

Agency Legislative Budget								
Budget Item	Base Budget Fiscal 2002	PL Base Adjustment Fiscal 2004	New Proposals Fiscal 2004	Total Leg. Budget Fiscal 2004	PL Base Adjustment Fiscal 2005	New Proposals Fiscal 2005	Total Leg. Budget Fiscal 2005	Total Leg. Budget Fiscal 04-05
FTE	357.43	0.00	17.25	374.68	0.00	17.25	374.68	374.68
Personal Services	8,364,385	11,877,687	1,328,077	21,570,149	11,851,000	841,276	21,056,661	42,626,810
Operating Expenses	1,744,876	8,198,089	763,158	10,706,123	8,190,404	759,667	10,694,947	21,401,070
Equipment	329,311	0	0	329,311	0	0	329,311	658,622
Grants	0	0	480,849	480,849	0	480,849	480,849	961,698
Total Costs	\$10,438,572	\$20,075,776	\$2,572,084	\$33,086,432	\$20,041,404	\$2,081,792	\$32,561,768	\$65,648,200
General Fund	9,354,970	19,956,290	(86,707)	29,224,553	19,919,588	157,434	29,431,992	58,656,545
State/Other Special	710,015	175,997	2,770,202	3,656,214	178,761	2,031,839	2,920,615	6,576,829
Federal Special	373,587	(56,511)	(111,411)	205,665	(56,945)	(107,481)	209,161	414,826
Total Funds	\$10,438,572	\$20,075,776	\$2,572,084	\$33,086,432	\$20,041,404	\$2,081,792	\$32,561,768	\$65,648,200

Agency Description

The Judicial Branch is authorized by Article III, Section I, and Article VII of the Montana Constitution. The Supreme Court, consisting of a Chief Justice and six justices, has appellate jurisdiction for the state. The court also has original jurisdiction to issue, hear, and determine writs as provided by law, and has general supervisory control over all courts in the state. The Supreme Court establishes rules governing appellate procedure, other court practices and procedures, admission to the bar, and conduct of its members. SB 176, approved by the 57th Legislature, mandated state funding of Montana district courts with general fund revenue beginning July 1, 2002. The bill made district courts part of the Judicial Branch of state government.

Summary of Legislative Action

Judiciary Major Budget Highlights
<ul style="list-style-type: none"> ○ General fund increases over \$39.9 million over fiscal 2002 expenditures, primarily due to state district court assumption ○ District court assumption budget is established as a \$37.3 million biennial appropriation, including 245.18 FTE ○ A language appropriation of up to \$1.8 million general fund from 2003 biennium general fund reversions is provided to supplement district court expenses ○ Other general fund increases are for three roving law clerks (\$329,500), 2.25 court administration FTE (\$185,800), and the HB 13 pay plan ○ Budget balancing reductions include removing funding for the Citizen’s Review Board including 4.00 FTE (\$300,000 general fund savings), and increased branch vacancy savings (\$511,000 general fund savings) ○ The legislature increased state special revenue by: <ul style="list-style-type: none"> ?? \$3.6 million for court information technology due to the passage of HB 18 that continues and increases the information technology surcharge ?? \$769,500 for payment of assumed vacation and sick leave for county employees transferred to the state under district court assumption, and

?? \$300,000 for juvenile probation community services programs

- o The legislative budget includes the addition of 16.00 non-general funded FTE, 14.00 of which will be funded with state special revenue from the information technology surcharge, and the remaining 2.00 with federal special revenue

The total budget for the Judiciary includes \$40.1 million in present law adjustments and \$4.7 million in new proposals for a net increase over the fiscal 2002 base of nearly \$44.8 million (\$39.9 million general fund). About \$37.3 million of the present law increases adopted by the legislature are attributed to state assumption of district court costs implemented on July 1, 2002. Due to the delayed implementation date, the fiscal 2002 base contains no district court expenditures so a full biennium cost was added to the 2005 biennium budget. The remaining present law increases are for: 1) fixed costs and inflation; 2) annualization of the pay plan including statutory increases for judges salaries; 3) annualized operating costs for new judges added by the 2001 legislature; 4) rent for new office space at the federal building; 5) pay increases to bring 25 employees to the minimum pay level for their grade under the Judicial Branch pay plan; and 6) legal assistance to indigent victims of domestic abuse.

Over \$3.6 million of the new proposals are attributed to state special revenue provided by the legislature for court information technology (including 14.00 FTE) due to the passage of HB 18 that continues and increases the information technology surcharge on court filings. Additional state special revenue of almost \$800,000 is added in the District Court Operations Program for assumed leave liability for county employees who became state employees under district court assumption and for youth court community programs. New proposals include \$137,000 of federal funds for 2.00 FTE to manage federal grants and support the court assessment program. The legislature increased general fund through new proposals by \$515,300 for 3.00 FTE roving law clerks and 2.25 FTE court administrative staff. General fund savings adopted by the legislature include a statewide personal services reduction (about \$511,000 over the biennium) and elimination of the Citizen's Review Board (\$300,000 over the biennium). Funding of about \$475,800 was provided by the legislature for the HB 13 pay plan. In addition, a language appropriation of up to \$1.8 million general fund from 2003 biennium general fund reversions is provided to fund unanticipated district court expenses.

Agency Discussion

District Court Assumption

Under SB 176 (2001 regular session), the district courts, with the primary exception of the clerks of court, public defenders, and the provision of office space, became a state-funded function. Beginning in fiscal 2003, the state Judiciary assumed responsibility for oversight and administration of the 22 courts, including approximately 245 additional FTE. Functions that had been supported by the counties that are now state expenses include:

- o Salaries and benefits for staff of district court judges (except clerks and public defenders), law clerks, court reporters, supreme court marshals, juvenile probation officers, youth division office staff, and youth court assessment officers
- o Juror and witness fees before a grand jury
- o All expenses associated with civil jury trials
- o Court sanctioned education program on effects of dissolution of marriage on children
- o All other costs associated with operations and maintenance of district courts including contract costs for court reporters
- o Youth court and youth division offices, and employee training
- o Involuntary commitment proceedings

In addition, the state expenses include full financial support for certain costs that had been funded in whole or in part with state appropriations. These include:

- Total costs of transcripts, witness fees and expenses, jury fees and expenses, psychiatric examination fees, and indigent defense in criminal cases only (beginning July 1, 2003 prior to this date the state paid to extent that funds were available)
- County attorney costs if related to escape or disturbance at Montana State Prison
- Transcript fees, witness fees, and psychiatric examination fees in federal habeas corpus cases that challenge validity of a conviction or sentence
- Habeas corpus post conviction proceedings and appeals
- Transcript fees, witness fees, medical and psychological evaluation fees of a youth or guardian, guardian ad litem or child advocate for youth, and court ordered alternative dispute resolution costs in youth investigations, youth legal custody, or termination of parental rights proceedings
- The appellate defender program
- Salaries, benefits, travel and training of district court judges

Implementation of state district court assumption was accomplished through the efforts of the District Court Council, provided in SB 176 (2001 regular session), along with Judiciary staff. Due to delayed implementation (July 1, 2002), the fiscal 2002 base contains no district court assumption expenditures, and a full biennium cost is added to the 2005 biennium budget. Funding for the 2003 biennium was provided through HB 2 and HB 124. HB 2 provided an \$800,500 biennial appropriation to fund the addition of 8.50 FTE to administer state assumption of district courts. An appropriation was made in HB 124 for the remaining state district court costs of up to \$25.0 million. The fiscal 2003 appropriation was set at \$18.4 million based on 2001 county expenditures for district courts, plus a growth adjustment.

The 2003 legislature was concerned with significant costs in the following expenditure categories: court reporters, jury services, witness services, psychiatric examinations, indigent defense, court appointed special advocate (CASA)/guardian ad litem (GALs), youth court/juvenile probation, and youth in need of care. These costs are difficult to predict due to the lack of historical data and their variability. Counties were required to pay the Judiciary for costs that exceeded the fiscal 2003 appropriation. However, the state is fully responsible for the total costs in the 2005 biennium. Consequently, a subcommittee of Senate Finance and Claims and Senate Judiciary was established to sort out court assumption costs and responsibilities. Major actions of the subcommittee and adopted by the legislature through SB 490 include:

1. Clarifying when district court expenses must be paid directly by the state or paid by the counties and reimbursed by the state
2. Requiring the Judiciary to pay costs of jury supplies and meals not previously paid by the state (about \$23,200 over the biennium)
3. Applying retroactive county responsibility for accumulated sick and vacation leave for county employees who became state employees upon state assumption of district court expenses (about \$769,600 over the biennium)
4. Creating a state special revenue account for deposits of county payments and use by the Supreme Court for costs of the assumed leave liability

Legislation creating a statewide public defender system (SB 218) was also referred to this subcommittee. The subcommittee revised SB 218 to create a combined statewide criminal trial and appellate public defender system under the Department of Administration (DOA). This legislation did not pass.

The legislature appropriated 2005 biennium funding for district court expenses at the Executive Budget level - \$37.3 million. This is about \$250,000 per year more than the fiscal 2003 appropriation, and is established as a biennial appropriation. Due to uncertainties related to district court expenses, the legislature provided an additional appropriation in HB 2 language of up to \$1.8 million general fund from 2003 biennium general fund reversions. Reversions are estimated at about \$645,900 based on fiscal 2002 actual reversions plus fiscal 2003 spending reductions. If variable costs exceed the appropriation, the Judiciary will have to either reduce other operations or seek a supplemental appropriation.

Funding

The following table summarizes funding for the agency, by program and source, as adopted by the legislature.

Total Agency Funding 2005 Biennium Executive Budget					
Agency Program	General Fund	State Spec.	Fed Spec.	Grand Total	Total %
Supreme Court Operations	\$ 5,856,956	\$ 3,991,386	\$ 414,826	\$ 10,263,168	15.6%
Boards And Commissions	522,550	50,000	-	572,550	0.9%
Law Library	1,556,674	-	-	1,556,674	2.4%
District Court Operations	49,967,010	1,069,557	-	51,036,567	77.7%
Water Courts Supervision	-	1,465,886	-	1,465,886	2.2%
Clerk Of Court	<u>753,355</u>	<u>-</u>	<u>-</u>	<u>753,355</u>	<u>1.1%</u>
Grand Total	<u>\$ 58,656,545</u>	<u>\$ 6,576,829</u>	<u>\$ 414,826</u>	<u>\$ 65,648,200</u>	<u>100.0%</u>

Other Legislation

House Bill 18 - This bill continues and increases the user surcharge for court information technology from \$5.00 to \$10.00. The surcharge is applied to case filings in courts of original jurisdiction through the 2005 biennium. Revenue is anticipated to be over \$1.8 million per year and is appropriated in HB 2 to the Supreme Court to fund information technology in Montana courts.

House Bill 489 - This bill requires the state to pay for all district court expenses associated with civil jury trials. District court expenses related to civil jury trials include jury fees, mileage, meals, and postage and are estimated to be \$149,400 per year in the 2005 biennium. The legislature did not increase the court's HB 2 funding for these expenses.

Senate Bill 35 - This bill clarifies the treatment of the developmentally disabled in determining if a defendant is fit to proceed and is convicted of a crime. The Judicial Branch is responsible for the costs of evaluating defendants with mental illnesses and developmental disabilities for fitness to proceed. Costs include keeping the defendant in the appropriate institution and travel to and from the institution. DPHHS makes the payment from their general fund appropriation and the district court reimburses the state general fund for the cost of evaluation commitments estimated at \$25,645 in the 2005 biennium. The legislature did not increase the court's HB 2 funding for this expense.

Senate Bill 490 - This bill clarifies responsibility for district court costs without substantively changing current law. It requires the Judicial Branch to incur expenses for jury supplies and meals that were not previously a state expense under court assumption. In addition, it applies retroactive county responsibility for accumulated sick and vacation leave for county employees who became state employees upon state assumption of district court expenses, and creates a special revenue account for deposits of such payments and use by the Supreme Court for costs of the assumed leave liability. The fiscal impacts include increased general fund expenses of \$23,211 for jury supplies and meals and state special revenue expenses of \$420,416 for anticipated leave liability payouts for transferred county employees during the 2005 biennium. The legislature did not provide funding for the additional jury supply and meal costs but did appropriate \$769,557 state special revenue for the assumed leave liability.

Agency Budget Comparison								
Budget Item	Base Budget Fiscal 2002	Executive Budget Fiscal 2004	Legislative Budget Fiscal 2004	Leg – Exec. Difference Fiscal 2004	Executive Budget Fiscal 2005	Legislative Budget Fiscal 2005	Leg – Exec. Difference Fiscal 2005	Biennium Difference Fiscal 04-05
FTE	357.43	373.43	374.68	1.25	373.43	374.68	1.25	
Personal Services	8,364,385	20,898,713	21,570,149	671,436	20,875,079	21,056,661	181,582	853,018
Operating Expenses	1,744,876	10,163,567	10,706,123	542,556	11,021,990	10,694,947	(327,043)	215,513
Equipment	329,311	329,311	329,311	0	329,311	329,311	0	0
Grants	0	480,849	480,849	0	480,849	480,849	0	0
Total Costs	\$10,438,572	\$31,872,440	\$33,086,432	\$1,213,992	\$32,707,229	\$32,561,768	(\$145,461)	\$1,068,531
General Fund	9,354,970	28,838,402	29,224,553	386,151	29,697,416	29,431,992	(265,424)	120,727
State/Other Special	710,015	2,643,354	3,656,214	1,012,860	2,619,795	2,920,615	300,820	1,313,680
Federal Special	373,587	390,684	205,665	(185,019)	390,018	209,161	(180,857)	(365,876)
Total Funds	\$10,438,572	\$31,872,440	\$33,086,432	\$1,213,992	\$32,707,229	\$32,561,768	(\$145,461)	\$1,068,531

Executive Budget Comparison

The legislature adopted a general fund budget that is \$121,000 over the Executive Budget. Adjustments to general fund include:

- o Adding \$329,500 over the biennium to fund 3.00 FTE law clerks that were funded on a one-time-only basis by the 2001 Legislature
- o Adding \$185,800 over the biennium to fund 2.25 FTE administrative staff; one of the FTE is a new accounting technician to process district court payments to the counties and 1.25 FTE are currently filled positions whose statutory authority was eliminated with the passage of SB 176 (2001 session)
- o Adding \$416,300 to fund the HB 13 pay plan
- o Eliminating the Citizen's Review Board for a \$300,000 decrease over the biennium
- o Applying a statewide personal services reduction for a \$511,000 savings over the biennium

State special revenue is \$1.3 million above the amount recommended by the executive primarily due to funding added for payment of accumulated vacation and sick leave for county employees who became state employees under district court assumption, for youth court community programs, and to fund the HB 13 pay plan. Federal special revenue authority was decreased by \$372,300 due to elimination of the Citizen's Review Board. About \$6,400 federal special revenue was added to fund the HB 13 pay plan.

Language was added requesting the branch to report to the 2005 legislature on status and progress of implementing the branch information technology strategic plan. Also added was contingency language regarding HB 18 (which increases the court technology surcharge for branch information technology needs) to remove \$35,500 per year general fund for computers that is in the 2002 base. In addition, a language appropriation of up to \$1.8 million general fund from 2003 biennium general fund reversions is provided to fund district court expenses.

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2002	PL Base Adjustment Fiscal 2004	New Proposals Fiscal 2004	Total Leg. Budget Fiscal 2004	PL Base Adjustment Fiscal 2005	New Proposals Fiscal 2005	Total Leg. Budget Fiscal 2005	Total Leg. Budget Fiscal 04-05
FTE	34.75	0.00	17.25	52.00	0.00	17.25	52.00	52.00
Personal Services	2,419,693	(52,538)	493,746	2,860,901	(56,837)	555,921	2,918,777	5,779,678
Operating Expenses	950,362	204,279	613,158	1,767,799	193,964	609,667	1,753,993	3,521,792
Equipment	0	0	0	0	0	0	0	0
Grants	0	0	480,849	480,849	0	480,849	480,849	961,698
Total Costs	\$3,370,055	\$151,741	\$1,587,753	\$5,109,549	\$137,127	\$1,646,437	\$5,153,619	\$10,263,168
General Fund	2,941,468	113,252	(135,673)	2,919,047	99,072	(102,631)	2,937,909	5,856,956
State/Other Special	55,000	95,000	1,834,837	1,984,837	95,000	1,856,549	2,006,549	3,991,386
Federal Special	373,587	(56,511)	(111,411)	205,665	(56,945)	(107,481)	209,161	414,826
Total Funds	\$3,370,055	\$151,741	\$1,587,753	\$5,109,549	\$137,127	\$1,646,437	\$5,153,619	\$10,263,168

Program Description

The Supreme Court has appellate jurisdiction for the State of Montana. It has original jurisdiction to issue, hear, and determine writs of habeas corpus and other such writs as may be provided by law. It also has general supervisory control over all other courts in the state. The Supreme Court is charged with establishing rules governing appellate procedure, the practice and procedure for all other courts, admission to the bar, and the conduct of its members. The Supreme Court consists of a Chief Justice and six justices. SB 176, approved by the 57th Legislature, mandated state funding of Montana District Courts with general fund revenue. The change to state funding made District Courts part of the Judicial Branch of state government and made the Supreme Court responsible for the management of District Court costs and operations. The Supreme Court also administers the federal court assessment program and the court-appointed special advocate program.

Program Narrative

Judiciary Supreme Court Operations Major Budget Highlights
<ul style="list-style-type: none"> ○ Total funding increases nearly \$3.5 million over fiscal 2002 expenditures ○ Over \$3.6 million is added to the base for branch information technology (including 14.0 FTE) due to HB 18 ○ General fund is added for 5.25 FTE, pay increases for 2.00 FTE, and to fund the HB 13 pay plan ○ Budget balancing reductions to general fund of \$811,000 are attributed to a statewide personal services reduction and elimination of the Citizen’s Review Board ○ 2.0 federally funded FTE are provided, including a federal grant manager and court assessment program coordinator ○ Federal funds decrease due to elimination of the Citizen’s Review Board

Funding

The following table shows program funding, by source, for the base year and the 2005 biennium.

Program Funding	Base	% of Base	Budget	% of Budget	Budget	% of Budget
	Fiscal 2002	Fiscal 2002	Fiscal 2004	Fiscal 2004	Fiscal 2005	Fiscal 2005
01100 General Fund	\$ 2,941,468	87.3%	\$ 2,919,047	57.1%	\$ 2,937,909	57.0%
02342 Court Automation Surcharge	-	-	1,834,837	35.9%	1,856,549	36.0%
02536 Legal Assistance	55,000	1.6%	150,000	2.9%	150,000	2.9%
03230 Fed Grant-Pass-Thru-Jud	170,290	5.1%	205,665	4.0%	209,161	4.1%
03352 Child Sup-Missoula Project-Fs	<u>203,297</u>	<u>6.0%</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Grand Total	\$ 3,370,055	100.0%	\$ 5,109,549	100.0%	\$ 5,153,619	100.0%

This program is funded with a combination of general fund, state special revenue funds, and federal special revenue funds. General fund supports Supreme Court operations, and legislative audits, and provides matching funds for the federal court assessment program and the court-appointed special advocate program.

State special revenue comes primarily from a user surcharge of \$10 on court filings and totals over \$1.8 million per year. This program also receives \$9 of the filing fee for divorce cases, generating approximately \$95,000 per year to pay for legal defense of indigent victims of domestic violence. Federal grant funds support a grant manager, the court assessment program, and the court-appointed special advocate program.

Present Law Adjustments	-----Fiscal 2004-----					-----Fiscal 2005-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					(60,241)					(64,540)
Inflation/Deflation					3,022					3,361
Fixed Costs					106,257					95,603
Total Statewide Present Law Adjustments					\$49,038					\$34,424
DP 1001 - Pay Plan Implementation										
	0.00	7,703	0	0	7,703	0.00	7,703	0	0	7,703
DP 1003 - Legal Assistance for Domestic Violence Victims										
	0.00	0	95,000	0	95,000	0.00	0	95,000	0	95,000
Total Other Present Law Adjustments	0.00	\$7,703	\$95,000	\$0	\$102,703	0.00	\$7,703	\$95,000	\$0	\$102,703
Grand Total All Present Law Adjustments					\$151,741					\$137,127

Present Law Adjustments

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

DP 1001 - Pay Plan Implementation - The legislature approved \$7,703 per year general fund to move the pay of two employees within the program to the minimum pay rate for their assigned grade, based on the Judicial Branch pay plan.

DP 1003 - Legal Assistance for Domestic Violence Victims - The legislature provided a state special revenue appropriation of \$95,000 per year for funds distributed from the marriage dissolution fee at the level of estimated revenues collected. The 1999 legislature established this fee to provide legal assistance to indigent victims of domestic abuse.

New Proposals Program	-----Fiscal 2004-----					-----Fiscal 2005-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 655 - Personal Services Reduction 01	0.00	(255,458)	0	0	(255,458)	0.00	(255,458)	0	0	(255,458)
DP 1002 - Law Clerks for Supreme Court Justices 01	3.00	165,048	0	0	165,048	3.00	164,511	0	0	164,511
DP 1101 - Grant Manager 01	1.00	0	0	43,618	43,618	1.00	0	0	43,473	43,473
DP 1102 - Court Administration FTE 01	2.25	92,978	0	0	92,978	2.25	92,812	0	0	92,812
DP 1103 - Court Assessment Program 01	1.00	0	0	29,990	29,990	1.00	0	0	29,903	29,903
DP 6800 - HB 13 - Pay Plan 01	0.00	11,759	5,115	1,324	18,198	0.00	45,504	26,827	5,107	77,438
DP 8001 - Judicial Branch Information Technology 01	14.00	0	1,800,000	0	1,800,000	14.00	0	1,800,000	0	1,800,000
DP 8003 - Computer Replacement 01	0.00	0	29,722	0	29,722	0.00	0	29,722	0	29,722
DP 9200 - Eliminate Citizen's Review Board 01	(4.00)	(150,000)	0	(186,343)	(336,343)	(4.00)	(150,000)	0	(185,964)	(335,964)
Total	17.25	(\$135,673)	\$1,834,837	(\$111,411)	\$1,587,753	17.25	(\$102,631)	\$1,856,549	(\$107,481)	\$1,646,437

New Proposals

DP 655 - Personal Services Reduction - The legislature applied a further vacancy savings on general fund positions. The average for the branch is 0.9 percent on general fund and 0.8 percent on total funding. This reduction was applied to one program, and language was added allowing the department to reallocate among programs as necessary.

DP 1002 - Law Clerks for Supreme Court Justices - The legislature continued funding for three law clerks for the Supreme Court Justices. The law clerks were approved by the 2001 legislature on a one-time-only basis.

DP 1101 - Grant Manager - The legislature approved funding for 1.00 FTE grant funds manager responsible for developing a system to track all grant applications and awards, including managing the funds and preparing required financial and narrative reports.

DP 1102 - Court Administration FTE - The legislature provided funding for 2.25 FTE: 1.0 FTE accounting technician to assist with invoice processing to pay expenses for district courts and probation offices in 56 counties around the state; and 1.25 FTE to replace 1.25 FTE that are currently filled, but whose statutory authority was eliminated with the passage of Senate Bill 176 (2001 regular session).

DP 1103 - Court Assessment Program - The legislature approved federal funding of \$29,990 in fiscal 2004 and \$29,903 in fiscal 2005 to continue the evaluation and improvement of how the judicial system handles child abuse and neglect proceedings. The 1997 legislature originally authorized this program and the federal government has continued to extend funding.

DP 6800 - HB 13 - Pay Plan - The legislature passed a pay plan in HB 13 that provides an additional \$44 per month in insurance contributions in calendar 2004 and an additional \$50 per month in calendar 2005, as well as a \$0.25 per hour salary increase in the final six months of fiscal 2005. These amounts represent this program's allocation of costs to fund the pay plan. An additional \$44 per month in insurance contribution for the first six months of fiscal 2004 was not funded.

DP 8001 - Judicial Branch Information Technology - The legislature approved \$3.6 million state special revenue funding for the 2005 biennium to provide for branch-wide information technology needs. The existing automation surcharge is scheduled to sunset June 30, 2003. HB 18 extends the sunset to June 30, 2005 and increases the surcharge from five to

ten dollars to fund Judicial Branch information technology including 14.00 IT staff, related start-up and operating costs, and replacement equipment.

DP 8003 - Computer Replacement - The legislature approved state special revenue funding for computer replacements on a four-year replacement cycle. Computer replacements will be funded with a continuation of information technology surcharge funds due to passage of HB 18. In addition, \$35,500 general fund per year will be removed from the agency budget when establishing 2005 biennium operating plans due to language contained in HB 2.

DP 9200 - Eliminate Citizen's Review Board - The legislature eliminated funding, including 4.00 FTE, for the Citizen's Review Board which reviews foster care placements and is administered by the Supreme Court. Federal special revenue decreases by \$372,307 and general fund decreases by \$300,000 over the biennium.

Language

"Item 1 includes \$92,978 of general fund money in fiscal year 2004 and \$92,812 of general fund money in fiscal year 2005 to provide funding for administrative support to the supreme court."

"If House Bill No. 18 is passed and approved, item 1 is decreased by \$35,500 of general fund money in each year of the biennium. The branch may reallocate this reduction in funding among programs in its 2005 biennium operating plans."

"Item 1 includes a reduction in general fund money of \$255,458 in fiscal year 2004 and \$255,458 in fiscal year 2005 for the statewide FTE reduction. The branch may allocate this reduction in funding among programs when developing 2005 biennium operating plans."

"The supreme court is requested to report on the accomplishments and progress of implementing the branch information technology strategic plan to the general government and transportation appropriation subcommittee during the 2005 legislative session. The report is to include an analysis of the viability for continuance of the branch information technology effort and a list of accomplishments, including but not limited to the goals and objectives established in the branch information technology strategic plan."

Program Legislative Budget								
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FTE	3.00	0.00	0.00	3.00	0.00	0.00	3.00	3.00
Personal Services	79,475	34,495	910	114,880	34,434	3,369	117,278	232,158
Operating Expenses	169,218	941	0	170,159	1,015	0	170,233	340,392
Total Costs	\$248,693	\$35,436	\$910	\$285,039	\$35,449	\$3,369	\$287,511	\$572,550
General Fund	248,693	35,436	(24,090)	260,039	35,449	(21,631)	262,511	522,550
State/Other Special	0	0	25,000	25,000	0	25,000	25,000	50,000
Total Funds	\$248,693	\$35,436	\$910	\$285,039	\$35,449	\$3,369	\$287,511	\$572,550

Program Description

The Boards and Commissions Program oversees functions assigned to the Supreme Court either by legislative or constitutional mandate. The program manages judicial discipline, rules, and other substantive matters aimed at improving and maintaining the administration of justice. Commissions and boards included in the program are the Judicial Standards Commission; Sentence Review Division; Commission on Practice; Commission on Courts of Limited Jurisdiction; and the Judicial Nominations Commission.

Program Narrative

Judiciary Boards and Commissions Major Budget Highlights
<ul style="list-style-type: none"> ○ Funding increases about \$75,200, or 16.4 percent, over fiscal 2002 expenditures ○ A funding switch replaces \$25,000 general fund per year with state special revenue from training and registration fees charged to judges of courts of limited jurisdiction ○ Funding for the HB 13 pay plan of about \$4,300 is included

Funding

The following table shows program funding, by source, for the base year and the 2005 biennium.

Program Funding Table							
Boards And Commissions							
Program Funding	Base Fiscal 2002	% of Base Fiscal 2002	Budget Fiscal 2004	% of Budget Fiscal 2004	Budget Fiscal 2005	% of Budget Fiscal 2005	
01100 General Fund	\$ 248,693	100.0%	\$ 260,039	91.2%	\$ 262,511	91.3%	
02399 Boards And Commissions - Mji	-	-	25,000	8.8%	25,000	8.7%	
Grand Total	\$ 248,693	100.0%	\$ 285,039	100.0%	\$ 287,511	100.0%	

This program is funded with a combination of general fund and state special revenue. State special revenue is from a fee imposed by the Courts of Limited Jurisdiction for training and attorney investigation repayments. These funds were previously deposited to the general fund.

Present Law Adjustments										
	-----Fiscal 2004-----					-----Fiscal 2005-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					34,495					34,434
Inflation/Deflation					949					1,023
Fixed Costs					(8)					(8)
Total Statewide Present Law Adjustments					\$35,436					\$35,449
Grand Total All Present Law Adjustments					\$35,436					\$35,449

Present Law Adjustments

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

New Proposals										
	-----Fiscal 2004-----					-----Fiscal 2005-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 2101 - Courts of Limited Jurisdiction Funding Switch										
02	0.00	(25,000)	25,000	0	0	0.00	(25,000)	25,000	0	0
DP 6800 - HB 13 - Pay Plan										
02	0.00	910	0	0	910	0.00	3,369	0	0	3,369
Total	0.00	(\$24,090)	\$25,000	\$0	\$910	0.00	(\$21,631)	\$25,000	\$0	\$3,369

New Proposals

DP 2101 - Courts of Limited Jurisdiction Funding Switch - The legislature provided \$25,000 state special revenue each year to replace current general fund used to provide training for judges of courts of limited jurisdiction. Class registration fees will provide the source of state special revenue.

DP 6800 - HB 13 - Pay Plan - The legislature passed a pay plan in HB 13 that provides an additional \$44 per month in insurance contributions in calendar 2004 and an additional \$50 per month in calendar 2005, as well as a \$0.25 per hour salary increase in the final six months of fiscal 2005. These amounts represent this program's allocation of costs to fund the pay plan. An additional \$44 per month in insurance contribution for the first six months of fiscal 2004 was not funded.

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2002	PL Base Adjustment Fiscal 2004	New Proposals Fiscal 2004	Total Leg. Budget Fiscal 2004	PL Base Adjustment Fiscal 2005	New Proposals Fiscal 2005	Total Leg. Budget Fiscal 2005	Total Leg. Budget Fiscal 04-05
FTE	7.50	0.00	0.00	7.50	0.00	0.00	7.50	7.50
Personal Services	325,725	(11,308)	2,048	316,465	(9,497)	7,706	323,934	640,399
Operating Expenses	128,123	698	0	128,821	709	0	128,832	257,653
Equipment	329,311	0	0	329,311	0	0	329,311	658,622
Total Costs	\$783,159	(\$10,610)	\$2,048	\$774,597	(\$8,788)	\$7,706	\$782,077	\$1,556,674
General Fund	783,159	(10,610)	2,048	774,597	(8,788)	7,706	782,077	1,556,674
Total Funds	\$783,159	(\$10,610)	\$2,048	\$774,597	(\$8,788)	\$7,706	\$782,077	\$1,556,674

Program Description

The State Law Library houses reference materials used by the Supreme Court, lower courts, the legislature, state officers and employees, members of the bar, and the general public. The collection includes legal materials from the federal government and all 50 states, as well as Canada. Some of the books and materials contained in the library include treatises, law reviews, reports, microfilm, and audio/video tapes for continuing legal education. Access to much of this material is provided through the library's Internet site. A Board of Trustees, consisting of the Supreme Court justices, governs the library.

Program Narrative

Judiciary Law Library Major Budget Highlights
<ul style="list-style-type: none"> ○ Funding is slightly less than base year expenditures due to a personal services decrease in the adjusted base ○ Funding for the HB 13 pay plan of \$9,700 is included

Funding

This program is funded with general fund. Minimal costs are recovered through fees charged for copies, faxes, and rental of audio/video cassettes. These fees are deposited to the general fund.

Present Law Adjustments	-----Fiscal 2004-----				-----Fiscal 2005-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					(11,308)					(9,497)
Inflation/Deflation					698					709
Total Statewide Present Law Adjustments					(\$10,610)					(\$8,788)
Grand Total All Present Law Adjustments					(\$10,610)					(\$8,788)

Present Law Adjustments

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

New Proposals										
Program	FTE	-----Fiscal 2004-----				-----Fiscal 2005-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 6800 - HB 13 - Pay Plan 03	0.00	2,048	0	0	2,048	0.00	7,706	0	0	7,706
Total	0.00	\$2,048	\$0	\$0	\$2,048	0.00	\$7,706	\$0	\$0	\$7,706

New Proposals

DP 6800 - HB 13 - Pay Plan - The legislature passed a pay plan in HB 13 that provides an additional \$44 per month in insurance contributions in calendar 2004 and an additional \$50 per month in calendar 2005, as well as a \$0.25 per hour salary increase in the final six months of fiscal 2005. These amounts represent this program's allocation of costs to fund the pay plan. An additional \$44 per month in insurance contribution for the first six months of fiscal 2004 was not funded.

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2002	PL Base Adjustment Fiscal 2004	New Proposals Fiscal 2004	Total Leg. Budget Fiscal 2004	PL Base Adjustment Fiscal 2005	New Proposals Fiscal 2005	Total Leg. Budget Fiscal 2005	Total Leg. Budget Fiscal 04-05
FTE	295.68	0.00	0.00	295.68	0.00	0.00	295.68	295.68
Personal Services	4,720,728	11,751,619	838,972	17,311,319	11,724,844	268,052	16,713,624	34,024,943
Operating Expenses	365,438	7,989,115	150,000	8,504,553	7,991,633	150,000	8,507,071	17,011,624
Equipment	0	0	0	0	0	0	0	0
Total Costs	\$5,086,166	\$19,740,734	\$988,972	\$25,815,872	\$19,716,477	\$418,052	\$25,220,695	\$51,036,567
General Fund	5,086,166	19,740,734	69,415	24,896,315	19,716,477	268,052	25,070,695	49,967,010
State/Other Special	0	0	919,557	919,557	0	150,000	150,000	1,069,557
Federal Special	0	0	0	0	0	0	0	0
Total Funds	\$5,086,166	\$19,740,734	\$988,972	\$25,815,872	\$19,716,477	\$418,052	\$25,220,695	\$51,036,567

Program Description

The District Court Operations Program funds salaries, travel and training costs for the state's district judges. Also, with the passage of SB 176 by the 57th Legislature, the Supreme Court is responsible for the costs, oversight and management of the staff and associated operations in the state's 22 district courts, excluding the clerks of court and other elected officials, and the provision of office space. District courts are general jurisdiction trial courts having original jurisdiction in all criminal felony cases, civil matters, and cases of law.

Program Narrative

Judiciary District Court Operations Major Budget Highlights
<ul style="list-style-type: none"> ○ General fund increases \$39.8 million over base year expenditures, primarily due to state assumption of district court costs ○ Without district court assumption, the District Court Operations budget increases approximately \$2.5 million over the biennium or 24 percent over fiscal 2002 actual expenditures for: <ul style="list-style-type: none"> ○ Statewide present law adjustments primarily to personal services including statutory pay increases for judges and annualization of the pay plan for district court administration staff (8.50 FTE) ○ Rent for new office space at the federal building ○ Pay raises to the minimum salary level for 23 employees ○ Funding for the HB 13 pay plan ○ State special revenue of over \$1.0 million is added for assumed leave liability for county employees who became state employees under district court assumption and for youth court community programs ○ Includes a language appropriation of up to \$1.8 million general fund from 2003 biennium general fund reversions for district court expenses

Funding

The following table shows program funding, by source, for the base year and the 2005 biennium.

Program Funding	Base	% of Base	Budget	% of Budget	Budget	% of Budget
	Fiscal 2002	Fiscal 2002	Fiscal 2004	Fiscal 2004	Fiscal 2005	Fiscal 2005
01100 General Fund	\$ 5,086,166	100.0%	\$ 24,896,315	96.4%	\$ 25,070,695	99.4%
02141 District Court Crim. Reimb.	-	-	150,000	0.6%	150,000	0.6%
#N/A	-	-	769,557	3.0%	-	-
Grand Total	\$ 5,086,166	100.0%	\$ 25,815,872	100.0%	\$ 25,220,695	100.0%

This program is primarily funded with general fund. District court fees are collected and deposited into the general fund.

State special revenue includes money paid to the state for accumulated leave liability by the counties for those employees who became state employees under district court assumption. This funding is restricted to payment of assumed leave liability by the Judiciary. Also included is money collected by youth courts for costs of treatment, counseling, and other fees. It is used to support community programs for youths and juvenile offenders involved in the youth courts.

	-----Fiscal 2004-----					-----Fiscal 2005-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Present Law Adjustments										
Personal Services					11,681,323					11,654,548
Inflation/Deflation					1,087					1,484
Fixed Costs					273,050					273,050
Total Statewide Present Law Adjustments					\$11,955,460					\$11,929,082
DP 4001 - Pay Plan Implementation										
0.00	70,296	0	0	70,296	0.00	70,296	0	0	70,296	
DP 4002 - Federal Building Rent										
0.00	106,123	0	0	106,123	0.00	108,245	0	0	108,245	
DP 4003 - Annualize Operating Costs for New Judges										
0.00	44,600	0	0	44,600	0.00	44,600	0	0	44,600	
DP 4004 - State District Court Costs - Adjusted Base										
0.00	7,564,255	0	0	7,564,255	0.00	7,564,254	0	0	7,564,254	
Total Other Present Law Adjustments	0.00	\$7,785,274	\$0	\$0	\$7,785,274	0.00	\$7,787,395	\$0	\$0	\$7,787,395
Grand Total All Present Law Adjustments					\$19,740,734					\$19,716,477

Present Law Adjustments

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

DP 4001 - Pay Plan Implementation - The legislature approved \$70,296 per year general fund to move the pay of 23 employees within the program to the minimum pay rate for their assigned grade, based on the Judicial Branch pay plan.

DP 4002 - Federal Building Rent - The legislature approved general fund of \$106,123 in fiscal 2004 and \$108,245 in fiscal 2005 for office space rent in the federal building.

DP 4003 - Annualize Operating Costs for New Judges - This action annualizes the operating costs for the two judges taking office January 1, 2003, in Ravalli County and Cascade County. The legislature provided \$44,600 per year general

fund for supplies, telephone, postage, and legal research for two judges and six staff.

DP 4004 - State District Court Costs - Adjusted Base - The Fifty-seventh Legislature authorized SB 176 to provide for the state assumption of District Courts. As directed in SB 176, sizeable district court expenses are reported and paid in the following expenditure categories: court reporters; jury services; witness services; psychiatric examinations; indigent defense; CASA/GALs; youth court/juvenile probation; and youth in need of care. The legislature funded base costs for these items at \$7,116,397 in fiscal 2004 and \$8,012,112 in fiscal 2005. The remainder of costs of district court assumption (\$10,981,633 in fiscal 2004 and \$10,971,686 in fiscal 2005 for on-going staff costs) is included in the statewide present law adjustments.

Program	FTE	Fiscal 2004				Fiscal 2005				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 6800 - HB 13 - Pay Plan										
04	0.00	69,415	0	0	69,415	0.00	268,052	0	0	268,052
DP 9201 - County-Paid Sick and Vacation Leave										
04	0.00	0	769,557	0	769,557	0.00	0	0	0	0
DP 9204 - Youth Courts - Community Programs										
04	0.00	0	150,000	0	150,000	0.00	0	150,000	0	150,000
Total	0.00	\$69,415	\$919,557	\$0	\$988,972	0.00	\$268,052	\$150,000	\$0	\$418,052

New Proposals

DP 6800 - HB 13 - Pay Plan - The legislature passed a pay plan in HB 13 that provides an additional \$44 per month in insurance contributions in calendar 2004 and an additional \$50 per month in calendar 2005, as well as a \$0.25 per hour salary increase in the final six months of fiscal 2005. These amounts represent this program's allocation of costs to fund the pay plan. An additional \$44 per month in insurance contribution for the first six months of fiscal 2004 was not funded.

DP 9201 - County-Paid Sick and Vacation Leave - The legislature provided a restricted, biennial appropriation of \$769,557 state special revenue to the Judicial Branch to be used for payment of assumed sick and vacation leave for county employees who became state employees under district court assumption. A state special revenue account was established in SB 490 for money paid to the state by the counties for the counties share of transferred county employees, accumulated sick and vacation leave.

DP 9204 - Youth Courts - Community Programs - Youth Courts collect monies from youths for costs of treatment, counseling and the like in accordance with statute. The legislature provided \$150,000 per year state special revenue authority to support community programs for youths and juvenile offenders who have become involved with the Youth Courts.

Language

"Item 4a includes \$769,557 of state special revenue money in fiscal year 2004 as a restricted, biennial appropriation to be used by the judiciary for payment of the state's share of assumed vacation and sick leave for county employees who became state employees on July 1, 2002, under state district court assumption. If legislation is not passed and approved to establish this state special revenue account for county payments to the state for accumulated sick and annual leave, then item 4a is void."

"The judiciary is appropriated in the 2005 biennium up to \$1,800,000 general fund money from reversions of appropriations of general fund by the judiciary for the 2003 biennium for the purposes of funding expenses related to state district court assumption."

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2002	PL Base Adjustment Fiscal 2004	New Proposals Fiscal 2004	Total Leg. Budget Fiscal 2004	PL Base Adjustment Fiscal 2005	New Proposals Fiscal 2005	Total Leg. Budget Fiscal 2005	Total Leg. Budget Fiscal 04-05
FTE	11.00	0.00	0.00	11.00	0.00	0.00	11.00	11.00
Personal Services	560,972	81,897	(9,192)	633,677	84,634	290	645,896	1,279,573
Operating Expenses	94,043	(900)	0	93,143	(873)	0	93,170	186,313
Total Costs	\$655,015	\$80,997	(\$9,192)	\$726,820	\$83,761	\$290	\$739,066	\$1,465,886
State/Other Special	655,015	80,997	(9,192)	726,820	83,761	290	739,066	1,465,886
Total Funds	\$655,015	\$80,997	(\$9,192)	\$726,820	\$83,761	\$290	\$739,066	\$1,465,886

Program Description

The Water Courts Supervision Program, located in Bozeman, adjudicates claims of existing water rights in Montana and supervises the distribution of water among the four water divisions of the state, as defined in 3-7-102, MCA.

Program Narrative

Judiciary Water Courts Supervision Major Budget Highlights
<ul style="list-style-type: none"> ○ Total funding increases about \$156,000, or 11.9 percent, over base year expenditures primarily due to personal services increases in the adjusted base ○ Includes funding for the HB 13 pay plan of \$21,100 ○ RIT funding is reduced due to a projected negative fund balance

Funding

This program is funded with state special revenue from the renewable resource grant and loan account. These accounts include the resource indemnity and ground water assessment (RIGWA) tax, as well as interest earnings on resource indemnity tax (RIT) trust.

Present Law Adjustments	-----Fiscal 2004-----				-----Fiscal 2005-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					81,897					84,634
Inflation/Deflation					(900)					(873)
Total Statewide Present Law Adjustments					\$80,997					\$83,761
Grand Total All Present Law Adjustments					\$80,997					\$83,761

Present Law Adjustments

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

New Proposals										
Program	-----Fiscal 2004-----					-----Fiscal 2005-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 5101 - Reduce Water Courts Personal Services										
05	0.00	0	(15,000)	0	(15,000)	0.00	0	(15,000)	0	(15,000)
DP 6800 - HB 13 - Pay Plan										
05	0.00	0	5,808	0	5,808	0.00	0	15,290	0	15,290
Total	0.00	\$0	(\$9,192)	\$0	(\$9,192)	0.00	\$0	\$290	\$0	\$290

New Proposals

DP 5101 - Reduce Water Courts Personal Services - The Water Court is currently funded from the RIT renewable resource account (02272), which has declining revenues and is used to fund programs within several agencies. The requested expenditures drove the fund balance negative. To scale back expenditures, but not disrupt normal operations, the legislature reduced the personal services adjusted base by \$15,000 per year in the 2005 biennium.

DP 6800 - HB 13 - Pay Plan - The legislature passed a pay plan in HB 13 that provides an additional \$44 per month in insurance contributions in calendar 2004 and an additional \$50 per month in calendar 2005, as well as a \$0.25 per hour salary increase in the final six months of fiscal 2005. These amounts represent this program's allocation of costs to fund this pay plan. An additional \$44 per month in insurance contribution for the first six months of fiscal 2004 was not funded.

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2002	PL Base Adjustment Fiscal 2004	New Proposals Fiscal 2004	Total Leg. Budget Fiscal 2004	PL Base Adjustment Fiscal 2005	New Proposals Fiscal 2005	Total Leg. Budget Fiscal 2005	Total Leg. Budget Fiscal 04-05
FTE	5.50	0.00	0.00	5.50	0.00	0.00	5.50	5.50
Personal Services	257,792	73,522	1,593	332,907	73,422	5,938	337,152	670,059
Operating Expenses	37,692	3,956	0	41,648	3,956	0	41,648	83,296
Total Costs	\$295,484	\$77,478	\$1,593	\$374,555	\$77,378	\$5,938	\$378,800	\$753,355
General Fund	295,484	77,478	1,593	374,555	77,378	5,938	378,800	753,355
Total Funds	\$295,484	\$77,478	\$1,593	\$374,555	\$77,378	\$5,938	\$378,800	\$753,355

Program Description

The Clerk of Court Program performs support and operational duties for the Supreme Court, as outlined in Title 3, Chapter 2, part 4, MCA. The program keeps the court records and files, issues writs and certificates, approves bonds, files all papers and transcripts, and performs other duties as required.

Program Narrative

Judiciary Clerk of Court Major Budget Highlights
<ul style="list-style-type: none"> ○ Funding increases \$162,400 over base year expenditures primarily due to statewide present law adjustments ○ Approximately \$53,700 of the statewide present law adjustment is a result of a new 0.50 FTE hired at the beginning of fiscal 2003 as authorized by the 2001 legislature, and an additional 0.50 FTE vacancy during the base year ○ General fund of \$3,900 is added for records storage ○ Includes funding for the HB 13 pay plan of \$7,500

Funding

This program is funded with general fund.

	-----Fiscal 2004-----					-----Fiscal 2005-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					73,522					73,422
Inflation/Deflation					1,046					1,046
Fixed Costs					735					735
Total Statewide Present Law Adjustments					\$75,303					\$75,203
DP 6001 - Records Storage and Telephone Equipment	0.00	2,175	0	0	2,175	0.00	2,175	0	0	2,175
Total Other Present Law Adjustments	0.00	\$2,175	\$0	\$0	\$2,175	0.00	\$2,175	\$0	\$0	\$2,175
Grand Total All Present Law Adjustments					\$77,478					\$77,378

Present Law Adjustments

The "Present Law Adjustments" table shows the primary changes to the adjusted base budget made by the legislature.

"Statewide Present Law" adjustments are standard categories of adjustments made to all agencies. Legislative decisions on these items were applied globally to all agencies. The other numbered adjustments in the table correspond to the narrative descriptions.

DP 6001 - Records Storage and Telephone Equipment - The legislature provided \$1,947 each year for records storage, and \$228 each year for telephone charges associated with an FTE added by the 2001 legislature.

New Proposals										
Program	FTE	-----Fiscal 2004-----				-----Fiscal 2005-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 6800 - HB 13 - Pay Plan 06	0.00	1,593	0	0	1,593	0.00	5,938	0	0	5,938
Total	0.00	\$1,593	\$0	\$0	\$1,593	0.00	\$5,938	\$0	\$0	\$5,938

New Proposals

DP 6800 - HB 13 - Pay Plan - The legislature passed a pay plan in HB 13 that provides an additional \$44 per month in insurance contributions in calendar 2004 and an additional \$50 per month in calendar 2005, as well as a \$0.25 per hour salary increase in the final six months of fiscal 2005. These amounts represent this program's allocation of costs to fund the pay plan. An additional \$44 per month in insurance contribution for the first six months of fiscal 2004 was not funded.