”

“Secure Custody Facilities includes \$18,000 of general fund money in fiscal year 2012 and \$10,000 of general fund money in fiscal year 2013 that is contingent upon Montana State Prison receiving national commission on correctional health care accreditation prior to the end of fiscal year 2011.”

“Secure Custody Facilities includes \$200,750 general fund money each year that may be used only to support an increase in rates for privately owned secure prison facility beds located within Montana.”

“Funding in Secure Population Growth may be used only to support secure assisted living beds and secure contract beds.”

“Funding in Juvenile Re-entry Services may be used only to support mentor grants, guide homes, parish nurses, and two after care coordinators.”

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	113.50	113.50	106.00	106.00	113.50	106.00	(7.50)	(6.61%)
Personal Services	6,838,385	6,938,224	6,636,657	6,641,552	13,776,609	13,278,209	(498,400)	(3.62%)
Operating Expenses	10,478,739	9,808,205	10,316,513	10,224,368	20,286,944	20,540,881	253,937	1.25%
<b>Total Costs</b>	<b>\$17,317,124</b>	<b>\$16,746,429</b>	<b>\$16,953,170</b>	<b>\$16,865,920</b>	<b>\$34,063,553</b>	<b>\$33,819,090</b>	<b>(\$244,463)</b>	<b>(0.72%)</b>
General Fund	16,879,299	16,189,561	16,343,183	16,263,515	33,068,860	32,606,698	(462,162)	(1.40%)
State Special	350,838	473,165	511,965	505,609	824,003	1,017,574	193,571	23.49%
Federal Special	0	0	0	0	0	0	0	n/a
Other	86,987	83,703	98,022	96,796	170,690	194,818	24,128	14.14%
<b>Total Funds</b>	<b>\$17,317,124</b>	<b>\$16,746,429</b>	<b>\$16,953,170</b>	<b>\$16,865,920</b>	<b>\$34,063,553</b>	<b>\$33,819,090</b>	<b>(\$244,463)</b>	<b>(0.72%)</b>

### Page Reference

Legislative Budget Analysis, D-138

### Funding

The bulk of the funding for this program comes from the general fund. A small amount of the program's funding comes from state special revenue, primarily from fees charged for the collection of restitution from offenders. The remainder of the program's funding comes from proprietary funds such as the prison ranch, industries program, and cook chill operation.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	16,879,299	16,879,299	33,758,598	103.53%	17,317,124	17,317,124	34,634,248	102.41%
Statewide PL Adjustments	393,795	313,868	707,663	2.17%	427,248	339,739	766,987	2.27%
Other PL Adjustments	263,442	263,442	526,884	1.62%	294,442	294,442	588,884	1.74%
New Proposals	(1,193,353)	(1,193,094)	(2,386,447)	(7.32%)	(1,085,644)	(1,085,385)	(2,171,029)	(6.42%)
<b>Total Budget</b>	<b>\$16,343,183</b>	<b>\$16,263,515</b>	<b>\$32,606,698</b>		<b>\$16,953,170</b>	<b>\$16,865,920</b>	<b>\$33,819,090</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					614,904					619,730
Vacancy Savings					(296,770)					(296,960)
Inflation/Deflation					(16,678)					(16,084)
Fixed Costs					125,792					33,053
<b>Total Statewide Present Law Adjustments</b>		<b>\$393,795</b>	<b>\$22,418</b>	<b>\$0</b>	<b>\$427,248*</b>		<b>\$313,868</b>	<b>\$16,062</b>	<b>\$0</b>	<b>\$339,739*</b>
DP 602 - Investigator Overtime	0.00	6,742	0	0	6,742	0.00	6,742	0	0	6,742
DP 701 - Outside Medical	0.00	250,000	0	0	250,000	0.00	250,000	0	0	250,000
DP 801 - Increase Spending Authority for training manuals	0.00	0	31,000	0	31,000	0.00	0	31,000	0	31,000
DP 901 - Board member per diem	0.00	6,700	0	0	6,700	0.00	6,700	0	0	6,700
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$263,442</b>	<b>\$31,000</b>	<b>\$0</b>	<b>\$294,442</b>	<b>0.00</b>	<b>\$263,442</b>	<b>\$31,000</b>	<b>\$0</b>	<b>\$294,442</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$657,237</b>	<b>\$53,418</b>	<b>\$0</b>	<b>\$721,690*</b>	<b>0.00</b>	<b>\$577,310</b>	<b>\$47,062</b>	<b>\$0</b>	<b>\$634,181*</b>

\* "Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 602 - Investigator Overtime - The legislature provided funding for overtime costs for investigators. These individuals conduct investigations (criminal, administrative, and civil) at department facilities throughout the state. They incur overtime related to travel to institutional locations, on call, and calls that require immediate response.

DP 701 - Outside Medical - The legislature provided an increase of \$250,000 per year for the costs of outside medical care for inmates.

DP 801 - Increase Spending Authority for training manuals - The legislature provided an increase in state special revenue so that the Professional Development Bureau can provide training manuals to participants from outside the department and bill those agencies for the materials.

DP 901 - Board member per diem - The legislature provided funding for Board of Pardons and Parole members compensation as outlined in 2-25-124 (7), MCA.

## New Proposals

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9700 - Remove Vacant FTE											
01	(1.50)	(121,831)	0	0	(121,831)	(1.50)	(121,572)	0	0	(121,572)	
DP 9702 - Remove Funding Selected Vehicles											
01	0.00	(1,705)	0	0	(1,705)	0.00	(1,705)	0	0	(1,705)	
DP 9705 - Reduce Funding for Contracts											
01	0.00	(142,345)	0	0	(142,345)	0.00	(142,345)	0	0	(142,345)	
DP 55400 - Admin and Support Services FTE Reduction											
01	(5.00)	(306,569)	0	0	(306,569)	(5.00)	(306,569)	0	0	(306,569)	
DP 78103 - SSR Funding Shift - Restitution Admin Fees											
01	0.00	(125,000)	125,000	0	0	0.00	(125,000)	125,000	0	0	
DP 95100 - 5% Plan - HPIS Administrator											
01	(1.00)	(104,904)	0	0	(104,904)	(1.00)	(104,904)	0	0	(104,904)	
DP 95101 - 5% Plan - Fixed Cost Reductions											
01	0.00	(97,000)	0	0	(97,000)	0.00	(97,000)	0	0	(97,000)	
DP 95102 - 5% Plan - AFSD Reductions											
01	0.00	(44,999)	20,872	0	(24,127)	0.00	(44,999)	20,872	0	(24,127)	
DP 95103 - 5% Plan - Directors Office Reduction											
01	0.00	(14,000)	0	0	(14,000)	0.00	(14,000)	0	0	(14,000)	
DP 95104 - 5% Plan - Outside Medical Reductions											
01	0.00	(125,000)	0	0	(125,000)	0.00	(125,000)	0	0	(125,000)	
DP 95105 - 5% Plan - Health Services Reductions											
01	0.00	(80,000)	0	0	(80,000)	0.00	(80,000)	0	0	(80,000)	
DP 95107 - 5% Plan - Staff Services Division Reductions											
01	0.00	(30,000)	(163)	0	(30,163)	0.00	(30,000)	(163)	0	(30,163)	
DP 96120 - Restore/Reduce 5% Plan Spending SSR - AFSD											
01	0.00	0	(38,000)	0	(38,000)	0.00	0	(38,000)	0	(38,000)	
<b>Total</b>	<b>(7.50)</b>	<b>(\$1,193,353)</b>	<b>\$107,709</b>	<b>\$0</b>	<b>(\$1,085,644)</b>	<b>(7.50)</b>	<b>(\$1,193,094)</b>	<b>\$107,709</b>	<b>\$0</b>	<b>(\$1,085,385)</b>	

DP 9700 - Remove Vacant FTE - The legislature removed funding for 1.50 FTE vacant positions including a human resource specialist and computer supervisor.

DP 9702 - Remove Funding Selected Vehicles - The legislature removed funding for selected vehicles assigned to state employees including funding for vehicles assigned to the department director, Montana State Prison (MSP) security major, MSP warden, MSP deputy warden, and Riverside Youth Correctional Facility superintendent.

DP 9705 - Reduce Funding for Contracts - The legislature reduced funding for selected contracts included in the base budget.

DP 55400 - Admin and Support Services FTE Reduction - The legislature adopted a 4% reduction in personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be eliminated.

DP 78103 - SSR Funding Shift - Restitution Admin Fees - The legislature reduced general fund support and increased spending of state special revenue from restitution administrative fees.

DP 95100 - 5% Plan - HPIS Administrator - The legislature eliminated funding for the vacant Health, Planning and Information Services Division administrator position. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95101 - 5% Plan - Fixed Cost Reductions - The legislature reduced funding for fixed costs for the department. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95102 - 5% Plan - AFSD Reductions - The legislature reduced funding for printing costs, travel, and training. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95103 - 5% Plan - Directors Office Reduction - The legislature reduced funding for contracted temporary services, non employee travel, and subscriptions. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95104 - 5% Plan - Outside Medical Reductions - The legislature reduced funding for contracted services including the medical director (50% reduction) and the behavioral health facilitator. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95105 - 5% Plan - Health Services Reductions - The legislature reduced funding for operating costs. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95107 - 5% Plan - Staff Services Division Reductions - The legislature reduced funding for leased vehicles and contracted services. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 96120 - Restore/Reduce 5% Plan Spending SSR - AFSD - The legislature adopted the general fund reduction included in the agency submitted 5% plan but did not approve the use of \$38,000 state special revenue from administration of restitution to offset the general fund reduction.

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	263.00	263.00	259.00	259.00	263.00	259.00	(4.00)	(1.52%)
Personal Services	14,502,612	14,760,954	14,847,809	14,850,880	29,263,566	29,698,689	435,123	1.49%
Operating Expenses	43,020,504	47,481,318	44,787,149	44,792,939	90,501,822	89,580,088	(921,734)	(1.02%)
<b>Total Costs</b>	<b>\$57,523,116</b>	<b>\$62,242,272</b>	<b>\$59,634,958</b>	<b>\$59,643,819</b>	<b>\$119,765,388</b>	<b>\$119,278,777</b>	<b>(\$486,611)</b>	<b>(0.41%)</b>
General Fund	57,064,428	61,526,242	58,367,437	58,379,086	118,590,670	116,746,523	(1,844,147)	(1.56%)
State Special	458,688	716,030	1,267,521	1,264,733	1,174,718	2,532,254	1,357,536	115.56%
Federal Special	0	0	0	0	0	0	0	n/a
<b>Total Funds</b>	<b>\$57,523,116</b>	<b>\$62,242,272</b>	<b>\$59,634,958</b>	<b>\$59,643,819</b>	<b>\$119,765,388</b>	<b>\$119,278,777</b>	<b>(\$486,611)</b>	<b>(0.41%)</b>

### Page Reference

Legislative Budget Analysis, D-155

### Funding

The program is funded primarily from the general fund. A small amount of the division's funding comes from state special revenue collected from offenders who must pay a probation and parole supervision fee.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	57,064,428	57,064,428	114,128,856	97.76%	57,523,116	57,523,116	115,046,232	96.45%
Statewide PL Adjustments	300,846	312,639	613,485	0.53%	303,113	312,118	615,231	0.52%
Other PL Adjustments	3,397,711	3,397,711	6,795,422	5.82%	3,507,211	3,507,211	7,014,422	5.88%
New Proposals	(2,395,548)	(2,395,692)	(4,791,240)	(4.10%)	(1,698,482)	(1,698,626)	(3,397,108)	(2.85%)
<b>Total Budget</b>	<b>\$58,367,437</b>	<b>\$58,379,086</b>	<b>\$116,746,523</b>		<b>\$59,634,958</b>	<b>\$59,643,819</b>	<b>\$119,278,777</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					1,122,064					1,125,258
Vacancy Savings					(624,990)					(625,113)
Inflation/Deflation					(193,961)					(188,027)
<b>Total Statewide Present Law Adjustments</b>		<b>\$300,846</b>	<b>\$2,267</b>	<b>\$0</b>	<b>\$303,113</b>		<b>\$312,639</b>	<b>(\$521)</b>	<b>\$0</b>	<b>\$312,118</b>
DP 201 - Annualize Treatment Beds	0.00	677,431	0	0	677,431	0.00	677,431	0	0	677,431
DP 202 - Annualize Prerelease Beds	0.00	2,537,126	0	0	2,537,126	0.00	2,537,126	0	0	2,537,126
DP 204 - Annualize MASC Beds	0.00	128,737	0	0	128,737	0.00	128,737	0	0	128,737
DP 206 - TSCTC Overtime	0.00	37,304	0	0	37,304	0.00	37,304	0	0	37,304
DP 210 - ACCD MCE Rate Increases	0.00	17,113	0	0	17,113	0.00	17,113	0	0	17,113
DP 78209 - Use SSR to Increase SCRAM Units by 20	0.00	0	109,500	0	109,500	0.00	0	109,500	0	109,500
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$3,397,711</b>	<b>\$109,500</b>	<b>\$0</b>	<b>\$3,507,211</b>	<b>0.00</b>	<b>\$3,397,711</b>	<b>\$109,500</b>	<b>\$0</b>	<b>\$3,507,211</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$3,698,557</b>	<b>\$111,767</b>	<b>\$0</b>	<b>\$3,810,324</b>	<b>0.00</b>	<b>\$3,710,350</b>	<b>\$108,979</b>	<b>\$0</b>	<b>\$3,819,329</b>

DP 201 - Annualize Treatment Beds - The legislature provided funding to annualize the costs of community treatment facility beds to include funding for 100% utilization of all contracted treatment beds. This includes beds that will become operational in FY 2011.

DP 202 - Annualize Prerelease Beds - The legislature provided funding to annualize the costs of community prerelease facility beds to include funding for 100% utilization of all contracted prerelease beds. This includes beds that will become operational in FY 2011.

DP 204 - Annualize MASC Beds - The legislature provided funding to annualize the costs of the Missoula Assessment and Treatment facility beds to include funding for 100% utilization of all contracted beds.

DP 206 - TSCTC Overtime - The legislature provided funding for overtime and holiday worked at the Treasure State Correctional Training Center.

DP 210 - ACCD MCE Rate Increases - The legislature provided funding needed due to increases in Montana Correction Enterprises (MCE) rates for food and laundry services.

DP 78209 - Use SSR to Increase SCRAM Units by 20 - The legislature provided state special revenue from supervision fees for Secure Continuous Remote Alcohol Monitor (SCRAM) units that provide 24 hour a day, 7 day per week, electronic monitoring of a driving under the influence (DUI) offender's blood alcohol levels. The units would be used for offenders who are in the community under probation and parole supervision.

**New Proposals**

New Proposals Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9704 - Reduce Funding for Utility Costs - MWP/MWP/TSCTC										
02	0.00	(3,978)	0	0	(3,978)	0.00	(4,122)	0	0	(4,122)
DP 9705 - Reduce Funding for Contracts										
02	0.00	(49,306)	0	0	(49,306)	0.00	(49,306)	0	0	(49,306)
DP 55400 - ACCD FTE Reductions										
02	(4.00)	(189,181)	0	0	(189,181)	(4.00)	(189,181)	0	0	(189,181)
DP 78100 - Use Supervision/Restitution Admin Fees P&P rent										
02	0.00	(700,000)	700,000	0	0	0.00	(700,000)	700,000	0	0
DP 78104 - Reduce GF Increase Supervision Fee Approp										
02	0.00	(20,000)	20,000	0	0	0.00	(20,000)	20,000	0	0
DP 95108 - 5% Plan - Adult Community Corrections Reductions										
02	0.00	(2,670,725)	600,242	0	(2,070,483)	0.00	(2,670,725)	600,242	0	(2,070,483)
DP 96180 - Restore/Reduce 5% Plan Spending SSR - ACCD										
02	0.00	0	(623,176)	0	(623,176)	0.00	0	(623,176)	0	(623,176)
DP 96181 - Restore 5% Plan WATCH/CCP beds										
02	0.00	766,486	0	0	766,486	0.00	766,486	0	0	766,486
DP 96182 - Restore 5% Plan - Nexus/Elkhorn Beds										
02	0.00	293,952	0	0	293,952	0.00	293,952	0	0	293,952
DP 96183 - Restore 5% Plan MASC Rate Negotiation										
02	0.00	177,204	0	0	177,204	0.00	177,204	0	0	177,204
<b>Total</b>	<b>(4.00)</b>	<b>(\$2,395,548)</b>	<b>\$697,066</b>	<b>\$0</b>	<b>(\$1,698,482)</b>	<b>(4.00)</b>	<b>(\$2,395,692)</b>	<b>\$697,066</b>	<b>\$0</b>	<b>(\$1,698,626)</b>

DP 9704 - Reduce Funding for Utility Costs - MWP/MWP/TSCTC - The legislature reduced funding for utility costs at state owned institutions by 8%.

DP 9705 - Reduce Funding for Contracts - The legislature reduced funding for selected contracts included in the base budget.

DP 55400 - ACCD FTE Reductions - The legislature adopted a 4% reduction in personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be eliminated.

DP 78100 - Use Supervision/Restitution Admin Fees P&P rent - The legislature provided funding from the state special revenue fund from supervision fees to support rental costs for adult probation and parole offices and reduced general fund support by a like amount.

DP 78104 - Reduce GF Increase Supervision Fee Approp - The legislature reduced general fund support by \$20,000 per year and increased state special revenue appropriations from supervision fees a like amount.

DP 95108 - 5% Plan - Adult Community Corrections Reductions - The legislature reduced funding by \$2,670,725 including funding for a contract for meth outcomes, enhanced supervision program expansion, probation and parole vehicles, probation and parole officer commuting, maintenance FTE at the Watch West program, Watch/CCP expansion beds, adult community corrections beds and MASC rate negotiations with an offsetting increase of \$623,000 in state special revenue from supervision fees. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The legislature restored portions of these reductions in DP 96181, DP 96182, and DP 96183.

DP 96180 - Restore/Reduce 5% Plan Spending SSR - ACCD - The legislature adopted the general fund reduction included in the agency 5% plan but did not approve the use of state special revenue from supervision fees to offset this reduction included in DP 95108.

DP 96181 - Restore 5% Plan WATCH/CCP beds - The legislature restored \$766,486 general fund per year supporting WATCH (4th DUI) program beds. This reduction was included in DP 95108.

DP 96182 - Restore 5% Plan - Nexus/Elkhorn Beds - The legislature restored \$293,952 general fund each year associated with the agency 5% reduction plan which included a reduction equal to seven community corrections beds at the Nexus treatment center. The legislature also indicated that a portion of this funding (about \$44,000) should be used to restore a portion of the reduction (one bed) applied to the Elkhorn treatment facility as a part of the spending reductions ordered by the Governor per 17-7-140, MCA. The impact of this decision package is to fund six beds at the Nexus facility and one bed at the Elkhorn facility (both are methamphetamine treatment facilities). This reduction was included in DP 95108.

DP 96183 - Restore 5% Plan MASC Rate Negotiation - The legislature restored \$177,204 general fund per year associated with a reduction in the per diem rate paid for the MASC program included in DP 95108.

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	702.04	702.04	698.04	698.04	702.04	698.04	(4.00)	(0.57%)
Personal Services	36,734,843	38,167,411	37,256,156	37,268,034	74,902,254	74,524,190	(378,064)	(0.50%)
Operating Expenses	35,718,683	32,740,510	36,254,068	39,259,500	68,459,193	75,513,568	7,054,375	10.30%
Equipment & Intangible Assets	201,078	207,507	239,866	239,866	408,585	479,732	71,147	17.41%
Transfers	719	0	719	719	719	1,438	719	100.00%
<b>Total Costs</b>	<b>\$72,655,323</b>	<b>\$71,115,428</b>	<b>\$73,750,809</b>	<b>\$76,768,119</b>	<b>\$143,770,751</b>	<b>\$150,518,928</b>	<b>\$6,748,177</b>	<b>4.69%</b>
General Fund	72,516,318	70,919,077	73,612,468	76,629,778	143,435,395	150,242,246	6,806,851	4.75%
State Special	129,832	157,543	129,168	129,168	287,375	258,336	(29,039)	(10.10%)
Federal Special	9,173	38,808	9,173	9,173	47,981	18,346	(29,635)	(61.76%)
<b>Total Funds</b>	<b>\$72,655,323</b>	<b>\$71,115,428</b>	<b>\$73,750,809</b>	<b>\$76,768,119</b>	<b>\$143,770,751</b>	<b>\$150,518,928</b>	<b>\$6,748,177</b>	<b>4.69%</b>

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### Funding

This division is funded almost entirely by the general fund. State special funds are from the sale of canteen items to inmates and support the cost of purchasing canteen items. Federal funds were received for the purchase of bullet proof vests.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	72,516,318	72,516,318	145,032,636	96.53%	72,655,323	72,655,323	145,310,646	96.54%
Statewide PL Adjustments	(910,800)	(848,859)	(1,759,659)	(1.17%)	(1,010,800)	(948,859)	(1,959,659)	(1.30%)
Other PL Adjustments	3,241,784	6,212,813	9,454,597	6.29%	3,341,784	6,312,813	9,654,597	6.41%
New Proposals	(1,234,834)	(1,250,494)	(2,485,328)	(1.65%)	(1,235,498)	(1,251,158)	(2,486,656)	(1.65%)
<b>Total Budget</b>	<b>\$73,612,468</b>	<b>\$76,629,778</b>	<b>\$150,242,246</b>		<b>\$73,750,809</b>	<b>\$76,768,119</b>	<b>\$150,518,928</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					687,189					699,630
Vacancy Savings					(1,496,917)					(1,497,379)
Inflation/Deflation					(201,072)					(151,110)
<b>Total Statewide Present Law Adjustments</b>		<b>(\$910,800)</b>	<b>(\$100,000)</b>	<b>\$0</b>	<b>(\$1,010,800)</b>		<b>(\$848,859)</b>	<b>(\$100,000)</b>	<b>\$0</b>	<b>(\$948,859)</b>
DP 301 - MWP Overtime	0.00	315,320	0	0	315,320	0.00	315,320	0	0	315,320
DP 302 - MWP Inmate Pay		36,383	0	0	36,383	0.00	36,383	0	0	36,383
DP 303 - MWP Correctional Officers with overtime offset	2.00	0	0	0	0	2.00	0	0	0	0
DP 304 - Increased contract services	0.00	17,500	0	0	17,500	0.00	17,500	0	0	17,500
DP 305 - MSP MCE Rate Increase	0.00	146,797	0	0	146,797	0.00	146,797	0	0	146,797
DP 307 - MSP Overtime	0.00	1,197,717	0	0	1,197,717	0.00	1,197,717	0	0	1,197,717
DP 308 - MSP Inmate Pay	0.00	194,434	100,000	0	294,434	0.00	194,434	100,000	0	294,434
DP 311 - Equipment - Security - OTO -	0.00	37,500	0	0	37,500	0.00	37,500	0	0	37,500
DP 313 - NCCHC Accreditation	0.00	18,000	0	0	18,000	0.00	10,000	0	0	10,000
DP 315 - Annualizing Beds for Contract Beds	0.00	1,227,570	0	0	1,227,570	0.00	1,227,570	0	0	1,227,570
DP 316 - Population Growth	0.00	0	0	0	0	0.00	2,979,130	0	0	2,979,130
DP 317 - Mental Health Technicians	1.00	50,563	0	0	50,563	1.00	50,462	0	0	50,462
<b>Total Other Present Law Adjustments</b>	<b>3.00</b>	<b>\$3,241,784</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$3,341,784</b>	<b>3.00</b>	<b>\$6,212,813</b>	<b>\$100,000</b>	<b>\$0</b>	<b>\$6,312,813</b>
<b>Grand Total All Present Law Adjustments</b>	<b>3.00</b>	<b>\$2,330,984</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,330,984</b>	<b>3.00</b>	<b>\$5,363,954</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,363,954</b>

DP 301 - MWP Overtime - The legislature provided funding for overtime and holidays worked, which are zero based budget items.

DP 302 - MWP Inmate Pay - The legislature provided funding for inmate pay, which is a zero based budget item.

DP 303 - MWP Correctional Officers with overtime offset - The legislature provided funding for 2.00 FTE correctional officers that will be funded by a reduction in overtime.

DP 304 - Increased contract services - The legislature provided funding for increases in two existing contracts, the religious services coordinator (\$2,500) and the school district for summer educational services (\$15,000). The increased funding would provide additional services to the facility (MWP).

DP 305 - MSP MCE Rate Increase - The legislature provided funding to support increased institutional costs as a result of Montana Correctional Enterprise rate increases for laundry and cook/chill food services.

DP 307 - MSP Overtime - The legislature provided funding for overtime and holidays worked at a level that is \$100,000 per year less than the executive request. These are zero based budget items.

DP 308 - MSP Inmate Pay - The legislature provided funding for inmate pay, which is a zero based budget item.

DP 311 - Equipment - Security - OTO - - The legislature provided \$75,000 as a one-time-only biennial appropriation to purchase equipment. The department indicated equipment replacement needs included:

- o \$40,000 for food service back-up generators for the high side, low side, and industries diner
- o \$15,000 to replace a dish machine in the industries diner
- o \$12,000 to replace the metal detector used to clear visitors
- o \$50,000 to replace a recreation yard associated with one of the locked housing units
- o \$44,000 in each year of the biennium to replace three vehicles used for inmate transportation and perimeter security

DP 313 - NCCHC Accreditation - The legislature provided funding for the infirmary at Montana State Prison to receive National Commission on Correctional Health Care (NCCHC) accreditation. This funding would cover the travel and per diem costs of two site visits by a three person accreditation team, training at an education convention for two or three staff, and the annual accreditation fee. Achieving NCCHC accreditation is a component of a litigation settlement agreement (Langford v Racicot) that the department has been working toward for a number of years. This funding is contingent upon the department receiving accreditation during FY 2011.

DP 315 - Annualizing Beds for Contract Beds - The legislature provided funding to annualize the costs of contract prison beds to include funding for 100% utilization of all contracted beds.

DP 316 - Population Growth - The legislature provided funding for 20 secure assisted living beds and 100 male prison beds in the second year of the biennium.

DP 317 - Mental Health Technicians - The legislature provided funding for a 1.00 FTE mental health technician for the Montana State Prison. This increases the number of Mental Health Technicians from 5.00 FTE to 6.00 FTE.

## New Proposals

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 302 - Security Control System OTO/Bien											
03	0.00	125,000	0	0	125,000	0.00	125,000	0	0	125,000	
DP 9701 - Reduce funding for MSP vehicle purchases											
03	0.00	(123,712)	0	0	(123,712)	0.00	(123,712)	0	0	(123,712)	
DP 9702 - Remove Funding Selected Vehicles											
03	0.00	(3,354)	0	0	(3,354)	0.00	(3,354)	0	0	(3,354)	
DP 9703 - Education Costs Person Exonerated											
03	0.00	14,500	0	0	14,500	0.00	0	0	0	0	
DP 9704 - Reduce Funding for Utility Costs - MSP/MWP/TSCTC											
03	0.00	(100,138)	0	0	(100,138)	0.00	(101,298)	0	0	(101,298)	
DP 9705 - Reduce Funding for Contracts											
03	0.00	(38,676)	0	0	(38,676)	0.00	(38,676)	0	0	(38,676)	
DP 9706 - Rate Increase Privately Owned Secure Prison Beds											
03	0.00	200,750	0	0	200,750	0.00	200,750	0	0	200,750	
DP 55400 - MWP FTE Reductions											
03	(1.00)	(36,333)	0	0	(36,333)	(1.00)	(36,333)	0	0	(36,333)	
DP 55401 - FTE Reductions MSP - Contract Beds											
03	(7.00)	(461,857)	0	0	(461,857)	(7.00)	(461,857)	0	0	(461,857)	
DP 78101 - New Revenue from Housing Utility Payments											
03	0.00	(5,828)	5,828	0	0	0.00	(5,828)	5,828	0	0	
DP 95109 - 5% Plan - Montana State Prison Reductions											
03	(14.00)	(1,686,194)	(6,492)	0	(1,692,686)	(14.00)	(1,686,194)	(6,492)	0	(1,692,686)	
DP 95110 - 5% Plan - Contract Beds Reduction											
03	0.00	(1,166,913)	0	0	(1,166,913)	0.00	(1,166,913)	0	0	(1,166,913)	
DP 95111 - 5% Plan - Montana Women's Prison Reduction											
03	(5.00)	(267,129)	0	0	(267,129)	(5.00)	(267,129)	0	0	(267,129)	
DP 96110 - Restore 5% Plan - Reduce 50 beds Crossroads											
03	0.00	1,166,913	0	0	1,166,913	0.00	1,166,913	0	0	1,166,913	
DP 96111 - Restore 5% Plan - MWP Close Phase I Unit											
03	5.00	267,129	0	0	267,129	5.00	267,129	0	0	267,129	
DP 96190 - Restore 5% Plan - MSP Education Program											
03	9.00	512,313	0	0	512,313	9.00	512,313	0	0	512,313	
DP 96191 - Restore 5% Plan - MSP CD Treatment Program											
03	6.00	368,695	0	0	368,695	6.00	368,695	0	0	368,695	
<b>Total</b>	<b>(7.00)</b>	<b>(\$1,234,834)</b>	<b>(\$664)</b>	<b>\$0</b>	<b>(\$1,235,498)</b>	<b>(7.00)</b>	<b>(\$1,250,494)</b>	<b>(\$664)</b>	<b>\$0</b>	<b>(\$1,251,158)</b>	

DP 302 - Security Control System OTO/Bien - The legislature provided \$250,000 general fund as a one time only biennial appropriations to replace the security system at Montana Women's Prison (MWP).

DP 9701 - Reduce funding for MSP vehicle purchases - The legislature reduced general fund support equivalent to the amount expended by the Montana State Prison (MSP) on eight vehicles in FY 2008.

DP 9702 - Remove Funding Selected Vehicles - The legislature removed funding for selected vehicles assigned to state employees including funding for vehicles assigned to the department director, Montana State Prison (MSP) security major, MSP warden, MSP deputy warden, and Riverside Youth Correctional Facility superintendent.

DP 9703 - Education Costs Person Exonerated - The legislature provided \$14,500 general fund as a restricted, one time only appropriation for educational costs for a person exonerated of a crime by post conviction DNA testing in accordance with 53-1-214, MCA

DP 9704 - Reduce Funding for Utility Costs - MSP/MWP/TSCTC - The legislature reduced funding for utility costs at state owned institutions by 8%.

DP 9705 - Reduce Funding for Contracts - The legislature reduced funding for selected contracts included in the base budget.

DP 9706 - Rate Increase Privately Owned Secure Prison Beds - The legislature provided funding for a rate increase for prison beds within Montana that are operated by privately owned entities. The rates used to calculate the amount included in DP 315 Annualizing Beds for Contract Beds included anticipated increases in per diem rates for non privately operated prison beds consistent with statutory provisions that regional prison rates be based upon actual costs.

DP 55400 - MWP FTE Reductions - The legislature adopted a 4% reduction in personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be eliminated.

DP 55401 - FTE Reductions MSP - Contract Beds - The legislature adopted a 4% reduction in personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be eliminated.

DP 78101 - New Revenue from Housing Utility Payments - The legislature reduced general fund and increased state special revenue to reflect the collection of payment for utility costs from employees occupying state owned housing.

DP 95109 - 5% Plan - Montana State Prison Reductions - The legislature reduced funding for the dental contract, the staff transportation program, the Pacific Institute Contract, utilities, supplies, the Education Program including 9.00 FTE, Chemical Dependency Treatment including 6.00 FTE, and other contracted services. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. Portions of these reductions were restored in DP 96190 and DP 96191.

DP 95110 - 5% Plan - Contract Beds Reduction - The legislature reduced funding equal to the costs of 50 beds at Crossroads Correctional Center in Shelby. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. This reduction was restored in DP 96110.

DP 95111 - 5% Plan - Montana Women's Prison Reduction - The legislature reduced funding for Montana Women's Prison FTE and closure of the Phase I unit. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. This reduction was restored in DP 96111.

DP 96110 - Restore 5% Plan - Reduce 50 beds Crossroads - The legislature restored funding for the reduction made in DP 95110 that reduced funding for 50 beds at Crossroads Correctional Facility.

DP 96111 - Restore 5% Plan - MWP Close Phase I Unit - The legislature restored funding for the reduction made in DP 95111.

DP 96190 - Restore 5% Plan - MSP Education Program - The legislature restored funding for the education program (and associated FTE) at MSP that was removed in DP 95109.

DP 96191 - Restore 5% Plan - MSP CD Treatment Program - The legislature restored funding for the chemical dependency treatment program at MSP (and associated FTE) that was removed in DP 95109.

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	16.25	16.25	15.75	15.75	16.25	15.75	(0.50)	(3.08%)
Personal Services	964,541	1,005,869	895,076	894,671	1,970,410	1,789,747	(180,663)	(9.17%)
Operating Expenses	2,226,501	2,500,208	2,484,320	2,484,858	4,726,709	4,969,178	242,469	5.13%
Equipment & Intangible Assets	0	0	0	0	0	0	0	n/a
<b>Total Costs</b>	<b>\$3,191,042</b>	<b>\$3,506,077</b>	<b>\$3,379,396</b>	<b>\$3,379,529</b>	<b>\$6,697,119</b>	<b>\$6,758,925</b>	<b>\$61,806</b>	<b>0.92%</b>
General Fund	892,921	953,590	793,181	792,600	1,846,511	1,585,781	(260,730)	(14.12%)
State Special	1,776,985	1,893,827	1,994,778	1,994,571	3,670,812	3,989,349	318,537	8.68%
Federal Special	0	88,305	0	0	88,305	0	(88,305)	(100.00%)
Other	521,136	570,355	591,437	592,358	1,091,491	1,183,795	92,304	8.46%
<b>Total Funds</b>	<b>\$3,191,042</b>	<b>\$3,506,077</b>	<b>\$3,379,396</b>	<b>\$3,379,529</b>	<b>\$6,697,119</b>	<b>\$6,758,925</b>	<b>\$61,806</b>	<b>0.92%</b>

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### Funding

This program is funded by a combination of general fund, state special revenue, and proprietary funds. General fund supports the industries program and personal services costs for the inmate canteen. State special revenue from the inmate canteen fund supports the purchase of merchandise that is distributed and sold to inmates through the canteen. Proprietary funds support a portion of the industries program and the manufacture of license plates. The license plate manufacturing function was moved to a proprietary fund beginning in FY 2011 as provided by the 2009 Legislature.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	892,921	892,921	1,785,842	112.62%	3,191,042	3,191,042	6,382,084	94.42%
Statewide PL Adjustments	(70,955)	(71,536)	(142,491)	(8.99%)	(118,261)	(118,128)	(236,389)	(3.50%)
Other PL Adjustments	47,400	47,400	94,800	5.98%	471,900	471,900	943,800	13.96%
New Proposals	(76,185)	(76,185)	(152,370)	(9.61%)	(165,285)	(165,285)	(330,570)	(4.89%)
<b>Total Budget</b>	<b>\$793,181</b>	<b>\$792,600</b>	<b>\$1,585,781</b>		<b>\$3,379,396</b>	<b>\$3,379,529</b>	<b>\$6,758,925</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

Present Law Adjustments	Fiscal 2012					Fiscal 2013				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					(82,914)					(83,334)
Vacancy Savings					(35,264)					(35,249)
Inflation/Deflation					(83)					455
<b>Total Statewide Present Law Adjustments</b>		<b>(\$70,955)</b>	<b>(\$17,607)</b>	<b>\$0</b>	<b>(\$118,261)*</b>		<b>(\$71,536)</b>	<b>(\$17,814)</b>	<b>\$0</b>	<b>(\$118,128)*</b>
DP 401 - HB2 Overtime and Inmate Payroll	0.00	47,400	24,500	0	71,900	0.00	47,400	24,500	0	71,900
DP 405 - HB2 Increased Spending Authority for Canteen	0.00	0	300,000	0	300,000	0.00	0	300,000	0	300,000
DP 409 - HB2 Increase Spending Authority for MVM	0.00	0	0	0	100,000*	0.00	0	0	0	100,000*
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$47,400</b>	<b>\$324,500</b>	<b>\$0</b>	<b>\$471,900*</b>	<b>0.00</b>	<b>\$47,400</b>	<b>\$324,500</b>	<b>\$0</b>	<b>\$471,900*</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>(\$23,555)</b>	<b>\$306,893</b>	<b>\$0</b>	<b>\$353,639*</b>	<b>0.00</b>	<b>(\$24,136)</b>	<b>\$306,686</b>	<b>\$0</b>	<b>\$353,772*</b>

\* "Total Funds" amount includes funding from sources other than General Fund, State Special, or Federal Special (i.e. Proprietary).

DP 401 - HB2 Overtime and Inmate Payroll - The legislature provided funding for overtime and inmate payroll, which are zero based for budgeting purposes.

DP 405 - HB2 Increased Spending Authority for Canteen - The legislature provided funding for the canteen and Motor Vehicle Maintenance (MVM) programs. This would allow for the increased purchases of merchandise and supplies. The cost of these items is passed through to those purchasing goods and services from these two operations.

DP 409 - HB2 Increase Spending Authority for MVM - The legislature provided increased authority in the internal service fund for the Motor Vehicle Maintenance (MVM) program. MVM is looking for additional customers and if additional customers are found, supplies will need to be purchased to accommodate the increased work.

## New Proposals

New Proposals	Fiscal 2012					Fiscal 2013					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9705 - Reduce Funding for Contracts											
04	0.00	(31,539)	0	0	(31,539)	0.00	(31,539)	0	0	(31,539)	
DP 55400 - MCE FTE Reduction											
04	(0.50)	(23,187)	0	0	(23,187)	(0.50)	(23,187)	0	0	(23,187)	
DP 95112 - 5% Plan - Montana Correctional Enterprises Reducti											
04	0.00	(21,459)	(89,100)	0	(110,559)	0.00	(21,459)	(89,100)	0	(110,559)	
<b>Total</b>	<b>(0.50)</b>	<b>(\$76,185)</b>	<b>(\$89,100)</b>	<b>\$0</b>	<b>(\$165,285)</b>	<b>(0.50)</b>	<b>(\$76,185)</b>	<b>(\$89,100)</b>	<b>\$0</b>	<b>(\$165,285)</b>	

DP 9705 - Reduce Funding for Contracts - The legislature reduced general fund for selected contracts.

DP 55400 - MCE FTE Reduction - The legislature adopted a 4% reduction in personal services funded with general fund, including 0.50 FTE. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

DP 95112 - 5% Plan - Montana Correctional Enterprises Reduction - The legislature reduced funding for inmate curriculums. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%.

## **Proprietary Rates**

### **Proprietary Program Description**

Montana Correctional Enterprises (MCE) includes several functions funded with internal service funds or proprietary funds. These programs are described separately along with a discussion of the program expenses, revenues, and rates being requested to finance the program. The legislature must approve the rates to be charged by proprietary funds. Internal service and enterprise funds included in MCE are:

- o The Industry Program includes furniture, upholstery, print, sign, and laundry operations at the Montana State Prison facility
- o The MCE Ranch and Dairy operation includes range cattle, crops, feedlot, land management, dairy milking parlor, dairy processing, heifer reproduction, lumber processing, and the Montana Food Bank Cannery, which are all located at the Montana State Prison facility
- o The MCE Vocational Education program operates a motor vehicle maintenance shop and Toyota cutaway operation

### **Proprietary Program Description**

The proprietary program consists of the ranch operation located near the Montana State Prison in Deer Lodge and includes cattle, crops, feedlot, land management, dairy milking parlor, dairy processing, heifer reproduction, and lumber processing activities.

### Expenses

The largest operating expenses for the program include items such as feed, grain, gasoline, diesel fuel, and veterinary supplies. The cost of these supplies varies with general economic conditions.

### Revenues

Revenues for this program are derived primarily from the sale of raw milk and livestock. Additionally, a small amount of revenue is generated through logging. Revenues vary depending upon general economic conditions that impact commodity prices.

### Funding Sources

Prison ranch products are sold in the private sector.

### **Proprietary Present Law Adjustments**

Present law adjustments for this program include \$590,000 for the biennium to fund overtime, holidays worked, and inmate pay, which are zero based for budgeting purposes.

### **Proprietary New Proposals**

New proposals for this program include \$300,000 and \$150,000 for the biennium for increased operating costs and equipment purchases, respectively. The budget request did not identify the equipment that may be purchased.

### **Proprietary Rates**

This program is funded with an enterprise type proprietary fund. As such, the legislature does not appropriate funds or approve rates for the program.

**Proprietary Program Description**

This proprietary program consists of the furniture, upholstery, print, sign, and laundry operations at the Montana State Prison facility.

**Expenses**

The expenses are split almost equally between personal services (21.00 FTE) and operating expenses. The largest categories of operating expenses for the program include items related to furniture manufacturing and shop supplies. The program implemented a reduction in force to reduce staff but the 2013 biennium budget includes the cost of these two vacant positions. Additionally, the expenditures for the program include \$150,000 per year to be expended for equipment purchases if needed.

**Revenues**

Revenues are derived primarily from the sale merchandise (furniture and signs) and charges for laundry services. In FY 2010 about \$500,000 of revenue was derived from furniture sales to state agencies and a similar amount was derived from the provision of laundry services to Montana State Prison (MSP) and Montana State Hospital (MSH). Because state agencies funded with general fund (MSP and MSH) are among the largest customers for this program increases in rates are likely to increase general fund expenditures made by other agencies.

**Funding Sources**

Because a large portion of revenues are the result of business done with state agencies, a portion of the revenue from this program comes indirectly from the general fund.

**Proprietary Present Law Adjustments**

Present law adjustments include \$420,000 for the biennium to fund overtime, holidays worked, and inmate pay, which are zero based for budgeting purposes.

**Proprietary New Proposals**

New proposals include \$200,000 and \$100,000 for the biennium for increased operating costs and equipment purchases, respectively. The budget request does not identify the specific costs or equipment that may be purchased.

**Proprietary Rates**

This program is funded with an enterprise type proprietary fund. As such, the legislature does not appropriate funds or approve rates for the program.

**Proprietary Program Description**

This proprietary program consists of the motor vehicle maintenance shop and Toyota cutaway operation.

**Expenses**

The expenses are split between personal services (4.00 FTE) and operating expenses, with about one third of the budget supporting personal services and the remaining two thirds supporting operating costs. The largest category of operating expense for the program is merchandise.

**Revenues**

Revenues are derived primarily from motor vehicle maintenance completed for MSP and the prison ranch.

**Funding Sources**

Because a largest portion of the revenues are the result of business done with MSP and the prison ranch, the primary funding sources supporting payment for services are the ranch proprietary fund and the general fund, which supports MSP.

**Proprietary Present Law Adjustments**

Present law adjustments include \$200,000 for the biennium to support the purchase of merchandise. The program is working to identify additional sources of revenue and if located will experience an increase in the purchase of merchandise.

**Proprietary Rates**

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge. The legislature approved the following rates:

	FY 2012	FY 2013
Labor Charge for Motor Vehicle Maint	\$26.50 per hour	\$26.50 per hour
Supply fee as a percentage of actual cost of parts	5%	5%
Parts	actual cost	actual cost

**Proprietary Program Description**

This proprietary program consists of license plate manufacturing. This function was moved to a proprietary fund from the general fund beginning in FY 2011 in accordance with actions taken by the 2009 Legislature.

Expenses

The expenses for this program include personal services (2.50 FTE) and operating expenses, with the bulk of the funding supporting operating costs.

Revenues

Revenues are derived from the sale of license plates to the Department of Justice. The Department of Justice pays for the license plates with fee revenue collected from license plate sales.

Funding Sources

Revenues supporting license plate manufacturing come from members of the public who purchase license plates.

**Proprietary Present Law Adjustments**

The entire budget for this fund is established in a present law adjustment because this function was not moved to a proprietary fund until the second year of the 2011 biennium.

**Proprietary Rates**

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge. The legislature approved the following rates:

	FY 2012	FY 2013
Cost per set of plates	\$6.20	\$6.20

**Proprietary Program Description**

This proprietary program consists of food processing and creation of trayed meals and products that are sold to other facilities.

Expenses

The expenses include personal services (21.00 FTE) and operating expenses, with the bulk of the funding supporting operating costs. The largest category of operating cost is raw materials, which includes the various grocery type items needed to prepare meals. The projected expenses for the 2013 biennium include \$500,000 per year to be expended for equipment purchases if necessary. Additionally, the program is working on a proposal to reduce civilian staff by 4.00 FTE, whose responsibilities include dishing up trays, and utilize inmate workers instead. If the proposal moves forward the program anticipates that the change would be implemented through staff attrition rather than a reduction in force or similar action.

Revenues

Revenues are derived from the sale of meals to facilities. The largest customer is MSP.

Funding Sources

Revenues supporting MSP, the food factory's largest customer, come from the general fund.

**Proprietary Present Law Adjustments**

Present law adjustments for the biennium include \$92,000 for inmate pay, which is zero based for budgeting purposes, \$700,000 for raw materials, and \$300,000 for equipment. The type of materials, anticipated inflationary rate, and equipment to be purchased have not been identified.

**Proprietary Rates**

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge. The legislature approved the following rates:

	FY 2012	FY 2013
Tray Meal Prices to all customers		
Base Tray-Hot/Cold	\$1.73	\$1.73
Base Tray-Hot	\$0.87	\$0.87
Detention Center Trays	\$2.45	\$2.45
Accessory Package	\$0.10	\$0.10
Delivery Charge Per Trayed Meal		
Delivery charge - per mile	\$0.50	\$0.50
Deliver charge - per hour	\$35.00	\$35.00
Bulk Food	cost	cost
Spoilage percentage to all customers	5%	5%
Overhead Charge:		
Montana State Hospital	11%	11%
Montana State Prison	77%	77%
Treasure State Correctional Training	12%	12%

### Program Budget Comparison

The following table summarizes the total legislative budget for the program by year, type of expenditure, and source of funding.

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	208.85	208.85	202.85	202.85	208.85	202.85	(6.00)	(2.87%)
Personal Services	10,570,499	11,510,017	10,960,164	10,967,596	22,080,516	21,927,760	(152,756)	(0.69%)
Operating Expenses	2,500,280	2,772,814	2,225,936	2,234,913	5,273,094	4,460,849	(812,245)	(15.40%)
Benefits & Claims	3,343,082	4,055,855	2,936,847	2,936,847	7,398,937	5,873,694	(1,525,243)	(20.61%)
Transfers	2,848,231	2,124,917	2,848,231	2,848,231	4,973,148	5,696,462	723,314	14.54%
<b>Total Costs</b>	<b>\$19,262,092</b>	<b>\$20,463,603</b>	<b>\$18,971,178</b>	<b>\$18,987,587</b>	<b>\$39,725,695</b>	<b>\$37,958,765</b>	<b>(\$1,766,930)</b>	<b>(4.45%)</b>
General Fund	18,405,196	19,610,283	18,107,387	18,123,010	38,015,479	36,230,397	(1,785,082)	(4.70%)
State Special	845,197	846,365	852,092	852,878	1,691,562	1,704,970	13,408	0.79%
Federal Special	11,699	6,955	11,699	11,699	18,654	23,398	4,744	25.43%
<b>Total Funds</b>	<b>\$19,262,092</b>	<b>\$20,463,603</b>	<b>\$18,971,178</b>	<b>\$18,987,587</b>	<b>\$39,725,695</b>	<b>\$37,958,765</b>	<b>(\$1,766,930)</b>	<b>(4.45%)</b>

### Page Reference

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### Funding

This division receives most of its support from the general fund. State special revenue, primarily from parental contributions toward the costs of care and interest and income related to Pine Hills school trust lands, provides some support. The division also receives a small amount of federal funds from the Title IV-E Foster Care and Adoption Program.

### Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	18,405,196	18,405,196	36,810,392	101.60%	19,262,092	19,262,092	38,524,184	101.49%
Statewide PL Adjustments	378,391	394,014	772,405	2.13%	377,546	393,955	771,501	2.03%
Other PL Adjustments	267,375	267,375	534,750	1.48%	267,375	267,375	534,750	1.41%
New Proposals	(943,575)	(943,575)	(1,887,150)	(5.21%)	(935,835)	(935,835)	(1,871,670)	(4.93%)
<b>Total Budget</b>	<b>\$18,107,387</b>	<b>\$18,123,010</b>	<b>\$36,230,397</b>		<b>\$18,971,178</b>	<b>\$18,987,587</b>	<b>\$37,958,765</b>	

### Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget proposed by the legislature. "Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Present Law Adjustments										
Personal Services					909,953					917,672
Vacancy Savings					(459,233)					(459,520)
Inflation/Deflation					(73,174)					(64,197)
<b>Total Statewide Present Law Adjustments</b>		<b>\$378,391</b>	<b>(\$845)</b>	<b>\$0</b>	<b>\$377,546</b>		<b>\$394,014</b>	<b>(\$59)</b>	<b>\$0</b>	<b>\$393,955</b>
DP 502 - PHYCF Overtime	0.00	172,960	0	0	172,960	0.00	172,960	0	0	172,960
DP 503 - RYCF Overtime	0.00	26,468	0	0	26,468	0.00	26,468	0	0	26,468
DP 504 - YTC Overtime	0.00	34,447	0	0	34,447	0.00	34,447	0	0	34,447
DP 505 - PHYCF Inmate Pay	0.00	32,500	0	0	32,500	0.00	32,500	0	0	32,500
DP 506 - RYCF Inmate Pay	0.00	1,000	0	0	1,000	0.00	1,000	0	0	1,000
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$267,375</b>	<b>\$0</b>	<b>\$0</b>	<b>\$267,375</b>	<b>0.00</b>	<b>\$267,375</b>	<b>\$0</b>	<b>\$0</b>	<b>\$267,375</b>
<b>Grand Total All Present Law Adjustments</b>	<b>0.00</b>	<b>\$645,766</b>	<b>(\$845)</b>	<b>\$0</b>	<b>\$644,921</b>	<b>0.00</b>	<b>\$661,389</b>	<b>(\$59)</b>	<b>\$0</b>	<b>\$661,330</b>

DP 502 - PHYCF Overtime - The legislature provided funding for overtime and holidays worked (Pine Hills), which are zero based budget items.

DP 503 - RYCF Overtime - The legislature provided funding for overtime and holidays worked (Riverside), which are zero based budget items.

DP 504 - YTC Overtime - The legislature provided funding for overtime and holidays worked (Transition Center), which are zero based budget items.

DP 505 - PHYCF Inmate Pay - The legislature provided funding for inmate pay (Pine Hills), which is a zero based budget item.

DP 506 - RYCF Inmate Pay - The legislature provided funding for inmate pay (Riverside), which is a zero based budget items.

**New Proposals**

Program	-----Fiscal 2012-----					-----Fiscal 2013-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 502 - RYCF Security Cameras Bien/OTO										
05	0.00	37,500	0	0	37,500	0.00	37,500	0	0	37,500
DP 9702 - Remove Funding Selected Vehicles										
05	0.00	(7,106)	0	0	(7,106)	0.00	(7,106)	0	0	(7,106)
DP 9705 - Reduce Funding for Contracts										
05	0.00	(52,200)	0	0	(52,200)	0.00	(52,200)	0	0	(52,200)
DP 55400 - YSD FTE Reductions										
05	(3.00)	(186,702)	0	0	(186,702)	(3.00)	(186,702)	0	0	(186,702)
DP 78102 - Funding Switch - Reduce General Fund/Increase SSR										
05	0.00	(50,000)	50,000	0	0	0.00	(50,000)	50,000	0	0
DP 95113 - 5% Plan - Youth Services Division Reductions										
05	(3.00)	(733,559)	(42,260)	0	(775,819)	(3.00)	(733,559)	(42,260)	0	(775,819)
DP 96113 - Restore 5% Plan - Placement Budget Pine Hills YCF										
05	0.00	48,492	0	0	48,492	0.00	48,492	0	0	48,492
<b>Total</b>	<b>(6.00)</b>	<b>(\$943,575)</b>	<b>\$7,740</b>	<b>\$0</b>	<b>(\$935,835)</b>	<b>(6.00)</b>	<b>(\$943,575)</b>	<b>\$7,740</b>	<b>\$0</b>	<b>(\$935,835)</b>

DP 502 - RYCF Security Cameras Bien/OTO - The legislature provided a one time only, biennial appropriation of \$75,000 general fund for video surveillance equipment at Riverside Youth Correctional Facility in Boulder.

DP 9702 - Remove Funding Selected Vehicles - The legislature removed funding for selected vehicles assigned to state employees including funding for vehicles assigned to the department director, Montana State Prison (MSP) security major, MSP warden, MSP deputy warden, and Riverside Youth Correctional Facility superintendent.

DP 9705 - Reduce Funding for Contracts - The legislature reduced funding for selected contracts included in the base budget.

DP 55400 - YSD FTE Reductions - The legislature adopted a 4% reduction in personal services funded with general fund. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The agency did not specify which positions would be eliminated.

DP 78102 - Funding Switch - Reduce General Fund/Increase SSR - The legislature reduced general fund support and increased state special revenue support from Parental Contributions to the Costs of Care.

DP 95113 - 5% Plan - Youth Services Division Reductions - The legislature reduced funding for 1.00 FTE social worker at Pine Hills Youth Correctional Facility, 2.00 FTE correctional officers (one each at Riverside and the Transition Center), three leased vehicles, contracts, operating costs, \$48,492 for Pine Hills Youth Correctional Facility (PHYCF) placements, and \$385,930 for juvenile placements. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The legislature restored funding for a portion of this reduction in DP 96113.

DP 96113 - Restore 5% Plan - Placement Budget Pine Hills YCF - The legislature restored funding for juvenile placements for youth at PHYCF removed in DP 95113.