

**Agency Legislative Budget**

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

Agency Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	723.30	0.00	24.00	747.30	0.00	24.00	747.30	747.30
Personal Services	34,727,873	7,489,831	(590,761)	41,626,943	7,774,700	(461,572)	42,041,001	83,667,944
Operating Expenses	16,547,696	3,145,067	4,611,586	24,304,349	2,953,281	538,498	20,039,475	44,343,824
Equipment	1,865,973	504,181	1,700	2,371,854	503,721	(58,300)	2,311,394	4,683,248
Capital Outlay	0	0	0	0	0	0	0	0
Benefits & Claims	847,236	0	0	847,236	0	0	847,236	1,694,472
Debt Service	592,730	3,300,000	0	3,892,730	4,275,000	0	4,867,730	8,760,460
<b>Total Costs</b>	<b>\$54,581,508</b>	<b>\$14,439,079</b>	<b>\$4,022,525</b>	<b>\$73,043,112</b>	<b>\$15,506,702</b>	<b>\$18,626</b>	<b>\$70,106,836</b>	<b>\$143,149,948</b>
General Fund	21,194,347	3,267,898	5,705,414	30,167,659	3,433,000	1,746,784	26,374,131	56,541,790
State/Other Special	30,563,970	10,584,574	(1,673,222)	39,475,322	11,478,056	(1,699,636)	40,342,390	79,817,712
Federal Special	1,901,636	(58,620)	(157,515)	1,685,501	(54,632)	(146,624)	1,700,380	3,385,881
Proprietary	921,555	645,227	147,848	1,714,630	650,278	118,102	1,689,935	3,404,565
Expendable Trust	0	0	0	0	0	0	0	0
<b>Total Funds</b>	<b>\$54,581,508</b>	<b>\$14,439,079</b>	<b>\$4,022,525</b>	<b>\$73,043,112</b>	<b>\$15,506,702</b>	<b>\$18,626</b>	<b>\$70,106,836</b>	<b>\$143,149,948</b>

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**Executive Budget Comparison**

The following table compares the proposed budget for the 2009 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2006	Executive Budget Fiscal 2008	Legislative Budget Fiscal 2008	Leg – Exec. Difference Fiscal 2008	Executive Budget Fiscal 2009	Legislative Budget Fiscal 2009	Leg – Exec. Difference Fiscal 2009	Biennium Difference Fiscal 08-09
FTE	723.30	749.80	747.30	(2.50)	749.80	747.30	(2.50)	
Personal Services	34,727,873	43,307,336	41,626,943	(1,680,393)	43,590,140	42,041,001	(1,549,139)	(3,229,532)
Operating Expenses	16,547,696	23,334,423	24,304,349	969,926	20,064,419	20,039,475	(24,944)	944,982
Equipment	1,865,973	2,371,854	2,371,854	0	2,311,394	2,311,394	0	0
Capital Outlay	0	0	0	0	0	0	0	0
Benefits & Claims	847,236	997,236	847,236	(150,000)	997,236	847,236	(150,000)	(300,000)
Debt Service	592,730	3,892,730	3,892,730	0	4,867,730	4,867,730	0	0
<b>Total Costs</b>	<b>\$54,581,508</b>	<b>\$73,903,579</b>	<b>\$73,043,112</b>	<b>(\$860,467)</b>	<b>\$71,830,919</b>	<b>\$70,106,836</b>	<b>(\$1,724,083)</b>	<b>(\$2,584,550)</b>
General Fund	21,194,347	28,889,465	30,167,659	1,278,194	25,980,935	26,374,131	393,196	1,671,390
State/Other Special	30,563,970	41,551,801	39,475,322	(2,076,479)	42,408,388	40,342,390	(2,065,998)	(4,142,477)
Federal Special	1,901,636	1,747,683	1,685,501	(62,182)	1,751,661	1,700,380	(51,281)	(113,463)
Proprietary	921,555	1,714,630	1,714,630	0	1,689,935	1,689,935	0	0
Expendable Trust	0	0	0	0	0	0	0	0
<b>Total Funds</b>	<b>\$54,581,508</b>	<b>\$73,903,579</b>	<b>\$73,043,112</b>	<b>(\$860,467)</b>	<b>\$71,830,919</b>	<b>\$70,106,836</b>	<b>(\$1,724,083)</b>	<b>(\$2,584,550)</b>

This bill provides funding that is about \$2.6 million, primarily in state special revenue (\$4.1 million), less than the executive request. State special revenue decreases primarily due to the exclusion of funding for highway patrol salaries that is statutorily appropriated.

General fund support for the agency is about \$1.7 million greater than the executive request is due to inclusion of increases for elected official proposals not included in the executive budget, exclusion of funding for several items included in the executive budget, and inclusion of funding for some legislative initiatives. Items included in the executive budget but not included in this bill include:

- o Major litigation, \$500,000 for the biennium
- o Tobacco settlement enforcement, \$255,999 for the biennium including 2.00 FTE
- o Medicaid fraud unit, \$51,306 general fund and \$153,918 federal funds for the biennium including 1.00 FTE
- o End of Life Registry, \$48,687 for the biennium including 0.50 FTE

Elected official proposals supported by general fund and included in this bill but not included in the executive budget are:

- o Progression to market increases for criminal investigators, \$361,637 general fund and \$422,772 total funds for the biennium
- o Increased rental costs for the Division of Criminal Investigation, \$350,000 for the biennium
- o Progression to market increases for forensic scientists, \$300,000 for the biennium
- o Exemption of the forensic lab from 4 percent vacancy savings, \$187,710 for the biennium
- o Crime analyst, \$152,245 for the biennium including 1.00 FTE
- o Supervisor for the Eastern Montana Drug Task Force, \$140,790 for the biennium
- o Forensic Rape Examination Program, \$35,000 for the biennium

The legislature also provided the department \$1 million general fund in a restricted, biennial, one-time-only appropriation for the Methamphetamine Watch Program.

**Agency Highlights**

<b>Department of Justice Major Budget Highlights</b>
<ul style="list-style-type: none"> <li>◆ 2009 biennium funding for the department is \$28.8 million greater than 2007 biennium funding, with the largest differences, \$15.9 million and \$12.7 million, occurring in state special revenue and general fund, respectively                             <ul style="list-style-type: none"> <li>• General fund increases include funding for statewide present law adjustments, potential litigation with Wyoming (\$3.0 million), base adjustments for motor vehicle division functions (\$2.2 million), additional staffing in various areas of the department (\$1.3 million and 10.00 FTE), increased funding for the Forensic Science Division (state crime lab, \$1.1 million and 2.00 FTE), and funding for the Methamphetamine Watch Program (\$1.0 million)</li> <li>• State special revenue increases include funding for statewide present law adjustments, the motor vehicle automated system (\$7.6 million), base adjustments for motor vehicle and highway patrol functions (\$3.7 million), exemption of the highway patrol from vacancy savings as provided in statute (\$1.4 million), and other information technology projects (\$1.1 million)</li> </ul> </li> <li>◆ The department anticipates a supplemental request of \$575,000 general fund related to major litigation costs and \$200,000 state special revenue related to debt service on the motor vehicle information technology project</li> </ul>

**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 2009 Biennium Budget						
Agency Program	General Fund	State Spec.	Fed Spec.	Proprietary	Grand Total	Total %
01 Legal Services Division	\$ 12,981,152	\$ 684,915	\$ 1,120,813	\$ -	\$ 14,786,880	10.4%
02 Office Of Consumer Protection	35,000	1,112,470	-	-	1,147,470	0.8%
07 Gambling Control Division	-	5,239,147	-	2,127,373	7,366,520	5.2%
12 Motor Vehicle Division	14,053,145	17,574,274	-	1,122,252	32,749,671	23.1%
13 Highway Patrol Division	-	46,017,814	-	-	46,017,814	32.5%
18 Div. Of Criminal Investigation	8,360,366	3,627,969	2,217,829	-	14,206,164	10.0%
19 County Attorney Payroll	4,448,142	-	-	-	4,448,142	3.1%
28 Central Services Division	794,312	1,268,438	-	128,298	2,191,048	1.5%
29 Information Technology Service	6,636,219	3,817,326	6,784	26,642	10,486,971	7.4%
32 Forensic Science Division	<u>7,520,088</u>	<u>606,408</u>	-	-	<u>8,126,496</u>	<u>5.7%</u>
Grand Total	<u>\$ 54,828,424</u>	<u>\$ 79,948,761</u>	<u>\$ 3,345,426</u>	<u>\$ 3,404,565</u>	<u>\$ 141,527,176</u>	<u>100.0%</u>

As illustrated in the table above, the department receives the largest share of its funding from state special revenues (57 percent) with the bulk of this funding supporting two functions, the Montana Highway Patrol and motor vehicle functions such as titling, registration, and driver licensing. State special revenue supporting these functions comes from the highways state special revenue account. General fund provides the second largest source of funding for the department (39 percent) with the bulk of this funding supporting the Motor Vehicle, Legal Services, Criminal Investigation, and Forensic Science Divisions. Among the functions performed by these divisions are motor vehicle titling and registrations, drivers licensing, legal and prosecution services, assistance with criminal investigations, training of law enforcement officials, and testing and analysis of evidence. Federal funds and proprietary revenues each provide less than 2.5 percent of the department's funding. Federal funds are used primarily in the Legal Services and Criminal Investigation Divisions, while proprietary funds are used primarily in the Gambling Control and Motor Vehicle Divisions to support liquor licensing and investigations functions and internet based motor vehicle related services for the public.

**Program Legislative Budget**

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

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	50.50	0.00	6.00	56.50	0.00	6.00	56.50	56.50
Personal Services	2,956,473	376,956	388,025	3,721,454	391,977	388,378	3,736,828	7,458,282
Operating Expenses	1,213,664	54,816	3,049,580	4,318,060	67,402	35,000	1,316,066	5,634,126
Equipment	0	0	0	0	0	0	0	0
Benefits & Claims	847,236	0	0	847,236	0	0	847,236	1,694,472
<b>Total Costs</b>	<b>\$5,017,373</b>	<b>\$431,772</b>	<b>\$3,437,605</b>	<b>\$8,886,750</b>	<b>\$459,379</b>	<b>\$423,378</b>	<b>\$5,900,130</b>	<b>\$14,786,880</b>
General Fund	4,351,077	237,798	3,394,591	7,983,466	264,757	381,852	4,997,686	12,981,152
State/Other Special	305,254	37,062	0	342,316	37,345	0	342,599	684,915
Federal Special	361,042	156,912	43,014	560,968	157,277	41,526	559,845	1,120,813
<b>Total Funds</b>	<b>\$5,017,373</b>	<b>\$431,772</b>	<b>\$3,437,605</b>	<b>\$8,886,750</b>	<b>\$459,379</b>	<b>\$423,378</b>	<b>\$5,900,130</b>	<b>\$14,786,880</b>

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Legislative Budget Analysis, D-14

**Funding**

The division receives about 84 percent of its funding from the general fund. State special revenue from sources such as gambling license fees and highway state special revenue provide about 8 percent of the support for the division as do federal grants such as the crime victim compensation grant.

**Present Law Adjustments**

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

Present Law Adjustments										
	-----Fiscal 2008-----				-----Fiscal 2009-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					511,223					526,864
Vacancy Savings					(134,267)					(134,887)
Inflation/Deflation					15,576					16,988
Fixed Costs					32,740					43,914
<b>Total Statewide Present Law Adjustments</b>					<b>\$425,272</b>					<b>\$452,879</b>
DP 108 - Continuing Legal Education - Base Adjustment	0.00	0	6,500	0	6,500	0.00	0	6,500	0	6,500
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>\$6,500</b>	<b>\$0</b>	<b>\$6,500</b>	<b>0.00</b>	<b>\$0</b>	<b>\$6,500</b>	<b>\$0</b>	<b>\$6,500</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$431,772</b>					<b>\$459,379</b>

DP 108 - Continuing Legal Education - Base Adjustment - This bill provides \$13,000 state special revenue for the biennium for the Continuing Legal Education Program, which did not have any expenditures in the FY 2006 base budget. Revenue to cover the costs of this program will be generated by fees charged to attend training.

**New Proposals**

New Proposals	-----Fiscal 2008-----					-----Fiscal 2009-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 104 - Prosecution Services Bureau											
01	2.00	167,066		0	0	167,066	2.00	161,247	0	0	161,247
DP 105 - Child Protective Unit											
01	2.00	124,052		0	43,014	167,066	2.00	119,721	0	41,526	161,247
DP 107 - Water Court Claims											
01	2.00	103,473		0	0	103,473	2.00	100,884	0	0	100,884
DP 110 - Major Litigation - Wyoming (OTO)											
01	0.00	3,000,000		0	0	3,000,000	0.00	0	0	0	0
<b>Total</b>	<b>6.00</b>	<b>\$3,394,591</b>		<b>\$0</b>	<b>\$43,014</b>	<b>\$3,437,605*</b>	<b>6.00</b>	<b>\$381,852</b>	<b>\$0</b>	<b>\$41,526</b>	<b>\$423,378*</b>

DP 104 - Prosecution Services Bureau - This bill provides \$328,313 general fund for the biennium to support 2.00 FTE and related operating costs to increase the staffing of the Prosecution Services Bureau due to workload issues.

DP 105 - Child Protective Unit - This bill provides \$328,313 total funds including \$243,773 general fund and \$84,540 federal funds to support 2.00 FTE and related operating costs for additional staff in the Child Protective Unit of the division.

DP 107 - Water Court Claims - This bill provides \$204,357 general fund for the biennium to support 2.00 FTE and related operating costs to continue funding for the Water Court claims and to increase the staff from two 0.50 FTE to two 1.00 FTE positions (an attorney and a paralegal). 2007 biennium funding for this function was a one-time-only appropriation from the Resource Indemnity Trust. The department has the authority to intervene in water claims adjudications.

DP 110 - Major Litigation - Wyoming (OTO) - This bill provides \$3.0 million general fund as a one-time-only, biennial appropriation for activities and potential litigation related to the Yellowstone River Compact. Per the department, Wyoming has failed to respond to Montana's claims for water deliveries arising under the Yellowstone River Compact among Montana, Wyoming, and North Dakota, resulting in inadequate water supplies in Montana in certain parts of the tributaries of the Yellowstone River that flow into Montana from Wyoming.

**Language**

“General fund money of \$167,066 in fiscal year 2008 and \$161,247 in fiscal year 2009 and 2 FTE included in Legal Services Division for prosecution services are contingent upon passage and approval of House Bill No. 12 in a form that does not include an appropriation for this purpose.”

“General fund money of \$124,052 in fiscal year 2008 and \$119,721 in fiscal year 2009, federal funds of \$43,014 in fiscal year 2008 and \$41,526 in fiscal year 2009, and 2 FTE included in Legal Services Division for the child protection unit is contingent upon passage and approval of House Bill No. 12 in a form that does not include an appropriation for this purpose.”

**Program Legislative Budget**

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

Program Legislative Budget									
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09	
FTE	8.75	0.00	0.00	8.75	0.00	0.00	8.75	8.75	
Personal Services	351,409	109,389	0	460,798	111,340	0	462,749	923,547	
Operating Expenses	82,035	11,830	117,500	211,365	13,023	117,500	212,558	423,923	
<b>Total Costs</b>	<b>\$433,444</b>	<b>\$121,219</b>	<b>\$117,500</b>	<b>\$672,163</b>	<b>\$124,363</b>	<b>\$117,500</b>	<b>\$675,307</b>	<b>\$1,347,470</b>	
General Fund	208	(208)	17,500	17,500	(208)	17,500	17,500	35,000	
State/Other Special	433,236	121,427	100,000	654,663	124,571	100,000	657,807	1,312,470	
<b>Total Funds</b>	<b>\$433,444</b>	<b>\$121,219</b>	<b>\$117,500</b>	<b>\$672,163</b>	<b>\$124,363</b>	<b>\$117,500</b>	<b>\$675,307</b>	<b>\$1,347,470</b>	

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Legislative Budget Analysis, D-21

**Funding**

Other than \$35,000 of general fund supporting the Forensic Rape Examination Payment Program, the division is funded entirely by state special revenue from the consumer education settlement.

**Present Law Adjustments**

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

Present Law Adjustments										
	-----Fiscal 2008-----				-----Fiscal 2009-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					128,590					130,622
Vacancy Savings					(19,201)					(19,282)
Inflation/Deflation					467					517
Fixed Costs					11,363					12,506
<b>Total Statewide Present Law Adjustments</b>					<b>\$121,219</b>					<b>\$124,363</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$121,219</b>					<b>\$124,363</b>

**New Proposals**

New Proposals										
	-----Fiscal 2008-----					-----Fiscal 2009-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 9905 - Forensic Rape Examination Payment Program										
02	0.00	17,500		0	0	17,500	0.00	17,500	0	0
DP 9911 - Consumer Protection Litigation (Biennial)										
02	0.00	0	100,000		0	100,000	0.00	0	100,000	0
<b>Total</b>	<b>0.00</b>	<b>\$17,500</b>	<b>\$100,000</b>		<b>\$0</b>	<b>\$117,500*</b>	<b>0.00</b>	<b>\$17,500</b>	<b>\$100,000</b>	<b>\$0</b>

DP 9905 - Forensic Rape Examination Payment Program - This bill provides \$35,000 general fund as a biennial appropriation to support the Forensic Rape Examination Payment Program.

DP 9911 - Consumer Protection Litigation (Biennial) - This bill provides \$200,000 state special revenue in a biennial appropriation to support consumer protection litigation within the Office of Consumer Protection.

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Legislative Budget Analysis, D-23

**Proprietary Rates****Proprietary Program Description**

Agency Legal Services Bureau (ALSB) provides legal, hearing examiner, and investigative services to state agency clients on a contract basis. ALSB attorneys and investigators bill clients for their services and case-related and incidental costs.

ALSB has 17.00 FTE funded from the revenues generated.

Statutory authority: The Attorney General is the legal officer for the state per Article VI, Section 4(4), Montana Constitution. Section 2-4-611(2), MCA provides that state agencies may request from the Attorney General's Office a hearing examiner in a contested case.

Alternate Sources: State agencies have the option to use in-house or private counsel and investigators to do the work provided by ALSB. Private law firms, however, typically charge considerably more per hour than ALSB, and ALSB attorneys and investigators have specific knowledge and experience that agencies find beneficial. Agencies must receive approval from the Legal Services Review Committee prior to contracting for outside legal services.

Customers Served: ALSB serves state agencies, boards, and commissions that have entered contracts with ALSB. According to Executive Order 5-93, agencies must receive approval from the Legal Services Review Committee prior to contracting for outside legal services.

**Proprietary Revenues and Expenses**

Change in Service or Fees - An increase in the rate per hour for attorneys from \$74 to \$84 and investigator services from \$46 to \$50 beginning in FY 2008 is included in this bill.

Working Capital Discussion - The objective of program management is to recover costs to fund necessary and ongoing operations. The program will increase cash on hand from a projected cash balance without the above increase of \$47,063 at the end of the 2009 biennium to a \$213,431 positive balance. A 60-day working capital would be approximately \$217,000.

Fund Equity and Reserved Fund Balance - The program would like to maintain a working fund balance of sixty days. However this has never been done due to the need to keep rates down.

Cash Flow Discussion - With the proposed rate increase, the department anticipates that cash flow should be sufficient to maintain the proposed rates through the 2011 biennium without an increase.

**Proprietary Rate Explanation**

Rate Explanation – Rates are based upon cost of operations to include attorney and investigators. The rates take into consideration holidays, non billable hours, sick and vacation leave. Rates must be sufficient to cover all personnel costs and operating expenses.

**Program Legislative Budget**

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

Program Legislative Budget									
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09	
FTE	43.50	0.00	6.00	49.50	0.00	6.00	49.50	49.50	
Personal Services	2,206,760	195,633	295,128	2,697,521	208,821	295,904	2,711,485	5,409,006	
Operating Expenses	645,442	73,498	148,250	867,190	81,982	148,250	875,674	1,742,864	
Equipment	72,445	0	60,000	132,445	0	0	72,445	204,890	
Debt Service	4,880	0	0	4,880	0	0	4,880	9,760	
<b>Total Costs</b>	<b>\$2,929,527</b>	<b>\$269,131</b>	<b>\$503,378</b>	<b>\$3,702,036</b>	<b>\$290,803</b>	<b>\$444,154</b>	<b>\$3,664,484</b>	<b>\$7,366,520</b>	
State/Other Special	2,089,414	181,662	355,530	2,626,606	197,075	326,052	2,612,541	5,239,147	
Proprietary	840,113	87,469	147,848	1,075,430	93,728	118,102	1,051,943	2,127,373	
<b>Total Funds</b>	<b>\$2,929,527</b>	<b>\$269,131</b>	<b>\$503,378</b>	<b>\$3,702,036</b>	<b>\$290,803</b>	<b>\$444,154</b>	<b>\$3,664,484</b>	<b>\$7,366,520</b>	

**Page Reference**

Legislative Budget Analysis, D-25

**Funding**

The division is funded primarily with state special revenue (71percent) from gambling license fees. Proprietary funds from liquor licensing and taxes compose the balance of the division’s funding.

**Present Law Adjustments**

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Present Law Adjustments										
-----Fiscal 2008-----					-----Fiscal 2009-----					
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
Personal Services				295,731					309,469	
Vacancy Savings				(100,098)					(100,648)	
Inflation/Deflation				2,627					2,687	
Fixed Costs				9,382					12,753	
<b>Total Statewide Present Law Adjustments</b>				<b>\$207,642</b>					<b>\$224,261</b>	
DP 701 - GCD - Base Adjustment	0.00	0	43,657	0	61,489*	0.00	0	47,245	0	66,542*
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>\$43,657</b>	<b>\$0</b>	<b>\$61,489*</b>	<b>0.00</b>	<b>\$0</b>	<b>\$47,245</b>	<b>\$0</b>	<b>\$66,542*</b>
<b>Grand Total All Present Law Adjustments</b>				<b>\$269,131*</b>					<b>\$290,803*</b>	

DP 701 - GCD - Base Adjustment - This bill provides \$128,031 total funds, \$90,902 state special revenue and \$37,129 proprietary fund, to annualize operating expenses for positions that were vacant during the base year and for increased travel and rent.

**New Proposals**

New Proposals											
Program	FTE	Fiscal 2008				Fiscal 2009					
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 702 - Continue OTO Approp - Gambling Database											
07	0.00	0	85,250		0	85,250	0.00	0	85,250	0	85,250
DP 703 - GCD - New Investigators - Gambling											
07	2.00	0	147,848		0	147,848	2.00	0	118,102	0	118,102
DP 704 - Tobacco Investigation Unit - Make MOU Permanent											
07	2.00	0	122,432		0	122,432	2.00	0	122,700	0	122,700
DP 707 - GCD - New Investigators - Liquor											
07	2.00	0	0		0	147,848*	2.00	0	0	0	118,102*
<b>Total</b>	<b>6.00</b>	<b>\$0</b>	<b>\$355,530</b>		<b>\$0</b>	<b>\$503,378*</b>	<b>6.00</b>	<b>\$0</b>	<b>\$326,052</b>	<b>\$0</b>	<b>\$444,154*</b>

DP 702 - Continue OTO Approp - Gambling Database - This bill provides \$170,500 state special revenue for the biennium as a one-time-only, biennial appropriation, to complete activities related to the design, development, and implementation of a new database for the division to receive machine data and tax payments electronically, through the state website. The legislature provided \$1.5 million of funding for the 2007 biennium of which the division has spent about \$1.2 million.

DP 703 - GCD - New Investigators - Gambling - This bill provides \$265,950 in gambling state special revenue for the 2009 biennium to support an additional 2.00 FTE investigators and associated operating and equipment costs to help manage the growth and regulation of live poker tables and tournaments.

DP 704 - Tobacco Investigation Unit - Make MOU Permanent - This bill provides \$245,132 state special revenue for the biennium to support an additional 2.00 FTE investigators and related operating expenses. These positions are currently funded through a memorandum of understanding with the Department of Public Health and Human Service by tobacco settlement funds and would address an increase in workload related to tobacco tax evasion and smuggling.

DP 707 - GCD - New Investigators - Liquor - This bill provides \$265,950 proprietary funds for the biennium to support an additional 2.00 FTE liquor investigators and related operating costs to provide manpower to conduct investigations of out-of-state residents and publicly traded companies.

**Program Legislative Budget**

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

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	153.00	0.00	2.00	155.00	0.00	2.00	155.00	155.00
Personal Services	4,996,142	723,058	100,754	5,819,954	739,047	100,842	5,836,031	11,655,985
Operating Expenses	3,963,633	2,249,408	11,529	6,224,570	2,273,128	11,529	6,248,290	12,472,860
Equipment	43,439	21,500	0	64,939	21,500	0	64,939	129,878
Capital Outlay	0	0	0	0	0	0	0	0
Debt Service	457,974	3,300,000	0	3,757,974	4,275,000	0	4,732,974	8,490,948
<b>Total Costs</b>	<b>\$9,461,188</b>	<b>\$6,293,966</b>	<b>\$112,283</b>	<b>\$15,867,437</b>	<b>\$7,308,675</b>	<b>\$112,371</b>	<b>\$16,882,234</b>	<b>\$32,749,671</b>
General Fund	5,255,195	1,647,137	112,283	7,014,615	1,670,964	112,371	7,038,530	14,053,145
State/Other Special	4,194,867	4,096,829	0	8,291,696	5,087,711	0	9,282,578	17,574,274
Proprietary	11,126	550,000	0	561,126	550,000	0	561,126	1,122,252
<b>Total Funds</b>	<b>\$9,461,188</b>	<b>\$6,293,966</b>	<b>\$112,283</b>	<b>\$15,867,437</b>	<b>\$7,308,675</b>	<b>\$112,371</b>	<b>\$16,882,234</b>	<b>\$32,749,671</b>

**Page Reference**

Legislative Budget Analysis, D-28

**Funding**

The division receives the majority of its funding, about 55 percent, from state special revenue sources including the highways special revenue and MVD information technology (HB 261) funds. General fund, expended in conjunction with highway state special revenue, supports motor vehicle licensing and registration on a ratio of 40 percent general fund, 60 percent state special revenue funds. Proprietary funds, primarily from government e-commerce related activities comprise the balance (about 3 percent) of the funding for the division.

**Present Law Adjustments**

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

Present Law Adjustments										
-----Fiscal 2008-----					-----Fiscal 2009-----					
FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
Personal Services				950,939					967,599	
Vacancy Savings				(237,881)					(238,552)	
Inflation/Deflation				52,905					55,154	
Fixed Costs				(165,732)					(149,354)	
<b>Total Statewide Present Law Adjustments</b>				<b>\$600,231</b>					<b>\$634,847</b>	
DP 1201 - Base Adjustments MVD Titling and Registration	0.00	288,907	192,605	0	481,512	0.00	288,907	192,605	0	481,512
DP 1202 - Base Adjustments MVD Driver Licensing Functions	0.00	817,334	544,889	0	1,362,223	0.00	820,390	546,926	0	1,367,316
DP 1206 - Base Adjustments for HB577 Debt Payments	0.00	0	800,000	0	800,000	0.00	0	775,000	0	775,000
DP 1207 - Base Adjustments for HB261 Debt Payments	0.00	0	2,500,000	0	2,500,000	0.00	0	3,500,000	0	3,500,000
DP 1212 - MV Proprietary Account Spending Authority	0.00	0	0	0	25,000*	0.00	0	0	0	25,000*
DP 1213 - HB 671 Proprietary Account Spending Authority	0.00	0	0	0	525,000*	0.00	0	0	0	525,000*
<b>Total Other Present Law Adjustments</b>				<b>\$0</b>	<b>\$5,693,735*</b>	<b>0.00</b>	<b>\$1,109,297</b>	<b>\$5,014,531</b>	<b>\$0</b>	<b>\$6,673,828*</b>
<b>Grand Total All Present Law Adjustments</b>				<b>\$6,293,966*</b>						<b>\$7,308,675*</b>

DP 1201 - Base Adjustments MVD Titling and Registration - This bill provides \$963,024 total funds, \$577,814 general fund and \$385,210 state special revenue, for base budget adjustments in the areas of overtime, legal fees, court costs, printing, postage, and rent. The majority of this funding supports three items: data network charges (\$294,000), printing of decals (\$160,420), and specialized printer cartridges (\$130,000).

DP 1202 - Base Adjustments MVD Driver Licensing Functions - This bill provides \$2.7 million total funds, \$1.6 million general fund and \$1.1 million state special revenue, for base budget adjustments related to on-going driver licensing and driver control responsibilities. Almost \$2.5 million of the funding requested in this decision package is for the production of digital driver licenses and identification cards. The current contract for these services expires in FY 2007. A request for proposal will be issued and the department anticipates costs for these services will increase from \$3.15 to \$10.00 for each driver license and identification card produced.

DP 1206 - Base Adjustments for HB577 Debt Payments - This bill provides \$1,575,000 state special revenue as a biennial appropriation for debt service and system acquisition costs for the Motor Vehicle System, Phase One, Titling System project (HB 577 from the 2001 session). The \$4.5 million Board of Investments loan (initiated in FY 2002) to finance the motor vehicle titling information technology system under the INTERCAP loan program was placed on a 10-year repayment schedule funded by a \$4 increase in lien filing fees.

DP 1207 - Base Adjustments for HB261 Debt Payments - This bill provides \$6.0 million state special revenue as a biennial appropriation for debt payments (HB 261 of the 2003 session) to fund the Motor Vehicle System, Phase Two, Vehicle Registration and Driver Licensing/Driver Control System. The Board of Investments \$18 million loan for the motor vehicle registration and driver licensing/driver control information technology system under the INTERCAP loan program was initiated in FY 2004 with a 10-year repayment schedule funded by a \$5 increase in titling fees.

DP 1212 - MV Proprietary Account Spending Authority - This bill provides \$50,000 state special revenue for the biennium as a biennial appropriation for costs of development, maintenance, and distribution of information in the state's motor vehicle and driver licensing database applications electronically. The division is developing e-government applications that allow individuals to access certain information on-line for a fee. For example, an individual or prospective employer may obtain a copy of a driving record for a fee through an online application. The vendor collects the fees, retains a portion of the fee, and remits a portion to the department for deposit into a proprietary account.

DP 1213 - HB 671 Proprietary Account Spending Authority - This bill provides \$1,050,000 state special revenue for the biennium to support operating costs for an enhanced motor vehicle web portal that allows third party users to access the system. This funding would be used to develop an e-government application through which temporary vehicle registration permits would be purchased. Fees charged for this service would be deposited to a proprietary account.

**New Proposals**

New Proposals											
		-----Fiscal 2008-----					-----Fiscal 2009-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 1208 - Driver License Security Requirements	12	2.00	112,283	0	0	112,283	2.00	112,371	0	0	112,371
<b>Total</b>	<b>2.00</b>	<b>\$112,283</b>	<b>\$0</b>	<b>\$0</b>	<b>\$112,283*</b>	<b>2.00</b>	<b>\$112,371</b>	<b>\$0</b>	<b>\$0</b>	<b>\$112,371*</b>	

DP 1208 - Driver License Security Requirements - This bill provides \$224,654 general fund for the biennium to continue 2.00 FTE and related operating costs for driver license security requirements required by the Patriot Act and funded with a one-time-only appropriation in the 2007 biennium.

**Program Legislative Budget**

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

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	264.05	0.00	5.00	269.05	0.00	5.00	269.05	269.05
Personal Services	13,465,542	4,466,222	(2,129,923)	15,801,841	4,565,281	(2,129,791)	15,901,032	31,702,873
Operating Expenses	5,253,566	220,690	(70,422)	5,403,834	312,621	(70,436)	5,495,751	10,899,585
Equipment	1,573,902	257,681	(173,675)	1,657,908	357,221	(173,675)	1,757,448	3,415,356
<b>Total Costs</b>	<b>\$20,293,010</b>	<b>\$4,944,593</b>	<b>(\$2,374,020)</b>	<b>\$22,863,583</b>	<b>\$5,235,123</b>	<b>(\$2,373,902)</b>	<b>\$23,154,231</b>	<b>\$46,017,814</b>
General Fund	0	0	175,039	175,039	0	176,690	176,690	351,729
State/Other Special	19,945,808	5,077,235	(2,334,499)	22,688,544	5,367,751	(2,336,018)	22,977,541	45,666,085
Federal Special	347,202	(132,642)	(214,560)	0	(132,628)	(214,574)	0	0
<b>Total Funds</b>	<b>\$20,293,010</b>	<b>\$4,944,593</b>	<b>(\$2,374,020)</b>	<b>\$22,863,583</b>	<b>\$5,235,123</b>	<b>(\$2,373,902)</b>	<b>\$23,154,231</b>	<b>\$46,017,814</b>

**Page Reference**

Legislative Budget Analysis, D-32

**Funding**

The division receives almost all of its funding from the highways state special revenue account. General fund supports the executive protection function.

**Present Law Adjustments**

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

Present Law Adjustments										
	-----Fiscal 2008-----				-----Fiscal 2009-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					3,830,301					3,929,355
Vacancy Savings					(691,852)					(695,798)
Inflation/Deflation					4,129					4,997
Fixed Costs					237,346					314,848
<b>Total Statewide Present Law Adjustments</b>					<b>\$3,379,924</b>					<b>\$3,553,402</b>
DP 1301 - MHP base adjustments	0.00	0	866,456	0	866,456	0.00	0	979,557	0	979,557
DP 9906 - Exempt MHP from Vacancy Savings	0.00	0	698,213	0	698,213	0.00	0	702,164	0	702,164
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,564,669</b>	<b>\$0</b>	<b>\$1,564,669</b>	<b>0.00</b>	<b>\$0</b>	<b>\$1,681,721</b>	<b>\$0</b>	<b>\$1,681,721</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$4,944,593</b>					<b>\$5,235,123</b>

DP 1301 - MHP base adjustments - This bill provides \$1.8 million state special revenue for the biennium for adjustments to FY 2006 base expenditures including:

- increases in overtime and mandatory employee benefit costs - \$1.3 million
- vehicles - \$614,902
- rent - \$263,845
- maintenance agreements - \$268,000
- prisoner per diem - \$145,946
- gasoline - \$94,200

DP 9906 - Exempt MHP from Vacancy Savings - This bill removes vacancy savings from the Montana Highway Patrol since statutory provisions exempt this program from vacancy savings. This adjustment was reflected in the adjustments to the executive budget published in December, 2006.

### New Proposals

Program	FTE	Fiscal 2008				Fiscal 2009					
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 1303 - Communications Operators	13	5.00	0	152,659	0	152,659	5.00	0	152,791	0	152,791
DP 1305 - MCSAP Reduction from base	13	0.00	0	(29,537)	(214,560)	(244,097)	0.00	0	(29,537)	(214,574)	(244,111)
DP 1306 - Executive protection funding switch	13	0.00	175,039	(175,039)	0	0	0.00	176,690	(176,690)	0	0
DP 9907 - Remove Portion Salaries Statutorily Appropriated	13	0.00	0	(2,282,582)	0	(2,282,582)	0.00	0	(2,282,582)	0	(2,282,582)
<b>Total</b>	<b>5.00</b>	<b>\$175,039</b>	<b>(\$2,334,499)</b>	<b>(\$214,560)</b>	<b>(\$2,374,020)*</b>	<b>5.00</b>	<b>\$176,690</b>	<b>(\$2,336,018)</b>	<b>(\$214,574)</b>	<b>(\$2,373,902)*</b>	

DP 1303 - Communications Operators - This bill provides \$305,450 state special revenue for the biennium to support an additional 5.00 FTE communication system operators (dispatchers) for its statewide communication dispatch center in Helena.

DP 1305 - MCSAP Reduction from base - This bill reduces funding for the division by \$488,208 (\$59,074 state special revenue and \$429,134 federal funds) for the biennium, to reflect the movement of the Motor Carrier Safety Assistance Section (MCSAP) to the Department of Transportation effective October 1, 2005.

DP 1306 - Executive protection funding switch - This bill provides a general fund increase of \$351,729 for the biennium with an offsetting reduction in state special revenue for executive protection. Previously, the Governor's Office paid the MHP with a general fund appropriation and MHP recorded receipt of that reimbursement in a state special revenue account. With the movement of this function from the Governor's Office, the expenditure is made from the MHP and could be charged to the general fund at the time the expenditure is recorded.

DP 9907 - Remove Portion Salaries Statutorily Appropriated - This bill removes the portion of the statewide present law adjustment for personal services related to pay increases funded by a statutory appropriation.

**Program Legislative Budget**

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

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	79.50	0.00	2.00	81.50	0.00	2.00	81.50	81.50
Personal Services	3,813,261	517,916	338,245	4,669,422	545,533	465,276	4,824,070	9,493,492
Operating Expenses	2,177,978	(49,080)	1,288,197	3,417,095	(41,160)	287,655	2,424,473	5,841,568
Equipment	106,916	0	0	106,916	0	0	106,916	213,832
Debt Service	40,022	0	0	40,022	0	0	40,022	80,044
<b>Total Costs</b>	<b>\$6,138,177</b>	<b>\$468,836</b>	<b>\$1,626,442</b>	<b>\$8,233,455</b>	<b>\$504,373</b>	<b>\$752,931</b>	<b>\$7,395,481</b>	<b>\$15,628,936</b>
General Fund	3,482,713	362,255	1,447,562	5,292,530	389,650	557,110	4,429,473	9,722,003
State/Other Special	1,465,988	188,947	164,849	1,819,784	193,480	169,397	1,828,865	3,648,649
Federal Special	1,189,476	(82,366)	14,031	1,121,141	(78,757)	26,424	1,137,143	2,258,284
Expendable Trust	0	0	0	0	0	0	0	0
<b>Total Funds</b>	<b>\$6,138,177</b>	<b>\$468,836</b>	<b>\$1,626,442</b>	<b>\$8,233,455</b>	<b>\$504,373</b>	<b>\$752,931</b>	<b>\$7,395,481</b>	<b>\$15,628,936</b>

**Page Reference**

Legislative Budget Analysis, D-39

**Funding**

The division is funded by a combination of general fund (67 percent), state special revenue (20 percent), and federal funds (13 percent). The largest source of state special revenue for the division is the Montana Law Enforcement Academy surcharge. Federal funds include Medicaid and homeland security funds. Federal funds decrease due to the completion and non renewal of a grant at the end of FY 2006. Funding for this grant is removed from the budget.

**Present Law Adjustments**

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

Present Law Adjustments	-----Fiscal 2008-----				-----Fiscal 2009-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					698,383					727,147
Vacancy Savings					(180,467)					(181,614)
Inflation/Deflation					40,944					43,002
Fixed Costs					93,469					99,331
<b>Total Statewide Present Law Adjustments</b>					<b>\$652,329</b>					<b>\$687,866</b>
DP 1810 - Deduct Excess Authority	0.00	0	(14,464)	(169,029)	(183,493)	0.00	0	(14,464)	(169,029)	(183,493)
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$14,464)</b>	<b>(\$169,029)</b>	<b>(\$183,493)</b>	<b>0.00</b>	<b>\$0</b>	<b>(\$14,464)</b>	<b>(\$169,029)</b>	<b>(\$183,493)</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$468,836</b>					<b>\$504,373</b>

DP 1810 - Deduct Excess Authority - This bill decreases funding by \$384,570 (\$46,512 state special revenue and \$338,058 federal funds) due to the completion of a federal grant.

## New Proposals

New Proposals											
Program	FTE	Fiscal 2008				Fiscal 2009					
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 1806 - One Management/Leadership Trainer	18	1.00	0	71,447	0	71,447	1.00	0	69,497	0	69,497
DP 1807 - State Special Authority for Grants	18	0.00	0	86,327	0	86,327	0.00	0	86,295	0	86,295
DP 9902 - DCI Building Rent	18	0.00	171,500	0	0	171,500	0.00	178,500	0	0	178,500
DP 9903 - Supervisor Eastern Montana Drug Task Force	18	0.00	70,395	0	0	70,395	0.00	70,395	0	0	70,395
DP 9904 - Crime Analyst	18	1.00	78,035	0	0	78,035	1.00	74,210	0	0	74,210
DP 9908 - Methamphetamine Watch Program (Rstd/Biennial/OTO)	18	0.00	1,000,000	0	0	1,000,000	0.00	0	0	0	0
DP 9912 - Progression to Mrkt - Criminal Investigators	18	0.00	127,632	7,075	14,031	148,738	0.00	234,005	13,605	26,424	274,034
<b>Total</b>	<b>2.00</b>	<b>\$1,447,562</b>	<b>\$164,849</b>	<b>\$14,031</b>	<b>\$1,626,442*</b>	<b>2.00</b>	<b>\$557,110</b>	<b>\$169,397</b>	<b>\$26,424</b>	<b>\$752,931*</b>	

DP 1806 - One Management/Leadership Trainer - This bill provides \$140,944 state special revenue for the biennium to support a 1.00 FTE management and leadership trainer for the Professional Programs Unit of the Montana Law Enforcement Academy.

DP 1807 - State Special Authority for Grants - This bill provides \$172,622 state special revenue for the biennium to provide the matching funds for the Southwest Montana Drug Task Force and the Eastern Montana Drug Task Force, which are both funded through a grant from the Montana Board of Crime Control. The grants require a 25 percent match that comes either from forfeiture funds or from the local agencies participating in the task forces.

DP 9902 - DCI Building Rent - This bill provides \$350,000 general fund (\$171,500 in FY 2008 and \$178,500 in FY 2009) to support an increase in office rental costs for the division.

DP 9903 - Supervisor Eastern Montana Drug Task Force - This bill provides funding to continue the position of supervisor for one of the drug task forces. This position was supported by a one-time-only appropriation in the base budget year.

DP 9904 - Crime Analyst - This bill provides \$152,245 general fund for the biennium to support an additional crime analyst for Montana's All Threat Intelligence Center, within the Department of Justice. The unit provides intelligence and analytical services for local, state and federal agencies upon request.

DP 9908 - Methamphetamine Watch Program (Rstd/Biennial/OTO) - This bill provides \$1 million as a restricted, biennial, one-time-only appropriation for the Methamphetamine Watch Program.

DP 9912 - Progression to Mrkt - Criminal Investigators - This bill provides general fund of \$127,632 and \$234,005 (\$361,637 for the biennium) and total funds of \$148,738 and \$274,034 (\$422,772 for the biennium) in FY 2008 and 2009, respectively, to support progression to market pay increases for law enforcement personnel.

**Program Legislative Budget**

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

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	21.75	0.00	0.00	21.75	0.00	0.00	21.75	21.75
Personal Services	1,912,587	268,351	0	2,180,938	354,617	0	2,267,204	4,448,142
<b>Total Costs</b>	<b>\$1,912,587</b>	<b>\$268,351</b>	<b>\$0</b>	<b>\$2,180,938</b>	<b>\$354,617</b>	<b>\$0</b>	<b>\$2,267,204</b>	<b>\$4,448,142</b>
General Fund	1,912,587	268,351	0	2,180,938	354,617	0	2,267,204	4,448,142
<b>Total Funds</b>	<b>\$1,912,587</b>	<b>\$268,351</b>	<b>\$0</b>	<b>\$2,180,938</b>	<b>\$354,617</b>	<b>\$0</b>	<b>\$2,267,204</b>	<b>\$4,448,142</b>

**Page Reference**

Legislative Budget Analysis, D-43

**Funding**

Funding for the state share of county attorney salaries is provided by the general fund.

**Present Law Adjustments**

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

	-----Fiscal 2008-----				-----Fiscal 2009-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					26,609					28,567
<b>Total Statewide Present Law Adjustments</b>					<b>\$26,609</b>					<b>\$28,567</b>
DP 1901 - County Attorney Pay Plan - 50% Match	0.00	241,742	0	0	241,742	0.00	326,050	0	0	326,050
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$241,742</b>	<b>\$0</b>	<b>\$0</b>	<b>\$241,742</b>	<b>0.00</b>	<b>\$326,050</b>	<b>\$0</b>	<b>\$0</b>	<b>\$326,050</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$268,351</b>					<b>\$354,617</b>

DP 1901 - County Attorney Pay Plan - 50% Match - This bill provides \$567,792 general fund for the biennium for increases in the state share of county attorney salaries. Under the provisions of 17-7-112(2) (a), MCA, the Department of Justice is required to submit information received from counties concerning the state's share of county attorney salaries. If HB 12 is passed and approved in a form that includes an appropriation for this purpose, this appropriation is void.

**Language**

“Funding in County Attorney Payroll for the state share of county attorney salaries is reduced by \$2,180,938 in general fund money in fiscal year 2008 and \$2,267,204 in general fund money in fiscal year 2009 if House Bill No. 12 is passed and approved in a form that includes an appropriation for this purpose.”

**Program Legislative Budget**

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

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	17.50	0.00	0.00	17.50	0.00	0.00	17.50	17.50
Personal Services	787,551	115,935	0	903,486	117,948	0	905,499	1,808,985
Operating Expenses	150,545	77,923	0	228,468	3,050	0	153,595	382,063
<b>Total Costs</b>	<b>\$938,096</b>	<b>\$193,858</b>	<b>\$0</b>	<b>\$1,131,954</b>	<b>\$120,998</b>	<b>\$0</b>	<b>\$1,059,094</b>	<b>\$2,191,048</b>
General Fund	334,708	78,330	0	413,038	46,566	0	381,274	794,312
State/Other Special	546,393	107,770	0	654,163	67,882	0	614,275	1,268,438
Proprietary	56,995	7,758	0	64,753	6,550	0	63,545	128,298
<b>Total Funds</b>	<b>\$938,096</b>	<b>\$193,858</b>	<b>\$0</b>	<b>\$1,131,954</b>	<b>\$120,998</b>	<b>\$0</b>	<b>\$1,059,094</b>	<b>\$2,191,048</b>

**Page Reference**

Legislative Budget Analysis, D-46

**Funding**

The division is funded primarily from state special revenue which provides 58 percent of the division’s funding. Sources of state special revenue include highways special revenue and gambling license fees. General fund provides 36 percent of the funding for the division and proprietary funds provide the remaining 6 percent. Centralized services costs are allocated among the funding sources for the department based upon the existing levels of expenditures by fund, increased proportionately to reflect the proposed expenditures.

**Present Law Adjustments**

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

	-----Fiscal 2008-----				-----Fiscal 2009-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					153,579					155,679
Vacancy Savings					(37,644)					(37,731)
Inflation/Deflation					183					211
Fixed Costs					77,740					2,839
<b>Total Statewide Present Law Adjustments</b>					<b>\$193,858</b>					<b>\$120,998</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$193,858</b>					<b>\$120,998</b>

**Program Legislative Budget**

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

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	54.00	0.00	1.00	55.00	0.00	1.00	55.00	55.00
Personal Services	2,437,246	406,662	38,898	2,882,806	415,863	38,933	2,892,042	5,774,848
Operating Expenses	1,787,580	469,341	2,000	2,258,921	204,468	2,000	1,994,048	4,252,969
Equipment	54,577	225,000	0	279,577	125,000	0	179,577	459,154
<b>Total Costs</b>	<b>\$4,279,403</b>	<b>\$1,101,003</b>	<b>\$40,898</b>	<b>\$5,421,304</b>	<b>\$745,331</b>	<b>\$40,933</b>	<b>\$5,065,667</b>	<b>\$10,486,971</b>
General Fund	2,982,360	327,885	0	3,310,245	343,614	0	3,325,974	6,636,219
State/Other Special	1,279,806	773,642	40,898	2,094,346	402,241	40,933	1,722,980	3,817,326
Federal Special	3,916	(524)	0	3,392	(524)	0	3,392	6,784
Proprietary	13,321	0	0	13,321	0	0	13,321	26,642
<b>Total Funds</b>	<b>\$4,279,403</b>	<b>\$1,101,003</b>	<b>\$40,898</b>	<b>\$5,421,304</b>	<b>\$745,331</b>	<b>\$40,933</b>	<b>\$5,065,667</b>	<b>\$10,486,971</b>

**Page Reference**

Legislative Budget Analysis, D-48

**Funding**

The division receives almost 66 percent of its support from the general fund. State special revenue, primarily from background checks and the Criminal Justice Information Network, provides 34 percent of the funding for the division. Federal and proprietary funds combined provide less than one percent of the division’s funding.

**Present Law Adjustments**

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

	-----Fiscal 2008-----				-----Fiscal 2009-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					525,158					534,741
Vacancy Savings					(118,496)					(118,878)
Inflation/Deflation					205					317
Fixed Costs					(55,864)					(45,849)
<b>Total Statewide Present Law Adjustments</b>					<b>\$351,003</b>					<b>\$370,331</b>
DP 2905 - Additional Spending Authority for IJIS Broker	0.00	0	375,000	0	375,000	0.00	0	375,000	0	375,000
DP 2907 - Increase Spending Authority for CJIN Refresh	0.00	0	375,000	0	375,000	0.00	0	0	0	0
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$0</b>	<b>\$750,000</b>	<b>\$0</b>	<b>\$750,000</b>	<b>0.00</b>	<b>\$0</b>	<b>\$375,000</b>	<b>\$0</b>	<b>\$375,000</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$1,101,003</b>					<b>\$745,331</b>

DP 2905 - Additional Spending Authority for IJIS Broker - This bill provides \$750,000 state special revenue for the biennium as a biennial appropriation for the Integrated Justice Information System (IJIS) broker project. The IJIS broker will allow state, local, and federal agencies to connect with each other to share information such as CJIN, intel systems, records management systems, NCIC, naval criminal investigative service, criminal history records system, electronic dispositions, electronic tickets, driver photos, and BIO Metrics.

DP 2907 - Increase Spending Authority for CJIN Refresh - This bill provides \$375,000 state special revenue for the biennium to conduct a refresh of the Criminal Justice Information Network (CJIN), which is done every four years.

**New Proposals**

New Proposals											
Program	FTE	Fiscal 2008				Fiscal 2009					
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 2906 - Criminal Justice Information Services Technician	29	1.00	0	40,898	0	40,898	1.00	0	40,933	0	40,933
<b>Total</b>	<b>1.00</b>	<b>\$0</b>	<b>\$40,898</b>	<b>\$0</b>	<b>\$40,898*</b>	<b>1.00</b>	<b>\$0</b>	<b>\$40,933</b>	<b>\$0</b>	<b>\$40,933*</b>	

DP 2906 - Criminal Justice Information Services Technician - This bill provides \$81,831 state special revenue for the biennium for a technician to provide technical and administrative support for the Criminal Justice Information Systems Bureau in the areas of customer service, system access, and criminal history records system information. The position was a modified position in the base budget year.

**Program Legislative Budget**

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

Program Legislative Budget								
Budget Item	Base Budget Fiscal 2006	PL Base Adjustment Fiscal 2008	New Proposals Fiscal 2008	Total Leg. Budget Fiscal 2008	PL Base Adjustment Fiscal 2009	New Proposals Fiscal 2009	Total Leg. Budget Fiscal 2009	Total Leg. Budget Fiscal 08-09
FTE	30.75	0.00	2.00	32.75	0.00	2.00	32.75	32.75
Personal Services	1,800,902	309,709	378,112	2,488,723	324,273	378,886	2,504,061	4,992,784
Operating Expenses	1,273,253	36,641	64,952	1,374,846	38,767	7,000	1,319,020	2,693,866
Equipment	14,694	0	115,375	130,069	0	115,375	130,069	260,138
Debt Service	89,854	0	0	89,854	0	0	89,854	179,708
<b>Total Costs</b>	<b>\$3,178,703</b>	<b>\$346,350</b>	<b>\$558,439</b>	<b>\$4,083,492</b>	<b>\$363,040</b>	<b>\$501,261</b>	<b>\$4,043,004</b>	<b>\$8,126,496</b>
General Fund	2,875,499	346,350	558,439	3,780,288	363,040	501,261	3,739,800	7,520,088
State/Other Special	303,204	0	0	303,204	0	0	303,204	606,408
Federal Special	0	0	0	0	0	0	0	0
<b>Total Funds</b>	<b>\$3,178,703</b>	<b>\$346,350</b>	<b>\$558,439</b>	<b>\$4,083,492</b>	<b>\$363,040</b>	<b>\$501,261</b>	<b>\$4,043,004</b>	<b>\$8,126,496</b>

**Page Reference**

Legislative Budget Analysis, D-53

**Funding**

The division receives 92 percent of its funding from the general fund. State special revenue from earmarked alcohol funds provides the remaining 8 percent of the division’s funding.

**Present Law Adjustments**

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

Present Law Adjustments	-----Fiscal 2008-----				-----Fiscal 2009-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					397,651					412,821
Vacancy Savings					(87,942)					(88,548)
Inflation/Deflation					6,527					7,340
Fixed Costs					(3,886)					(2,573)
<b>Total Statewide Present Law Adjustments</b>					<b>\$312,350</b>					<b>\$329,040</b>
DP 3201 - Forensic Science Lab - Base Adjustment	0.00	34,000	0	0	34,000	0.00	34,000	0	0	34,000
<b>Total Other Present Law Adjustments</b>	<b>0.00</b>	<b>\$34,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$34,000</b>	<b>0.00</b>	<b>\$34,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$34,000</b>
<b>Grand Total All Present Law Adjustments</b>					<b>\$346,350</b>					<b>\$363,040</b>

DP 3201 - Forensic Science Lab - Base Adjustment - This bill provides \$68,000 general fund for the biennium for base adjustments in the DNA analysis section to annualize the costs of re-agent kits and membership in the Western Identification Network (WIN). The DNA section of the laboratory was closed for analysis from May 2005 until January 2006 due to staffing shortages. Because this section was shut down, no chemicals were purchased during that period, resulting in understatement of the base budget. One re-agent kit is used every six weeks and the kits cost \$6,000 each. The Western Identification Network (WIN) network consists of nine western states along with a number of federal agencies that maintain latent fingerprint databases. The cost for membership in this network is \$7,000 per year.

## New Proposals

Program	FTE	-----Fiscal 2008-----				-----Fiscal 2009-----					
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 3202 - Toxicologist Position	32	1.00	73,758	0	0	73,758	1.00	70,862	0	0	70,862
DP 3203 - Latent Print Examiner Position	32	1.00	73,758	0	0	73,758	1.00	70,862	0	0	70,862
DP 3205 - Crime Lab Equipment (RST/OTO)	32	0.00	115,375	0	0	115,375	0.00	115,375	0	0	115,375
DP 3206 - Forensic Science Lab - Records Mgmt. OTO	32	0.00	52,000	0	0	52,000	0.00	0	0	0	0
DP 9900 - Progression to Market - Forensic Scientist	32	0.00	150,000	0	0	150,000	0.00	150,000	0	0	150,000
DP 9901 - Exempt Forensic Lab from Vacancy Savings	32	0.00	93,548	0	0	93,548	0.00	94,162	0	0	94,162
<b>Total</b>	<b>2.00</b>	<b>\$558,439</b>	<b>\$0</b>	<b>\$0</b>	<b>\$558,439*</b>	<b>2.00</b>	<b>\$501,261</b>	<b>\$0</b>	<b>\$0</b>	<b>\$501,261*</b>	

DP 3202 - Toxicologist Position - This bill provides \$144,620 in general fund for the biennium to support an additional 1.00 FTE toxicologist at the crime lab.

DP 3203 - Latent Print Examiner Position - This bill provides \$144,620 general fund for the biennium to support an additional 1.00 FTE Latent Print Examiner position to address the increasing workload and backlog in the latent print section of more than one year.

DP 3205 - Crime Lab Equipment (RST/OTO) - This bill provides \$230,750 general fund as a biennial appropriation for equipment replacement, including replacement of two thermal cyclers T (\$8,000 each), glass refractive index measurement II (GRIM) (\$45,000), comparison microscope (\$62,000), Gas Chromatograph with Mass Selective Detector (GC/MS used in the chemistry and toxicology section \$95,000), and a stereomicroscope with portable stand (\$12,750).

DP 3206 - Forensic Science Lab - Records Mgmt. OTO - This bill provides \$52,000 general fund for the biennium as a one time only appropriation to review all state crime lab records. Contract services would be utilized to hire temporary help to go through each record older than five years to determine if the record can be destroyed.

DP 9900 - Progression to Market - Forensic Scientist - This bill provides \$300,000 general fund (\$150,000 per year) for pay increases to progress forensic scientist toward market rates of pay so that recruitment and retention issues related to forensic scientist may be reduced.

DP 9901 - Exempt Forensic Lab from Vacancy Savings - This bill provides \$187,710 general fund (\$93,548 in FY 2008 and \$94,162 in FY 2009) to exempt the Forensic Science Division from vacancy savings. This funding was provided in an effort to address recruitment and retention issues related to forensic scientists.

**Language**

“Forensic Science Division includes general fund money of \$73,758 in fiscal year 2008 and \$70,862 in fiscal year 2009 for 1 FTE forensic scientist. If House Bill No. 12 is passed and approved in a form that includes an appropriation for this purpose, funding in Forensic Science Division is reduced by this amount.”

“Forensic Science Division includes general fund money of \$73,758 in fiscal year 2008 and \$70,862 in fiscal year 2009 for 1 FTE latent print examiner. If House Bill No. 12 is passed and approved in a form that includes an appropriation for this purpose, funding in Forensic Science Division is reduced by this amount.”

“Forensic Science Division includes general fund money of \$150,000 in fiscal year 2008 and \$150,000 in fiscal year 2009 to provide progression to market pay increases for forensic scientists. If House Bill No. 12 is passed and approved in a form that includes an appropriation for this purpose, funding in Forensic Science Division is reduced by this amount.”