

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 2008	Approp. Fiscal 2009	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 08-09	Biennium Fiscal 10-11	Biennium Change	Biennium % Change
FTE	192.50	192.50	200.50	200.50	192.50	200.50	8.00	4.16%
Personal Services	11,077,564	11,663,426	11,737,899	11,847,905	22,740,990	23,585,804	844,814	3.71%
Operating Expenses	8,068,574	7,928,489	8,161,223	8,040,780	15,997,063	16,202,003	204,940	1.28%
Equipment & Intangible Assets	123,370	60,653	123,370	123,370	184,023	246,740	62,717	34.08%
Total Costs	\$19,269,508	\$19,652,568	\$20,022,492	\$20,012,055	\$38,922,076	\$40,034,547	\$1,112,471	2.86%
General Fund	19,226,052	19,577,568	19,979,036	19,968,599	38,803,620	39,947,635	1,144,015	2.95%
State Special	43,456	75,000	43,456	43,456	118,456	86,912	(31,544)	(26.63%)
Total Funds	\$19,269,508	\$19,652,568	\$20,022,492	\$20,012,055	\$38,922,076	\$40,034,547	\$1,112,471	2.86%

Agency Description

Mission Statement - The mission of the Office of the State Public Defender is to ensure equal access to justice for the state's indigent. The statewide public defender system, created by passage of the Montana Public Defender Act contained in Title 47, Montana Code Annotated, required the new system to be operational by July 1, 2006. The Public Defender Commission is responsible for the design, direction, and supervision of the new system. The commission appoints the chief public defender, approves the strategic plan for the delivery of services, approves statewide standards for qualifications and training of public defenders and approves the overall design of the new statewide system.

The Office of State Public Defender administers the statewide public defender system and delivers public defender services in all courts in Montana for criminal and certain civil cases for an individual who is determined to be indigent per statutory provisions and is accused of an offense that could result in the person's loss of life or liberty if convicted. The statewide public defender system is supervised by the Public Defender Commission, an eleven member commission appointed by the Governor. The office is administratively attached to the Department of Administration with the exception of some functions as provided in statute (2-15-1028, MCA). The statewide public defender system also includes appellate defender functions that were previously the responsibility of a separate state agency.

Agency Highlights

Office of Public Defender HB 2 Budget Highlights
<ul style="list-style-type: none"> ◆ General fund support for the agency increases 2.9 percent (\$1.1 million) when the 2009 and 2011 biennia are compared ◆ Funding increases are due to statewide present law adjustments and requests for increases due to caseload growth that are offset by an unspecified general fund reduction of 2 percent ◆ Removal of a one-time-only appropriation for caseload transition reduces the adjusted base budget by about \$500,000 when compared to total FY 2008 expenditures ◆ The legislature included provisions requiring the agency to report specific caseload and collection data in HB 676 ◆ The legislature recommended that during the interim the Legislative Finance Committee monitor: <ul style="list-style-type: none"> • Provision of caseload and collection data as required in HB 676 • Completion of employee performance appraisals and contractor proficiency reviews

HB 645 Budget Highlights	
◆	HB 645 has no impact on this agency

Summary of Legislative Action

The legislature provided funding for the agency that is \$1.1 million (or 2.9 percent) greater in the 2011 biennium than the 2009 biennium. Increases in funding for increased caseload (\$1.6 million for the biennium) is offset by an unspecified reduction in general fund support of 2 percent (\$0.8 million) and an increase in the applied vacancy savings rate from 4 percent to 7 percent (\$0.7 million). Additionally, the 2009 biennium funding level does not include a one-time-only appropriation for the costs of transitioning caseload to the new system.

Agency Discussion

Recommendations to the LFC

The legislature recommended that the Legislative Finance Committee monitor the following in the 2011 biennium.

- o Caseload and collection data reporting as specified in HB 676
- o Completion of employee performance appraisals and contractor proficiency examinations during the interim
- o Vacancy savings, turnover, staffing, and mandatory overtime including vacancy savings rates, staff turnover rates, staffing patterns and caseload, and the amount and cost of mandatory overtime

Funding

The following table summarizes funding for the agency, by source, for the base year as adopted by the legislature. Funding for each program is discussed in detail in the individual program narratives that follow.

Total Agency Funding 2011 Biennium Budget				
Agency Program	General Fund	State Spec.	Grand Total	Total %
01 Office Of Public Defender	\$ 38,185,837	\$ 86,912	\$ 38,272,749	95.60%
02 Office Of Appellate Defender	1,761,798	-	1,761,798	4.40%
Grand Total	\$ 39,947,635	\$ 86,912	\$ 40,034,547	100.00%

The agency is funded almost exclusively by the general fund. A small amount of state special revenue (less than one-quarter percent of the agency’s funding) from court ordered payments 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 2010	Budget Fiscal 2011	Biennium Fiscal 10-11	Percent of Budget	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 10-11	Percent of Budget
Base Budget	19,226,052	19,226,052	38,452,104	96.26%	19,269,508	19,269,508	38,539,016	96.26%
Statewide PL Adjustments	526,502	382,022	908,524	2.27%	526,502	382,022	908,524	2.27%
Other PL Adjustments	811,975	807,027	1,619,002	4.05%	811,975	807,027	1,619,002	4.04%
New Proposals	(585,493)	(446,502)	(1,031,995)	(2.58%)	(585,493)	(446,502)	(1,031,995)	(2.58%)
Total Budget	\$19,979,036	\$19,968,599	\$39,947,635		\$20,022,492	\$20,012,055	\$40,034,547	

Executive Budget Comparison

The following table compares the legislative budget in the 2011 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2008	Executive Budget Fiscal 2010	Legislative Budget Fiscal 2010	Leg – Exec. Difference Fiscal 2010	Executive Budget Fiscal 2011	Legislative Budget Fiscal 2011	Leg – Exec. Difference Fiscal 2011	Biennium Difference Fiscal 10-11
FTE	192.50	200.50	200.50	0.00	200.50	200.50	0.00	
Personal Services	11,077,564	12,127,469	11,737,899	(389,570)	12,140,359	11,847,905	(292,454)	(682,024)
Operating Expenses	8,068,574	8,565,942	8,161,223	(404,719)	8,557,126	8,040,780	(516,346)	(921,065)
Equipment & Intangible Assets	123,370	123,370	123,370	0	123,370	123,370	0	0
Total Costs	\$19,269,508	\$20,816,781	\$20,022,492	(\$794,289)	\$20,820,855	\$20,012,055	(\$808,800)	(\$1,603,089)
General Fund	19,226,052	20,773,325	19,979,036	(794,289)	20,777,399	19,968,599	(808,800)	(1,603,089)
State/Other Special	43,456	43,456	43,456	0	43,456	43,456	0	0
Total Funds	\$19,269,508	\$20,816,781	\$20,022,492	(\$794,289)	\$20,820,855	\$20,012,055	(\$808,800)	(\$1,603,089)

The level of funding provided by the legislature is \$334,070 lower than the executive request, which is the net impact of an unspecified 2 percent reduction in general fund support, provision of funding for the 2011 biennium pay plan, and funding to relocate the Lewis and Clark County Office because the space is needed to support the addition of a district court judge.

Other Legislation

HB 676 includes requirements for the agency to report specific information related to caseload and collection of reimbursement for services provided. HB 676 specifies:

“The office of public defender is required to report data for each fiscal year representing the caseload for the entire public defender system including data for both employee and contract attorneys, the number of new cases opened, the number of cases closed, the number of cases that remain open and active, the number of cases that remain open but are inactive, and the average number of days between case opening and closure for each case type. The report for fiscal year 2009 must be provided to the legislative finance committee by January 1, 2010 and the report for fiscal year 2010 must be provided to the legislative finance committee by September 30, 2010.

The office of public defender is required to report for each fiscal year on the amount of funds collected as reimbursement for services rendered including the number of cases for which a collection is made, the number of cases for which an amount is owed, the amount collected, and the amount remaining unpaid. The report for fiscal year 2009 must be provided to the legislative finance committee by January 1, 2010 and the report for fiscal year 2010 must be provided to the legislative finance committee by September 30, 2010.”

SB 158 authorizes the addition of three additional district court judges, including a judge in Judicial District 1 (Lewis and Clark and Broadwater Counties). The addition of a judge in Judicial District 1 will require that the Lewis and Clark county office of the state public defender be relocated. The legislature provided \$66,599 general fund as a restricted, one-time-only appropriation for this purpose.

Senate Bill 197 specifies the rate of compensation for court transcripts and provides for an annual cost-of-living adjustment to this rate.

Senate Bill 263 specifies that the court shall require a convicted defendant to pay the costs of counsel assigned to represent the defendant and establishes a rate of \$150 for every misdemeanor case and \$500 in every felony case. Additional SB 263 specifies that if the criminal proceeding includes a jury trial counsel assigned by the OPD shall file with the court a statement of hours spent on the case and the costs and expenses incurred and that the court shall require the defendant to pay the costs reflected in the statement. However, the court may not sentence a defendant to pay the costs for assigned counsel unless the defendant is or will be able to pay them. In addition to provisions regarding reimbursement of costs, this bill specifies that the propriety of an assignment of counsel by the OPD is subject to inquiry by the court, and that the court may deny an assignment.

House Bill 3 provides a supplemental appropriation of \$292,000 general fund for the Appellate Defender Program within the Office of Public Defender. The agency's request for a supplemental appropriation is attributed to the addition of 1.00 FTE as a modified position and operating costs for additional contract attorney services and transcript expenditures. The agency indicates that the number of post conviction relief and appeal cases have increased over prior years and that the transcripts necessary for the appeal process can be very costly.

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 2008	Approp. Fiscal 2009	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 08-09	Biennium Fiscal 10-11	Biennium Change	Biennium % Change
FTE	184.50	184.50	191.50	191.50	184.50	191.50	7.00	3.79%
Personal Services	10,575,678	11,152,369	11,166,370	11,270,333	21,728,047	22,436,703	708,656	3.26%
Operating Expenses	7,762,333	7,830,943	7,854,876	7,734,430	15,593,276	15,589,306	(3,970)	(0.03%)
Equipment & Intangible Assets	123,370	60,653	123,370	123,370	184,023	246,740	62,717	34.08%
Total Costs	\$18,461,381	\$19,043,965	\$19,144,616	\$19,128,133	\$37,505,346	\$38,272,749	\$767,403	2.05%
General Fund	18,417,925	18,968,965	19,101,160	19,084,677	37,386,890	38,185,837	798,947	2.14%
State Special	43,456	75,000	43,456	43,456	118,456	86,912	(31,544)	(26.63%)
Total Funds	\$18,461,381	\$19,043,965	\$19,144,616	\$19,128,133	\$37,505,346	\$38,272,749	\$767,403	2.05%

Program Description

The Office of Public Defender (OPD) administers the statewide public defender system delivering public defender services in all courts in Montana. The OPD provides representation in criminal and certain civil cases for individuals determined to be financially unable to retain private counsel and who are accused of an offense that could result in the person's loss of life or liberty if convicted. The statewide public defender system is supervised by the Public Defender Commission. The office is administratively attached to the Department of Administration but has authority in law to provide administrative functions as determined by the commission.

The Public Defender Commission is responsible for the design, direction, and supervision of the system. The commission appoints the Chief Public Defender, approves the strategic plan for the delivery of services, approves statewide standards for qualifications and training of public defenders, and approves the overall design of the statewide system.

Program Highlights

Public Defender Program HB 2 Budget Highlights
<ul style="list-style-type: none"> ◆ General fund support for the program increases 2.1 percent (\$0.8 million) when the 2009 and 2011 biennia are compared ◆ Funding increases due to statewide present law adjustments and requests for increases due to caseload growth that are offset by an unspecified general fund reduction of 2 percent ◆ Removal of a one-time-only appropriation for caseload transition reduces the adjusted base budget by about \$500,000 when compared to total FY 2008 expenditures ◆ The legislature included provisions in HB 676 requiring the agency to report specific caseload and collection data in HB 676 ◆ The legislature recommended that during the interim the Legislative Finance Committee monitor: <ul style="list-style-type: none"> ● Provision of caseload and collection data as required in HB 676 ● Completion of employee performance appraisals and contractor proficiency reviews

Program Narrative

The legislature provided funding for the program that is \$767,403 (or 2.0 percent) greater in the 2011 biennium than the 2009 biennium. Increases in funding for increased caseload (\$1.4 million for the biennium) are offset by an unspecified reduction in general fund support of 2 percent (\$0.8 million) and an increase in the applied vacancy savings rate from 4 percent to 7 percent (\$0.7 million). Additionally, the 2009 biennium funding level does not include a one-time-only appropriation for the costs of transitioning caseload to the new system.

Recommendations to the LFC

The legislature recommended that the Legislative Finance Committee monitor the following in the 2011 biennium.

- o Caseload and collection data reporting as specified in HB 676
- o Completion of employee performance appraisals and contractor proficiency examinations during the interim
- o Vacancy savings, turnover, staffing, and mandatory overtime including vacancy savings rates, staff turnover rates, staffing patterns and caseload, and the amount and cost of mandatory overtime

Funding

The following table shows program funding, by source, for the base year and for the 2011 biennium as adopted by the legislature.

Program Funding	Base	% of Base	Budget	% of Budget	Budget	% of Budget
	FY 2008	FY 2008	FY 2010	FY 2010	FY 2011	FY 2011
01000 Total General Fund	\$ 18,417,925	99.8%	\$ 19,101,160	99.8%	\$ 19,084,677	99.8%
01100 General Fund	18,417,925	99.8%	19,101,160	99.8%	19,084,677	99.8%
02000 Total State Special Funds	43,456	0.2%	43,456	0.2%	43,456	0.2%
02250 Court Ordered Sentencing Costs	43,456	0.2%	43,456	0.2%	43,456	0.2%
Grand Total	\$ 18,461,381	100.0%	\$ 19,144,616	100.0%	\$ 19,128,133	100.0%

The Public Defender Program is supported almost exclusively by the general fund. A small amount of state special revenue (less than one quarter of a percent) from court ordered payment of costs also provides funding for 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 2010	Budget Fiscal 2011	Biennium Fiscal 10-11	Percent of Budget	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 10-11	Percent of Budget
Base Budget	18,417,925	18,417,925	36,835,850	96.46%	18,461,381	18,461,381	36,922,762	96.47%
Statewide PL Adjustments	517,345	375,991	893,336	2.34%	517,345	375,991	893,336	2.33%
Other PL Adjustments	739,317	735,117	1,474,434	3.86%	739,317	735,117	1,474,434	3.85%
New Proposals	(573,427)	(444,356)	(1,017,783)	(2.67%)	(573,427)	(444,356)	(1,017,783)	(2.66%)
Total Budget	\$19,101,160	\$19,084,677	\$38,185,837		\$19,144,616	\$19,128,133	\$38,272,749	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget made 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 2010-----						-----Fiscal 2011-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					773,761	0.00				697,282
Vacancy Savings					(453,969)	0.00				(450,921)
Inflation/Deflation					34,940	0.00				41,644
Fixed Costs					162,613	0.00				87,986
Total Statewide Present Law Adjustments		\$517,345	\$0	\$0	\$517,345	0.00	\$375,991	\$0	\$0	\$375,991
					0	0.00				0
DP 1 - Support of Increased Caseload										
7.00	7.00	707,290	0	0	707,290	7.00	703,230	0	0	703,230
DP 9 - ITSD Fixed Cost Adjust										
0.00	0.00	32,972	0	0	32,972	0.00	32,972	0	0	32,972
DP 7101 - Fuel Inflation Reduction										
0.00	0.00	(945)	0	0	(945)	0.00	(1,085)	0	0	(1,085)
					0	0.00				0
Total Other Present Law Adjustments	7.00	\$739,317	\$0	\$0	\$739,317	7.00	\$735,117	\$0	\$0	\$735,117
					0	0.00				0
Grand Total All Present Law Adjustments	7.00	\$1,256,662	\$0	\$0	\$1,256,662	7.00	\$1,111,108	\$0	\$0	\$1,111,108

DP 1 - Support of Increased Caseload - The legislature provided \$1.4 million general fund (including 7.00 FTE and \$400,000 for contract attorneys) for anticipated workload issues expected due to an increase in caseload.

DP 9 - ITSD Fixed Cost Adjust - The legislature provided \$32,972 general fund each year of the biennium to support the agency's portion of an Information and Technology Services Division fixed cost allocation that falls outside the adjusted base budget. This adjustment includes funding for local server replacements, Justware Database and Fileshare disks, and Collaboration Service Level Agreement (SLA) Sharepoint.

DP 7101 - Fuel Inflation Reduction - This reduces funding for gasoline and diesel by the amount these two expenditure categories were increased in the statewide present law adjustment for inflation. The effect is to apply no inflation adjustment to these two expenditure categories.

New Proposals

New Proposals										
-----Fiscal 2010-----						-----Fiscal 2011-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 713 - Correct Workers Compensation Percentage										
01	0.00	0	0	0	0	0.00	92,931	0	0	92,931
DP 718 - Relocate Lewis & Clark Cty Office SB 158 Impact										
01	0.00	59,043	0	0	59,043	0.00	7,556	0	0	7,556
DP 6013 - 2011 Biennium Pay Plan - HB 13										
01	0.00	63,797	0	0	63,797	0.00	190,324	0	0	190,324
DP 6014 - Pay Plan Lump Sum Payment OTO										
01	0.00	40,290	0	0	40,290	0.00	0	0	0	0
DP 6101 - Fixed Cost Workers Comp Management Program Alloc										
01	0.00	6,737	0	0	6,737	0.00	5,841	0	0	5,841
DP 6105 - 2 Percent Unspecified Reduction of General Fund										
01	0.00	(402,817)	0	0	(402,817)	0.00	(402,817)	0	0	(402,817)
DP 8101 - Increase 4 Percent Vacancy Savings to 7 Percent										
01	0.00	(340,477)	0	0	(340,477)	0.00	(338,191)	0	0	(338,191)
Total	0.00	(\$573,427)	\$0	\$0	(\$573,427)	0.00	(\$444,356)	\$0	\$0	(\$444,356)

DP 713 - Correct Workers Compensation Percentage - The legislature provided \$92,931 general fund for FY 2011 to correct an error included in the budgeting system. The workers' compensation rate for FY 2011 was inadvertently entered as 8.8 percent rather than 88 percent.

DP 718 - Relocate Lewis & Clark Cty Office SB 158 Impact - The legislature provided \$66,599 general fund as a restricted, one-time-only appropriation for relocation of the Lewis and Clark County office. This office must be relocated so that space is available in the courthouse for the additional judge provided in SB 158.

DP 6013 - 2011 Biennium Pay Plan - HB 13 - The legislature passed a pay plan that provides an additional \$53 per month in health insurance contribution for CY 2010 and an additional \$54 per month for CY 2011. These amounts represent this program's allocation of costs to fund this pay plan. In addition, the legislature provided a one-time-only payment of \$450 for all employees earning less than \$45,000 annually. These costs are included in DP 6014.

DP 6014 - Pay Plan Lump Sum Payment OTO - This DP funds this program's cost of providing a one-time-only payment of \$450 to each full-time employee making less than \$45,000 annually and \$225 for half-time employees making \$21.635 per hour or less.

DP 6101 - Fixed Cost Workers Comp Management Program Alloc - Funding was approved as a fixed cost for agencies to pay fees, based on the average number of payroll warrants issued per pay period, to support the worker's compensation management program in the Department of Administration.

DP 6105 - 2 Percent Unspecified Reduction of General Fund - This item provides an unspecified reduction in general fund of 2 percent for the agency. Language included in the bill allows the agency to allocate the reduction in funding among programs when developing 2011 biennium operating plans.

DP 8101 - Increase 4 Percent Vacancy Savings to 7 Percent - This adds an additional 3 percent per year to the 4 percent personal services vacancy savings reduction contained in the statewide present law adjustment.

Language and Statutory Authority

The legislature added to following language to HB 2:

"Office of State Public Defender includes a reduction in general fund money of \$402,817 each year of the biennium. The agency may allocate this reduction in funding among programs when developing 2011 biennium operating plans."

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 2008	Approp. Fiscal 2009	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 08-09	Biennium Fiscal 10-11	Biennium Change	Biennium % Change
FTE	8.00	8.00	9.00	9.00	8.00	9.00	1.00	12.50%
Personal Services	501,886	511,057	571,529	577,572	1,012,943	1,149,101	136,158	13.44%
Operating Expenses	306,241	97,546	306,347	306,350	403,787	612,697	208,910	51.74%
Total Costs	\$808,127	\$608,603	\$877,876	\$883,922	\$1,416,730	\$1,761,798	\$345,068	24.36%
General Fund	808,127	608,603	877,876	883,922	1,416,730	1,761,798	345,068	24.36%
Total Funds	\$808,127	\$608,603	\$877,876	\$883,922	\$1,416,730	\$1,761,798	\$345,068	24.36%

Program Description

The Appellate Defender Program provides appeal services for indigent citizens.

Program Highlights

Appellate Defender Program HB 2 Budget Highlights
<ul style="list-style-type: none"> ◆ General fund support for the program increases 24.4 percent (\$0.3 million) when the 2009 and 2011 biennia are compared ◆ Funding increases due to statewide present law adjustments and requests for increases due to caseload growth that are offset by an increase in the applied vacancy savings rate from 4 percent to 7 percent

Program Narrative

The legislature provided funding for the program that is \$345,068 (or 24.4 percent) greater in the 2011 biennium than the 2009 biennium. Increases in funding for increased caseload (\$144,568 for the biennium) is offset by an increase in the applied vacancy savings rate from 4 percent to 7 percent (\$31,835). Additionally, the 2009 biennium funding level does not include a one-time-only appropriation for the costs of transitioning caseload to the new system.

Recommendations to the LFC

The legislature recommended that the Legislative Finance Committee monitor the following in the 2011 biennium.

- o Completion of employee performance appraisals and contractor proficiency examinations during the interim
- o Vacancy savings, turnover, staffing, and mandatory overtime including vacancy savings rates, staff turnover rates, staffing patterns and caseload, and the amount and cost of mandatory overtime

Funding

The following table shows program funding, by source, for the base year and for the 2011 biennium as adopted by the legislature.

Program Funding Table Office Of Appellate Defender						
Program Funding	Base FY 2008	% of Base FY 2008	Budget FY 2010	% of Budget FY 2010	Budget FY 2011	% of Budget FY 2011
01000 Total General Fund	\$ 808,127	100.0%	\$ 877,876	100.0%	\$ 883,922	100.0%
01100 General Fund	808,127	100.0%	877,876	100.0%	883,922	100.0%
Grand Total	\$ 808,127	100.0%	\$ 877,876	100.0%	\$ 883,922	100.0%

The appellate defender function 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 2010	Budget Fiscal 2011	Biennium Fiscal 10-11	Percent of Budget	Budget Fiscal 2010	Budget Fiscal 2011	Biennium Fiscal 10-11	Percent of Budget
Base Budget	808,127	808,127	1,616,254	91.74%	808,127	808,127	1,616,254	91.74%
Statewide PL Adjustments	9,157	6,031	15,188	0.86%	9,157	6,031	15,188	0.86%
Other PL Adjustments	72,658	71,910	144,568	8.21%	72,658	71,910	144,568	8.21%
New Proposals	(12,066)	(2,146)	(14,212)	(0.81%)	(12,066)	(2,146)	(14,212)	(0.81%)
Total Budget	\$877,876	\$883,922	\$1,761,798		\$877,876	\$883,922	\$1,761,798	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the adjusted base budget made 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 2010-----				-----Fiscal 2011-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					30,339	0.00				27,081
Vacancy Savings					(21,288)	0.00				(21,159)
Inflation/Deflation					106	0.00				109
Total Statewide Present Law Adjustments		\$9,157	\$0	\$0	\$9,157	0.00	\$6,031	\$0	\$0	\$6,031
					0	0.00				0
DP 2 - Support Increase in Caseload-Appellate										
1.00	72,658	0	0	72,658	1.00	71,910	0	0	71,910	
				0	0.00				0	
Total Other Present Law Adjustments	1.00	\$72,658	\$0	\$0	\$72,658	1.00	\$71,910	\$0	\$0	\$71,910
				0	0.00				0	
Grand Total All Present Law Adjustments	1.00	\$81,815	\$0	\$0	\$81,815	1.00	\$77,941	\$0	\$0	\$77,941

DP 2 - Support Increase in Caseload-Appellate - The legislature provided 1.00 FTE and \$144,568 general fund for the biennium for anticipated increases in caseload.

New Proposals

Program	-----Fiscal 2010-----					-----Fiscal 2011-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 713 - Correct Workers Compensation Percentage										
02	0.00	0	0	0	0	0.00	5,011	0	0	5,011
DP 6013 - 2011 Biennium Pay Plan - HB 13										
02	0.00	2,880	0	0	2,880	0.00	8,712	0	0	8,712
DP 6014 - Pay Plan Lump Sum Payment OTO										
02	0.00	1,020	0	0	1,020	0.00	0	0	0	0
DP 8101 - Increase 4 Percent Vacancy Savings to 7 Percent										
02	0.00	(15,966)	0	0	(15,966)	0.00	(15,869)	0	0	(15,869)
Total	0.00	(\$12,066)	\$0	\$0	(\$12,066)	0.00	(\$2,146)	\$0	\$0	(\$2,146)

DP 713 - Correct Workers Compensation Percentage - The legislature provided \$5,011 general fund for FY 2011 to correct an error included in the budgeting system. The workers' compensation rate for FY 2011 was inadvertently entered as 8.8 percent rather than 88 percent.

DP 6013 - 2011 Biennium Pay Plan - HB 13 - The legislature passed a pay plan that provides an additional \$53 per month in health insurance contribution for CY 2010 and an additional \$54 per month for CY 2011. These amounts represent this program's allocation of costs to fund this pay plan. In addition, the legislature provided a one-time-only payment of \$450 for all employees earning less than \$45,000 annually. These costs are included in DP 6014.

DP 6014 - Pay Plan Lump Sum Payment OTO - This DP funds this program's cost of providing a one-time-only payment of \$450 to each full-time employee making less than \$45,000 annually and \$225 for half-time employees making \$21.635 per hour or less.

DP 8101 - Increase 4 Percent Vacancy Savings to 7 Percent - This adds an additional 3 percent per year to the 4 percent personal services vacancy savings reduction contained in the statewide present law adjustment.