

### Agency Budget Comparison

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

Agency Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	752.05	752.05	750.89	754.85	752.05	754.85	2.80	0.37%
Personal Services	45,224,471	45,355,993	50,019,348	50,335,798	90,580,464	100,355,146	9,774,682	10.79%
Operating Expenses	20,867,277	25,904,682	26,026,401	25,472,472	46,771,959	51,498,873	4,726,914	10.11%
Equipment & Intangible Assets	1,995,547	2,111,490	2,265,547	2,265,547	4,107,037	4,531,094	424,057	10.33%
Benefits & Claims	1,011,704	1,868,328	1,011,704	1,011,704	2,880,032	2,023,408	(856,624)	(29.74%)
Transfers	0	0	0	0	0	0	0	n/a
Debt Service	674,549	2,348,703	2,438,359	2,438,359	3,023,252	4,876,718	1,853,466	61.31%
<b>Total Costs</b>	<b>\$69,773,548</b>	<b>\$77,589,196</b>	<b>\$81,761,359</b>	<b>\$81,523,880</b>	<b>\$147,362,744</b>	<b>\$163,285,239</b>	<b>\$15,922,495</b>	<b>10.80%</b>
General Fund	24,957,152	25,938,858	26,389,702	26,816,941	50,896,010	53,206,643	2,310,633	4.54%
State Special	41,651,649	48,102,143	51,585,463	51,273,282	89,753,792	102,858,745	13,104,953	14.60%
Federal Special	1,405,530	1,760,313	1,492,068	1,493,495	3,165,843	2,985,563	(180,280)	(5.69%)
Other	0	0	0	0	0	0	0	n/a
Other	1,759,217	1,787,882	2,294,126	1,940,162	3,547,099	4,234,288	687,189	19.37%
<b>Total Funds</b>	<b>\$69,773,548</b>	<b>\$77,589,196</b>	<b>\$81,761,359</b>	<b>\$81,523,880</b>	<b>\$147,362,744</b>	<b>\$163,285,239</b>	<b>\$15,922,495</b>	<b>10.80%</b>

### 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. The department:

- o Provides legal representation for the state and its political subdivisions in criminal appeals
- o Provides legal services and counsel for the state, county, and municipal agencies and their officials
- o Enforces Montana traffic laws and registers all motor vehicles
- o Enforces state fire safety codes and regulations
- o Assists local law enforcement agencies in bringing offenders to justice
- o Provides criminal justice officers and other qualified individuals with basic and specialized training in the field of law enforcement
- o Manages a statewide system of death investigations
- o Provides scientific analyses of specimens submitted by law enforcement officials, coroners, and state agencies
- o Maintains and disseminates criminal justice information to authorized state, local, and other entities
- o Provides uniform regulation of all gambling activities in the state of Montana
- o Enforces consumer protection laws and regulations relating to unfair and deceptive business practices
- o Assists Montana consumers in making sound decisions by providing public outreach
- o Provides statewide leadership on issues related to victims of crime and administers the Crime Victims Compensation program

## Agency Highlights

<b>Department of Justice Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>◆ Funding for the department increases 10.8% (\$15.9 million) between the two biennia with the majority of the increase (\$13.1 million) in state special revenue</li> <li>◆ State special revenue increases 14.6% (\$13.1 million) between the two biennia due to: <ul style="list-style-type: none"> <li>• Statewide present law adjustments</li> <li>• Debt payments for information technology projects (\$6.6 million)</li> <li>• Funding for highway patrol trooper salary increases (\$1.9 million)</li> <li>• Funding for the new insurance verification system (\$1.8 million)</li> <li>• Funding increases for the Criminal Justice Information System (CJIS) (\$1.1 million)</li> </ul> </li> <li>◆ General fund support for the department increases 4.5% (\$2.3 million) between the two biennia primarily due to increases in statewide present law adjustments that are offset by reductions made that are consistent with the statutorily required 5% base reduction plan submitted by the agency <ul style="list-style-type: none"> <li>• Funding for the executive protection function was moved from the general fund to the Highway Patrol Recruitment and Retention state special revenue account</li> </ul> </li> <li>◆ The legislature recommends that the Legislative Finance Committee conduct interim monitoring of the: <ul style="list-style-type: none"> <li>• Vehicle Insurance Verification System (VIVS)</li> <li>• Motor Vehicle Division</li> </ul> </li> </ul>

### Summary of Legislative Action

The legislature provided funding that is \$15.9 million total funds (10.8%) greater than the previous biennium. The increase occurs primarily in state special revenue, which increases \$13.1 million between the two biennia. The largest state special revenue increases are:

- o Motor Vehicle Division information technology debt payments, \$3.7 million
- o License plate manufacturing contract, \$3.3 million
- o Statutorily required pay increases for troopers, \$1.9 million
- o Additional highway patrol troopers, \$1.2 million
- o Criminal Justice Information Network (CJIN), \$1.2 million
- o Vehicle Insurance Verification System (VIVS), \$1.0 million
- o Highway patrol Smart Cop technology maintenance, \$0.9 million

General fund support increases \$2.3 million or 4.5% between the two biennia due to increases in statewide and other present law adjustments that are offset by decreases included in new proposals. General fund decreases such as a reduction in funding for personal services are partially offset by provision of funding for new programs such as the Prescription Drug Diversion Unit and Child Sexual Predator Unit.

### Funding

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

Total Agency Funding 2013 Biennium Budget						
Agency Program	General Fund	State Spec.	Fed Spec.	Proprietary	Grand Total	Total %
01 Legal Services Division	\$ 11,136,661	\$ 419,440	\$ 1,246,361	\$ -	\$ 12,802,462	7.84%
02 Office Of Consumer Protection	-	1,721,035	-	-	1,721,035	1.05%
07 Gambling Control Division	-	5,804,147	-	2,465,991	8,270,138	5.06%
12 Motor Vehicle Division	15,091,504	21,443,304	-	1,579,886	38,114,694	23.34%
13 Highway Patrol Division	-	63,610,194	-	-	63,610,194	38.96%
18 Div. Of Criminal Investigation	11,777,668	7,341,321	1,734,195	-	20,853,184	12.77%
28 Central Services Division	1,043,909	1,598,199	-	158,776	2,800,884	1.72%
29 Information Technology Service	6,981,586	267,350	5,007	29,635	7,283,578	4.46%
32 Forensic Science Division	7,175,315	653,755	-	-	7,829,070	4.79%
Grand Total	\$ 53,206,643	\$ 102,858,745	\$ 2,985,563	\$ 4,234,288	\$ 163,285,239	100.00%

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

### Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	24,957,152	24,957,152	49,914,304	93.81%	69,773,548	69,773,548	139,547,096	85.46%
Statewide PL Adjustments	2,195,479	2,171,084	4,366,563	8.21%	4,559,185	4,546,430	9,105,615	5.58%
Other PL Adjustments	607,844	585,094	1,192,938	2.24%	8,708,085	8,011,538	16,719,623	10.24%
New Proposals	(1,370,773)	(896,389)	(2,267,162)	(4.26%)	(1,279,459)	(807,636)	(2,087,095)	(1.28%)
<b>Total Budget</b>	<b>\$26,389,702</b>	<b>\$26,816,941</b>	<b>\$53,206,643</b>		<b>\$81,761,359</b>	<b>\$81,523,880</b>	<b>\$163,285,239</b>	

### Other Legislation

SJ 26 recommends interim monitoring of the following program areas:

- o Vehicle Insurance Verification System (VIVS)
- o Motor Vehicle Division

HB 367 delays implementation of the Vehicle Insurance Verification System (VIVS) by county treasurers to verify compliance with statutory requirements for motor vehicle liability insurance coverage until January 1, 2013. Prior to passage and approval of HB 367 this provision was scheduled to become effective July 1, 2011. HB 367 also specifies that the department may make rules, including determining a schedule for implementation of the system.

SB 361 revises gambling laws to include the use of video line games (as defined by the rules of the department) in licensed establishments. It is anticipated that this change will increase general fund revenues by more than \$4.7 million per year and gambling state special revenues by more than \$67,000 per year beginning in FY 2013.

### Executive Budget Comparison

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

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2010	Executive Budget Fiscal 2012	Legislative Budget Fiscal 2012	Leg - Exec. Difference Fiscal 2012	Executive Budget Fiscal 2013	Legislative Budget Fiscal 2013	Leg - Exec. Difference Fiscal 2013	Biennium Difference Fiscal 12-13
FTE	752.05	752.89	750.89	(2.00)	752.85	754.85	2.00	
Personal Services	45,224,471	50,593,781	50,019,348	(574,433)	50,633,628	50,335,798	(297,830)	(872,263)
Operating Expenses	20,867,277	28,638,924	26,026,401	(2,612,523)	27,989,642	25,472,472	(2,517,170)	(5,129,693)
Equipment & Intangible Assets	1,995,547	2,265,547	2,265,547	0	2,265,547	2,265,547	0	0
Benefits & Claims	1,011,704	1,261,704	1,011,704	(250,000)	1,261,704	1,011,704	(250,000)	(500,000)
Transfers	0	0	0	0	0	0	0	0
Debt Service	674,549	2,524,549	2,438,359	(86,190)	2,524,549	2,438,359	(86,190)	(172,380)
<b>Total Costs</b>	<b>\$69,773,548</b>	<b>\$85,284,505</b>	<b>\$81,761,359</b>	<b>(\$3,523,146)</b>	<b>\$84,675,070</b>	<b>\$81,523,880</b>	<b>(\$3,151,190)</b>	<b>(\$6,674,336)</b>
General Fund	24,957,152	27,208,028	26,389,702	(818,326)	27,206,970	26,816,941	(390,029)	(1,208,355)
State/Other Special	41,651,649	52,019,150	51,585,463	(433,687)	51,762,341	51,273,282	(489,059)	(922,746)
Federal Special	1,405,530	1,492,068	1,492,068	0	1,493,495	1,493,495	0	0
Capital Projects	0	2,250,000	0	(2,250,000)	2,250,000	0	(2,250,000)	(4,500,000)
Proprietary	1,759,217	2,315,259	2,294,126	(21,133)	1,962,264	1,940,162	(22,102)	(43,235)
<b>Total Funds</b>	<b>\$69,773,548</b>	<b>\$85,284,505</b>	<b>\$81,761,359</b>	<b>(\$3,523,146)</b>	<b>\$84,675,070</b>	<b>\$81,523,880</b>	<b>(\$3,151,190)</b>	<b>(\$6,674,336)</b>

The level of funding provided by the legislature for the agency is \$6.7 million total funds and \$1.2 million general fund lower than the executive request. \$4.5 million of this difference is because the legislature took no action on funding for capital project payments that do not need to be funded in HB 2 but had been included in the executive request.

General fund support for the agency is \$1.2 million lower than the executive requests due to offsetting adjustments. The legislature:

- Reduced funding consistent with the statutorily required 5% base reduction plan submitted by the agency (not including reductions included in the executive budget), about \$0.9 million for the biennium
- Shifted funding for the executive protection function from the general fund to the highway patrol recruitment and retention state special revenue fund, slightly more than \$0.5 million for the biennium
- Provided partial funding in FY 2013 for two elected official requests (the Child Sexual Predator Unit and Prescription Drug Diversion Unit) previously funded with federal grants, about \$0.5 million

Funding from state special revenue sources increases by \$0.9 million for the biennium. The legislature:

- Shifted funding for the executive protection function to the highway patrol recruitment and retention state special revenue fund, slightly more than \$0.5 million for the biennium
- Reduced state special revenue funding for highway patrol base adjustments, \$0.7 million
- Did not approve a request for increased appropriations of consumer settlement proceeds, \$0.5 million
- Provided funding for statutorily required increases in highway patrol trooper salaries, \$1.9 million

### Program Budget Comparison

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

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

### Program Description

The Legal Services Division (LSD) provides:

- o Legal research and analysis for the Attorney General
- o Legal counsel for state government officials, bureaus, and boards
- o Legal assistance to local governments and Indian tribes
- o Legal assistance, training, and support for county prosecutors
- o Assistance to victims of crime, including compensation payments

The Prosecution Services Bureau assists local county attorneys by providing training and assisting in the prosecution of complex criminal cases, particularly homicide cases. The bureau prosecutes cases where the county attorney has a conflict of interest, and drug, workers' compensation, and Medicaid fraud cases. The bureau also investigates complaints against county attorneys.

The Appellate Services Bureau handles appeals of criminal matters, including death penalty cases, and represents the state in federal court when constitutional challenges are made to a criminal conviction.

The Civil Services Bureau defends the state in constitutional challenges and coordinates appeals of civil cases that involve the state. This bureau also provides legal assistance to state and local governments on matters involving Indian jurisdiction and federal reserved water rights.

The Child Protection Unit handles child abuse and neglect cases around Montana. The unit has offices in Bozeman, Billings, Great Falls, and Miles City and focuses on resolving the legal status of children who have been in foster care for more than 15 out of the most recent 22 months.

The Office of Victim Services (OVS) works to elevate the status of victims and their rights and responds to the needs of crime victims in Montana. It serves as a central reference point for victims of crime, administers the Crime Victim Compensation Program and the Forensic Rape Examination Payment Program, and offers information and referral services. OVS staffs the Domestic Violence Fatality Review Commission and provides training and information for those who work with victims, including law enforcement, victim advocates, probation and parole workers, and local community organizations.

## Program Highlights

<b>Legal Services Division Major Budget Highlights</b>	
◆	Funding for the division increases 4.8% or \$586,000 between the two biennia
◆	General fund support for the division increases 6.2% or \$648,000 due to statewide present law adjustments and continuation of a one-time only appropriation for major litigation that are partially offset by a new proposal reducing personal services of 4%

## Funding

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table Legal Services Division						
Program Funding	Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013
01000 Total General Fund	\$ 5,160,413	87.0%	\$ 5,570,619	87.0%	\$ 5,566,042	87.0%
01100 General Fund	5,160,413	87.0%	5,570,619	87.0%	5,566,042	87.0%
02000 Total State Special Funds	190,815	3.2%	209,853	3.3%	209,587	3.3%
02074 Gambling License Fee Account	(200)	0.0%	-	-	-	-
02422 Highways Special Revenue	3,524	0.1%	3,658	0.1%	3,649	0.1%
02937 Justice State Special Misc	187,491	3.2%	206,195	3.2%	205,938	3.2%
03000 Total Federal Special Funds	582,172	9.8%	623,320	9.7%	623,041	9.7%
03169 Federal Crime Victims Benefits	347,838	5.9%	365,610	5.7%	365,653	5.7%
03801 Dept Of Justice-Misc Grants	<u>234,334</u>	<u>3.9%</u>	<u>257,710</u>	<u>4.0%</u>	<u>257,388</u>	<u>4.0%</u>
Grand Total	<u>\$ 5,933,400</u>	<u>100.0%</u>	<u>\$ 6,403,792</u>	<u>100.0%</u>	<u>\$ 6,398,670</u>	<u>100.0%</u>

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

## Budget Summary by Category

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

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

### Present Law Adjustments

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

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

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

### New Proposals

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

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

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

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

**Program Budget Comparison**

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

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	9.00	9.00	9.00	9.00	9.00	9.00	0.00	0.00%
Personal Services	553,540	543,868	551,426	550,853	1,097,408	1,102,279	4,871	0.44%
Operating Expenses	215,490	264,929	232,750	231,906	480,419	464,656	(15,763)	(3.28%)
Benefits & Claims	77,050	940,000	77,050	77,050	1,017,050	154,100	(862,950)	(84.85%)
<b>Total Costs</b>	<b>\$846,080</b>	<b>\$1,748,797</b>	<b>\$861,226</b>	<b>\$859,809</b>	<b>\$2,594,877</b>	<b>\$1,721,035</b>	<b>(\$873,842)</b>	<b>(33.68%)</b>
State Special	846,080	1,748,797	861,226	859,809	2,594,877	1,721,035	(873,842)	(33.68%)
<b>Total Funds</b>	<b>\$846,080</b>	<b>\$1,748,797</b>	<b>\$861,226</b>	<b>\$859,809</b>	<b>\$2,594,877</b>	<b>\$1,721,035</b>	<b>(\$873,842)</b>	<b>(33.68%)</b>

**Program Description**

The Office of Consumer Protection (OCP) responds to consumer complaints and enforces Montana’s consumer protection laws and regulations relating to unfair and deceptive business practices, including: "bait and switch," false claims, changing a contract after a sale, abusive arbitration, debt collection misconduct, door-to-door sales, telemarketing including administering Montana's do-not-call list, car and truck sales and repair including the New Vehicle Warranty Act (or Lemon Law) violations, and antitrust issues including price fixing, monopoly abuse, and restraint of trade.

OCP assists victims of identity theft and administers the state’s Security Freeze Program. It provides extensive public education about consumer and telemarketing fraud and identity theft to Montana consumer groups, senior citizen organizations, law enforcement agencies, and businesses.

**Program Highlights**

Office of Consumer Protection Major Budget Highlights	
◆	Funding decreases between the two biennia due to decreased funding for benefits and claims payments

**Funding**

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table						
Office Of Consumer Protection						
Program Funding	Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013
02000 Total State Special Funds	\$ 846,080	100.0%	\$ 861,226	100.0%	\$ 859,809	100.0%
02140 Consumer Education Settlement	<u>846,080</u>	<u>100.0%</u>	<u>861,226</u>	<u>100.0%</u>	<u>859,809</u>	<u>100.0%</u>
Grand Total	<u>\$ 846,080</u>	<u>100.0%</u>	<u>\$ 861,226</u>	<u>100.0%</u>	<u>\$ 859,809</u>	<u>100.0%</u>

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

**Budget Summary by Category**

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	0	0	0	0.00%	846,080	846,080	1,692,160	98.32%
Statewide PL Adjustments	0	0	0	0.00%	15,146	13,729	28,875	1.68%
Other PL Adjustments	0	0	0	0.00%	0	0	0	0.00%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
<b>Total Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$861,226</b>	<b>\$859,809</b>	<b>\$1,721,035</b>	

**Present Law Adjustments**

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

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

**New Proposals**

New Proposals	Program	FTE	-----Fiscal 2012-----				-----Fiscal 2013-----				
			General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 95104 - 5% Plan - Reduce Benefit Claim Payments	02	0.00	0	(77,050)	0	(77,050)	0.00	0	(77,050)	0	(77,050)
DP 96104 - Restore 5% Plan - Reduce Benefit Claim Payments	02	0.00	0	77,050	0	77,050	0.00	0	77,050	0	77,050
<b>Total</b>		<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>0.00</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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

DP 96104 - Restore 5% Plan - Reduce Benefit Claim Payments - The legislature restored the state special revenue reduction made in DP 95104.

## **Proprietary Rates**

### **Proprietary Program Description**

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

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

### **Proprietary Revenues and Expenses**

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

### **Proprietary Rate Explanation**

The legislature approved rates of \$93.00 per hour for attorneys and \$53.00 per hour for investigators.

### Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	51.50	51.50	50.50	50.50	51.50	50.50	(1.00)	(1.94%)
Personal Services	3,023,961	3,066,427	3,225,530	3,228,115	6,090,388	6,453,645	363,257	5.96%
Operating Expenses	754,355	858,772	852,626	802,147	1,613,127	1,654,773	41,646	2.58%
Equipment & Intangible Assets	79,900	132,158	79,900	79,900	212,058	159,800	(52,258)	(24.64%)
Debt Service	960	3,723	960	960	4,683	1,920	(2,763)	(59.00%)
<b>Total Costs</b>	<b>\$3,859,176</b>	<b>\$4,061,080</b>	<b>\$4,159,016</b>	<b>\$4,111,122</b>	<b>\$7,920,256</b>	<b>\$8,270,138</b>	<b>\$349,882</b>	<b>4.42%</b>
State Special	2,795,632	2,987,224	2,926,313	2,877,834	5,782,856	5,804,147	21,291	0.37%
Other	1,063,544	1,073,856	1,232,703	1,233,288	2,137,400	2,465,991	328,591	15.37%
<b>Total Funds</b>	<b>\$3,859,176</b>	<b>\$4,061,080</b>	<b>\$4,159,016</b>	<b>\$4,111,122</b>	<b>\$7,920,256</b>	<b>\$8,270,138</b>	<b>\$349,882</b>	<b>4.42%</b>

### Program Description

The Gambling Control Division (GCD) 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 and distributing licensing fees for gambling machines and activities, the division collects the gambling tax assessed on the net proceeds of gambling activities. It conducts investigations related to alcoholic beverage licensing and tobacco enforcement. An appointed Gaming Advisory Council of nine members advises the Attorney General to ensure uniform statewide regulation of gambling activities. The Gambling Control Program is mandated by state law (23-5-110, MCA).

### Program Highlights

Gambling Control Division Major Budget Highlights	
◆	Funding for this division increases 4.4% between the 2011 and 2013 biennia due primarily to increases in statewide present law adjustments that are offset by a reduction in funding for a vacant 1.00 FTE tax examiner

### Funding

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table Gambling Control Division						
Program Funding	Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013
02000 Total State Special Funds	\$ 2,795,632	72.4%	\$ 2,926,313	70.4%	\$ 2,877,834	70.0%
02074 Gambling License Fee Account	2,679,376	69.4%	2,802,499	67.4%	2,753,862	67.0%
02790 6901-Statewide Tobacco Sttlmt	116,256	3.0%	123,814	3.0%	123,972	3.0%
06000 Total Proprietary Funds	1,063,544	27.6%	1,232,703	29.6%	1,233,288	30.0%
06005 Liquor Division	1,063,544	27.6%	1,232,703	29.6%	1,233,288	30.0%
Grand Total	<u>\$ 3,859,176</u>	<u>100.0%</u>	<u>\$ 4,159,016</u>	<u>100.0%</u>	<u>\$ 4,111,122</u>	<u>100.0%</u>

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

**Budget Summary by Category**

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	0	0	0	0.00%	3,859,176	3,859,176	7,718,352	93.33%
Statewide PL Adjustments	0	0	0	0.00%	298,184	300,169	598,353	7.24%
Other PL Adjustments	0	0	0	0.00%	72,095	25,286	97,381	1.18%
New Proposals	0	0	0	0.00%	(70,439)	(73,509)	(143,948)	(1.74%)
<b>Total Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$4,159,016</b>	<b>\$4,111,122</b>	<b>\$8,270,138</b>	

**Present Law Adjustments**

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

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

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

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

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

**New Proposals**

New Proposals	-----Fiscal 2012-----					-----Fiscal 2013-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9703 - Remove funding for vacant FTE											
07	(1.00)	0	(36,640)		0	(52,344)*	(1.00)	0	(36,556)	0	(52,223)*
DP 9708 - Revised Adjusted Base Funding, December 15th Rev.											
07	0.00	0	(101,490)		0	0*	0.00	0	(101,490)	0	0*
DP 95105 - 5% Plan - Delay Gambling Investigations/Inspection											
07	0.00	0	(139,782)		0	(139,782)	0.00	0	(139,782)	0	(139,782)
DP 96105 - Restore 5% Plan - Delay Gambling Invest/Inspection											
07	0.00	0	139,782		0	139,782	0.00	0	139,782	0	139,782
DP 97101 - Non Dept.. of Admin Rent Reduction											
07	0.00	0	(12,666)		0	(18,095)*	0.00	0	(14,900)	0	(21,286)*
<b>Total</b>	<b>(1.00)</b>	<b>\$0</b>	<b>(\$150,796)</b>		<b>\$0</b>	<b>(\$70,439)*</b>	<b>(1.00)</b>	<b>\$0</b>	<b>(\$152,946)</b>	<b>\$0</b>	<b>(\$73,509)*</b>

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

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

DP 9708 - Revised Adjusted Base Funding, December 15th Rev. - The legislature adopted a December 15th revision to the executive budget that changed the adjusted base funding for the Gambling Control Division.

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

DP 96105 - Restore 5% Plan - Delay Gambling Invest/Inspection - The legislature restored the state special revenue reduction made in DP 95105.

DP 97101 - Non Dept.. of Admin Rent Reduction - The legislature reduced funding for selected non Department of Administration rental costs increases (included in DP 702).

### Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	155.00	155.00	151.89	151.85	155.00	151.85	(3.15)	(2.03%)
Personal Services	6,144,044	4,944,263	6,408,121	6,411,398	11,088,307	12,819,519	1,731,212	15.61%
Operating Expenses	7,197,410	11,749,000	10,431,436	10,003,181	18,946,410	20,434,617	1,488,207	7.85%
Equipment & Intangible Assets	37,269	33,149	57,269	57,269	70,418	114,538	44,120	62.65%
Transfers	0	0	0	0	0	0	0	n/a
Debt Service	523,010	2,191,700	2,373,010	2,373,010	2,714,710	4,746,020	2,031,310	74.83%
<b>Total Costs</b>	<b>\$13,901,733</b>	<b>\$18,918,112</b>	<b>\$19,269,836</b>	<b>\$18,844,858</b>	<b>\$32,819,845</b>	<b>\$38,114,694</b>	<b>\$5,294,849</b>	<b>16.13%</b>
General Fund	7,066,503	7,515,382	7,567,775	7,523,729	14,581,885	15,091,504	509,619	3.49%
State Special	6,224,978	10,774,452	10,736,890	10,706,414	16,999,430	21,443,304	4,443,874	26.14%
Other	0	0	0	0	0	0	0	n/a
Other	610,252	628,278	965,171	614,715	1,238,530	1,579,886	341,356	27.56%
<b>Total Funds</b>	<b>\$13,901,733</b>	<b>\$18,918,112</b>	<b>\$19,269,836</b>	<b>\$18,844,858</b>	<b>\$32,819,845</b>	<b>\$38,114,694</b>	<b>\$5,294,849</b>	<b>16.13%</b>

### Program Description

The Motor Vehicle Division (MVD) under provision of Title 61 and Title 23, MCA and federal statutes (such as the Commercial Motor Vehicle Safety Act of 1986, child support regulations, Anti Car Theft Act of 1992, and Odometer Disclosure Act)) is responsible for:

- o Examination and licensure of all drivers
- o Verification of identification
- o Creation and maintenance of permanent driver and motor vehicle records
- o Titling and registration of all vehicles including boats, snowmobiles, and ATVs
- o Inspection and verification of vehicle identification numbers
- o Licensure and compliance control of motor vehicle dealers and manufacturers
- o Providing motor voter registration

### Program Highlights

<b>Motor Vehicle Division Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>◆ Total funding for the division increases \$5.3 million or 16.1% between the two biennia <ul style="list-style-type: none"> <li>• State special revenue funding of information technology projects is the primary driver, increasing funding by about \$8 million between the two biennia</li> <li>• General fund support for the division increases about \$510,000 or 3.5 percent between the two biennia due to statewide present law adjustments and funding for base adjustments that are partially offset by a 4% reduction in personal services</li> </ul> </li> </ul>

### Funding

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table						
Motor Vehicle Division						
Program Funding	Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013
01000 Total General Fund	\$ 7,066,503	50.8%	\$ 7,567,775	39.3%	\$ 7,523,729	39.9%
01100 General Fund	7,066,503	50.8%	7,567,775	39.3%	7,523,729	39.9%
02000 Total State Special Funds	6,224,978	44.8%	10,736,890	55.7%	10,706,414	56.8%
02225 Mvd Inform Tech System Hb577	64,517	0.5%	141,292	0.7%	141,292	0.7%
02422 Highways Special Revenue	4,716,537	33.9%	5,212,194	27.0%	5,182,467	27.5%
02456 Insurance Verification Sb508	985,431	7.1%	3,151,686	16.4%	3,150,937	16.7%
02798 Mvd It System - Hb261	458,493	3.3%	2,231,718	11.6%	2,231,718	11.8%
06000 Total Proprietary Funds	610,252	4.4%	965,171	5.0%	614,715	3.3%
06080 Mvd/State Information Portal	7,373	0.1%	57,432	0.3%	7,426	0.0%
06083 Mvd Electronic Commerce	602,879	4.3%	907,739	4.7%	607,289	3.2%
Grand Total	<u>\$ 13,901,733</u>	<u>100.0%</u>	<u>\$ 19,269,836</u>	<u>100.0%</u>	<u>\$ 18,844,858</u>	<u>100.0%</u>

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

**Budget Summary by Category**

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	7,066,503	7,066,503	14,133,006	93.65%	13,901,733	13,901,733	27,803,466	72.95%
Statewide PL Adjustments	458,756	447,175	905,931	6.00%	803,364	782,819	1,586,183	4.16%
Other PL Adjustments	245,869	212,918	458,787	3.04%	4,768,092	4,363,173	9,131,265	23.96%
New Proposals	(203,353)	(202,867)	(406,220)	(2.69%)	(203,353)	(202,867)	(406,220)	(1.07%)
<b>Total Budget</b>	<b>\$7,567,775</b>	<b>\$7,523,729</b>	<b>\$15,091,504</b>		<b>\$19,269,836</b>	<b>\$18,844,858</b>	<b>\$38,114,694</b>	

**Present Law Adjustments**

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

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

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

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

DP 1203 - IT VIVS Online Motor Vehicle Liability Insur - The legislature provided funding for the implementation of the online Motor Vehicle Liability Insurance Verification System (VIVS). The actual cost for the maintenance of VIVS is currently unknown but is estimated to be \$0.50 per year for each light vehicle, heavy truck, bus, and motor home registered in Montana.

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

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

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

**New Proposals**

Program	FTE	-----Fiscal 2012-----				-----Fiscal 2013-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9701 - Reduce Funding for Personal Services										
12	0.00	(14,575)	0	0	(14,575)	0.00	(14,089)	0	0	(14,089)
DP 55400 - 4% Personal Services Reduction MVD										
12	(3.86)	(156,890)	0	0	(156,890)	(3.90)	(156,890)	0	0	(156,890)
DP 95106 - 5% Plan - Delay Insurance Verification Roll Out										
12	0.00	0	(64,671)	0	(64,671)	0.00	0	(64,671)	0	(64,671)
DP 95107 - 5% Plan - Reduce Driver Licensing Office and Serv										
12	0.00	(31,888)	(40,760)	0	(72,648)	0.00	(31,888)	(40,760)	0	(72,648)
DP 96106 - Restore 5% Plan - Delay Insurance Verify Roll Out										
12	0.00	0	64,671	0	64,671	0.00	0	64,671	0	64,671
DP 96107 - Restore 5% Plan - Reduce Driver Licensing Office										
12	0.00	0	40,760	0	40,760	0.00	0	40,760	0	40,760
<b>Total</b>	<b>(3.86)</b>	<b>(\$203,353)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$203,353)</b>	<b>(3.90)</b>	<b>(\$202,867)</b>	<b>\$0</b>	<b>\$0</b>	<b>(\$202,867)</b>

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

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

DP 95106 - 5% Plan - Delay Insurance Verification Roll Out - The legislature initially reduced state special revenue expenditures by delaying implementation of the insurance verification system. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The legislature reinstated these funds in DP 96106.

DP 95107 - 5% Plan - Reduce Driver Licensing Office and Serv - The legislature initially reduced funding for driver licensing services. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. The legislature restored these funds in DP 96107.

DP 96106 - Restore 5% Plan - Delay Insurance Verify Roll Out - The legislature restored the state special revenue reduction made in DP 95106.

DP 96107 - Restore 5% Plan - Reduce Driver Licensing Office - The legislature restored the state special revenue reduction made in DP 95107.

### Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	289.00	289.00	297.75	297.75	289.00	297.75	8.75	3.03%
Personal Services	20,329,636	20,489,755	23,439,401	23,452,153	40,819,391	46,891,554	6,072,163	14.88%
Operating Expenses	5,923,460	6,213,638	6,852,769	6,648,811	12,137,098	13,501,580	1,364,482	11.24%
Equipment & Intangible Assets	1,608,530	1,499,424	1,608,530	1,608,530	3,107,954	3,217,060	109,106	3.51%
<b>Total Costs</b>	<b>\$27,861,626</b>	<b>\$28,202,817</b>	<b>\$31,900,700</b>	<b>\$31,709,494</b>	<b>\$56,064,443</b>	<b>\$63,610,194</b>	<b>\$7,545,751</b>	<b>13.46%</b>
General Fund	194,236	197,402	0	0	391,638	0	(391,638)	(100.00%)
State Special	27,667,390	28,005,415	31,900,700	31,709,494	55,672,805	63,610,194	7,937,389	14.26%
<b>Total Funds</b>	<b>\$27,861,626</b>	<b>\$28,202,817</b>	<b>\$31,900,700</b>	<b>\$31,709,494</b>	<b>\$56,064,443</b>	<b>\$63,610,194</b>	<b>\$7,545,751</b>	<b>13.46%</b>

### Program Description

The Montana Highway Patrol (MHP) is responsible for patrolling the highways of Montana, enforcing traffic laws, and investigating traffic crashes. The patrol gives assistance and information to motorists and first aid to those injured in traffic crashes, transports blood and medical supplies in emergency situations, and assists other law enforcement agencies when requested. The patrol provides 24-hour-a-day, seven-day-a-week communication and radio dispatch for the Highway Patrol and other state agencies.

### Program Highlights

<b>Montana Highway Patrol Major Budget Highlights</b>	
◆	Total funding for the division increases 13.5% (\$7.5 million) between the two biennia, primarily due to statewide present law adjustments and numerous other present law adjustments, which are partially offset by decreases included in new proposals
◆	General fund support for the division is reduced to \$0 because funding for the executive protection function was shifted from the general fund to the Highway Patrol Recruitment and Retention state special revenue account

### Funding

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table Highway Patrol Division							
Program Funding	Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013	
01000 Total General Fund	\$ 194,236	0.7%	\$ -	-	\$ -	-	-
01100 General Fund	194,236	0.7%	-	-	-	-	-
02000 Total State Special Funds	27,667,390	99.3%	31,900,700	100.0%	31,709,494	100.0%	
02014 Highway Patrol Retire Clearing	4,230,233	15.2%	6,026,934	18.9%	6,028,738	19.0%	
02422 Highways Special Revenue	23,437,157	84.1%	25,873,766	81.1%	25,680,756	81.0%	
<b>Grand Total</b>	<b>\$ 27,861,626</b>	<b>100.0%</b>	<b>\$ 31,900,700</b>	<b>100.0%</b>	<b>\$ 31,709,494</b>	<b>100.0%</b>	

The legislature shifted funding for the executive protection function from the general fund to the highway patrol recruitment and retention fund. All other functions of the division are supported by state special revenue with the bulk of the costs supported by highways state special revenue. The highway patrol recruitment and retention fund supported by a \$5 vehicle registration fee may be used to support the cost of uniformed officers, equipment, and pay increases, and beginning in the 2013 biennium supports the executive protection function. Please refer to the narrative for the Department of Transportation in Section C for a discussion of the highway state special revenue fund.

### Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	194,236	194,236	388,472	0.00%	27,861,626	27,861,626	55,723,252	87.60%
Statewide PL Adjustments	275,033	275,542	550,575	0.00%	1,525,183	1,585,466	3,110,649	4.89%
Other PL Adjustments	(183,912)	(183,912)	(367,824)	0.00%	2,634,495	2,383,006	5,017,501	7.89%
New Proposals	(285,357)	(285,866)	(571,223)	0.00%	(120,604)	(120,604)	(241,208)	(0.38%)
<b>Total Budget</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>		<b>\$31,900,700</b>	<b>\$31,709,494</b>	<b>\$63,610,194</b>	

### Present Law Adjustments

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

Present Law Adjustments	-----Fiscal 2012-----				-----Fiscal 2013-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					1,089,466					1,103,718
Inflation/Deflation					141,176					186,035
Fixed Costs					294,541					295,713
<b>Total Statewide Present Law Adjustments</b>		<b>\$275,033</b>	<b>\$1,250,150</b>	<b>\$0</b>	<b>\$1,525,183</b>		<b>\$275,542</b>	<b>\$1,309,924</b>	<b>\$0</b>	<b>\$1,585,466</b>
DP 700 - Revise Adjusted Base Funding - Dec 15th Revision	0.00	(183,912)	183,912	0	0	0.00	(183,912)	183,912	0	0
DP 1301 - Troopers on the Road	8.00	0	613,665	0	613,665	8.00	0	612,374	0	612,374
DP 1302 - Executive Protection	1.00	0	103,830	0	103,830	1.00	0	103,632	0	103,632
DP 1303 - IT Smart COP	0.00	0	567,000	0	567,000	0.00	0	317,000	0	317,000
DP 1304 - MHP Base Adjustments	0.00	0	400,000	0	400,000	0.00	0	400,000	0	400,000
DP 1307 - MHP Salary Increase per Survey	0.00	0	950,000	0	950,000	0.00	0	950,000	0	950,000
<b>Total Other Present Law Adjustments</b>	<b>9.00</b>	<b>(\$183,912)</b>	<b>\$2,818,407</b>	<b>\$0</b>	<b>\$2,634,495</b>	<b>9.00</b>	<b>(\$183,912)</b>	<b>\$2,566,918</b>	<b>\$0</b>	<b>\$2,383,006</b>
<b>Grand Total All Present Law Adjustments</b>	<b>9.00</b>	<b>\$91,121</b>	<b>\$4,068,557</b>	<b>\$0</b>	<b>\$4,159,678</b>	<b>9.00</b>	<b>\$91,630</b>	<b>\$3,876,842</b>	<b>\$0</b>	<b>\$3,968,472</b>

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

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

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

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

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

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

### New Proposals

Program	Fiscal 2012					Fiscal 2013					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 9702 - Funding Shift - Executive Protection	13	0.00	(164,753)	164,753	0	0	0.00	(165,262)	165,262	0	0
DP 55400 - 4% personal services reduction MHP	13	(0.25)	(12,425)	0	0	(12,425)	(0.25)	(12,425)	0	0	(12,425)
DP 95111 - 5% Plan - Reduce Executive Protection	13	0.00	(108,179)	0	0	(108,179)	0.00	(108,179)	0	0	(108,179)
DP 95112 - 5% Plan - Reduce Uniformed Officers	13	0.00	0	(211,512)	0	(211,512)	0.00	0	(211,512)	0	(211,512)
DP 96112 - Restore 5% Plan - Reduce Uniform Officers	13	0.00	0	211,512	0	211,512	0.00	0	211,512	0	211,512
<b>Total</b>	<b>(0.25)</b>	<b>(\$285,357)</b>	<b>\$164,753</b>	<b>\$0</b>	<b>(\$120,604)</b>	<b>(0.25)</b>	<b>(\$285,866)</b>	<b>\$165,262</b>	<b>\$0</b>	<b>(\$120,604)</b>	

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

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

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

DP 95112 - 5% Plan - Reduce Uniformed Officers - The legislature initially reduced state special revenue expenditures by reducing the level of trooper coverage on highways. The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. This reduction was reinstated in DP 96112.

DP 96112 - Restore 5% Plan - Reduce Uniform Officers - The legislature restored the state special revenue reduction made in DP 95112.

### Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2010	Approp. Fiscal 2011	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 10-11	Biennium Fiscal 12-13	Biennium Change	Biennium % Change
FTE	100.00	100.00	98.75	102.75	100.00	102.75	2.75	2.75%
Personal Services	5,516,849	5,799,544	6,027,517	6,330,106	11,316,393	12,357,623	1,041,230	9.20%
Operating Expenses	3,246,841	3,508,461	3,884,088	4,071,149	6,755,302	7,955,237	1,199,935	17.76%
Equipment & Intangible Assets	170,162	351,101	270,162	270,162	521,263	540,324	19,061	3.66%
Debt Service	0	0	0	0	0	0	0	n/a
<b>Total Costs</b>	<b>\$8,933,852</b>	<b>\$9,659,106</b>	<b>\$10,181,767</b>	<b>\$10,671,417</b>	<b>\$18,592,958</b>	<b>\$20,853,184</b>	<b>\$2,260,226</b>	<b>12.16%</b>
General Fund	5,339,655	5,426,411	5,644,472	6,133,196	10,766,066	11,777,668	1,011,602	9.40%
State Special	2,773,107	3,048,258	3,671,052	3,670,269	5,821,365	7,341,321	1,519,956	26.11%
Federal Special	821,090	1,184,437	866,243	867,952	2,005,527	1,734,195	(271,332)	(13.53%)
<b>Total Funds</b>	<b>\$8,933,852</b>	<b>\$9,659,106</b>	<b>\$10,181,767</b>	<b>\$10,671,417</b>	<b>\$18,592,958</b>	<b>\$20,853,184</b>	<b>\$2,260,226</b>	<b>12.16%</b>

### Program Description

The Division of Criminal Investigation (DCI) includes the administration, management, and coordination of criminal investigative services and training performed by the Investigations Bureau, the Narcotics Bureau, the Investigative Support Bureau, and the Law Enforcement Academy Bureau.

The Investigations Bureau consists of four sections:

- o The Fire Prevention and Investigation Section is responsible for safeguarding life and property from fire, explosion, and arson through investigation, inspection, and fire code interpretation and enforcement functions
- o The Special Investigations Unit investigates crimes involving the use of computers, maintains the Sexual and Violent Offender Registry, and provides advanced training opportunities for law enforcement officials statewide
- o The Major Case Section provides criminal investigative assistance to city, county, state, and federal law enforcement agencies
- o The Medicaid Fraud Control Section is responsible for investigating any crime that occurs in a health care facility, including theft, drug diversion, sexual assault, and homicide. The section also investigates elder exploitation, elder abuse, and fraud by providers within the Medicaid system.

The Narcotics Bureau investigates dangerous drug violations and provides investigative assistance to city, county, state, and federal law enforcement agencies as requested. The bureau also investigates organized criminal activity.

The Investigative Support Bureau is responsible for establishing a statewide intelligence center, performing criminal records checks, operating the Criminal Justice Information Network, and addressing homeland security issues.

The Law Enforcement Academy Bureau provides criminal justice officers and other qualified individuals with basic and specialized training in the field of law enforcement.

## Program Highlights

<b>Division of Criminal Investigation Major Budget Highlights</b>	
◆	Total funding for the division increases 12.2% (\$2.3 million) between the two biennia <ul style="list-style-type: none"> <li>• General fund increases 9.4% (\$1.0 million) primarily due to statewide present law adjustment increases and partial funding of two elected official requests that are partially offset by a 4% reduction in personal services</li> <li>• State special revenue increases 26.1% (\$1.5 million) primarily due to requests for increased funding for criminal justice information systems</li> </ul>

## Program Narrative

The legislature provided funding to support a portion of two proposals submitted by the Attorney General, the Prescription Drug Division Unit and Child Sexual Predator Unit. General fund support was provided for FY 2013 to continue program activities currently funded with federal grant funds. Included in the funding for the two programs was support for 4.00 FTE investigators and contracted legal services.

## Funding

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table Div. Of Criminal Investigation						
Program Funding	Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013
01000 Total General Fund	\$ 5,339,655	59.8%	\$ 5,644,472	55.4%	\$ 6,133,196	57.5%
01100 General Fund	5,339,655	59.8%	5,644,472	55.4%	6,133,196	57.5%
02000 Total State Special Funds	2,773,107	31.0%	3,671,052	36.1%	3,670,269	34.4%
02016 Criminal Justice Info Network	385,656	4.3%	596,674	5.9%	596,850	5.6%
02546 Mtlaw Enforc. Acad. Surcharge	1,411,433	15.8%	1,496,383	14.7%	1,498,394	14.0%
02797 Cjis - Background Checks	733,393	8.2%	1,320,524	13.0%	1,317,330	12.3%
02937 Justice State Special Misc	242,625	2.7%	257,471	2.5%	257,695	2.4%
03000 Total Federal Special Funds	821,090	9.2%	866,243	8.5%	867,952	8.1%
03051 Homeland Security	117,447	1.3%	133,264	1.3%	133,358	1.2%
03187 Bcc Grants To Dept. Of Justice	221,342	2.5%	234,421	2.3%	234,656	2.2%
03800 Medicaid Fraud	482,301	5.4%	498,558	4.9%	499,938	4.7%
Grand Total	<u>\$ 8,933,852</u>	<u>100.0%</u>	<u>\$ 10,181,767</u>	<u>100.0%</u>	<u>\$ 10,671,417</u>	<u>100.0%</u>

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

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

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

### Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget	Budget Fiscal 2012	Budget Fiscal 2013	Biennium Fiscal 12-13	Percent of Budget
Base Budget	5,339,655	5,339,655	10,679,310	90.67%	8,933,852	8,933,852	17,867,704	85.68%
Statewide PL Adjustments	439,469	444,105	883,574	7.50%	698,051	707,144	1,405,195	6.74%
Other PL Adjustments	51,697	61,898	113,595	0.96%	739,213	745,883	1,485,096	7.12%
New Proposals	(186,349)	287,538	101,189	0.86%	(189,349)	284,538	95,189	0.46%
<b>Total Budget</b>	<b>\$5,644,472</b>	<b>\$6,133,196</b>	<b>\$11,777,668</b>		<b>\$10,181,767</b>	<b>\$10,671,417</b>	<b>\$20,853,184</b>	

### Present Law Adjustments

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

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

DP 1803 - DCI Base Adjustments - The legislature provided funding for overtime for criminal investigators and rent increases for division offices located throughout the state. Non Department of Administration rent increases included in this DP were reduced in DP 97101.

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

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

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

### New Proposals

Program	FTE	Fiscal 2012				Fiscal 2013				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1801 - Prescription Drug Diversion Unit	18	0.00	0	0	0	3.00	297,298	0	0	297,298
DP 1802 - Child Sexual Predator Unit	18	0.00	0	0	0	1.00	97,459	0	0	97,459
DP 9701 - Reduce Funding for Personal Services	18	0.00	(15,046)	0	0	0.00	(14,544)	0	0	(14,544)
DP 9704 - DCI Child Sexual Predator/Rx Drug Divers. Legal Sv	18	0.00	0	0	0	0.00	100,000	0	0	100,000
DP 9706 - MLEA general funded position from Corrections	18	0.00	50,934	0	0	0.00	50,934	0	0	50,934
DP 55400 - 4% Personal Services Reduction DCI	18	(2.25)	(161,956)	0	0	(2.25)	(161,956)	0	0	(161,956)
DP 95108 - 5% Plan - CRISS Program Reduction	18	0.00	0	(37,000)	0	0.00	0	(37,000)	0	(37,000)
DP 95109 - 5% Plan - MLEA Program Reduction	18	0.00	0	(70,000)	0	0.00	0	(70,000)	0	(70,000)
DP 95110 - 5% Plan - MCSART Program Reduction	18	0.00	(96,056)	0	0	0.00	(96,056)	0	0	(96,056)
DP 96108 - Restore 5% Plan - CRISS Program Reduction	18	0.00	0	37,000	0	0.00	0	37,000	0	37,000
DP 96109 - Restore 5% Plan - MLEA Program Reduction	18	0.00	0	70,000	0	0.00	0	70,000	0	70,000
DP 96110 - Restore 5% Plan - MCSART Program Reduction	18	0.00	96,056	0	0	0.00	96,056	0	0	96,056
DP 97100 - Reduction in Worker's Compensation Costs	18	0.00	(38,584)	0	0	0.00	(38,422)	0	0	(38,422)
DP 97101 - Non Dept. of Admin Rent Reduction	18	0.00	(21,697)	(3,000)	0	0.00	(43,231)	(3,000)	0	(46,231)
<b>Total</b>	<b>(2.25)</b>	<b>(\$186,349)</b>	<b>(\$3,000)</b>	<b>\$0</b>	<b>(\$189,349)</b>	<b>1.75</b>	<b>\$287,538</b>	<b>(\$3,000)</b>	<b>\$0</b>	<b>\$284,538</b>

DP 1801 - Prescription Drug Diversion Unit - The legislature provided general fund for FY 2013 to shift funding for the Prescription Drug Diversion Unit from a federally funded grant to the general fund. The legislature provided funding to support 3.00 FTE investigators and related costs. Additionally, funding for contract legal services to assist this unit was provided in DP 9704. Non Department of Administration rent increases included in this DP were reduced in DP 97101.

DP 1802 - Child Sexual Predator Unit - The legislature provided general fund for FY 2013 to shift the Child Sexual Predator Program from a federally funded grant program to the general fund. The legislature provided funding to support 1.00 FTE investigator and related costs. Additionally, funding for contract legal services to assist this unit was provided in DP 9704.

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

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

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

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

DP 95108 - 5% Plan - CRISS Program Reduction - The legislature initially reduced state special revenue support for the Criminal Records Information Services Section (CRISS). The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. These funds were restored in DP 96108.

DP 95109 - 5% Plan - MLEA Program Reduction - The legislature initially reduced state special revenue expended to support the Montana Law Enforcement Academy (MLEA). The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. These funds were restored in DP 96109.

DP 95110 - 5% Plan - MCSART Program Reduction - The legislature initially reduced funding for the Montana Child Sexual Abuse Response Team (MCSART). The agency included this reduction in the statutorily required plan to reduce base expenditures of general fund and certain state special revenue funds by 5%. These funds were restored in DP 96110.

DP 96108 - Restore 5% Plan - CRISS Program Reduction - The legislature restored the state special revenue reduction made in DP 95108.

DP 96109 - Restore 5% Plan - MLEA Program Reduction - The legislature restored the state special revenue reduction made in DP 95109.

DP 96110 - Restore 5% Plan - MCSART Program Reduction - The legislature restored the reduction made in DP 95110.

DP 97100 - Reduction in Worker's Compensation Costs - The legislature reduced general fund support for worker's compensation costs based upon the anticipated impact of HB 334. The agency may allocate this reduction in funding among programs.

DP 97101 - Non Dept. of Admin Rent Reduction - The legislature reduced funding for selected non Department of Administration rental costs that had been included in DP 1803 (\$21,697 in FY 2012 and \$31,898 in FY 2013) and DP 1806 (\$3,000 per year).

#### **Language and Statutory Authority**

The legislature included the following language in HB 2.

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

### Program Budget Comparison

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

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

### Program Description

The Central Services Division (CSD) provides accounting; asset management; budgeting; fiscal management; human resources; internal controls; payroll and benefits; purchasing; training; and assistance with the implementation of policies, rules, and regulations for the Department of Justice. The program also administers payments to counties for a portion of the cost of the county attorney.

### Program Highlights

<b>Centralized Service Division Major Budget Highlights</b>	
◆	Total funding for this division increases about \$177,000 or 6.8% between the two biennia due to statewide present law adjustments
◆	General fund support for the division increases about \$17,000 or 1.6% between the two biennia due to increases in statewide present law adjustments that are partially offset by a reduction in personal services of 4%

### Funding

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table						
Central Services Division						
Program Funding	Base	% of Base	Budget	% of Budget	Budget	% of Budget
	FY 2010	FY 2010	FY 2012	FY 2012	FY 2013	FY 2013
01000 Total General Fund	\$ 492,526	38.2%	\$ 535,872	37.3%	\$ 508,037	37.2%
01100 General Fund	492,526	38.2%	535,872	37.3%	508,037	37.2%
02000 Total State Special Funds	724,976	56.2%	819,631	57.0%	778,568	57.1%
02016 Criminal Justice Info Network	270	0.0%	305	0.0%	289	0.0%
02074 Gambling License Fee Account	56,368	4.4%	63,733	4.4%	60,539	4.4%
02140 Consumer Education Settlement	14,546	1.1%	16,446	1.1%	15,622	1.1%
02422 Highways Special Revenue	615,172	47.7%	695,481	48.4%	660,640	48.4%
02546 Mtlaw Enforc. Acad. Surcharge	15,152	1.2%	17,132	1.2%	16,273	1.2%
02797 Cjis - Background Checks	23,468	1.8%	26,534	1.8%	25,205	1.8%
06000 Total Proprietary Funds	72,017	5.6%	81,428	5.7%	77,348	5.7%
06005 Liquor Division	58,000	4.5%	65,578	4.6%	62,293	4.6%
06500 Agency Legal Services	14,017	1.1%	15,850	1.1%	15,055	1.1%
Grand Total	\$ 1,289,519	100.0%	\$ 1,436,931	100.0%	\$ 1,363,953	100.0%

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

### Budget Summary by Category

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

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

### Present Law Adjustments

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

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

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

**New Proposals**

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

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

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

**Program Budget Comparison**

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

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

**Program Description**

The Justice Information Technology Services Division (JITSD) provides a full range of information technology and criminal justice services for the department, including:

- o System development and maintenance for all systems and platforms within the department (MERLIN, Criminal History Record Information System and the Montana Uniform Crime Reporting System)
- o Support for the department's internal computers and systems
- o Support for the Criminal Justice Information Network (CJIN), Montana Highway Patrol Integrated Public Safety System, End of Life Registry, Hope Card, Concealed Weapons, and Amber Alert and Integrated Justice Information System (IJIS) broker

**Program Highlights**

<b>Information Technology Services Division Major Budget Highlights</b>
<p>◆ Funding for the division increases 4.0% (\$279,000) between the two biennia, primarily due to an increase in general fund support for statewide present law adjustments that are partially offset by a 4% reduction in personal services</p>

**Funding**

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table							
Information Technology Service							
Program Funding		Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013
01000	Total General Fund	\$ 3,279,451	96.0%	\$ 3,492,298	95.9%	\$ 3,489,288	95.9%
	01100 General Fund	3,279,451	96.0%	3,492,298	95.9%	3,489,288	95.9%
02000	Total State Special Funds	120,929	3.5%	133,730	3.7%	133,620	3.7%
	02016 Criminal Justice Info Network	3,407	0.1%	3,766	0.1%	3,763	0.1%
	02074 Gambling License Fee Account	56,107	1.6%	62,047	1.7%	61,996	1.7%
	02422 Highways Special Revenue	58,345	1.7%	64,521	1.8%	64,468	1.8%
	02937 Justice State Special Misc	3,070	0.1%	3,396	0.1%	3,393	0.1%
03000	Total Federal Special Funds	2,268	0.1%	2,505	0.1%	2,502	0.1%
	03800 Medicaid Fraud	2,268	0.1%	2,505	0.1%	2,502	0.1%
06000	Total Proprietary Funds	13,404	0.4%	14,824	0.4%	14,811	0.4%
	06005 Liquor Division	6,843	0.2%	7,567	0.2%	7,560	0.2%
	06500 Agency Legal Services	6,561	0.2%	7,257	0.2%	7,251	0.2%
Grand	Total	\$ 3,416,052	100.0%	\$ 3,643,357	100.0%	\$ 3,640,221	100.0%

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

**Budget Summary by Category**

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

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

**Present Law Adjustments**

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

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

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

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

**New Proposals**

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

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

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

### Program Budget Comparison

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

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

### Program Description

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

### Program Highlights

Forensic Science Division Major Budget Highlights	
◆	Funding for the division increases 4.0% (\$304,000) between the two biennia due an increase in general fund support <ul style="list-style-type: none"> <li>• General fund increases due to statewide present law adjustments and a request for equipment replacement that are partially offset by a 4% reduction in personal services</li> </ul>

### Funding

The following table shows program funding, by source, for the base year and for the 2013 biennium as adopted by the legislature.

Program Funding Table Forensic Science Division							
Program Funding	Base FY 2010	% of Base FY 2010	Budget FY 2012	% of Budget FY 2012	Budget FY 2013	% of Budget FY 2013	
01000 Total General Fund	\$ 3,424,368	91.8%	\$ 3,578,666	91.6%	\$ 3,596,649	91.6%	
01100 General Fund	3,424,368	91.8%	3,578,666	91.6%	3,596,649	91.6%	
02000 Total State Special Funds	307,742	8.2%	326,068	8.4%	327,687	8.4%	
02034 Earmarked Alcohol Funds	307,742	8.2%	-	-	-	-	
02349 Highway Non-Restricted Account	-	-	326,068	8.4%	327,687	8.4%	
<b>Grand Total</b>	<b>\$ 3,732,110</b>	<b>100.0%</b>	<b>\$ 3,904,734</b>	<b>100.0%</b>	<b>\$ 3,924,336</b>	<b>100.0%</b>	

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

### Budget Summary by Category

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

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

### Present Law Adjustments

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

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

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

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

**New Proposals**

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

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

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

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