

Agency Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	684.70	.20	16.00	700.90	.20	16.00	700.90	700.90
Personal Services	25,649,929	872,373	646,385	27,168,687	792,702	642,077	27,084,708	54,253,395
Operating Expenses	11,387,205	1,866,085	2,401,977	15,655,267	1,743,842	980,492	14,111,539	29,766,806
Equipment	1,672,621	64,791	28,000	1,765,412	167,392	0	1,840,013	3,605,425
Capital Outlay	0	0	0	0	0	0	0	0
Debt Service	272,004	4,158	0	276,162	4,158	0	276,162	552,324
Total Costs	\$38,981,759	\$2,807,407	\$3,076,362	\$44,865,528	\$2,708,094	\$1,622,569	\$43,312,422	\$88,177,950
General Fund	18,131,783	1,473,502	2,437,872	22,043,157	1,307,566	1,758,435	21,197,784	43,240,941
State/Other Special	18,884,769	1,095,208	(295,368)	19,684,609	1,160,036	(899,194)	19,145,611	38,830,220
Federal Special	1,954,704	227,411	933,858	3,115,973	230,303	763,328	2,948,335	6,064,308
Proprietary	10,503	11,286	0	21,789	10,189	0	20,692	42,481
Total Funds	\$38,981,759	\$2,807,407	\$3,076,362	\$44,865,528	\$2,708,094	\$1,622,569	\$43,312,422	\$88,177,950

Agency Description

The Department of Justice, under the direction of the Attorney General, is responsible for statewide legal services and counsel, law enforcement, and public safety, as authorized in 2-15-501, MCA. The duties of the department include: 1) providing legal representation for the state and its political subdivisions in criminal appeals; 2) providing legal services and counsel for the state, county, and municipal agencies and their officials; 3) enforcing Montana traffic laws and registering all motor vehicles; 4) enforcing state fire safety codes and regulations; 5) assisting local law enforcement agencies in bringing offenders to justice; 6) managing a statewide system of death investigations and providing scientific analyses of specimens submitted by law enforcement officials, coroners, and state agencies; and 7) providing for the uniform regulation of all gambling activities in the state of Montana.

Summary of Legislative Action

The legislature added 16.2 FTE and \$10.2 million total funds (\$7.0 million general fund) over the 2001 biennium to the Department of Justice's base budget. Of that amount, \$5.5 million was added for present law adjustments and \$4.7 million for new proposals.

Major present law adjustments include: 1) \$1.1 million to fully fund personal services; 2) \$1.6 million in the highway patrol, including overtime, prisoner per diem, and vehicles; 3) almost \$0.7 million for various adjustments in the Justice Information System Division; and 4) \$0.8 million for rent for the forensics laboratory.

Major new proposals approved by the legislature for the 2001 biennium include: 1) 7.5 FTE and \$669,456 general fund to provide support for county attorneys in handling child protection cases in district courts; 2) 1.5 FTE and \$135,480 to expedite the processing of post conviction appeals. (These positions were approved as a result of legislation passed by the 1997 legislature intended to reduce the time requirements for resolution of criminal appeals and post-conviction proceedings); 3) 1.0 FTE and \$116,644 to support the state's registry of sexual and violent offenders; 4) 9.0 FTE and \$978,337 (\$536,926 general fund) for operational support and programming for Montana's criminal justice information network and data systems of criminal history records maintained by the Department of Justice; 5) a switch in the funding source for prisoner per diem from the highway special revenue to general fund, a \$2.12 million increase in general fund; 6) \$800,000 in contract authority for federal and private funds, which provides the agency with appropriation authority for unanticipated funds that may become available during the biennium; 7) \$380,000 general fund and \$560,000 of gambling license fees to implement HB 109, which requires the department to develop a video gambling automated accounting and reporting system; 8) \$279,469 general fund to implement HB 540, should the referendum changing the methodology for taxing vehicles pass in November of 2000; and 9) a reduction of 5.0 FTE highway patrol officers, which had been funded by federal funds that the department no longer anticipates receiving.

Other Legislation

House Bill 92 - This legislation appropriated continued funding of the natural resource damage lawsuit against the Atlantic Richfield Company with funds from the coal severance tax permanent fund in the amount of \$1,650,000 for the 2001 biennium. This appropriation is considered to be a loan and any recovery as a result of the litigation, up to the amount expended for the litigation plus interest, must be deposited in the coal severance tax permanent fund.

House Bill 109 - The legislature approved HB 109, which authorized an automated video gambling and reporting system within the Gambling Control Division. This automated system will allow the gaming machines to communicate via telephone lines with a central computer system to verify that only approved gaming software is running and to collect information on machine play. The system will gather this information by polling each machine for a few seconds each night. In addition, it will ensure the accuracy of the taxes, confirm for the public and for machine owners that games are legal and fair, and carry out regulatory responsibilities in a more efficient and less paper intensive manner. The legislation stipulates that the department may not sign a final contract for the purpose of acquiring an automated system unless it has obtained written confirmation to participate from 70 percent of licensed video gambling machines that are capable of being connected to the automated system. As a result of the passage of HB 109, \$380,000 general fund and \$560,000 of gambling license fees were appropriated in HB 2 to the Gambling Control Division.

House Bill 135 - HB 135 appropriates to the department of Justice \$163,753 in general fund and \$1,816,554 in other funds to fund salary adjustments for Department of Justice protective service personnel, specifically highway patrol officers, investigative agents, and motor carrier safety inspection personnel. This appropriation is the result of a protective services professional salary study conducted by the Department of Administration as directed by the 55th Legislature under SB 269. The salary study determined that Montana's highway patrol officers compensation was 85 percent to 90 percent of the compensation paid to other Montana law enforcement officers and as much as \$6,300 less for an entry level officer than that paid in contiguous states.

House Bill 540 - HB 540 presents a referendum to voters to replace the current system of taxation for light vehicles with a registration fee. If the referendum is approved, owners may register a vehicle for a 24-month period and may permanently register vehicles 11 years and older. Counties may impose a local option fee on motor vehicles. If passed by the electorate in November 2000, HB 540 becomes effective on January 1, 2001. The legislature appropriated \$279,469 general fund in HB 2 for the 2001 biennium to implement HB 540, including programming, statewide training for county motor vehicle employees, additional vehicle tabs and increased computer charges. The appropriation is contingent upon passage of the referendum.

House Bill 648 - HB 648 requires the Department of Justice to issue new number motor vehicle license plates every 4 years beginning January 1, 2000. To provide funds to the department to implement this legislation, the legislature appropriated \$45,000 in HB 2 for the cost of shipping the new licenses.

Senate Bill 133 - SB 133 imposes a speed limit on Montana's public highways. No funds were appropriated to the Department of Justice as a result of the passage of this legislation.

Senate Bill 233 - SB 233 provides a longevity adjustment for county attorneys at the discretion of county commissions. The Department of Justice is required by law to pay one-half of county attorney salaries. No funds were appropriated by the legislature as a result of this legislation.

Agency Budget Comparison								
Budget Item	Base Budget Fiscal 1998	Executive Budget Fiscal 2000	Legislative Budget Fiscal 2000	Leg - Exec. Difference Fiscal 2000	Executive Budget Fiscal 2001	Legislative Budget Fiscal 2001	Leg - Exec. Difference Fiscal 2001	Biennium Difference Fiscal 00-01
FTE	684.70	704.40	700.90		704.40	700.90		
Personal Services	25,649,929	27,394,234	27,168,687	(225,547)	27,309,202	27,084,708	(224,494)	(450,041)
Operating Expenses	11,387,205	14,322,482	15,655,267	1,332,785	14,002,180	14,111,539	109,359	1,442,144
Equipment	1,672,621	1,864,876	1,765,412	(99,464)	1,958,977	1,840,013	(118,964)	(218,428)
Capital Outlay	0	0	0	0	0	0	0	0
Debt Service	272,004	279,402	276,162	(3,240)	279,402	276,162	(3,240)	(6,480)
Total Costs	\$38,981,759	\$43,860,994	\$44,865,528	\$1,004,534	\$43,549,761	\$43,312,422	(\$237,339)	\$767,195
General Fund	18,131,783	21,495,400	22,043,157	547,757	21,421,615	21,197,784	(223,831)	323,926
State/Other Special	18,884,769	19,231,244	19,684,609	453,365	19,151,907	19,145,611	(6,296)	447,069
Federal Special	1,954,704	3,102,322	3,115,973	13,651	2,945,309	2,948,335	3,026	16,677
Proprietary	10,503	32,028	21,789	(10,239)	30,930	20,692	(10,238)	(20,477)
Total Funds	\$38,981,759	\$43,860,994	\$44,865,528	\$1,004,534	\$43,549,761	\$43,312,422	(\$237,339)	\$767,195

Executive Budget Comparison

The legislature increased the Executive Budget for the Department of Justice by a total of \$767,195 over the 2001 biennium. The general fund was increased by \$323,926 and state special revenue was increased by \$447,069.

The legislature did not fund or modified the following executive new proposals:

- 1) Did not approve a funding switch from state special gambling revenues to general fund for support of the legal services division, a general fund reduction of \$300,000.
- 2) Reduced the Executive Budget request for increased general fund support of criminal justice information systems, a general fund reduction of \$258,235.
- 3) Reduced the new equipment budget of the Forensic Science program by \$173,908 in general fund.
- 4) Did not approve state funding of 4.0 highway patrol originally funded by federal dollars, a reduction of highway special revenues of \$335,368.
- 5) Reductions in present law adjustments to all programs totaled \$220,757 general fund over the biennium.

The legislature approved the following adjustments not in the Executive Budget:

- 1) Increased the general fund budget for rent for a new forensic science building and agency office facilities in Missoula, a general fund increase of \$433,418 over the biennium.
- 2) Added \$116,644 general fund over the biennium to support the sexual and violent registry function.
- 3) Added \$380,000 general fund and \$560,000 state special revenue to implement HB 109, the bill authorizing the department to develop a video gambling machine automated accounting and reporting system.
- 4) Added \$279,469 general fund to implement HB 540, which submits as a referendum to the voters a new tax system on light vehicles.
- 5) Added \$45,000 general fund to implement HB 648, the legislation requiring the new license plates be issued every four years beginning in 2000.
- 6) Reduced 5.0 highway patrol officers because of expiration of federal revenues, a reduction of \$359,840 in federal funds.
- 7) Added \$180,000 in state special revenue to the criminal justice initiatives proposal.

Language

"Legislative Contract Authority (LCA) applies only to federal and private funds."

"LCA expenditures must be reported on state accounting records and kept separate from present law operations. In preparing the 2003 biennium Executive Budget, the Office of Budget and Program Planning may not include expenditures from this item in the present law base."

"A report must be submitted by the department to the Legislative Fiscal Analyst following the end of each fiscal year listing LCA grants received and the amount of expenditures and FTE for each grant."

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	37.25	.00	9.00	46.25	.00	9.00	46.25	46.25
Personal Services	1,870,963	90,297	343,065	2,304,325	81,380	341,171	2,293,514	4,597,839
Operating Expenses	724,519	(61,683)	47,850	710,686	(57,661)	47,850	714,708	1,425,394
Equipment	0	0	25,000	25,000	0	0	0	25,000
Debt Service	1,957	0	0	1,957	0	0	1,957	3,914
Total Costs	\$2,597,439	\$28,614	\$415,915	\$3,041,968	\$23,719	\$389,021	\$3,010,179	\$6,052,147
General Fund	2,231,804	(2,902)	327,487	2,556,389	(6,966)	306,102	2,530,940	5,087,329
State/Other Special	253,672	21,865	0	275,537	21,288	0	274,960	550,497
Federal Special	111,963	9,651	88,428	210,042	9,397	82,919	204,279	414,321
Proprietary	0	0	0	0	0	0	0	0
Total Funds	\$2,597,439	\$28,614	\$415,915	\$3,041,968	\$23,719	\$389,021	\$3,010,179	\$6,052,147

Program Description

The Legal Services Division provides: 1) the Attorney General with legal research and analysis; 2) legal counsel for state government officials, bureaus, and boards; 3) legal assistance to local governments and Indian tribes; and 4) legal assistance, training, and support for county prosecutors.

Indian Legal Jurisdiction provides representation and coordination of trial and appellate lawsuits involving the State of Montana and the Indian tribes, supervision of private attorneys contracted by the state to assist with those cases, and advice to state agencies on questions involving Indian legal matters.

County Prosecutor Services provides special prosecution assistance to counties in the prosecution and disposition of major felonies and in cases in which county attorneys or city attorneys have conflicts of interest. County Prosecutor Services also provides prosecutor services to the Eastern Coal Counties Drug Task Force and the Western Montana Special Investigation Section and coordinates training and continuing legal education for county attorneys, city attorneys, and law enforcement personnel.

Funding

The base budget of the Legal Services Division is primarily supported by general fund of \$2.2 million each year, or approximately 86 percent of the program's total appropriations.

State special revenue funds include: 1) state fund revenues, which support one attorney and associated operating costs; 2) gambling license fees, which support three attorneys, support staff and associated operating costs; and 3) the highway special revenue fund, which supports 25 percent of one attorney.

Federal funds of \$121,000 from the Board of Crime Control are for drug prosecution funds, including one attorney and support services.

The Bankruptcy Unit is funded from a proprietary account. In fiscal 1998, \$115,000 was expended. These funds are not appropriated.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
	Personal Services			90,297			81,380
	Inflation/Deflation			5,667			5,088
	Fixed Costs			33,145			37,813
	Total Statewide Adjustments			\$129,109			\$124,281
Present Law Adjustments							
1001	Fixed Costs Reductions	.00	(4,013)	(4,013)	.00	(4,083)	(4,083)
10102	Base Budget Adjustment-Maj Litigation	.00	(96,482)	(96,482)	.00	(96,479)	(96,479)
	Total PL Adjustments	.00	(\$100,495)	(\$100,495)	.00	(\$100,562)	(\$100,562)
	Present Law Adjustments Total			\$28,614			\$23,719

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced fixed costs rates for agency rent of state owned buildings and computer network fees.

DP 10102 - Base Budget Adjustment-Maj Litigation - Major litigation expenditures typically involve major lawsuits filed against the state of Montana. These expenses have historically been funded by a \$500,000 biennial appropriation split between the two years. Expenses for fiscal 1998 exceeded the \$250,000 amount. These adjustments approved by the legislature reduce expenditures and return the base to \$250,000 per year.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
20111	Prosecutors to Assist County Attorney	7.50	257,287	345,715	7.50	240,822	323,741
20115	Full Funding for Post Conviction Re	1.50	70,200	70,200	1.50	65,280	65,280
	Total New Proposals	9.00	\$327,487	\$415,915	9.00	\$306,102	\$389,021

New Proposals

DP 20111 - Prosecutors to Assist County Attorney - The legislature approved funding for 5.0 FTE attorneys and 2.5 FTE support staff to assist county attorneys across the state in handling child protection cases and other legal matters in the district courts. The attorneys work under the supervision of the Legal Services Division but are located in the existing regional offices of the DPHHS Child and Family Services Division. The general fund cost is \$257,287 in fiscal 2000 and \$240,822 in fiscal 2001. A federal grant will fund \$88,428 in fiscal 2000 and \$82,919 in fiscal 2001, or 25 percent of the cost.

DP 20115 - Full Funding for Post Conviction - The 1997 legislature passed HB 222, which was intended to reduce unwarranted delays in criminal appeals by: 1) taking advantage of new federal deadlines in death penalty cases; and 2) enacting similar reforms in the state post-conviction statutes to provide meaningful time frames for resolution of criminal appeals and post-conviction proceedings. To support this legislation, the 1997 legislature appropriated \$120,495 as a biennial appropriation to the Department of Justice to hire 1.0 FTE attorney and a 0.5 FTE staff support. These funds were added to hire another full time attorney and a half-time support position at a cost of \$70,200 in fiscal 2000 and \$65,280 in fiscal 2001.

Language

“The legislature recognizes that the cost associated with litigation in which the legal services division is required to provide representation to the State of Montana may exceed the appropriation provided. In that event, the department will need to request a supplemental appropriation from the 2001 legislature to adequately represent the state.”

Program Description

Agency Legal Services Bureau provides cost-effective legal assistance to state agencies on a contractual basis. The bureau is funded on a proprietary basis, charging hourly fees and case-related costs to client agencies. Services include litigation, hearing examiner work, and general counsel. The Bankruptcy Program, which is attached to this bureau, also provides legal services to state agencies on a contractual basis in the area of bankruptcy and collections.

Proprietary Rates**Rate Explanation**

Cash revenue flow is based on monthly billings. An hourly fee of \$62 for attorneys and \$35 for paralegals generates the majority of the revenue. These fees cover all associated personal services costs of attorneys and paralegals, operating expenses, and administrative support staff expenses. Remaining revenues are direct charges to clients for costs specific to a case such as expert witnesses, legal filings, etc. The goal of this program is to provide affordable legal assistance to state agencies by keeping expenses to a minimum. The last rate increase was approved in fiscal 1998.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	47.00	.00	.00	47.00	.00	.00	47.00	47.00
Personal Services	1,759,219	68,123	0	1,827,342	58,398	0	1,817,617	3,644,959
Operating Expenses	521,904	88,681	940,000	1,550,585	90,751	0	612,655	2,163,240
Equipment	12,249	39,000	0	51,249	26,000	0	38,249	89,498
Debt Service	0	0	0	0	0	0	0	0
Total Costs	\$2,293,372	\$195,804	\$940,000	\$3,429,176	\$175,149	\$0	\$2,468,521	\$5,897,697
General Fund	454,934	49,080	380,000	884,014	44,802	0	499,736	1,383,750
State/Other Special	1,838,438	146,724	560,000	2,545,162	130,347	0	1,968,785	4,513,947
Total Funds	\$2,293,372	\$195,804	\$940,000	\$3,429,176	\$175,149	\$0	\$2,468,521	\$5,897,697

Program Description

The Gambling Control Division was established by the 1989 legislature to regulate the gambling industry in Montana. The division has criminal justice authority and conducts routine field inspections and investigations related to gambling activities. In addition to collecting licensing fees for gambling machines and activities, the division is responsible for: 1) collecting and distributing the gambling tax assessed on the net proceeds of gambling activities; and 2) investigative functions relating to alcoholic beverage licensing and tobacco enforcement. The gambling control program operates as a state mandate. An appointed gaming advisory council of nine members provides advisory services to the Attorney General to ensure uniform statewide regulation of gambling activities.

Funding

Primary funding for the Gambling Control Division is from the revenues generated through licenses and permits for gambling operators, machines, and other gambling activities, as well as license fees for video gambling machine manufacturers/distributors. As authorized in section 23-5-612, MCA, revenues are 50 percent of the gambling machine permit fee (the other 50 percent goes to local government) and 100 percent of the machine transfer-processing fee. By statute, the department is to charge \$200 for each video gambling machine permit and \$25 for each machine transferring ownership. The revenues are deposited into the gambling license fee state special revenue account to be used for the costs related to operations of the division and other agency programs.

Funds to process cabaret license applications are derived from a state special revenue fund made up of a percentage of cabaret license fees statutorily set aside to cover these costs. Twenty percent of cabaret license fees are set aside to cover the cost of administering the cabaret license program.

General fund is appropriated to support the tobacco and alcohol beverage enforcement functions.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
	Personal Services			64,225			54,500
	Inflation/Deflation			2,995			2,987
	Fixed Costs			48,572			50,201
	Total Statewide Adjustments			\$115,792			\$107,688
Present Law Adjustments							
1001	Fixed Costs Reductions	.00	(464)	(2,209)	.00	(478)	(2,276)
10701	Base budget adjustments-GCD	.00	17,533	83,489	.00	14,911	71,005
10702	Base budget adjustments-cabaret	.00	0	(1,268)	.00	0	(1,268)
	Total PL Adjustments	.00	\$17,069	\$80,012	.00	\$14,433	\$67,461
	Present Law Adjustments Total			\$195,804			\$175,149

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced fixed cost rates for rent of state owned buildings and computer network fees.

DP 10701 - Base budget adjustments-GCD - The legislature approved increases in base budget categories to reflect anticipated activity during the 2001 biennium. Funding for the present law adjustments is allocated 79 percent state special revenue and 21 percent general fund. Significant adjustments include:

- 1) \$3,898 for overtime paid to the division's technical services personnel;
- 2) an additional \$11,340 per year to continue two additional connections to the Criminal Justice Information Network added in fiscal 1998 using carry-forward funding;
- 3) annualization of expenditures for a senior investigator position held open due to the payout required when the incumbent retired. Additional expenses total \$3,500 per year for supplies, travel and communications;
- 4) a reduction in computer hardware by \$30,164 per year, as the division budget for computer equipment will appear as a department level request in the Justice Information Services Division;
- 5) \$15,000 per year for out-of-country travel to enable division staff to conduct license investigations on foreign national corporate video gambling machine manufacturers. The division estimates there could be as many as three applications from foreign manufacturers in any given year. This is the level approved by the 1997 legislature. There were no foreign applications made during fiscal 1998 and this authority was reverted. These costs are fully reimbursed by license applicants.
- 6) \$6,716 in fiscal 2000 and \$6,352 in fiscal 2001 to continue leasing two vehicles from the state motor pool. These vehicles were approved for lease beginning in fiscal 1999 and, therefore, are not part of fiscal 1998 base expenditures;
- 7) an additional \$34,199 in fiscal 2000 and \$35,079 in fiscal 2001 to cover increases in contractual obligations for rent. Most of the increases are due to increases for the Missoula and Billings regional offices; and

8) replacement of four vehicles in fiscal 2000 and three vehicles in fiscal 2001 at a cost of \$39,000 in fiscal 2000 and \$26,000 in fiscal 2001. The fiscal 1998 base includes funding for one vehicle. The division's standard vehicle replacement strategy is to replace vehicles with 100,000 or more miles.

DP 10702 - Base budget adjustments-cabaret - The 1997 legislature passed SB 354, which added the responsibility of issuing beer and wine licenses for eating establishments. During the base year, the division filled only one of two positions authorized in the 1997 session. License applications fell below expectations and the division determined that initially the workload could be handled by one position. The division delayed filling the position until October when the law became effective. In the coming biennium the legislature approved funds for the vacant position for licensure and follow-up reviews. Budget increases totaling \$2,800 are offset by a reduction of \$4,068 associated with a one-time office remodeling expenses.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
20702	Video Gambling Reporting System	.00	380,000	940,000	.00	0	0
Total New Proposals		.00	\$380,000	\$940,000	.00	\$0	\$0

New Proposals

DP 20702 - Video Gambling Reporting System - The legislature approved HB 109, which authorized an automated video gambling and reporting system within the Gambling Control Division. This automated system will allow the gaming machines to communicate via telephone lines with a central computer system to verify that only approved gaming software is running and to collect information on machine play. The system will gather this information by polling each machine for a few seconds each night. In addition, it will ensure the accuracy of the taxes, confirm for the public and for machine owners that games are legal and fair, and carry out regulatory responsibilities in a more efficient and less paper intensive manner.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	160.60	.00	.00	160.60	.00	.00	160.60	160.60
Personal Services	4,263,973	189,542	0	4,453,515	167,940	0	4,431,913	8,885,428
Operating Expenses	3,264,859	175,236	324,469	3,764,564	49,786	0	3,314,645	7,079,209
Equipment	158,098	(143,098)	0	15,000	(155,450)	0	2,648	17,648
Debt Service	155,475	(3,486)	0	151,989	(3,486)	0	151,989	303,978
Total Costs	\$7,842,405	\$218,194	\$324,469	\$8,385,068	\$58,790	\$0	\$7,901,195	\$16,286,263
General Fund	7,356,352	301,194	324,469	7,982,015	141,790	0	7,498,142	15,480,157
State/Other Special	486,053	(83,000)	0	403,053	(83,000)	0	403,053	806,106
Total Funds	\$7,842,405	\$218,194	\$324,469	\$8,385,068	\$58,790	\$0	\$7,901,195	\$16,286,263

Program Description

The Motor Vehicle Division (MVD), under provision of Title 61 and Title 23, MCA, and certain federal statutes is responsible for: 1) examination and licensure of all drivers; 2) creation and maintenance of permanent driver and motor vehicle records; 3) titling and registration of all vehicles including boats, snowmobiles and ATVs; 4) inspection and verification of vehicle identification numbers; 5) licensure and compliance control of motor vehicle dealers and manufacturers; and 6) providing motor vehicle registration.

Funding

The Motor Vehicle Division is supported by general fund (approximately 95 percent of the proposed budget) with funds from the highway special revenue account providing the balance. The department transferred highway special revenues to this program in fiscal 1998. The legislature reduced highway special revenue account funds to the level appropriated by the 1997 legislature.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	Total Funds
Statewide Present Law						
Personal Services				164,542		142,940
Inflation/Deflation				(107,750)		(95,287)
Fixed Costs				98,006		107,514
Total Statewide Adjustments				\$154,798		\$155,167
Present Law Adjustments						
1001	Fixed Costs Reductions	.00	(16,303)	(16,303)	.00	(16,542)
11201	Base adjustments MV operations	.00	(23,215)	(23,215)	.00	(35,167)
11202	Base adjustments DL operations	.00	102,914	102,914	.00	(44,668)
Total PL Adjustments		.00	\$63,396	\$63,396	.00	(\$96,377)
Present Law Adjustments Total				\$218,194		\$58,790

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced the fixed cost charges for rent of state owned buildings and computer network fees.

DP 11201 - Base adjustments MV operations - The legislature approved present law adjustments for motor vehicle

operations of a negative \$23,215 general fund in fiscal 2000 and a negative \$35,167 general fund in fiscal 2001. The reduction is primarily due to reallocation of computer costs in another division and reductions in equipment. Significant areas increased within this adjustment including: 1) overtime at an average rate of utilization of \$25,000 per year; 2) annualization of computer processing of \$37,170 each year; and 3) leased vehicles of \$17,145 in fiscal 2000 and \$16,135 in fiscal 2001.

These increases are offset by a reduction of \$27,383 each year of the biennium due to consolidation of computer purchases in the division, and a reduction in equipment and other miscellaneous items.

DP 11202 - Base adjustments DL operations - The legislature approved present law adjustments of a \$102,914 increase in general fund in fiscal 2000 and a decrease of \$44,668 general fund in fiscal 2001 for the Drivers License Bureau. Significant increases are: 1) photographic services of \$171,218 in fiscal 2000 and \$31,558 in fiscal 2001, as a result of expected new contract rates for printing of driver's licenses; 2) motor pool leases, \$61,621 in fiscal 2000 and \$58,177 in fiscal 2001 as the program is replacing its eleven vehicles with leased vehicles; and 3) rent, \$42,660 in fiscal 2000 and \$44,618 in fiscal 2001, due primarily to new office leases in Missoula and Billings. Significant reductions include: 1) \$112,665 each fiscal year as the budget for computer hardware is now exclusively in the budget of the Information systems budget; and 2) \$59,653 each fiscal year for other equipment.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
21202	HB 540 - Vehicle Registration Fee	.00	279,469	279,469	.00	0	0
21203	HB648 - New License Plates	.00	45,000	45,000	.00	0	0
Total New Proposals		.00	\$324,469	\$324,469	.00	\$0	\$0

New Proposals

DP 21202 - HB 540 - Vehicle Registration Fee - HB 540 presents a referendum to voters to replace the current system of taxation for light vehicles with a registration fee. Owners may register a vehicle for a 24 month period and may permanently register vehicles 11 years and older. Counties may impose a local option fee on motor vehicles. If passed by the electorate in November 2000, HB 540 becomes effective on January 1, 2001. Costs to implement HB 540 include contracted programming, statewide training for county motor vehicle employees, additional vehicle tabs, and increased computer charges. This appropriation is contingent upon passage of the referendum.

DP 21203 - HB648 - New License Plates - HB 648 authorized the issuance of newly designed number plates after January 1, 2000. This appropriation is to provide for the cost of shipping the new license plates to the counties.

Language

“The appropriation in item 3a [HB 540] is contingent upon the passage of the public referendum in November of 2000 that calls for the replacement of the current system for taxation of light vehicles with a registration fee.”

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	276.55	.00	(5.00)	271.55	.00	(5.00)	271.55	271.55
Personal Services	10,699,665	43,655	(168,918)	10,574,402	(4,641)	(168,027)	10,526,997	21,101,399
Operating Expenses	3,712,347	722,569	138,998	4,573,914	767,126	138,107	4,617,580	9,191,494
Equipment	1,286,358	168,889	0	1,455,247	296,842	0	1,583,200	3,038,447
Total Costs	\$15,698,370	\$935,113	(\$29,920)	\$16,603,563	\$1,059,327	(\$29,920)	\$16,727,777	\$33,331,340
General Fund	0	0	1,042,073	1,042,073	0	1,083,606	1,083,606	2,125,679
State/Other Special	15,024,010	759,715	(1,042,073)	14,741,652	885,799	(1,083,606)	14,826,203	29,567,855
Federal Special	674,360	175,398	(29,920)	819,838	173,528	(29,920)	817,968	1,637,806
Total Funds	\$15,698,370	\$935,113	(\$29,920)	\$16,603,563	\$1,059,327	(\$29,920)	\$16,727,777	\$33,331,340

Program Description

The Highway Patrol Division (HPD) is responsible for patrolling the highways of Montana, enforcing traffic laws, and investigating traffic accidents. The patrol gives assistance and information to motorists and first aid to those injured in traffic accidents, transports blood and medical supplies in emergency situations, and assists other law enforcement agencies when requested. The patrol provides 24-hour, seven-day-a-week communication and radio dispatch for the Highway Patrol and other state agencies. The Motor Carrier Safety Assistance program (MCSAP) attempts to reduce commercial motor vehicle accidents in the state by participating in the Commercial Vehicle Safety Alliance (CVSA) and its North American Driver/Vehicle Inspection program in all levels of inspections as well as safety review audits.

Funding

The Highway Patrol Division is funded primarily by highways state special revenue funds, which receives revenue primarily from fuel taxes and gross vehicle weight (GVW) fees. The Motor Carrier Safety Assistance program is funded by 85 percent federal funds from the U.S. Department of Transportation, with a 15 percent state match. The actual match requirement is 20 percent. However, utilizing highway patrol officers to conduct truck inspections for the federal government provides five percent of the match required, with the remainder from highways special revenue funds.

The 1999 legislature approved a funding switch from highway state special revenue funds to general fund in the amount of \$1,042,073 in fiscal 2000 and \$1,083,606 in fiscal 2001. These funds are used to pay the counties for housing of prisoners of the Montana Highway Patrol in county jails.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
Personal Services				(180,349)			(228,645)
Inflation/Deflation				4,364			4,381
Fixed Costs				153,423			155,065
Total Statewide Adjustments				(\$22,562)			(\$69,199)
Present Law Adjustments							
1001	Fixed Cost Reductions	.00	0	(2,619)	.00	0	(2,689)
11301	MHP Operations Adjustments	.00	0	725,747	.00	0	896,668
11302	Recruit Training School	.00	0	47,435	.00	0	47,435
11340	Base Budget Adjustments - MCSAP	.00	0	187,112	.00	0	187,112
Total PL Adjustments		.00	\$0	\$957,675	.00	\$0	\$1,128,526
Present Law Adjustments Total				\$935,113			\$1,059,327

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Cost Reductions - The legislature reduced fixed cost charges for rent of state-owned buildings and computer network fees.

DP 11301 - MHP Operations Adjustments - 1) Overtime - Expenditures in this category reflect regular overtime for uniformed personnel, civilian personnel, and communications system operators. The legislature authorized \$212,264 for both fiscal 2000 and fiscal 2001.

2) Prisoner Per Diem - Prisoner per diem is the cost the Montana Highway Patrol (MHP) pays to board prisoners in the county detention facilities. The MHP spent \$960,000 in fiscal 1998 on prisoner per diem costs. Increases above the fiscal 1998 base of \$78,336 in fiscal 2000 and \$119,869 in fiscal 2001 are projected to cover this expense, which is an annual increase of 4 percent.

3) Gasoline - Due to the number of vacancies in fiscal 1998, the amount of gasoline is annualized at a cost of \$41,120 per year (20 officers x \$2,056 = \$41,120).

4) Law Enforcement Supplies - The legislature approved that supplies be annualized due to the number of employee vacancies experienced in fiscal 1998. This category includes handcuffs, binoculars, first aid kits, weapons, light bars for vehicles, radios, protective vests, vehicle partitions, etc., for a total adjustment of \$71,019 per year.

5) Subsistence - Subsistence is paid in lieu of all claims for monthly telephone allowance and specified meal allowances. The MHP spent \$377,328 on subsistence in fiscal 1998, or \$2,096 per officer. To annualize these costs, an additional \$41,920 per year (20 officers x \$2,096 = \$41,920) was approved.

6) Rent - The division has rental agreements for office space (headquarters, districts, and detachments), aircraft hangar space, radio shop space, and radio tower sites. The MHP spent \$162,437 in fiscal 1998 for these lease agreements. Increases above the fiscal 1998 base are due to renegotiated leases or new leases. As a result of these changes, the legislature increased the fiscal 1998 base by \$121,176 in fiscal 2000 and \$122,611 in fiscal 2001.

7) Repair and Maintenance - Due to the number of vacancies, the amount spent for vehicle repair and maintenance is annualized at a cost of \$19,580 per year (20 officers x \$979 = \$19,580).

8) Patrol vehicles - Vehicles are surplus when the mileage is between 85,000 and 100,000+ miles. The budget includes funds to replace 63 vehicles each year (one-third of the fleet). The request anticipates an increase in cost per vehicle of approximately 9 percent per year. Using this annual rate, vehicles are projected to cost \$20,700 each in fiscal 1999; \$22,563 in fiscal 2000; and \$24,594 in fiscal 2001. The MHP spent \$1,252,580 on vehicles in fiscal 1998. The legislature approved increases of \$168,889 in fiscal 2000 and \$296,842 in fiscal 2001.

Present law reductions of \$46,757 spent on computer hardware are removed each year. Computer replacement costs for the division in the 2001 biennium are part of the department request included in the budget of the Justice Information Services Division.

DP 11302 - Recruit Training School - The Highway Patrol annually conducts a Recruit Training School to train new recruits to fill vacancies. The Recruit Training School consists of 14 weeks of on-campus training and 8 weeks of field training. In fiscal 1998, the Recruit Training School was rescheduled from August to March. Due to rescheduling, a significant portion of the eight-week field training occurred in fiscal 1999.

DP 11340 - Base Budget Adjustments - MCSAP - The Motor Vehicle Inspection Bureau (Motor Carrier Safety Assistance

Program) is required to perform inspections on commercial motor vehicles and compliance reviews on motor carriers subject to federal and state regulations. During the current biennium, the MHP was not able to bill the Federal Highway Administration for all of the inspections performed due to an insufficient amount of federal spending authority.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
21313	Legislative Contract Authority	.00	0	150,000	.00	0	150,000
21320	Remove Federal Funded FTE - 5.0 FTE	(5.00)	0	(179,920)	(5.00)	0	(179,920)
21322	Funding Switch	.00	1,042,073	0	.00	1,083,606	0
Total New Proposals		(5.00)	\$1,042,073	(\$29,920)	(5.00)	\$1,083,606	(\$29,920)

New Proposals

DP 21313 - Legislative Contract Authority - The legislature provided legislative contract authority of \$300,000 over the biennium in the event grants are received.

DP 21320 - Remove Federal Funded FTE - 5.0 FTE - This action removes five FTE that were formerly funded with federal funds.

DP 21322 - Funding Switch - This action changes the funding source for prisoner per diem costs from highway special revenue to general fund, an increase to the general fund of \$1,042,073 in fiscal 2000 and \$1,083,606 in fiscal 2001. The MHP pays the cost of MHP prisoners placed in county jails. This funding switch was a recommendation of the Transportation Funding Study Committee authorized by the 1997 legislature (HB 610) to study the long term funding structure of the Highway Special Revenue Account.

Language

"There is appropriated from the highway patrol retirement clearing account for payments to the Montana highway patrol pension fund, the amount required for this transfer, not to exceed \$750,000 per fiscal year."

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	62.50	.00	1.00	63.50	.00	1.00	63.50	63.50
Personal Services	2,351,310	170,118	33,407	2,554,835	158,874	33,177	2,543,361	5,098,196
Operating Expenses	958,953	78,434	148,395	1,185,782	83,533	148,665	1,191,151	2,376,933
Equipment	76,825	0	3,000	79,825	0	0	76,825	156,650
Debt Service	2,146	0	0	2,146	0	0	2,146	4,292
Total Costs	\$3,389,234	\$248,552	\$184,802	\$3,822,588	\$242,407	\$181,842	\$3,813,483	\$7,636,071
General Fund	1,920,564	205,578	59,802	2,185,944	209,011	56,842	2,186,417	4,372,361
State/Other Special	340,438	15,769	0	356,207	1,140	0	341,578	697,785
Federal Special	1,128,232	27,205	125,000	1,280,437	32,256	125,000	1,285,488	2,565,925
Total Funds	\$3,389,234	\$248,552	\$184,802	\$3,822,588	\$242,407	\$181,842	\$3,813,483	\$7,636,071

Program Description

The Division of Criminal Investigation includes the administration, management, and coordination of criminal investigative services performed by the Investigations Bureau, the Narcotics Bureau, and the Fire Prevention and Investigation Bureau. Criminal investigators conduct criminal investigations of homicide, fraud, robbery, assault, corruption, arson, organized crime, dangerous drug activity, and other felony crimes. The program activity includes conducting criminal investigations of state agencies and providing investigative training to law enforcement officers. The division also has specialized criminal investigation units for the following fraud investigation: 1) workers' compensation; 2) welfare; 3) Medicaid; and 4) legislative audits. The Fire Prevention and Investigation Bureau is responsible for safeguarding life and property from fire, explosion, and arson through investigative, inspection, and fire code interpretation and enforcement functions. The Division of Criminal Investigation operates under both state and federal mandates.

Funding

The Law Enforcement Division is composed of three operational bureaus. The Fire Prevention and Investigation Bureau is funded primarily with general fund (93 percent). Fire protection and permitting state special revenue funds support the balance of the bureau budget. The Identification Bureau is 100 percent general fund supported. The Criminal Investigation Bureau is primarily supported with general fund. General fund is also used as the 50 percent match for the federal funds, which support the welfare fraud investigative activities. The workers compensation state special revenue account supports the Workers Compensation Fraud Investigation and Prosecution Unit.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
	Personal Services			158,618			147,374
	Inflation/Deflation			2,155			2,038
	Fixed Costs			42,526			46,106
	Total Statewide Adjustments			\$203,299			\$195,518
Present Law Adjustments							
1001	Fixed Costs Reductions	.00	(1,557)	(3,587)	.00	(1,598)	(3,655)
11801	Base Budget Adjustments - DCI	.00	4,658	48,840	.00	12,345	50,544
11802	Funding Correction	.00	(20,708)	0	.00	(20,560)	0
	Total PL Adjustments	.00	(\$17,607)	\$45,253	.00	(\$9,813)	\$46,889
	Present Law Adjustments Total			\$248,552			\$242,407

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced fixed costs rates for the rent of state buildings and for computer network fees.

DP 11801 - Base Budget Adjustments - DCI

1) The division requests an overtime budget of \$30,000 to meet investigative requirements. Operational requirements inherent to investigations do not successfully work within the restrictions established by the FLSA.

2) The division leases field office space in various cities throughout the state. The Department of Justice consolidated office space in Billings in April 1998, and states it plans to consolidate office space in Missoula in 1999. An increase in rent of \$61,809 in fiscal 2000 and \$63,513 in fiscal 2001 is requested.

3) The legislature approved replacement of five vehicles per year, one more per year from fiscal 1998.

Present law reductions of \$24,469 that was spent on computer hardware are removed each year. Computer replacement costs for the division in the 2001 biennium are part of the department request included in the budget of the Justice Information Services Division.

DP 11802 - Funding Correction - The legislature approved a general fund reduction of \$20,708 in fiscal 2000 and \$20,560 in fiscal 2001 and increased state special revenue by a like amount. This was done to correct a funding allocation in the executive budget that did not include the proper funding level for state special revenue.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	
Description	FTE	General Fund	Total Funds	FTE	General Fund	Total Funds	
21814	Legislative Contract Authority	.00	0	125,000	.00	0	125,000
21815	Sexual & Violent Offender Registry	1.00	59,802	59,802	1.00	56,842	56,842
Total New Proposals		1.00	\$59,802	\$184,802	1.00	\$56,842	\$181,842

New Proposals

DP 21814 - Legislative Contract Authority - The Division of Criminal Investigation was given legislative contract authority of \$125,000 each year in the event it receives federal grants not anticipated during the 1999 Legislative Session.

DP 21815 - Sexual & Violent Offender Registry - The legislature approved general fund to support the registry of sexual and violent offenders. This function was transferred last biennium from the Department of Corrections.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	21.05	.20	.00	21.25	.20	.00	21.25	21.25
Personal Services	1,484,187	97,867	0	1,582,054	134,131	0	1,618,318	3,200,372
Operating Expenses	17	(17)	0	0	(17)	0	0	0
Total Costs	\$1,484,204	\$97,850	\$0	\$1,582,054	\$134,114	\$0	\$1,618,318	\$3,200,372
General Fund	1,484,204	97,850	0	1,582,054	134,114	0	1,618,318	3,200,372
Total Funds	\$1,484,204	\$97,850	\$0	\$1,582,054	\$134,114	\$0	\$1,618,318	\$3,200,372

Program Description

The County Attorney Payroll program pays one-half the salary and benefits of the 56 county attorneys from the state general fund, as required by Section 7-4-2502, MCA.

Funding

The County Attorney Payroll program is entirely funded from the general fund, as required by Section 7-4-2502, MCA.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description	FTE	General Fund	Total Funds	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
Personal Services			48,274	48,036			48,036
Fixed Costs			0	0			0
Total Statewide Adjustments			\$48,274	\$48,036			\$48,036
Present Law Adjustments							
11901 Base Budget Adjust. -Co. Attorney Pay	.20	49,576	49,576	49,576	.20	86,078	86,078
Total PL Adjustments	.20	\$49,576	\$49,576	\$49,576	.20	\$86,078	\$86,078
Present Law Adjustments Total			\$97,850	\$97,850			\$134,114

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 11901 - Base Budget Adjust. - Co. Attorney Pay - Section 7-4-2503, MCA, establishes the calculation for county attorney salary levels. This section allows counties to grant cost-of-living (COLA) increases to county attorneys. The COLA adjustment for county officials' salaries as determined by the Bureau of Business and Economic Research at the University of Montana will be 2.3 percent for fiscal 1999. This COLA is maintained for the 2001 biennium. A 2.3 percent annual COLA was approved by the legislature for county attorney salaries at a cost of \$35,473 in fiscal 2000 and \$71,762 in fiscal 2001.

In addition, Blaine County will increase their county attorney to a full time position from a 0.60 FTE part time position. The state pays half of this increase; the legislature approved this adjustment of \$14,145 in fiscal 2000 and \$14,357 in fiscal 2001.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	11.50	.00	.00	11.50	.00	.00	11.50	11.50
Personal Services	410,018	34,882	0	444,900	32,548	0	442,566	887,466
Operating Expenses	468,502	30,233	198,500	697,235	30,222	180,500	679,224	1,376,459
Equipment	0	0	0	0	0	0	0	0
Capital Outlay	0	0	0	0	0	0	0	0
Debt Service	80,981	3,600	0	84,581	3,600	0	84,581	169,162
Total Costs	\$959,501	\$68,715	\$198,500	\$1,226,716	\$66,370	\$180,500	\$1,206,371	\$2,433,087
General Fund	959,501	68,715	48,500	1,076,716	66,370	30,500	1,056,371	2,133,087
State/Other Special	0	0	50,000	50,000	0	50,000	50,000	100,000
Federal Special	0	0	100,000	100,000	0	100,000	100,000	200,000
Total Funds	\$959,501	\$68,715	\$198,500	\$1,226,716	\$66,370	\$180,500	\$1,206,371	\$2,433,087

Program Description

The Montana Law Enforcement Academy provides a professional education and training program in criminal justice for Montana law enforcement officers and other criminal justice personnel. The academy provides an annual curriculum specifically designed to meet the needs of the adult and juvenile criminal justice systems.

Funding

The Law Enforcement Academy is funded primarily with general fund, with some state and federal grant monies. The academy charges tuition for certain classes, particularly specialized courses. All tuition fees are deposited in the general fund.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
	Personal Services			34,882			32,548
	Inflation/Deflation			371			371
	Fixed Costs			3,983			3,972
	Total Statewide Adjustments			\$39,236			\$36,891
Present Law Adjustments							
1001	Fixed Costs Reductions	.00	(559)	(559)	.00	(559)	(559)
12201	Base Budget Adjustments - LEAD	.00	30,038	30,038	.00	30,038	30,038
	Total PL Adjustments	.00	\$29,479	\$29,479	.00	\$29,479	\$29,479
	Present Law Adjustments Total			\$68,715			\$66,370

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced fixed costs rates for rent of state building by agencies and for fees charged for access to the state's computer network.

DP 12201 - Base Budget Adjustments - LEAD - The legislature approved a present law adjustment of \$30,038 each year of the biennium for increased in the following budget categories include: 1) \$8,000 per year for utility costs; 2) temporary contracted clerical assistance, to assist with administrative and bookkeeping tasks during the peak

instructional periods, of \$5,200 per year; and 3) \$11,000 per year for unanticipated advanced training programs that arise on short notice (and which in turn generate offsetting tuition revenue, which is deposited to the general fund).

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
22212	Substance Abuse Prevention Education	.00	18,000	18,000	.00	0	0
22214	Maintenance/Improvement at MLEA	.00	12,500	12,500	.00	12,500	12,500
22215	Legislative Contract Authority	.00	0	150,000	.00	0	150,000
22216	Increase Basic Training to 12 Weeks	.00	18,000	18,000	.00	18,000	18,000
Total New Proposals		.00	\$48,500	\$198,500	.00	\$30,500	\$180,500

New Proposals

DP 22212 - Substance Abuse Prevention Education - The legislature approved a substance abuse prevention education program designed to train law enforcement officers to be more involved with youth and the communities. This program would be offered every other year at a general fund cost of \$18,000 in fiscal 2000.

DP 22214 - Maintenance/Improvement at MLEA - The legislature approved \$12,500 general fund each year of the 2001 biennium to fund ongoing academy maintenance needs, including replacement of kitchen appliances and compressors for walk-in coolers and freezer, exterior painting, perimeter fencing, and cleaning up and converting abandoned outbuildings to safe outdoor training sites.

DP 22215 - Legislative Contract Authority - The legislature approved LCA authority of \$300,000 for the biennium in the event federal grants are received.

DP 22216 - Increase Basic Training to 12 Weeks - General fund of \$18,000 each year of the 2001 biennium was approved by the legislature to extend the entry-level certification-training course for new police officers from the current length of 11 weeks to 12 weeks. A 12-week session would add training time and new training topics. The Peace Officers Standards and Training Advisory Council and the Joint Law Enforcement Committee on Academy Curriculums and Facilities would select the actual topics. New topics may include accident investigation, DNA evidence, and specialized enforcement.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	11.25	.00	.00	11.25	.00	.00	11.25	11.25
Personal Services	435,140	18,421	0	453,561	16,574	0	451,714	905,275
Operating Expenses	114,202	9,379	0	123,581	(43,679)	0	70,523	194,104
Equipment	0	0	0	0	0	0	0	0
Debt Service	0	0	0	0	0	0	0	0
Total Costs	\$549,342	\$27,800	\$0	\$577,142	(\$27,105)	\$0	\$522,237	\$1,099,379
General Fund	238,380	14,654	0	253,034	(9,503)	0	228,877	481,911
State/Other Special	300,459	12,074	0	312,533	(17,577)	0	282,882	595,415
Proprietary	10,503	1,072	0	11,575	(25)	0	10,478	22,053
Total Funds	\$549,342	\$27,800	\$0	\$577,142	(\$27,105)	\$0	\$522,237	\$1,099,379

Program Description

The Central Services Division provides the administrative, personnel, budgetary, accounting, and fiscal support for the Department of Justice. The program also administers the County Attorney Payroll and Transportation of Prisoners program expenditures

Funding

The Central Services Division operations are supported by a direct allocation from the four major funds that support the Department of Justice in proportion to their total budgeted costs.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
Personal Services				18,421			16,574
Inflation/Deflation				(4,242)			(4,212)
Fixed Costs				18,812			(34,276)
Total Statewide Adjustments				\$32,991			(\$21,914)
Present Law Adjustments							
1001	Fixed Costs Reductions	.00	(537)	(1,220)	.00	(537)	(1,220)
12801	Base budget adjustments-CSD	.00	(1,748)	(3,971)	.00	(1,748)	(3,971)
Total PL Adjustments		.00	(\$2,285)	(\$5,191)	.00	(\$2,285)	(\$5,191)
Present Law Adjustments Total				\$27,800			(\$27,105)

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced fixed costs rates for rent of state building by agencies and for use of the state's computer network.

DP 12801 - Base budget adjustments-CSD - The legislature approved present law reductions of \$3,971 in fiscal 2000 and \$3,971 in fiscal 2001. The Central Services Division recently organized a formalized in-house basic training function for Department of Justice employees. Increased training supplies of \$1,425 are requested. A present law reduction of \$5,396 per year for computer purchases is removed from the division budget.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	34.00	.00	9.00	43.00	.00	9.00	43.00	43.00
Personal Services	1,224,189	112,895	361,779	1,698,863	105,544	359,243	1,688,976	3,387,839
Operating Expenses	1,036,968	415,478	496,855	1,949,301	416,460	360,460	1,813,888	3,763,189
Equipment	7,295	0	0	7,295	0	0	7,295	14,590
Debt Service	31,445	0	0	31,445	0	0	31,445	62,890
Total Costs	\$2,299,897	\$528,373	\$858,634	\$3,686,904	\$522,004	\$719,703	\$3,541,604	\$7,228,508
General Fund	1,914,320	278,915	255,541	2,448,776	272,568	281,385	2,468,273	4,917,049
State/Other Special	385,577	221,683	90,000	697,260	221,661	90,000	697,238	1,394,498
Federal Special	0	17,561	513,093	530,654	17,561	348,318	365,879	896,533
Proprietary	0	10,214	0	10,214	10,214	0	10,214	20,428
Total Funds	\$2,299,897	\$528,373	\$858,634	\$3,686,904	\$522,004	\$719,703	\$3,541,604	\$7,228,508

Program Description

The Justice Information Systems Division provides a full range of information technology and criminal justice services for the Department of Justice including: 1) system development and maintenance of the motor vehicle registration system; 2) the driver history system; 3) the criminal history record information system and the Montana Uniform Crime Reporting System; 4) support for the Department of Justice computer system; 5) identification services for the criminal justice community through criminal history record checking and fingerprint processing; and 6) system development and support for the Criminal Justice Information Network (CJIN). CJIN links law enforcement/criminal justice agencies with information sources at local, state, and national levels by interfacing with the National Law Enforcement Telecommunications System, the National Crime Information Center (NCIC), and numerous State of Montana files.

Funding

Operating costs of the CJIN network are partially supported by the CJIN state special revenue account, which receives revenue from fees charged to user agencies. General fund subsidizes the network. The balance of the Computer Services and Planning Division is supported with general fund.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
Personal Services				112,895			105,544
Inflation/Deflation				(3,303)			(2,884)
Fixed Costs				76,300			83,409
Total Statewide Adjustments				\$185,892			\$186,069
Present Law Adjustments							
1001	Fixed Costs Reductions	.00	(4,258)	(9,682)	.00	(4,445)	(9,891)
12901	Base Budget Adjustments - JISD	.00	186,704	352,163	.00	180,367	345,826
Total PL Adjustments		.00	\$182,446	\$342,481	.00	\$175,922	\$335,935
Present Law Adjustments Total				\$528,373			\$522,004

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced fixed costs rates for rent of state buildings and for computer network fees.

DP 12901 - Base Budget Adjustments – Justice Information System Division - The legislature approved the following present law adjustments:

- 1) \$3,200 per year for part-time personnel;
- 2) \$1,000 per year for a consultant for dental classification and identification for the Missing Persons Program;
- 3) \$5,000 per year to replenish supplies;
- 4) \$6,000 in fiscal 2000 for office supplies;
- 5) \$7,500 for travel, including out-of-state travel;
- 6) \$3,892 in fiscal 2000 and \$3,678 in fiscal 2001 to lease one vehicle;
- 7) \$5,000 in each fiscal year for technical education and training of staff, including new employees;
- 8) \$2,000 in fiscal 2000 and \$1,500 in fiscal 2001 to advertise for development staff; and
- 9) \$314,000 in each fiscal year for computer hardware. All of the department's desktop computer equipment requests are being consolidated within this program budget. The department has stated its intentions to undertake a four-year replacement cycle of existing equipment, as recommended by the Department of Administration. Reductions in this category throughout the various divisions totaled \$294,019.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description	FTE	General Fund	Total Funds	FTE	General Fund	Total Funds	
22911 Criminal Justice Initiatives	7.00	171,011	474,104	7.00	196,759	335,077	
22916 Legislative Contract Authority	.00	0	300,000	.00	0	300,000	
22917 Systems Development Programming	2.00	84,530	84,530	2.00	84,626	84,626	
Total New Proposals	9.00	\$255,541	\$858,634	9.00	\$281,385	\$719,703	

New Proposals

DP 22911 - Criminal Justice Initiatives - The legislature approved the Criminal Justice Information System (CJIS) at a general fund cost of \$171,011 in fiscal 2000 and \$196,759 in fiscal 2001. A federal grant would provide \$213,093 in fiscal 2000 and \$48,318 in fiscal 2001; fees charged users of the system are projected to provide \$90,000 per year. Federal mandates have forced the state to plan for substantial improvements to its information system for fiscal 2000. This proposal includes 7.0 FTE as follows.

- 1) Montana Criminal Justice Information Services Project - In 1997 and 1998, the department received federal funds to begin the oversight and management of future CJIS upgrades. This request of 1.00 FTE is to continue this position into the 2001 biennium. Total funds for this project are \$71,360 in fiscal 2000 and \$66,263 in fiscal 2001 (approximately 30 percent is general fund, the balance federal).
- 2) Upgrade of the State Law Enforcement Message Switcher - In 1998, the DOJ began implementation of the new message switcher and workstation software for the Criminal Justice Information Network (CJIN). This request is for 6.00 FTE and the associated funding as follows: 1) 2.00 FTE to address the increase in training and audit requirements; 2) 2.00 FTE help desk positions to support a seven day week, 24 hour operation; 3) 1.00 FTE database administrator to monitor the status of data processing; and 4) 1.00 FTE network support position to assist local networks. General fund

of \$301,609 in fiscal 2000 and \$286,546 in fiscal 2001 was appropriated.

3) Replacement of the Criminal History Records System (CHRS) - The DOJ is currently developing an enhanced Criminal History Records System with the assistance of U.S. DOJ Bureau of Justice Statistics grant program. DOJ is requesting spending authority for the portion of fourth-year NCHIP funds that may be extended into the next biennium. Federal funds of \$120,000 in fiscal 2000 were approved.

4) Sex Offender Registry Grant Application - The 1997 legislature moved the responsibility for the sex offender registry from the Department of Corrections (DOC) to the DOJ. Federal funds will be used to make modifications needed to reflect the new federal National Sex Offender Registry, and rewriting of the FBI interface pursuant to federal notification requirements to be established with the new federal registry. Federal funds of \$44,800 in fiscal 2000 were approved.

DP 22916 - Legislative Contract Authority - The legislature approved \$300,000 each year in LCA authority in the event federal grants are received.

DP 22917 - Systems Development Programming - The legislature approved the addition of 2.00 FTE systems development programming staff. The DOJ operates 24 hours-a-day, 7 days-a-week law enforcement systems. The systems support every law enforcement officer in the state, all county treasurers, the title and registration bureau, and all the driver exam stations. General fund of \$84,530 in fiscal 2000 and \$84,626 in fiscal 2001 was appropriated for programming staff to address backlog issues.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	1.00	.00	.00	1.00	.00	.00	1.00	1.00
Personal Services	0	23,777	0	23,777	23,621	0	23,621	47,398
Operating Expenses	164,587	(24,430)	0	140,157	(24,269)	0	140,318	280,475
Total Costs	\$164,587	(\$653)	\$0	\$163,934	(\$648)	\$0	\$163,939	\$327,873
General Fund	164,587	(653)	0	163,934	(648)	0	163,939	327,873
Total Funds	\$164,587	(\$653)	\$0	\$163,934	(\$648)	\$0	\$163,939	\$327,873

Program Description

The Extradition and Transportation of Prisoners program reimburses county sheriffs for allowable expenses associated with transporting prisoners to Montana detention centers and for expenses of extraditing prisoners to Montana.

Funding

This program is funded entirely by the general fund.

Present Law Adjustments		Fiscal 2000 FTE	Fiscal 2000 General Fund	Fiscal 2000 Total Funds	Fiscal 2001 FTE	Fiscal 2001 General Fund	Fiscal 2001 Total Funds
Present Law Description							
Statewide Present Law							
Personal Services				23,777			23,621
Total Statewide Adjustments				\$23,777			\$23,621
Present Law Adjustments							
13001	Base Budget Adjustments - TOP	.00	(24,430)	(24,430)	.00	(24,269)	(24,269)
Total PL Adjustments		.00	(\$24,430)	(\$24,430)	.00	(\$24,269)	(\$24,269)
Present Law Adjustments Total				(\$653)			(\$648)

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 13001 - Base Budget Adjustments - The legislature approved present law adjustments, which redistribute expenditures to reflect anticipated activity in this program. Last year, one FTE was added to coordinate the shuttle activity involved in transportation of prisoners within the state and between nearby states. In fiscal 1998, the decision was made to contract with Gallatin County to provide this service. Consequently, there were no expenditures within personal services. These adjustments would restore personal services and reduce contracted services. Each year, the decision of whether to hire an individual or contract with a county will be made. Vacancy savings of \$653 in fiscal 2000 and \$648 in fiscal 2001 reflect the difference between the contract services reduction and the proposed personal services.

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
FTE	22.00	.00	2.00	24.00	.00	2.00	24.00	24.00
Personal Services	1,151,265	22,796	77,052	1,251,113	18,333	76,513	1,246,111	2,497,224
Operating Expenses	420,347	432,205	106,910	959,462	431,590	104,910	956,847	1,916,309

Program Proposed Budget								
Budget Item	Base Budget Fiscal 1998	PL Base Adjustment Fiscal 2000	New Proposals Fiscal 2000	Total Leg. Budget Fiscal 2000	PL Base Adjustment Fiscal 2001	New Proposals Fiscal 2001	Total Leg. Budget Fiscal 2001	Total Leg. Budget Fiscal 00-01
Equipment	131,796	0	0	131,796	0	0	131,796	263,592
Debt Service	0	4,044	0	4,044	4,044	0	4,044	8,088
Total Costs	\$1,703,408	\$459,045	\$183,962	\$2,346,415	\$453,967	\$181,423	\$2,338,798	\$4,685,213
General Fund	1,407,137	461,071	0	1,868,208	456,028	0	1,863,165	3,731,373
State/Other Special	256,122	378	46,705	303,205	378	44,412	300,912	604,117
Federal Special	40,149	(2,404)	137,257	175,002	(2,439)	137,011	174,721	349,723
Total Funds	\$1,703,408	\$459,045	\$183,962	\$2,346,415	\$453,967	\$181,423	\$2,338,798	\$4,685,213

Program Description

The Forensic Science Division, which includes the State Crime Lab in Missoula and the State Medical Examiner, provides for a statewide system of death investigation, forensic science training, and scientific criminal investigation and analysis for specimens submitted by law enforcement officials, coroners, and state agencies. The division tests firearms, toolmarks, hair, fiber, drugs, blood, body fluids, and tissues. The laboratory also analyzes blood, breath, and urine samples in connection with driving under the influence of alcohol or drugs (DUI) and provides the certification, maintenance, and training of all law enforcement personnel on breath testing instruments.

Funding

The Forensic Science Division is primarily supported with general fund, which funds 82 percent of the budget. The division receives approximately \$300,000 of earmarked alcohol tax annually for the laboratory testing and intoxilizer equipment maintenance done by the State Crime Lab for the DUI enforcement program. A Montana Board of Crime Control federal grant supports 70 percent of a forensic scientist position. The federal funds require a 25 percent general fund match, which is intended to come from the present law general fund appropriations.

Present Law Adjustments		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Present Law Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
Statewide Present Law							
	Personal Services			22,796			18,333
	Inflation/Deflation			352			329
	Fixed Costs			12,262			12,270
	Total Statewide Adjustments			\$35,410			\$30,932
Present Law Adjustments							
1001	Fixed Costs Reductions	.00	(956)	(956)	.00	(956)	(956)
13201	Base Budget Adjustments - FSD	.00	424,591	424,591	.00	423,991	423,991
	Total PL Adjustments	.00	\$423,635	\$423,635	.00	\$423,035	\$423,035
Present Law Adjustments Total				\$459,045			\$453,967

Present Law Adjustments

The table above shows the changes made by the legislature to the adjusted base budget. Statewide adjustments are standard categories of adjustments globally applied by the legislature to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 1001 - Fixed Costs Reductions - The legislature reduced fixed costs rates for rent of state buildings and for computer network fees charged to state agencies.

DP 13201 - Base Budget Adjustments - FSD

Rent - The division currently leases space from St. Patrick Hospital at their Broadway Building. St. Patrick Hospital is in the process of a major building project, which requires the demolition of the Broadway Building. Consequently, the Forensic Science Division will move. There is approximately 29,621 square feet allocated for the forensic laboratory.

The cost per square foot is \$16.60 or \$491,709 each year. An annual increase of \$413,076 for the difference between current and projected costs was approved.

Debt Service - The division entered into a three-year lease agreement in fiscal 1999 for a copy machine at a cost of \$4,044 per year.

New Proposals		Fiscal 2000	Fiscal 2000	Fiscal 2000	Fiscal 2001	Fiscal 2001	Fiscal 2001
Description		FTE	General Fund	Total Funds	FTE	General Fund	Total Funds
23210	Toxicology Lab Technician	1.00	0	30,738	1.00	0	28,550
23211	Chemist Position for Drug Analysis	1.00	0	53,224	1.00	0	52,873
23217	Legislative Contract Authority	.00	0	100,000	.00	0	100,000
Total New Proposals		2.00	\$0	\$183,962	2.00	\$0	\$181,423

New Proposals

DP 23210 - Toxicology Lab Technician - The legislature approved adding 1.00 FTE toxicology lab technician, funded from earmarked alcohol tax funds of \$30,738 in fiscal 2000 and \$28,550 in fiscal 2001. The FTE would do much of the routine preparation/cleanup to reduce the time forensic scientists spend on these tasks.

DP 23211 - Chemist Position for Drug Analysis - The legislature approved the continuation of a 1.0 FTE chemist position added in fiscal 1999 by an ongoing grant from the Board of Crime Control. This position is funded with 70 percent federal funds and 30 percent alcohol funds.

DP 23217 - Legislative Contract Authority - The legislature approved \$100,00 per year in LCA authority in the event federal grants are received.