

Agency Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	72,876,232	74,155,887	1,279,655	1.76 %
Operating Expenses	17,382,397	15,474,823	(1,907,574)	(10.97)%
Equipment & Intangible Assets	352,710	299,210	(53,500)	(15.17)%
Grants	0	1,404,000	1,404,000	0.00 %
Benefits & Claims	7,877,424	11,026,804	3,149,380	39.98 %
Transfers	3,181,841	0	(3,181,841)	(100.00)%
Debt Service	14,750	17,750	3,000	20.34 %
Total Expenditures	\$101,685,354	\$102,378,474	\$693,120	0.68 %
General Fund	97,845,088	98,240,898	395,810	0.40 %
State/Other Special Rev. Funds	3,584,855	3,935,920	351,065	9.79 %
Federal Spec. Rev. Funds	255,411	201,656	(53,755)	(21.05)%
Total Funds	\$101,685,354	\$102,378,474	\$693,120	0.68 %
Total Ongoing	\$101,273,141	\$100,488,463	(\$784,678)	(0.77)%
Total OTO	\$412,213	\$1,890,011	\$1,477,798	358.50 %

Agency Description

Mission Statement: The mission of the Judicial Branch is to provide an independent, accessible, responsive, impartial and timely forum to resolve disputes; to preserve the rule of law; and to protect the rights and liberties guaranteed by the Constitutions of the United States and Montana.

Article III, Section I, and Article VII of the Montana Constitution authorizes the Judicial Branch. There are five programs within the branch: 1) Supreme Court Operations; 2) Law Library; 3) District Court Operations; 4) Water Court Supervision; and 5) Clerk of the Supreme Court.

Agency Highlights

Judicial Branch Major Budget Highlights
<ul style="list-style-type: none"> • The legislature increased the budget by \$0.7 million for the biennium • Funding for information technology staff was approved including 2.00 FTE as one-time-only • Funding was approved to continue the child abuse court diversion pilot project in the 2019 biennium • Three new district court judges and staff were funded to begin on January 1, 2019 • A special revenue account was created using court fees to support court appointed special advocates (CASA) while reducing general fund for the biennium • Treatment courts were not funded where federal funding was expiring • A portion of the reductions offered by the Judicial Branch in FY 2017 for HB 3 were restored in FY 2019 for HB 2

Agency Actuals and Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	436.08	436.08	436.08	438.58	449.58
Personal Services	34,683,753	35,916,656	36,959,576	36,487,932	37,667,955
Operating Expenses	8,355,186	8,728,377	8,654,020	7,706,032	7,768,791
Equipment & Intangible Assets	195,717	227,105	125,605	125,605	173,605
Grants	0	0	0	702,000	702,000
Benefits & Claims	2,173,627	2,364,022	5,513,402	5,513,402	5,513,402
Transfers	3,181,841	3,181,841	0	0	0
Debt Service	4,875	5,875	8,875	8,875	8,875
Total Expenditures	\$48,594,999	\$50,423,876	\$51,261,478	\$50,543,846	\$51,834,628
General Fund	47,026,054	48,531,679	49,313,409	48,476,056	49,764,842
State/Other Special Rev. Funds	1,501,036	1,765,099	1,819,756	1,967,000	1,968,920
Federal Spec. Rev. Funds	67,909	127,098	128,313	100,790	100,866
Total Funds	\$48,594,999	\$50,423,876	\$51,261,478	\$50,543,846	\$51,834,628
Total Ongoing	\$48,388,903	\$50,217,601	\$51,055,540	\$49,598,928	\$50,889,535
Total OTO	\$206,096	\$206,275	\$205,938	\$944,918	\$945,093

Summary of Legislative Action

The legislature approved the branch budget with an increase of \$0.7 million or a 0.7% increase from the 2017 appropriated budget. The following items were funded:

- A delayed and mitigated plan for new judges serving the state in Montana with delayed implementation and with less total judges as compared to the executive request
- A reduced IT staffing plan
- Changing the way CASA is funded by allowing court fees to be used in place of general fund
- Continued support for the child abuse court diversion project originally started by the 2015 Legislature

The legislature also opted to move pretrial matching and diversion grants in the amount of \$0.8 million general fund each year from the Montana Board of Crime Control and place them in the Judicial Branch. This funding supports and encourages local jurisdictions to adopt validated risk assessment tools.

Funding

The following table shows adopted agency funding by source of authority. Funding for each program is discussed in detail in the individual program narratives.

Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	96,350,887	1,890,011	0	0	98,240,898	95.62 %
State Special Total	3,935,920	0	0	0	3,935,920	3.83 %
Federal Special Total	201,656	0	0	0	201,656	0.20 %
Proprietary Total	0	0	367,540	0	367,540	0.36 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$100,488,463	\$1,890,011	\$367,540	\$0	\$102,746,014	
Percent - Total All Sources	97.80 %	1.84 %	0.36 %	0.00 %		

The branch receives the majority of its funding from the general fund. The largest source of state special revenue is the water adjudication fund, which supports a little over half of the funding for the Water Court. Other sources of state special revenue include fines, fees, assessments for training events, and youth court intervention and prevention account that derives revenue from the transfer of unexpended general fund juvenile placement funds. Federal funds received by the branch support the Court Assessment Program.

Non-budgeted proprietary funds support roughly a fifth of the Law Library program and are discussed in more detail in that program.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	49,107,471	49,107,471	98,214,942	99.97 %	51,055,540	51,055,540	102,111,080	99.74 %
SWPL Adjustments	17,939	52,063	70,002	0.07 %	64,106	100,226	164,332	0.16 %
PL Adjustments	(16,132)	(33,749)	(49,881)	(0.05)%	(16,132)	(33,749)	(49,881)	(0.05)%
New Proposals	(633,222)	639,057	5,835	0.01 %	(559,668)	712,611	152,943	0.15 %
Total Budget	\$48,476,056	\$49,764,842	\$98,240,898		\$50,543,846	\$51,834,628	\$102,378,474	

Other Legislation

SB 59 - This bill generally revises criminal justice laws and affects the Judicial branch, along with the Department of Corrections and Board of Crime Control. The bill provides direction for the Judicial Branch for development, implementation, and administration of a pretrial grant program. Funding is provided for personal services and operating expenses to administer the grants in HB 2 in the amount of \$0.8 million general fund each year of the biennium.

HB 650 - This bill authorizes transfers, fees, and other necessary measures to implement HB 2. This bill affects the Judicial Branch by authorizing a transfer in the amount of \$0.3 million to the general fund from the parental contributions account established in 41-5-112, MCA.

HB 44 - This bill increases the number of District Court Judges in the 4th, 8th, 11th, and 13th judicial districts and provides starting dates.

HB 70 - This bill strengthens guardianship services in Montana and provides an appropriation of \$0.2 million and 0.50 FTE for the biennium for grants related to services for indigent persons.

Executive Budget Comparison

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

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2017	Executive Budget Fiscal 2018	Legislative Budget Fiscal 2018	Leg — Exec. Difference Fiscal 2018	Executive Budget Fiscal 2019	Legislative Budget Fiscal 2019	Leg — Exec. Difference Fiscal 2019	Biennium Difference Fiscal 18-19
FTE	436.08	449.75	438.58	(11.17)	450.08	449.58	(0.50)	(0.50)
Personal Services	36,959,576	37,122,713	36,487,932	(634,781)	37,114,814	37,667,955	553,141	(81,640)
Operating Expenses	8,654,020	8,265,088	7,706,032	(559,056)	8,254,186	7,768,791	(485,395)	(1,044,451)
Equipment & Intangible Assets	125,605	170,605	125,605	(45,000)	170,605	173,605	3,000	(42,000)
Grants	0	0	702,000	702,000	0	702,000	702,000	1,404,000
Benefits & Claims	5,513,402	5,521,877	5,513,402	(8,475)	5,538,827	5,513,402	(25,425)	(33,900)
Transfers	0	0	0	0	0	0	0	0
Debt Service	8,875	8,875	8,875	0	8,875	8,875	0	0
Total Costs	\$51,261,478	\$51,089,158	\$50,543,846	(\$545,312)	\$51,087,307	\$51,834,628	\$747,321	\$202,009
General Fund	49,313,409	49,101,554	48,476,056	(625,498)	49,097,707	49,764,842	667,135	41,637
State/other Special Rev. Funds	1,819,756	1,886,814	1,967,000	80,186	1,888,734	1,968,920	80,186	160,372
Federal Spec. Rev. Funds	128,313	100,790	100,790	0	100,866	100,866	0	0
Total Funds	\$51,261,478	\$51,089,158	\$50,543,846	(\$545,312)	\$51,087,307	\$51,834,628	\$747,321	\$202,009
Total Ongoing	\$51,055,540	\$50,833,190	\$49,598,928	(\$1,234,262)	\$50,831,063	\$50,889,535	\$58,472	(\$1,175,790)
Total OTO	\$205,938	\$255,968	\$944,918	\$688,950	\$256,244	\$945,093	\$688,849	\$1,377,799

The legislative budget is \$0.2 million higher than the executive request. The main reasons for this difference are:

- 5% plan reductions, and other reductions that mostly impacted the District Court Program, for a net \$1.9 million general fund reduction
- Providing starting dates for new district court judges and adjusting the number of staff, for a \$0.5 million biennium general fund reduction
- Reduction of 1.00 FTE for information technology staff than were requested, for a \$0.1 million biennium general fund reduction
- Reduction of 0.50 FTE for staff to administer the child abuse court diversion pilot project, for a \$62,000 biennium general fund reduction
- Treatment courts were not funded due to federal funding will be expiring in the 2019 biennium, resulting in a \$89,000 biennium general fund reduction

These reductions above are partially offset by the legislature funding three new district court judges and staff; two judges in Billings and one in Missoula. Funding assumes that all judges would be elected and start January 1, 2019.

Language and Statutory Authority

"If state special revenue fees collected for CASA by court fees is greater than \$100,000 for each year of the 2019 biennium, the state special revenue appropriation for the department is increased by the additional fee revenue and the general fund appropriation is reduced by an equal amount."

"Funding for the sentencing commission and Senate Bill No. 59 in the amount of \$780,000 general fund each year of the biennium is contingent upon the passage and approval of Senate Bill No. 59 and House Bill No. 650."

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	14,112,398	13,981,159	(131,239)	(0.93)%
Operating Expenses	10,579,612	10,186,066	(393,546)	(3.72)%
Equipment & Intangible Assets	86,270	17,770	(68,500)	(79.40)%
Grants	0	1,404,000	1,404,000	0.00%
Benefits & Claims	7,812,948	10,956,804	3,143,856	40.24%
Transfers	3,181,841	0	(3,181,841)	(100.00)%
Total Expenditures	\$35,773,069	\$36,545,799	\$772,730	2.16%
General Fund	34,634,766	35,513,227	878,461	2.54%
State/Other Special Rev. Funds	882,892	830,916	(51,976)	(5.89)%
Federal Spec. Rev. Funds	255,411	201,656	(53,755)	(21.05)%
Total Funds	\$35,773,069	\$36,545,799	\$772,730	2.16%
Total Ongoing	\$35,360,856	\$34,655,788	(\$705,068)	(1.99)%
Total OTO	\$412,213	\$1,890,011	\$1,477,798	358.50%

Program Description

The Supreme Court has appellate jurisdiction for the State of Montana. The court has original jurisdiction to issue, hear, and determine writs of habeas corpus and other writs 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, and admission to the bar and conduct of its members. Within the Supreme Court Operations program, the Office of Court Administrator provides centralized services to the Judicial Branch including information technology, budget and finance, payroll and human resource management, policy and technical support for the Youth Courts, judicial education, and services provided through the federal Court Assessment Program related to child abuse and neglect cases. The Boards and Commissions sub-program provides staff and other support to constitutionally and statutorily required commissions attached to the Montana Supreme Court, specifically the Judicial Standards Commission, the Sentence Review Board, and the Commission on Courts of Limited Jurisdiction. The sub-program also supports activities of the Commission on Practice. Other specialized commissions and task forces, not required by the Constitution and statute but created by the Supreme Court to address specific issues, receive minimal financial assistance with travel expenses and supplies.

Program Highlights

Supreme Court Operations Major Budget Highlights
<ul style="list-style-type: none"> • Supreme Court Operations budget increases by \$0.8 million over the 2017 biennium • Grants totaling \$1.4 million general fund are moved from the Board of Crime Control to Supreme Court Operations and will support grants for pretrial and prosecution diversion • The legislature approved 1.00 FTE to continue court diversions projects and 2.00 FTE for information technology

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	82.75	82.75	82.75	85.25	85.25
Personal Services	6,461,023	6,957,526	7,154,872	6,948,024	7,033,135
Operating Expenses	5,035,089	5,253,746	5,325,866	5,087,995	5,098,071
Equipment & Intangible Assets	77,292	77,385	8,885	8,885	8,885
Grants	0	0	0	702,000	702,000
Benefits & Claims	2,150,484	2,334,546	5,478,402	5,478,402	5,478,402
Transfers	3,181,841	3,181,841	0	0	0
Total Expenditures	\$16,905,729	\$17,805,044	\$17,968,025	\$18,225,306	\$18,320,493
General Fund	16,580,408	17,233,775	17,400,991	17,709,058	17,804,169
State/Other Special Rev. Funds	257,412	444,171	438,721	415,458	415,458
Federal Spec. Rev. Funds	67,909	127,098	128,313	100,790	100,866
Total Funds	\$16,905,729	\$17,805,044	\$17,968,025	\$18,225,306	\$18,320,493
Total Ongoing	\$16,699,633	\$17,598,769	\$17,762,087	\$17,280,388	\$17,375,400
Total OTO	\$206,096	\$206,275	\$205,938	\$944,918	\$945,093

Funding

The following table shows adopted program funding by source of authority.

Judicial Branch, 01-Supreme Court Operations Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	35,513,227	0	0	35,513,227	97.17 %	
02141 Fines & Fees Fund	0	0	0	0	0.00 %	
02151 YthCrt Intervention?evention	343,436	0	0	343,436	41.33 %	
02342 Law Library Digital Project	780	0	0	780	0.09 %	
02399 Judicial Education Conferences	122,918	0	0	122,918	14.79 %	
02536 Legal Asistance	241,710	0	0	241,710	29.09 %	
02961 State Grants to Drug Courts	122,072	0	0	122,072	14.69 %	
State Special Total	\$830,916	\$0	\$0	\$830,916	2.27 %	
03041 Probation Training Fund	480	0	0	480	0.24 %	
03083 Judicial Education Grant	0	0	0	0	0.00 %	
03153 Court Improvement Prg Grants	0	0	0	0	0.00 %	
03240 COURT ASSESSMENT PROGRAM	201,176	0	0	201,176	99.76 %	
03352 NCHIP-MBCC Grant	0	0	0	0	0.00 %	
Federal Special Total	\$201,656	\$0	\$0	\$201,656	0.55 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$36,545,799	\$0	\$0	\$36,545,799		

General fund supports most of the program.

State special revenue supports:

- Administration of juvenile delinquency intervention prevention (JDIP)
- Training for judges from conference fees
- Legal assistance for indigent victims of domestic violence from court filing fees primarily from dissolution of marriage filings
- Grants to drug courts from drug court fees charged to participants

Federal special revenue primarily supports assessments of state courts.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	17,195,053	17,195,053	34,390,106	96.84 %	17,762,087	17,762,087	35,524,174	97.20 %
SWPL Adjustments	150,021	101,814	251,835	0.71 %	122,138	74,007	196,145	0.54 %
PL Adjustments	(16,132)	(33,749)	(49,881)	(0.14)%	(16,132)	(33,749)	(49,881)	(0.14)%
New Proposals	380,116	541,051	921,167	2.59 %	357,213	518,148	875,361	2.40 %
Total Budget	\$17,709,058	\$17,804,169	\$35,513,227		\$18,225,306	\$18,320,493	\$36,545,799	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	Fiscal 2018					Fiscal 2019				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(40,868)	0	(27,512)	(68,380)	0.00	(57,230)	0	(27,436)	(84,666)
DP 2 - Fixed Costs	0.00	198,493	(360)	0	198,133	0.00	163,757	(360)	0	163,397
DP 3 - Inflation Deflation	0.00	(7,604)	0	(11)	(7,615)	0.00	(4,713)	0	(11)	(4,724)
DP 9 - Judicial Standards (Restricted/Biennial)	0.00	18,000	0	0	18,000	0.00	0	0	0	0
DP 53 - SWPLA Fixed Cost Reductions	0.00	(34,301)	0	0	(34,301)	0.00	(33,918)	0	0	(33,918)
DP 54 - Non office rent adjustment	0.00	169	0	0	169	0.00	169	0	0	169
Grand Total All Present Law Adjustments	0.00	\$133,889	(\$360)	(\$27,523)	\$106,006	0.00	\$68,065	(\$360)	(\$27,447)	\$40,258

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 9 - Judicial Standards (Restricted/Biennial) -

The legislature approved general fund for the constitutionally mandated Judicial Standards Commission. This appropriation pays for the commission to investigate complaints against judges. The legislature designated funding as biennial and restricted.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Non office rent adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 a square foot to \$5.33.

New Proposals

The “New Proposals” table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 8 - Continue Child Abuse Court Diversion Project (OTO)	0.50	44,481	0	0	44,481	0.50	44,507	0	0	44,507
DP 15 - Information Technology Increased Staffing (Restricted/OTO)	2.00	120,437	0	0	120,437	2.00	120,586	0	0	120,586
DP 50 - 5% Plan Adjustment	0.00	(400,000)	(19,814)	0	(419,814)	0.00	(400,000)	(19,814)	0	(419,814)
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	120,393	0	0	120,393
DP 56 - Oracle License Funding Reinstatement	0.00	11,137	0	0	11,137	0.00	10,307	0	0	10,307
DP 59 - Sentencing Commission and Senate Bill 59 (OTO)	0.00	780,000	0	0	780,000	0.00	780,000	0	0	780,000
DP 555 - Appropriation Rebase	0.00	(175,939)	(3,089)	0	(179,028)	0.00	(134,742)	(3,089)	0	(137,831)
Total	2.50	\$380,116	(\$22,903)	\$0	\$357,213	2.50	\$541,051	(\$22,903)	\$0	\$518,148

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

DP 8 - Continue Child Abuse Court Diversion Project (OTO) -

The legislature approved general fund for 1.00 FTE to continue the court diversion project that was started by HB 612 of the 2015 Legislature. The legislature designated funding as one time only.

DP 15 - Information Technology Increased Staffing (Restricted/OTO) -

The legislature approved funding for 2.00 FTE information technology (IT) staff to support branch automated court systems. The legislature designated funding as restricted and one time only.

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 59 - Sentencing Commission and Senate Bill 59 (OTO) -

The legislature approved funding for two grant programs:

- Pretrial matching grants
- Prosecution diversion grants

The intent of the pretrial grant program is to encourage local jurisdictions to adopt:

- A validated pretrial risk assessment tool
- A dangerousness or lethality assessment for individuals charged with an offense of partner or family member assault

The intent of the prosecution diversion grants is to encourage local jurisdictions to adopt prosecution diversion programs under 46-16-130, MCA.

The funding of this decision package is linked, but not made contingent, on passage of legislation that would implement policies similar to the introduced version of SB 59.

The legislature designated funding for these grant programs as one time only and biennial.

DP 555 - Appropriation Rebase -

The legislature adopted the executive proposed reductions to the present law budget that were based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	871,690	795,588	(76,102)	(8.73)%
Operating Expenses	827,100	748,777	(78,323)	(9.47)%
Equipment & Intangible Assets	210,420	177,420	(33,000)	(15.68)%
Debt Service	14,750	17,750	3,000	20.34 %
Total Expenditures	\$1,923,960	\$1,739,535	(\$184,425)	(9.59)%
General Fund	1,923,960	1,739,535	(184,425)	(9.59)%
Total Funds	\$1,923,960	\$1,739,535	(\$184,425)	(9.59)%
Total Ongoing	\$1,923,960	\$1,739,535	(\$184,425)	(9.59)%
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The State Law Library of Montana provides access to legal information consistent with the present and anticipated needs, responsibilities, and concerns of Montana's courts, legislature, state officers and employees, members of the bar of the Supreme Court of Montana, and members of the general public. The library selects, acquires, and maintains resources consistent with this mission. More electronic licenses are acquired each year, which frequently replace the hard copies. This allows the library to get the information more quickly to the customer and to conserve its available shelf space for books and other printed material. The library's space, equipment, and technology are maintained in a manner that will ensure operational efficiency, improve collection preservation, and respond to requirements for accessibility of users and staff.

Library staff provide extensive training in legal research methods and access to the Montana court system. The library's web site (www.lawlibrary.mt.gov) has been designed to help Montana's citizens find the statutes, court cases and rules, legal forms, and explanation of the laws they need. Of the people the Law Library assists, 75% are not lawyers and cannot afford attorneys. The library also operates a Court-Help Center.

Program Highlights

<p>Law Library Major Budget Highlights</p>
<ul style="list-style-type: none"> • General fund decreased by \$0.2 million for the biennium mainly due to present law reductions, implementation of the appropriation re-base and staff turnover reducing personal services costs

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison						
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019	
FTE	6.75	6.75	6.75	6.75	6.75	6.75
Personal Services	367,798	428,176	443,514	392,880	402,708	
Operating Expenses	361,344	398,494	428,606	372,780	375,997	
Equipment & Intangible Assets	106,973	121,710	88,710	88,710	88,710	
Debt Service	4,875	5,875	8,875	8,875	8,875	
Total Expenditures	\$840,990	\$954,255	\$969,705	\$863,245	\$876,290	
General Fund	840,990	954,255	969,705	863,245	876,290	
Total Funds	\$840,990	\$954,255	\$969,705	\$863,245	\$876,290	
Total Ongoing	\$840,990	\$954,255	\$969,705	\$863,245	\$876,290	
Total OTO	\$0	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Judicial Branch, 03-Law Library Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,739,535	0	0	1,739,535	82.56 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
06019 Lexis Proprietary Account	0	367,540	0	367,540	100.00 %	
Proprietary Total	\$0	\$367,540	\$0	\$367,540	17.44 %	
Total All Funds	\$1,739,535	\$367,540	\$0	\$2,107,075		

HB 2 funding for the Law Library is entirely from general fund. The law library also operates an enterprise type proprietary funded program for which the legislature does not approve rates.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	969,705	969,705	1,939,410	111.49 %	969,705	969,705	1,939,410	111.49 %
SWPL Adjustments	(28,526)	(27,656)	(56,182)	(3.23)%	(28,526)	(27,656)	(56,182)	(3.23)%
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(77,934)	(65,759)	(143,693)	(8.26)%	(77,934)	(65,759)	(143,693)	(8.26)%
Total Budget	\$863,245	\$876,290	\$1,739,535		\$863,245	\$876,290	\$1,739,535	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(28,422)	0	0	(28,422)	0.00	(27,567)	0	0	(27,567)
DP 3 - Inflation Deflation	0.00	(104)	0	0	(104)	0.00	(89)	0	0	(89)
Grand Total All Present Law Adjustments	0.00	(\$28,526)	\$0	\$0	(\$28,526)	0.00	(\$27,656)	\$0	\$0	(\$27,656)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

New Proposals

The "New Proposals" table shows new changes to expenditures.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	3,772	0	0	3,772
DP 555 - Appropriation Rebase	0.00	(77,934)	0	0	(77,934)	0.00	(69,531)	0	0	(69,531)
Total	0.00	(\$77,934)	\$0	\$0	(\$77,934)	0.00	(\$65,759)	\$0	\$0	(\$65,759)

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

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 555 - Appropriation Rebase -

The legislature adopted the executive proposed reductions to the present law budget that were based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	52,753,789	54,151,698	1,397,909	2.65 %
Operating Expenses	5,343,147	3,979,813	(1,363,334)	(25.52)%
Equipment & Intangible Assets	39,446	87,446	48,000	121.69 %
Benefits & Claims	64,476	70,000	5,524	8.57 %
Total Expenditures	\$58,200,858	\$58,288,957	\$88,099	0.15 %
General Fund	58,025,188	57,915,483	(109,705)	(0.19)%
State/Other Special Rev. Funds	175,670	373,474	197,804	112.60 %
Total Funds	\$58,200,858	\$58,288,957	\$88,099	0.15 %
Total Ongoing	\$58,200,858	\$58,288,957	\$88,099	0.15 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The District Courts have original jurisdiction in all felony criminal cases, most civil matters and other cases in law, and in equity. These courts may issue all writs appropriate to their jurisdiction and hear appeals from Courts of Limited Jurisdiction pursuant to statutory parameters. The District Courts are also the state's Youth Courts, responsible for managing juvenile probation functions. There are 46 District Court judges in 22 judicial districts serving all 56 counties. The 2001 Legislature mandated state funding of District Court expenses, including salaries and operating expenses for judges and their employees. District Court costs are the largest segment of the Judicial Branch budget.

Program Highlights

District Court Operations Major Budget Highlights
<ul style="list-style-type: none"> • District Court Operations budget increases by \$88,099 from the 2017 biennium • The legislature approved funding to add 11.00 FTE for three new judges and staff for the 4th and 13th judicial districts to begin in FY 2019 • The legislature established a new funding source for Court Ordered Special Advocates (CASA) • All new proposals including funding for district operations and various reductions provide a net positive biennial increase of over \$300,000 total funds

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	316.58	316.58	316.58	316.58	327.58
Personal Services	25,364,565	25,996,556	26,757,233	26,541,142	27,610,556
Operating Expenses	2,680,751	2,761,713	2,581,434	1,965,242	2,014,571
Equipment & Intangible Assets	11,452	19,723	19,723	19,723	67,723
Benefits & Claims	23,143	29,476	35,000	35,000	35,000
Total Expenditures	\$28,079,911	\$28,807,468	\$29,393,390	\$28,561,107	\$29,727,850
General Fund	28,009,044	28,722,395	29,302,793	28,374,370	29,541,113
State/Other Special Rev. Funds	70,867	85,073	90,597	186,737	186,737
Total Funds	\$28,079,911	\$28,807,468	\$29,393,390	\$28,561,107	\$29,727,850
Total Ongoing	\$28,079,911	\$28,807,468	\$29,393,390	\$28,561,107	\$29,727,850
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Judicial Branch, 04-District Court Operations Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	57,915,483	0	0	57,915,483	99.36 %
02141 Fines & Fees Fund	173,474	0	0	173,474	46.45 %
02183 CFSD Pilot Project Coordinator	0	0	0	0	0.00 %
02546 MT Law Enforcement Academy	200,000	0	0	200,000	53.55 %
State Special Total	\$373,474	\$0	\$0	\$373,474	0.64 %
03077 Drug Trmt Court Fed Res 13VTC	0	0	0	0	0.00 %
03078 Drug Trmt Court Fed Res 13Adit	0	0	0	0	0.00 %
03114 Drug Trmt Crt Fed Res JD1/SW	0	0	0	0	0.00 %
03115 Drug Trmt Court Fed Res OJJDP	0	0	0	0	0.00 %
03136 STATE JUSTICE INSTITUTE GRANT	0	0	0	0	0.00 %
03373 Drug Trmt Court Fed Res JD7	0	0	0	0	0.00 %
03154 Drug Trmt Crt Fed Res JD8	0	0	0	0	0.00 %
03040 Drug Trmt Crt Fed Res JD5	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$58,288,957	\$0	\$0	\$58,288,957	

Most of the funding for District Court Operations comes from the general fund. State special revenue supporting the program comes from court imposed fines and fees.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	29,302,793	29,302,793	58,605,586	101.19 %	29,393,390	29,393,390	58,786,780	100.85 %
SWPL Adjustments	(26,469)	49,550	23,081	0.04 %	(26,786)	49,233	22,447	0.04 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(901,954)	188,770	(713,184)	(1.23)%	(805,497)	285,227	(520,270)	(0.89)%
Total Budget	\$28,374,370	\$29,541,113	\$57,915,483		\$28,561,107	\$29,727,850	\$58,288,957	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2018-----				-----Fiscal 2019-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(12,914)	0	0	(12,914)	0.00	59,376	0	0	59,376
DP 2 - Fixed Costs	0.00	0	(317)	0	(317)	0.00	0	(317)	0	(317)
DP 3 - Inflation Deflation	0.00	(13,555)	0	0	(13,555)	0.00	(9,826)	0	0	(9,826)
Grand Total All Present Law Adjustments	0.00	(\$26,469)	(\$317)	\$0	(\$26,786)	0.00	\$49,550	(\$317)	\$0	\$49,233

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

New Proposals

The “New Proposals” table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 14 - New District Court Judges & Staff	0.00	0	0	0	0	11.00	810,362	0	0	810,362
DP 25 - District Operations Line (Biennial)	0.00	500,000	0	0	500,000	0.00	500,000	0	0	500,000
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	227,443	0	0	227,443
DP 501 - Restore CASA and Guardian Ad Litem Funds (Biennial)	0.00	830,000	100,000	0	930,000	0.00	830,000	100,000	0	930,000
DP 555 - Appropriation Rebase	0.00	(787,171)	(3,543)	0	(790,714)	0.00	(734,252)	(3,543)	0	(737,795)
DP 558 - Unspecified Reduction	0.00	(1,018,147)	0	0	(1,018,147)	0.00	(1,018,147)	0	0	(1,018,147)
Total	0.00	(\$475,318)	\$96,457	\$0	(\$378,861)	11.00	\$615,406	\$96,457	\$0	\$711,863

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

DP 14 - New District Court Judges & Staff -

The legislature approved funding to add 11.00 FTE for three new district court judges and associated staff in the following judicial districts to address workload issues:

- One judge, 4th judicial district (Missoula) including 1.00 FTE judicial assistant, 1.00 FTE court reporter, and 1.00 FTE law clerk
- Two judges, 13th judicial district (Billings) including 2.00 FTE judicial assistant, 2.00 FTE court reporter, and 1.00 FTE law clerk

All three judges and staff would begin in January of 2019.

DP 25 - District Operations Line (Biennial) -

The legislature amended the District Court Operations by adding \$1 million general fund over the biennium and making the total general fund appropriation for District Court Operations biennial.

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 501 - Restore CASA and Guardian Ad Litem Funds (Biennial) -

The legislature restored biennial funding for court appointed special advocates (CASA) and guardian ad litem costs that were reduced in the 5% plan reduction of DP 50. It also appropriates the use of state special revenue from court fees received by change in statute through HB 650.

DP 555 - Appropriation Rebase -

The legislature adopted the executive proposed reductions to the present law budget that were based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

DP 558 - Unspecified Reduction -

The legislature reduced general fund but did not specify where the reductions were to be made.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	4,156,775	4,185,734	28,959	0.70 %
Operating Expenses	544,183	472,398	(71,785)	(13.19)%
Equipment & Intangible Assets	16,574	16,574	0	0.00 %
Total Expenditures	\$4,717,532	\$4,674,706	(\$42,826)	(0.91)%
General Fund	2,191,239	1,943,176	(248,063)	(11.32)%
State/Other Special Rev. Funds	2,526,293	2,731,530	205,237	8.12 %
Total Funds	\$4,717,532	\$4,674,706	(\$42,826)	(0.91)%
Total Ongoing	\$4,717,532	\$4,674,706	(\$42,826)	(0.91)%
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Water Courts Supervision Program, located in Bozeman, adjudicates claims of existing water rights in Montana.

Program Highlights

Water Court Major Budget Highlights
<ul style="list-style-type: none"> • The Water Court budget was decreased by \$42,826 compared to the 2017 biennium • Staff turnover and implementation of the appropriation rebase contribute to lower appropriations for the 2019 biennium

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	24.50	24.50	24.50	24.50	24.50
Personal Services	2,025,352	2,049,893	2,106,882	2,086,435	2,099,299
Operating Expenses	239,282	270,248	273,935	236,135	236,263
Equipment & Intangible Assets	0	8,287	8,287	8,287	8,287
Total Expenditures	\$2,264,634	\$2,328,428	\$2,389,104	\$2,330,857	\$2,343,849
General Fund	1,091,877	1,092,573	1,098,666	966,052	977,124
State/Other Special Rev. Funds	1,172,757	1,235,855	1,290,438	1,364,805	1,366,725
Total Funds	\$2,264,634	\$2,328,428	\$2,389,104	\$2,330,857	\$2,343,849
Total Ongoing	\$2,264,634	\$2,328,428	\$2,389,104	\$2,330,857	\$2,343,849
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Judicial Branch, 05-Water Court Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,943,176	0	0	1,943,176	41.57 %	
02431 Water Adjudication	2,731,530	0	0	2,731,530	100.00 %	
State Special Total	\$2,731,530	\$0	\$0	\$2,731,530	58.43 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$4,674,706	\$0	\$0	\$4,674,706		

General fund provides a little less than half of the funding for the program. The remaining funding is from the water adjudication state special revenue account.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	1,098,666	1,098,666	2,197,332	113.08 %	2,389,104	2,389,104	4,778,208	102.21 %
SWPL Adjustments	(99,164)	(96,537)	(195,701)	(10.07)%	(24,797)	(20,250)	(45,047)	(0.96)%
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(33,450)	(25,005)	(58,455)	(3.01)%	(33,450)	(25,005)	(58,455)	(1.25)%
Total Budget	\$966,052	\$977,124	\$1,943,176		\$2,330,857	\$2,343,849	\$4,674,706	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(98,816)	78,369	0	(20,447)	0.00	(96,250)	80,274	0	(15,976)
DP 2 - Fixed Costs	0.00	0	(3,531)	0	(3,531)	0.00	0	(3,531)	0	(3,531)
DP 3 - Inflation Deflation	0.00	(348)	(471)	0	(819)	0.00	(287)	(456)	0	(743)
Grand Total All Present Law Adjustments	0.00	(\$99,164)	\$74,367	\$0	(\$24,797)	0.00	(\$96,537)	\$76,287	\$0	(\$20,250)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	8,393	0	0	8,393
DP 555 - Appropriation Rebase	0.00	(220)	0	0	(220)	0.00	(168)	0	0	(168)
Total	0.00	(\$220)	\$0	\$0	(\$220)	0.00	\$8,225	\$0	\$0	\$8,225

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

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 555 - Appropriation Rebase -

The legislature adopted the executive proposed reductions to the present law budget that were based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	981,580	1,041,708	60,128	6.13 %
Operating Expenses	88,355	87,769	(586)	(0.66)%
Total Expenditures	\$1,069,935	\$1,129,477	\$59,542	5.57 %
General Fund	1,069,935	1,129,477	59,542	5.57 %
Total Funds	\$1,069,935	\$1,129,477	\$59,542	5.57 %
Total Ongoing	\$1,069,935	\$1,129,477	\$59,542	5.57 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Office of Clerk of the Supreme Court Program conducts the business of the court, and serves as the liaison between the public, attorneys and the Supreme Court. The clerk controls the docket and filings, manages the appellate process, and is the custodian of all legal records for the public and the court. Additionally, the clerk administers appellate mediation, maintains the official roll of Montana attorneys, and is responsible for licensing Montana’s attorneys.

Program Highlights

Clerk of Court Major Budget Highlights
<ul style="list-style-type: none"> The Clerk of Court budget was increased by \$59,542 as compared to the 2017 biennium mainly due to present law adjustments for personal services

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	5.50	5.50	5.50	5.50	5.50
Personal Services	465,015	484,505	497,075	519,451	522,257
Operating Expenses	38,720	44,176	44,179	43,880	43,889
Total Expenditures	\$503,735	\$528,681	\$541,254	\$563,331	\$566,146
General Fund	503,735	528,681	541,254	563,331	566,146
Total Funds	\$503,735	\$528,681	\$541,254	\$563,331	\$566,146
Total Ongoing	\$503,735	\$528,681	\$541,254	\$563,331	\$566,146
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Judicial Branch, 06-Clerk of Court Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,129,477	0	0	1,129,477	100.00 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$1,129,477	\$0	\$0	\$1,129,477		

The Clerk of Court program is funded entirely from the general fund.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	541,254	541,254	1,082,508	95.84 %	541,254	541,254	1,082,508	95.84 %
SWPL Adjustments	22,077	24,892	46,969	4.16 %	22,077	24,892	46,969	4.16 %
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
Total Budget	\$563,331	\$566,146	\$1,129,477		\$563,331	\$566,146	\$1,129,477	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	22,376	0	0	22,376	0.00	25,182	0	0	25,182
DP 3 - Inflation Deflation	0.00	(299)	0	0	(299)	0.00	(290)	0	0	(290)
Grand Total All Present Law Adjustments	0.00	\$22,077	\$0	\$0	\$22,077	0.00	\$24,892	\$0	\$0	\$24,892

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate

adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

Agency Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	2,834,513	2,833,074	(1,439)	(0.05)%
Operating Expenses	2,047,514	1,916,444	(131,070)	(6.40)%
Equipment & Intangible Assets	25,688	25,818	130	0.51 %
Grants	10,773,155	19,666,790	8,893,635	82.55 %
Transfers	5,639,855	5,321,634	(318,221)	(5.64)%
Total Expenditures	\$21,320,725	\$29,763,760	\$8,443,035	39.60 %
General Fund	4,993,858	4,639,162	(354,696)	(7.10)%
State/Other Special Rev. Funds	388,654	244,352	(144,302)	(37.13)%
Federal Spec. Rev. Funds	15,938,213	24,880,246	8,942,033	56.10 %
Total Funds	\$21,320,725	\$29,763,760	\$8,443,035	39.60 %
Total Ongoing	\$21,320,725	\$29,363,760	\$8,043,035	37.72 %
Total OTO	\$0	\$400,000	\$400,000	100.00 %

Agency Description

The Montana Board of Crime Control (MBCC) was established to promote public safety by strengthening the coordination and performance of the criminal and juvenile justice systems. The MBCC is a 15-member board appointed by the Governor. The MBCC supervises the Crime Control Division (CCD) and provides financial support, technical assistance, and support services to state and local criminal justice agencies. The CCD administers a number of federal grants including anti-drug, anti-crime, victim assistance, and juvenile justice programs. The MBCC administers contracts with regional juvenile detention centers that are supported by state general fund and the misdemeanor domestic violence program supported by state special revenue. The MBCC also collects and analyzes crime data from Montana’s law enforcement agencies and publishes the annual "Crime in Montana" report. MBCC is established in 2-15-2006, MCA. The MBCC has one advisory council, the Youth Justice Council (YJC). YJC develops and implements the state’s juvenile justice plan and recommends educational, training, research, prevention, diversion, treatment, and rehabilitation programs.

Agency Highlights

Crime Control Division Major Budget Highlights
<ul style="list-style-type: none"> • The legislature transferred the MBCC from the Department of Justice to the Department of Corrections • MBCC returned \$100,000 of general fund from FY 2017 appropriations as part of HB 3 • The growth in federal funds is due to anticipation of higher awards in the following two areas: <ul style="list-style-type: none"> ◦ Assistance to victims of crime ◦ Criminal history improvement program

Agency Actuals and Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	17.50	17.50	17.50	17.50	17.50
Personal Services	1,262,158	1,411,824	1,422,689	1,410,408	1,422,666
Operating Expenses	728,293	1,039,661	1,007,853	946,526	969,918
Equipment & Intangible Assets	8,999	12,779	12,909	12,909	12,909
Grants	5,045,184	5,790,703	4,982,452	9,833,395	9,833,395
Transfers	1,791,150	4,879,038	760,817	2,660,817	2,660,817
Total Expenditures	\$8,835,784	\$13,134,005	\$8,186,720	\$14,864,055	\$14,899,705
General Fund	2,312,775	2,480,780	2,513,078	2,302,571	2,336,591
State/Other Special Rev. Funds	136,040	266,478	122,176	122,176	122,176
Federal Spec. Rev. Funds	6,386,969	10,386,747	5,551,466	12,439,308	12,440,938
Total Funds	\$8,835,784	\$13,134,005	\$8,186,720	\$14,864,055	\$14,899,705
Total Ongoing	\$8,835,784	\$13,134,005	\$8,186,720	\$14,664,055	\$14,699,705
Total OTO	\$0	\$0	\$0	\$200,000	\$200,000

Summary of Legislative Action

The budget increases from the 2017 biennium by \$8.4 million. Growth is due to federal funding provided in the form of federal grants supporting national criminal history programs and victim rights.

Funding

The following table shows adopted agency funding by source of authority. Funding for each program is discussed in detail in the individual program narratives.

Total Crime Control Division Funding by Source of Authority 2019 Biennium Budget Request - Crime Control Division						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	4,239,162	400,000	0	0	4,639,162	15.59 %
State Special Total	244,352	0	0	0	244,352	0.82 %
Federal Special Total	24,880,246	0	0	0	24,880,246	83.59 %
Proprietary Total	0	0	0	0	0	0.00 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$29,363,760	\$400,000	\$0	\$0	\$29,763,760	
Percent - Total All Sources	98.66 %	1.34 %	0.00 %	0.00 %		

General fund supports agency operations and grants to regional juvenile detention centers. Agency operations receives most of its support from the general fund with the balance funded primarily with federal funds. State special revenue for the misdemeanor domestic violence intervention program is administered by this agency. Federal funds administered by the agency come from federal grants with the majority of these funds being pass-through funds that go to state and local agencies. The federal fund increase is due to higher than anticipated FY 2017 grant awards and anticipation of higher federal grant funding in subsequent year. The most significant sources driving the increase are:

- Assistance to victims of crime
- National criminal history improvement program

A small portion of the federal funds support agency operations to administer the grant awards.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	2,513,078	2,513,078	5,026,156	108.34 %	8,186,720	8,186,720	16,373,440	55.01 %
SWPL Adjustments	2,819	8,467	11,286	0.24 %	(11,332)	(4,054)	(15,386)	(0.05)%
PL Adjustments	(3,898)	(6,533)	(10,431)	(0.22)%	6,898,095	6,895,460	13,793,555	46.34 %
New Proposals	(209,428)	(178,421)	(387,849)	(8.36)%	(209,428)	(178,421)	(387,849)	(1.30)%
Total Budget	\$2,302,571	\$2,336,591	\$4,639,162		\$14,864,055	\$14,899,705	\$29,763,760	

Other Legislation

HB 3 - This bill revises expenditures and appropriations to various agencies for the fiscal year ending June 30, 2017. MBCC offered \$100,000 of general fund to support this bill. A portion of this, 30%, was restored in FY 2019 in DP 52.

SB 95 - This bill is an act authorizing transfers and other necessary measures to implement the general appropriations act. The bill changed the structure MBCC in the following ways:

- Creates a bureau within the office of the director called the crime control bureau and instructs the bureau to support the board of crime control
- Mandates the staff of the Board of Crime Control, the Department of Justice, and the Department of Corrections develop a transition plan to transfer the board to the Department of Corrections
- Provides deadlines for the transition plan and reporting a various intervals to the legislative finance and audit committees, the law and justice interim committee, and the local government committee
- Instructs board of crime control in collaboration with Department of Corrections to mitigate delays and potential grant loss

SB 65 - This bill revises laws regarding housing options for offenders. Specifically for the Montana Board of Crime Control, this bill authorizes the administration of housing grants for criminals reentering the community from the criminal justice system. This would include case management, housing placement services, landlord engagement support, and risk management funds. Funding to support this bill is included in HB 2 in the amount of \$0.4 million for the biennium.

HB 650 - This bill is an act that authorizes fees and other necessary measures to implement HB 2. The bill transfers the MBCC and its functions from the Department of Justice to the Department of Corrections and reduces the size of the board supporting MBCC from 18 to 15 members.

Executive Budget Comparison

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

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2017	Executive Budget Fiscal 2018	Legislative Budget Fiscal 2018	Leg — Exec. Difference Fiscal 2018	Executive Budget Fiscal 2019	Legislative Budget Fiscal 2019	Leg — Exec. Difference Fiscal 2019	Biennium Difference Fiscal 18-19
FTE	17.50	17.50	17.50	0.00	17.50	17.50	0.00	0.00
Personal Services	1,422,689	1,394,388	1,410,408	16,020	1,397,646	1,422,666	25,020	41,040
Operating Expenses	1,007,853	945,764	946,526	762	949,784	969,918	20,134	20,896
Equipment & Intangible Assets	12,909	12,909	12,909	0	12,909	12,909	0	0
Grants	4,982,452	9,653,395	9,833,395	180,000	9,653,395	9,833,395	180,000	360,000
Transfers	760,817	2,660,817	2,660,817	0	2,660,817	2,660,817	0	0
Total Costs	\$8,186,720	\$14,667,273	\$14,864,055	\$196,782	\$14,674,551	\$14,899,705	\$225,154	\$421,936
General Fund	2,513,078	2,105,789	2,302,571	196,782	2,111,437	2,336,591	225,154	421,936
State/other Special Rev. Funds	122,176	122,176	122,176	0	122,176	122,176	0	0
Federal Spec. Rev. Funds	5,551,466	12,439,308	12,439,308	0	12,440,938	12,440,938	0	0
Total Funds	\$8,186,720	\$14,667,273	\$14,864,055	\$196,782	\$14,674,551	\$14,899,705	\$225,154	\$421,936
Total Ongoing	\$8,186,720	\$14,667,273	\$14,664,055	(\$3,218)	\$14,674,551	\$14,699,705	\$25,154	\$21,936
Total OTO	\$0	\$0	\$200,000	\$200,000	\$0	\$200,000	\$200,000	\$400,000

The legislative budget is \$0.4 million higher in both total funds and general fund than the executive request. The increase over the executive request is due to the following offsetting reductions and increases:

- The agency offered reductions in FY 2017 in general fund and the legislature provided a budget increase in FY 2019 of 30% of the original deduction, or \$30,000 general fund
- The legislature lowered rates for several fixed cost items and reduced the budget in agencies to reflect these lower anticipated fixed costs
- The legislature supported grants in the amount of \$400,000 general fund for the biennium to assist inmates securing short-term housing by providing grants related to SB 65.

Language and Statutory Authority

The legislature approved including the following language in HB 2.

"All pass-through grant authority is biennial."

"All remaining pass-through grant appropriations, up to \$100,000 in general fund money, \$180,000 in state special revenue, and \$7 million in federal funds, including reversions, for the 2017 biennium are authorized to continue and are appropriated in fiscal year 2018 and fiscal year 2019."

"Funding for the Sentencing Commission and Senate Bill No. 65 in the amount of \$200,000 general fund each year of the biennium is contingent upon the passage and approval of Senate Bill No. 65 and House Bill No. 650."

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	17.50	17.50	17.50	17.50	17.50
Personal Services	1,262,158	1,411,824	1,422,689	1,410,408	1,422,666
Operating Expenses	728,293	1,039,661	1,007,853	946,526	969,918
Equipment & Intangible Assets	8,999	12,779	12,909	12,909	12,909
Grants	5,045,184	5,790,703	4,982,452	9,833,395	9,833,395
Transfers	1,791,150	4,879,038	760,817	2,660,817	2,660,817
Total Expenditures	\$8,835,784	\$13,134,005	\$8,186,720	\$14,864,055	\$14,899,705
General Fund	2,312,775	2,480,780	2,513,078	2,302,571	2,336,591
State/Other Special Rev. Funds	136,040	266,478	122,176	122,176	122,176
Federal Spec. Rev. Funds	6,386,969	10,386,747	5,551,466	12,439,308	12,440,938
Total Funds	\$8,835,784	\$13,134,005	\$8,186,720	\$14,864,055	\$14,899,705
Total Ongoing	\$8,835,784	\$13,134,005	\$8,186,720	\$14,664,055	\$14,699,705
Total OTO	\$0	\$0	\$0	\$200,000	\$200,000

Present Law Adjustments

The “Present Law Adjustments” table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. “Statewide Present Law” adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(14,150)	0	(14,151)	(28,301)	0.00	(12,522)	0	(12,521)	(25,043)
DP 2 - Fixed Costs	0.00	16,727	0	0	16,727	0.00	20,611	0	0	20,611
DP 3 - Inflation Deflation	0.00	242	0	0	242	0.00	378	0	0	378
DP 4 - National Criminal History Imp Prgm (NCHIP)	0.00	0	0	1,900,000	1,900,000	0.00	0	0	1,900,000	1,900,000
DP 5 - Victims of Crime Act (VOCA)	0.00	0	0	5,001,993	5,001,993	0.00	0	0	5,001,993	5,001,993
DP 6 - FED Pass Through PL adjustments	0.00	0	0	0	0	0.00	0	0	0	0
DP 53 - SWPLA Fixed Cost Reductions	0.00	(3,982)	0	0	(3,982)	0.00	(6,618)	0	0	(6,618)
DP 54 - Present law adjustment for non-office rent	0.00	84	0	0	84	0.00	85	0	0	85
Grand Total All Present Law Adjustments	0.00	(\$1,079)	\$0	\$6,887,842	\$6,886,763	0.00	\$1,934	\$0	\$6,889,472	\$6,891,406

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 4 - National Criminal History Imp Prgm (NCHIP) -

The legislature approved an increase in federal special revenue for the national criminal history improvement program (NCHIP).

DP 5 - Victims of Crime Act (VOCA) -

The legislature approved increases in general fund and federal special revenue to fund direct services to crime victims under the federal Victims of Crime Act (VOCA).

DP 6 - FED Pass Through PL adjustments -

The legislature approved movement of funding to adjust base funding among various federal funding sources to better reflect the current federal grant funding allocations.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Present law adjustment for non-office rent -

The legislature passed adjustments to non-office rent as recommended by the subcommittee on general government which increased from \$4.90 per square foot to \$5.33.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	30,000	0	0	30,000
DP 56 - Oracle License Funding Reinstatement	0.00	680	0	0	680	0.00	1,687	0	0	1,687
DP 65 - Housing Grants (Biennial/OTO)	0.00	200,000	0	0	200,000	0.00	200,000	0	0	200,000
DP 555 - Appropriation Rebase	0.00	(410,108)	0	0	(410,108)	0.00	(410,108)	0	0	(410,108)
Total	0.00	(\$209,428)	\$0	\$0	(\$209,428)	0.00	(\$178,421)	\$0	\$0	(\$178,421)

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

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 65 - Housing Grants (Biennial/OTO) -

The legislature approved funding for a grant program to provide short-term housing assistance grants for inmates who have been paroled but who remain in prison due to housing issues.

The funding of this decision package is linked, but not made contingent, on passage of legislation that would implement policies similar to the introduced version of SB 65.

The legislature designated funding for this grant program as one-time-only and biennial.

DP 555 - Appropriation Rebase -

The legislature adopted the executive proposed reductions to the present law budget that were based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Agency Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	120,072,863	120,592,620	519,757	0.43 %
Operating Expenses	71,039,829	72,607,483	1,567,654	2.21 %
Equipment & Intangible Assets	4,923,116	5,550,747	627,631	12.75 %
Grants	180,000	180,000	0	0.00 %
Benefits & Claims	2,242,382	2,242,382	0	0.00 %
Transfers	39,501	22,590	(16,911)	(42.81)%
Debt Service	1,453,592	1,902,994	449,402	30.92 %
Total Expenditures	\$199,951,283	\$203,098,816	\$3,147,533	1.57 %
General Fund	70,478,450	68,833,302	(1,645,148)	(2.33)%
State/Other Special Rev. Funds	122,971,806	127,828,515	4,856,709	3.95 %
Federal Spec. Rev. Funds	2,708,500	2,690,190	(18,310)	(0.68)%
Proprietary Funds	3,792,527	3,746,809	(45,718)	(1.21)%
Total Funds	\$199,951,283	\$203,098,816	\$3,147,533	1.57 %
Total Ongoing	\$199,751,271	\$201,298,816	\$1,547,545	0.77 %
Total OTO	\$200,012	\$1,800,000	\$1,599,988	799.95 %

Agency Description

The Department of Justice, under the direction of the Attorney General, is responsible for statewide legal services and counsel, law enforcement and public safety. The duties of the department are as follows:

- Provide legal representation for the state and its political subdivisions in criminal appeals
- Provide legal services and counsel for the state, county, and municipal agencies, and their officials
- Enforce Montana traffic laws and register all motor vehicles Enforce state fire safety codes and regulations
- Assist local law enforcement agencies in bringing offenders to justice
- Manage a statewide system of death investigations and provide scientific analyses of specimens submitted by law enforcement officials, coroners, and state agencies
- Maintain and disseminate criminal justice information to authorized state, local, and other entities
- Provide uniform regulation of all gambling activities in the state of Montana Enforce consumer protection laws and regulations relating to unfair and deceptive business practices, and assist Montana consumers in making sound decisions by providing public outreach
- Provide statewide leadership on issues related to victims of crime and administer the crime victim compensation program for the benefit of innocent victims

Agency Highlights

Department of Justice Major Budget Highlights	
<ul style="list-style-type: none"> • Personal services and operating expenses increased by \$2.1 million for the biennium • The Montana Highway Patrol received funding for salary increases in the amount of \$1.0 million for the biennium • A dedicated drug interdiction team was funded adding 6.00 FTE and \$1.7 million in state special revenue. • The highway patrol will no longer draw funding from the Highway Special Revenue Account (HSRA) and will draw from a newly created state special revenue account funded by gas tax specific to their organization providing approximately \$61.6 million over the biennium • The Motor Vehicle Division will no longer utilize HSRA funding beginning July 1st, 2018 and will instead be funded with vehicle registration fees worth \$16.4 million over the biennium • Morgue improvements were funded totaling \$0.8 million • An additional \$2.0 million in funding was provided for information technology upgrades and 24/7 alcohol and drug testing for counties 	

Agency Actuals and Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	759.42	759.42	759.42	770.42	770.42
Personal Services	57,972,916	59,228,996	60,843,867	60,411,675	60,180,945
Operating Expenses	31,327,810	34,861,333	36,178,496	36,082,244	36,525,239
Equipment & Intangible Assets	2,647,585	2,567,791	2,355,325	3,195,422	2,355,325
Grants	89,082	90,000	90,000	90,000	90,000
Benefits & Claims	869,465	1,121,191	1,121,191	1,121,191	1,121,191
Transfers	28,206	28,206	11,295	11,295	11,295
Debt Service	142,723	726,796	726,796	951,497	951,497
Total Expenditures	\$93,077,787	\$98,624,313	\$101,326,970	\$101,863,324	\$101,235,492
General Fund	34,620,092	34,709,844	35,768,606	34,584,152	34,249,150
State/Other Special Rev. Funds	55,616,147	60,692,609	62,279,197	64,061,774	63,766,741
Federal Spec. Rev. Funds	1,029,178	1,344,413	1,364,087	1,346,286	1,343,904
Proprietary Funds	1,812,370	1,877,447	1,915,080	1,871,112	1,875,697
Total Funds	\$93,077,787	\$98,624,313	\$101,326,970	\$101,863,324	\$101,235,492
Total Ongoing	\$92,977,685	\$98,524,212	\$101,227,059	\$100,563,324	\$100,735,492
Total OTO	\$100,102	\$100,101	\$99,911	\$1,300,000	\$500,000

Summary of Legislative Action

The legislature approved the department budget with an increase of \$3.2 million, or 1.6% over the 2017 biennium. The motor vehicle department, justice information technology services division, and central services division, were moved out of the highway state special revenue account (HSRA). This was facilitated by a 3% increase in motor vehicle fees for licensing and also by a change in recreational vehicle registration fees. An independent fund source using gas proceeds was allocated specifically to funding the Montana Highway Patrol.

Funding

The following table shows adopted agency funding by source of authority. Funding for each program is discussed in detail in the individual program narratives.

Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	68,033,302	800,000	0	5,996,126	74,829,428	33.62 %
State Special Total	126,828,515	1,000,000	0	10,157,516	137,986,031	62.00 %
Federal Special Total	2,690,190	0	0	44,000	2,734,190	1.23 %
Proprietary Total	3,746,809	0	3,262,994	0	7,009,803	3.15 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$201,298,816	\$1,800,000	\$3,262,994	\$16,197,642	\$222,559,452	
Percent - Total All Sources	90.45 %	0.81 %	1.47 %	7.28 %		

Funding for the Department of Justice (DOJ) varies by division and function. General fund supports the Legal Services Division, Motor Vehicle Division, Division of Criminal Investigation, Public Safety Officers Standards and Training (POST), Central Services Division, Information Technology Division, and Forensic Science Division.

The highway state special revenue account supports a number of programs where highway safety is impacted. HB 650 moves the motor, central services and information technology divisions, the Montana Law Enforcement Academy, and some funding related to the Montana Highway Patrol out of the Highway Special Revenue Account. Other state special revenue from consumer settlement proceeds supports consumer protection activities, gambling license fees support Gambling Control, and motor vehicle fees support the debt payment for the development and implementation of a computer system.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	35,668,695	35,668,695	71,337,390	103.64 %	101,227,059	101,227,059	202,454,118	99.68 %
SWPL Adjustments	(443,883)	(392,872)	(836,755)	(1.22)%	(2,588,104)	(2,355,676)	(4,943,780)	(2.43)%
PL Adjustments	309,690	341,618	651,308	0.95 %	2,181,322	2,224,298	4,405,620	2.17 %
New Proposals	(950,350)	(1,368,291)	(2,318,641)	(3.37)%	1,043,047	139,811	1,182,858	0.58 %
Total Budget	\$34,584,152	\$34,249,150	\$68,833,302		\$101,863,324	\$101,235,492	\$203,098,816	

Other Legislation

HB 650 - This bill provides instruction and authority in several areas related to the Department of Justice (DOJ). The main points contained in this bill related to DOJ are as follows:

- Provides a transfer of \$6.6 million from the consumer education fund to long range planning to support construction of the Montana Law Enforcement Academy
- Creates a state special revenue account for fees collected by medical examinations
- Provides an increase for motor vehicle division administrative fees
- Partitions 4 cents of gas tax and allocated this into a new account for use and management by Montana Highway Patrol (MHP)
- Changes statute to allow more flexibility to the DOJ for use of temporary registration fees
- Increases the cost of a temporary registration permit from \$8 to \$24.50

SB 95 - This bill provides instruction and authority to change fees related to recreation vehicles and high value automobiles.

Executive Budget Comparison

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

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2017	Executive Budget Fiscal 2018	Legislative Budget Fiscal 2018	Leg — Exec. Difference Fiscal 2018	Executive Budget Fiscal 2019	Legislative Budget Fiscal 2019	Leg — Exec. Difference Fiscal 2019	Biennium Difference Fiscal 18-19
FTE	759.42	723.68	770.42	46.74	733.17	770.42	37.25	37.25
Personal Services	60,843,867	56,255,407	60,411,675	4,156,268	57,260,087	60,180,945	2,920,858	7,077,126
Operating Expenses	36,178,496	32,483,332	36,082,244	3,598,912	32,757,197	36,525,239	3,768,042	7,366,954
Equipment & Intangible Assets	2,355,325	2,176,170	3,195,422	1,019,252	2,230,439	2,355,325	124,886	1,144,138
Capital Outlay	0	0	0	0	0	0	0	0
Grants	90,000	90,000	90,000	0	90,000	90,000	0	0
Benefits & Claims	1,121,191	1,121,191	1,121,191	0	1,121,191	1,121,191	0	0
Transfers	11,295	11,295	11,295	0	11,295	11,295	0	0
Debt Service	726,796	857,258	951,497	94,239	862,999	951,497	88,498	182,737
Total Costs	\$101,326,970	\$92,994,653	\$101,863,324	\$8,868,671	\$94,333,208	\$101,235,492	\$6,902,284	\$15,770,955
General Fund	35,768,606	33,144,473	34,584,152	1,439,679	33,193,839	34,249,150	1,055,311	2,494,990
State/other Special Rev. Funds	62,279,197	56,596,480	64,061,774	7,465,294	57,883,339	63,766,741	5,883,402	13,348,696
Federal Spec. Rev. Funds	1,364,087	1,360,420	1,346,286	(14,134)	1,358,070	1,343,904	(14,166)	(28,300)
Other	1,915,080	1,893,280	1,871,112	(22,168)	1,897,960	1,875,697	(22,263)	(44,431)
Total Funds	\$101,326,970	\$92,994,653	\$101,863,324	\$8,868,671	\$94,333,208	\$101,235,492	\$6,902,284	\$15,770,955
Total Ongoing	\$101,227,059	\$92,994,653	\$100,563,324	\$7,568,671	\$94,333,208	\$100,735,492	\$6,402,284	\$13,970,955
Total OTO	\$99,911	\$0	\$1,300,000	\$1,300,000	\$0	\$500,000	\$500,000	\$1,800,000

The legislative budget is \$2.5 million general fund and \$15.8 million total funds higher than the executive budget over the biennium. This includes increases in the following areas:

- Increases of state special revenue to move the motor vehicle division out of the Highway Special Revenue Account
- Funding for improvements to the morgue facility
- Creating a state special fund for medical examiners to be funded by charging for services
- Funding for 24/7 alcohol and drug testing to counties
- Motor Vehicle Division county funding for IT improvements and efficiency
- Criminal Records Information System History (CRIS) programming and improvements
- Restoring part of decision package 555 rebase to budget
- Funding for the Eastern Montana Crime Lab and associated FTE in Yellowstone county
- Various adjustments in the Montana Highway Patrol, Division of Crime Investigation, and Forensic Science Unit

Language and Statutory Authority

The legislature included the following language in HB 2:

"Montana Highway Patrol includes funding to hold inmates in county jails. It is the intent of the legislature that the department of justice may pay no more than \$69 per day to hold an inmate in any county jail."

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	12,139,239	11,797,344	(341,895)	(2.82)%
Operating Expenses	4,055,717	3,689,143	(366,574)	(9.04)%
Benefits & Claims	2,242,382	2,242,382	0	0.00 %
Total Expenditures	\$18,437,338	\$17,728,869	(\$708,469)	(3.84)%
General Fund	14,364,423	13,724,523	(639,900)	(4.45)%
State/Other Special Rev. Funds	2,600,337	2,538,616	(61,721)	(2.37)%
Federal Spec. Rev. Funds	1,472,578	1,465,730	(6,848)	(0.47)%
Total Funds	\$18,437,338	\$17,728,869	(\$708,469)	(3.84)%
Total Ongoing	\$18,437,338	\$17,728,869	(\$708,469)	(3.84)%
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Legal Services Division (LSD) provides:

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

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

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

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

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

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

The Office of Consumer Protection (OCP) responds to consumer complaints and enforces Montana's consumer protection laws and regulations relating to unfair and deceptive business practices, including:

- "Bait and switch," false claims
- Changing a contract after a sale

- Abusive arbitration
- Debt collection misconduct
- Door-to-door sales and telemarketing including administering Montana's do-not-call list
- Car and truck sales and repair including the New Vehicle Warranty Act (or Lemon Law) violations
- Antitrust issues including price fixing, monopoly abuse, and restraint of trade

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

Program Highlights

Legal Services Division Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium is reduced by \$0.7 million compared to the 2017 biennium • A 6% vacancy savings was applied • In addition to the global appropriation rebase, other budgetary changes are statewide present law adjustments

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	64.50	64.50	64.50	64.50	64.50
Personal Services	5,923,977	6,000,403	6,138,836	5,888,534	5,908,810
Operating Expenses	1,984,302	1,947,365	2,108,352	1,691,730	1,997,413
Benefits & Claims	869,465	1,121,191	1,121,191	1,121,191	1,121,191
Total Expenditures	\$8,777,744	\$9,068,959	\$9,368,379	\$8,701,455	\$9,027,414
General Fund	7,056,112	7,056,111	7,308,312	6,701,693	7,022,830
State/Other Special Rev. Funds	1,279,631	1,279,621	1,320,716	1,267,344	1,271,272
Federal Spec. Rev. Funds	442,001	733,227	739,351	732,418	733,312
Total Funds	\$8,777,744	\$9,068,959	\$9,368,379	\$8,701,455	\$9,027,414
Total Ongoing	\$8,777,744	\$9,068,959	\$9,368,379	\$8,701,455	\$9,027,414
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 01-Legal Services Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	13,724,523	0	0	13,724,523	75.53 %	
02106 Crime Victims Compensation-St	0	0	441,028	441,028	14.80 %	
02140 Consumer Education Settlement	2,032,531	0	0	2,032,531	68.21 %	
02349 Highway Non-Restricted Account	0	0	0	0	0.00 %	
02937 DOJ Misc SSR MOUs	506,085	0	0	506,085	16.98 %	
State Special Total	\$2,538,616	\$0	\$441,028	\$2,979,644	16.40 %	
03169 Federal Crime Victims Benefits	1,091,528	0	0	1,091,528	74.47 %	
03187 BCC Grants To Dept. Of Justice	24	0	0	24	0.00 %	
03801 Dept Of Justice-Misc Grants	374,178	0	0	374,178	25.53 %	
Federal Special Total	\$1,465,730	\$0	\$0	\$1,465,730	8.07 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$17,728,869	\$0	\$441,028	\$18,169,897		

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

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	7,308,312	7,308,312	14,616,624	106.50 %	9,368,379	9,368,379	18,736,758	105.68 %
SWPL Adjustments	(140,664)	(119,901)	(260,565)	(1.90)%	(175,973)	(150,317)	(326,290)	(1.84)%
PL Adjustments	(4,623)	(3,310)	(7,933)	(0.06)%	(5,524)	(4,062)	(9,586)	(0.05)%
New Proposals	(461,332)	(162,271)	(623,603)	(4.54)%	(485,427)	(186,586)	(672,013)	(3.79)%
Total Budget	\$6,701,693	\$7,022,830	\$13,724,523		\$8,701,455	\$9,027,414	\$17,728,869	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(103,035)	(25,089)	(544)	(128,668)	0.00	(86,470)	(21,744)	253	(107,961)
DP 2 - Fixed Costs	0.00	(38,705)	(8,225)	(1,451)	(48,381)	0.00	(35,700)	(7,586)	(1,339)	(44,625)
DP 3 - Inflation Deflation	0.00	1,076	0	0	1,076	0.00	2,269	0	0	2,269
DP 53 - SWPLA Fixed Cost Reductions	0.00	(4,661)	(774)	(136)	(5,571)	0.00	(3,348)	(647)	(114)	(4,109)
DP 54 - Non Office Rent Adjustment	0.00	38	8	1	47	0.00	38	8	1	47
Grand Total All Present Law Adjustments	0.00	(\$145,287)	(\$34,080)	(\$2,130)	(\$181,497)	0.00	(\$123,211)	(\$29,969)	(\$1,199)	(\$154,379)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Non Office Rent Adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 a square foot to \$5.33.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 50 - 5% Plan Adjustment	0.00	(11,758)	0	0	(11,758)	0.00	(11,758)	0	0	(11,758)
DP 51 - Additional 2% Vacancy Savings	0.00	(97,386)	(19,424)	(4,826)	(121,636)	0.00	(97,742)	(19,482)	(4,841)	(122,065)
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	300,000	0	0	300,000
DP 56 - Oracle License Funding Reinstatement	0.00	619	132	23	774	0.00	35	7	1	43
DP 555 - Appropriation Rebase	(2.00)	(352,807)	(63,982)	0	(416,789)	(2.00)	(352,806)	(63,982)	0	(416,788)
Total	(2.00)	(\$461,332)	(\$83,274)	(\$4,803)	(\$549,409)	(2.00)	(\$162,271)	(\$83,457)	(\$4,840)	(\$250,568)

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

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%. For this program this reduction includes a personal services reduction with an associated reduction of 2.00 FTE each year.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	52,996,720	53,617,512	620,792	1.17 %
Operating Expenses	17,325,234	18,174,305	849,071	4.90 %
Equipment & Intangible Assets	3,984,330	3,984,330	0	0.00 %
Total Expenditures	\$74,306,284	\$75,776,147	\$1,469,863	1.98 %
State/Other Special Rev. Funds	74,306,284	75,776,147	1,469,863	1.98 %
Total Funds	\$74,306,284	\$75,776,147	\$1,469,863	1.98 %
Total Ongoing	\$74,306,284	\$75,776,147	\$1,469,863	1.98 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

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

Program Highlights

Montana Highway Patrol Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium increased by \$1.5 million as compared to the 2017 biennium with the primary changes being a portion of gas tax will provide a sole funding source for the MHP and the highway special revenue account will no longer be shared with the Department of Transportation • A 5% vacancy savings was applied • The legislature authorized funding to support the Montana Interdiction Drug Apprehension Squad (MIDAS) including the addition of 6.00 FTE • The MHP salary survey was approved and provides a 2.3% increase or \$1.2 million of general fund for the biennium

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	299.09	299.09	299.09	305.09	305.09
Personal Services	25,687,350	26,159,405	26,837,315	26,989,202	26,628,310
Operating Expenses	8,248,911	8,573,732	8,751,502	9,050,175	9,124,130
Equipment & Intangible Assets	2,185,309	1,992,165	1,992,165	1,992,165	1,992,165
Total Expenditures	\$36,121,570	\$36,725,302	\$37,580,982	\$38,031,542	\$37,744,605
State/Other Special Rev. Funds	36,121,570	36,725,302	37,580,982	38,031,542	37,744,605
Total Funds	\$36,121,570	\$36,725,302	\$37,580,982	\$38,031,542	\$37,744,605
Total Ongoing	\$36,121,570	\$36,725,302	\$37,580,982	\$38,031,542	\$37,744,605
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 03-Montana Highway Patrol Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	0	0	0	0	0.00 %	
02014 Highway Patrol Pay & Retention	14,188,686	0	0	14,188,686	18.72 %	
02140 Consumer Education Settlement	2,151	0	0	2,151	0.00 %	
02200 Permits and Transfer Plates	5,502,297	0	0	5,502,297	7.26 %	
02349 Highway Non-Restricted Account	0	0	0	0	0.00 %	
02422 Highways Special Revenue	56,083,013	0	0	56,083,013	74.01 %	
02937 DOJ Misc SSR MOUs	0	0	0	0	0.00 %	
State Special Total	\$75,776,147	\$0	\$0	\$75,776,147	100.00 %	
03549 MHP Grants	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$75,776,147	\$0	\$0	\$75,776,147		

Functions of the division are supported by state special revenue with the bulk of the costs supported by the restricted account of the highways state special revenue fund. The highway patrol recruitment and retention fund supported by a \$5 vehicle registration fee may be used to support the cost of uniformed officers, equipment, pay increases, and supports the executive protection function. Please refer to the narrative for the Department of Transportation in Section C for a discussion of the highway state special revenue fund.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category									
Budget Item	-----General Fund-----				-----Total Funds-----				
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	
2017 Base Budget	0	0	0	0.00 %	37,580,982	37,580,982	75,161,964	99.19 %	
SWPL Adjustments	0	0	0	0.00 %	(1,667,715)	(1,503,706)	(3,171,421)	(4.19)%	
PL Adjustments	0	0	0	0.00 %	1,828,947	1,832,989	3,661,936	4.83 %	
New Proposals	0	0	0	0.00 %	289,328	(165,660)	123,668	0.16 %	
Total Budget	\$0	\$0	\$0		\$38,031,542	\$37,744,605	\$75,776,147		

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	(1,392,169)	0	(1,392,169)	0.00	0	(1,299,990)	0	(1,299,990)
DP 2 - Fixed Costs	0.00	0	(23,149)	0	(23,149)	0.00	0	(14,279)	0	(14,279)
DP 3 - Inflation Deflation	0.00	0	(252,397)	0	(252,397)	0.00	0	(189,437)	0	(189,437)
DP 53 - SWPLA Fixed Cost Reductions	0.00	0	(5,057)	0	(5,057)	0.00	0	(1,014)	0	(1,014)
DP 54 - Non Office Rent Adjustment	0.00	0	4	0	4	0.00	0	3	0	3
DP 301 - MHP Salary Survey	0.00	0	580,000	0	580,000	0.00	0	580,000	0	580,000
DP 302 - MHP Present Law Adjustment	0.00	0	1,102,000	0	1,102,000	0.00	0	1,102,000	0	1,102,000
DP 305 - MHP Vacant Position Adjustment	0.00	0	152,000	0	152,000	0.00	0	152,000	0	152,000
Grand Total All Present Law Adjustments	0.00	\$0	\$161,232	\$0	\$161,232	0.00	\$0	\$329,283	\$0	\$329,283

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Non Office Rent Adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 a square foot to \$5.33.

DP 301 - MHP Salary Survey -

The legislature approved the Montana Highway Patrol request of a 2.32% increase, as a result of the salary survey conducted by Department of Administration per 2-18-303, MCA. The survey averaged the starting wage in eight Montana county sheriff's offices. The amount of this change package is \$580,000 each year of the biennium in state special revenue. The amount requested ensures that MHP would be able to sufficiently fund the salary increase in July of 2017.

DP 302 - MHP Present Law Adjustment -

The legislature approved \$1,102,000 state special each year to support personal services in the Montana Highway Patrol.

DP 305 - MHP Vacant Position Adjustment -

The legislature approved \$152,000 state special each year to support personal services in the Montana Highway Patrol.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 56 - Oracle License Funding Reinstatement	0.00	0	2,034	0	2,034	0.00	0	117	0	117
DP 60 - Dedicated Criminal Interdiction Team	6.00	0	1,088,351	0	1,088,351	6.00	0	638,046	0	638,046
DP 61 - 3% Vacancy Savings	0.00	0	(801,057)	0	(801,057)	0.00	0	(803,823)	0	(803,823)
Total	6.00	\$0	\$289,328	\$0	\$289,328	6.00	\$0	(\$165,660)	\$0	(\$165,660)

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

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 60 - Dedicated Criminal Interdiction Team -

The legislature authorized funding to support the Montana Interdiction Drug Apprehension Squad (MIDAS) in the amount of \$1,088,351 in FY18 and \$638,046 in FY19. This decision package also adds 6.00 FTE to support five troopers and one sergeant in personal services.

DP 61 - 3% Vacancy Savings -

The legislature implemented a 3% vacancy savings for the Montana Highway Patrol.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	6,118,565	5,991,555	(127,010)	(2.08)%
Operating Expenses	3,366,799	3,489,341	122,542	3.64 %
Equipment & Intangible Assets	246,106	73,640	(172,466)	(70.08)%
Total Expenditures	\$9,731,470	\$9,554,536	(\$176,934)	(1.82)%
General Fund	9,413,536	8,993,136	(420,400)	(4.47)%
State/Other Special Rev. Funds	282,922	526,594	243,672	86.13 %
Federal Spec. Rev. Funds	5,302	5,270	(32)	(0.60)%
Proprietary Funds	29,710	29,536	(174)	(0.59)%
Total Funds	\$9,731,470	\$9,554,536	(\$176,934)	(1.82)%
Total Ongoing	\$9,731,470	\$9,554,536	(\$176,934)	(1.82)%
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Justice Information Technology Services Division (JITSD) operates, and manages all information technology and services within the Department of Justice (DOJ).

These systems include:

- The Montana Enhanced Registration Licensing Network (MERLIN)
- Driver testing and license/identification production
- Integrated Justice Information System (IJIS Broker)
- SmartCop
- Criminal Justice Information Network (CJIN)
- Computerized Criminal History
- Automated Biometric Identification System
- Sexual or Violent Offender (SVOR) repository and web site
- Laboratory Management Information System, GEN TAX, and many other technology solutions deployed within the department.

JITSD also provides direct and indirect support for statewide services to federal, state, and local law enforcement agencies in identification of persons, fingerprint processing, and criminal records storage and dissemination. JITSD is also responsible for DOJ information security, disaster recovery plan and implementation, and the IT Strategic Plan.

Program Highlights

Justice Information Technology Services Division Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium decreased by \$0.2 million as compared to the 2017 biennium • HSRA funding is replaced with new fees associated with vehicle registration and gas sales • A 6% vacancy savings was applied

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	36.80	36.80	36.80	36.80	36.80
Personal Services	3,112,435	3,016,397	3,102,168	2,987,604	3,003,951
Operating Expenses	1,379,544	1,469,855	1,896,944	1,716,890	1,772,451
Equipment & Intangible Assets	203,553	209,286	36,820	36,820	36,820
Total Expenditures	\$4,695,532	\$4,695,538	\$5,035,932	\$4,741,314	\$4,813,222
General Fund	4,536,565	4,536,571	4,876,965	4,460,614	4,532,522
State/Other Special Rev. Funds	141,461	141,461	141,461	263,297	263,297
Federal Spec. Rev. Funds	2,651	2,651	2,651	2,635	2,635
Proprietary Funds	14,855	14,855	14,855	14,768	14,768
Total Funds	\$4,695,532	\$4,695,538	\$5,035,932	\$4,741,314	\$4,813,222
Total Ongoing	\$4,695,532	\$4,695,538	\$5,035,932	\$4,741,314	\$4,813,222
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 04-Justice Information Technology Services Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	8,993,136	0	0	8,993,136	94.12 %
02016 Criminal Justice Info Network	7,926	0	0	7,926	1.51 %
02074 Gambling License Fee Account	34,926	0	0	34,926	6.63 %
02140 Consumer Education Settlement	245,284	0	0	245,284	46.58 %
02422 Highways Special Revenue	67,887	0	0	67,887	12.89 %
02456 61-6-158 MTIVS & MCE	67,887	0	0	67,887	12.89 %
02797 Criminal Records Info Sys	95,496	0	0	95,496	18.13 %
02937 DOJ Misc SSR MOUs	7,188	0	0	7,188	1.36 %
State Special Total	\$526,594	\$0	\$0	\$526,594	5.51 %
03800 Medicaid Fraud	5,270	0	0	5,270	100.00 %
Federal Special Total	\$5,270	\$0	\$0	\$5,270	0.06 %
06005 Liquor Division	14,264	0	0	14,264	48.29 %
06500 Agency Legal Services	15,272	0	0	15,272	51.71 %
Proprietary Total	\$29,536	\$0	\$0	\$29,536	0.31 %
Total All Funds	\$9,554,536	\$0	\$0	\$9,554,536	

Justice Information Technology Services Division (JITSD) is funded mainly with general fund. State special revenue makes up less than 5.5%, comes primarily from gambling licensing fees, criminal records information system fees, and highway state special revenue. The balance of JITSD's funding comes from a very small amount of federal funds (Medicaid) and proprietary funds, including liquor licensing fees and agency legal service fees. JITSD provides services to other divisions of the DOJ and the JITSD's funding is based on user funding sources.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	4,876,965	4,876,965	9,753,930	108.46 %	5,035,932	5,035,932	10,071,864	105.41 %
SWPL Adjustments	(90,314)	(69,733)	(160,047)	(1.78)%	(90,314)	(69,733)	(160,047)	(1.68)%
PL Adjustments	(5,002)	(3,656)	(8,658)	(0.10)%	(5,002)	(3,656)	(8,658)	(0.09)%
New Proposals	(321,035)	(271,054)	(592,089)	(6.58)%	(199,302)	(149,321)	(348,623)	(3.65)%
Total Budget	\$4,460,614	\$4,532,522	\$8,993,136		\$4,741,314	\$4,813,222	\$9,554,536	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(51,211)	0	0	(51,211)	0.00	(34,516)	0	0	(34,516)
DP 2 - Fixed Costs	0.00	(39,292)	0	0	(39,292)	0.00	(35,806)	0	0	(35,806)
DP 3 - Inflation Deflation	0.00	189	0	0	189	0.00	589	0	0	589
DP 53 - SWPLA Fixed Cost Reductions	0.00	(5,045)	0	0	(5,045)	0.00	(3,699)	0	0	(3,699)
DP 54 - Non Office Rent Adjustment	0.00	43	0	0	43	0.00	43	0	0	43
Grand Total All Present Law Adjustments	0.00	(\$95,316)	\$0	\$0	(\$95,316)	0.00	(\$73,389)	\$0	\$0	(\$73,389)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Non Office Rent Adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 a square foot to \$5.33.

New Proposals

The “New Proposals” table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 50 - 5% Plan Adjustment	0.00	(7,559)	0	0	(7,559)	0.00	(7,559)	0	0	(7,559)
DP 51 - Additional 2% Vacancy Savings	0.00	(63,353)	0	0	(63,353)	0.00	(63,701)	0	0	(63,701)
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	51,000	0	0	51,000
DP 56 - Oracle License Funding Reinstatement	0.00	712	0	0	712	0.00	41	0	0	41
DP 401 - JITS Funding Switch	0.00	(125,000)	125,000	0	0	0.00	(125,000)	125,000	0	0
DP 555 - Appropriation Rebase	0.00	(226,828)	(3,659)	0	(230,487)	0.00	(226,828)	(3,659)	0	(230,487)
DP 556 - IT Convergence Savings	0.00	(24,430)	(3,164)	(16)	(27,697)	0.00	(24,430)	(3,164)	(16)	(27,697)
DP 650 - Removing HSRA funding per section 23 of HB 650	0.00	0	0	0	0	0.00	0	0	0	0
Total	0.00	(\$446,458)	\$118,177	(\$16)	(\$328,384)	0.00	(\$396,477)	\$118,177	(\$16)	(\$278,403)

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

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 401 - JITSD Funding Switch -

The legislature approved a reduction of general fund and a like increase in state special revenue from the consumer education settlement account. This funding switch would have the consumer education settlement account support the same percentage allocation as it supports in the Central Services Division.

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

DP 556 - IT Convergence Savings -

The legislature approved reductions to agency information technology costs for savings generated by enterprise licensing for Oracle software.

DP 650 - Removing HSRA funding per section 23 of HB 650 -

The legislature removed funding for the highway special revenue fund 02422 by providing alternative fund sourcing for the motor vehicle division, information technology division, and central services division per HB 650. New fund numbers related to gas and motor vehicle fees will be provided when selected by the executive branch. Insurance verification fees related to fund number 02456 have been utilized as a place holder until the new fund numbers are created and changed within the budgeting system.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	15,914,020	15,549,956	(364,064)	(2.29)%
Operating Expenses	8,836,970	9,109,238	272,268	3.08 %
Equipment & Intangible Assets	280,904	246,904	(34,000)	(12.10)%
Grants	180,000	180,000	0	0.00 %
Transfers	39,501	22,590	(16,911)	(42.81)%
Total Expenditures	\$25,251,395	\$25,108,688	(\$142,707)	(0.57)%
General Fund	15,447,939	14,920,221	(527,718)	(3.42)%
State/Other Special Rev. Funds	8,579,895	8,978,149	398,254	4.64 %
Federal Spec. Rev. Funds	1,223,561	1,210,318	(13,243)	(1.08)%
Total Funds	\$25,251,395	\$25,108,688	(\$142,707)	(0.57)%
Total Ongoing	\$25,051,383	\$25,108,688	\$57,305	0.23 %
Total OTO	\$200,012	\$0	(\$200,012)	(100.00)%

Program Description

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

The Investigations Bureau consists of four sections:

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

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

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

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

Program Highlights

Division of Criminal Investigation Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium was decreased by \$1.5 million as compared to the 2017 biennium • A 6% vacancy savings was applied • Funding for the law enforcement academy is provided through a transfer from the consumer protection account to long range planning in the amount of \$6.6 million that will support construction and the master plan • Almost \$0.9 million was provided to criminal records for programming and upgrades

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	104.50	104.50	104.50	104.50	104.50
Personal Services	7,801,152	7,899,251	8,014,769	7,751,141	7,798,815
Operating Expenses	4,177,020	4,429,731	4,407,239	4,600,477	4,508,761
Equipment & Intangible Assets	128,351	157,452	123,452	123,452	123,452
Grants	89,082	90,000	90,000	90,000	90,000
Transfers	28,206	28,206	11,295	11,295	11,295
Total Expenditures	\$12,223,811	\$12,604,640	\$12,646,755	\$12,576,365	\$12,532,323
General Fund	7,591,823	7,591,820	7,856,119	7,421,322	7,498,899
State/Other Special Rev. Funds	4,047,462	4,406,908	4,172,987	4,548,246	4,429,903
Federal Spec. Rev. Funds	584,526	605,912	617,649	606,797	603,521
Total Funds	\$12,223,811	\$12,604,640	\$12,646,755	\$12,576,365	\$12,532,323
Total Ongoing	\$12,123,709	\$12,504,539	\$12,546,844	\$12,576,365	\$12,532,323
Total OTO	\$100,102	\$100,101	\$99,911	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 05-Division of Criminal Investigation Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	14,920,221	0	0	14,920,221	59.28 %	
02006 Cigarette Fire Safety Standard	198,829	0	0	198,829	2.20 %	
02016 Criminal Justice Info Network	1,390,330	0	0	1,390,330	15.38 %	
02118 Local Govt Subgrants	0	0	0	0	0.00 %	
02143 Drug Forfeitures-State	0	0	60,000	60,000	0.66 %	
02349 Highway Non-Restricted Account	176,129	0	0	176,129	1.95 %	
02546 MT Law Enforcement Academy	3,448,151	0	0	3,448,151	38.15 %	
02797 Criminal Records Info Sys	3,367,226	0	0	3,367,226	37.26 %	
02937 DOJ Misc SSR MOUs	397,484	0	0	397,484	4.40 %	
State Special Total	\$8,978,149	\$0	\$60,000	\$9,038,149	35.91 %	
03051 Homeland Security	0	0	0	0	0.00 %	
03187 BCC Grants To Dept. Of Justice	14,923	0	0	14,923	1.23 %	
03542 DCI Grants	0	0	0	0	0.00 %	
03800 Medicaid Fraud	1,195,395	0	0	1,195,395	98.77 %	
03811 NCHIP FFY2015	0	0	0	0	0.00 %	
Federal Special Total	\$1,210,318	\$0	\$0	\$1,210,318	4.81 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$25,108,688	\$0	\$60,000	\$25,168,688		

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

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

The largest source of federal funds is Medicaid funding that supports investigation of Medicaid fraud.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	7,756,208	7,756,208	15,512,416	103.97 %	12,546,844	12,546,844	25,093,688	99.94 %
SWPL Adjustments	(104,467)	(65,351)	(169,818)	(1.14)%	(196,641)	(155,228)	(351,869)	(1.40)%
PL Adjustments	33,742	38,106	71,848	0.48 %	31,779	37,710	69,489	0.28 %
New Proposals	(264,161)	(230,064)	(494,225)	(3.31)%	194,383	102,997	297,380	1.18 %
Total Budget	\$7,421,322	\$7,498,899	\$14,920,221		\$12,576,365	\$12,532,323	\$25,108,688	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(1,428)	(28,298)	5,051	(24,675)	0.00	16,942	(20,416)	6,192	2,718
DP 2 - Fixed Costs	0.00	(59,277)	(62,220)	(6,707)	(128,204)	0.00	(49,878)	(64,546)	(11,107)	(125,531)
DP 3 - Inflation Deflation	0.00	(43,762)	0	0	(43,762)	0.00	(32,415)	0	0	(32,415)
DP 53 - SWPLA Fixed Cost Reductions	0.00	(4,767)	(1,776)	(190)	(6,733)	0.00	(403)	(361)	(38)	(802)
DP 54 - Non Office Rent Adjustment	0.00	0	3	0	3	0.00	0	3	0	3
Grand Total All Present Law Adjustments	0.00	(\$109,234)	(\$92,291)	(\$1,846)	(\$203,371)	0.00	(\$65,754)	(\$85,320)	(\$4,953)	(\$156,027)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Non Office Rent Adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 a square foot to \$5.33.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	Fiscal 2018					Fiscal 2019				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 50 - 5% Plan Adjustment	0.00	(12,483)	0	0	(12,483)	0.00	(12,483)	0	0	(12,483)
DP 51 - Additional 2% Vacancy Savings	0.00	(116,927)	(38,180)	(9,166)	(164,273)	0.00	(117,310)	(38,343)	(9,190)	(164,843)
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	20,850	0	0	20,850
DP 56 - Oracle License Funding Reinstatement	0.00	1,442	1,360	160	2,962	0.00	72	83	15	170
DP 402 - Move MLEA out of HSRA fund 02546	0.00	0	0	0	0	0.00	0	0	0	0
DP 504 - CRISS Programming and Enhancements	0.00	0	504,370	0	504,370	0.00	0	380,495	0	380,495
DP 555 - Appropriation Rebase	(1.00)	(374,586)	(202,373)	0	(576,959)	(1.00)	(374,586)	(202,372)	0	(576,958)
Total	(1.00)	(\$502,554)	\$265,177	(\$9,006)	(\$246,383)	(1.00)	(\$483,457)	\$139,863	(\$9,175)	(\$352,769)

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

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 402 - Move MLEA out of HSRA fund 02546 -

The legislature approved a fund switch of highway non-restricted funding the the Montana Law enforcement Academy,

DP 504 - CRISS Programming and Enhancements -

The legislature approved funding from the criminal records information system state special revenue to fund costs for programming and enhancements of the Computerized Criminal History System (CCH).

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state

special revenue funds by 5%. For this program this reduction include a personal services reduction with an associated reduction of 1.00 FTE each year.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	2,304,040	2,905,395	601,355	26.10 %
Operating Expenses	358,328	357,599	(729)	(0.20)%
Total Expenditures	\$2,662,368	\$3,262,994	\$600,626	22.56 %
Proprietary Funds	2,662,368	3,262,994	600,626	22.56 %
Total Funds	\$2,662,368	\$3,262,994	\$600,626	22.56 %

Program Description

The Agency Legal Services Bureau (ALS) provides legal, hearing examiner, and investigative services to state agency clients on a contract basis. ALS attorneys and investigators bill clients for their services, case-related, and incidental costs. ALS consists of 14.00 FTE funded from the revenues generated. The customers served are state agencies, boards, and commissions that have entered into contracts with ALS.

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

Program Highlights

Agency Legal Services Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium increased by \$0.6 million as compared to the 2017 biennium • Proprietary rates were approved at the same level as approved by the 2015 legislature

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	14.00	14.00	14.00	14.00	14.00
Personal Services	1,182,641	1,182,640	1,121,400	1,450,487	1,454,908
Operating Expenses	179,165	179,164	179,164	178,629	178,970
Total Expenditures	\$1,361,806	\$1,361,804	\$1,300,564	\$1,629,116	\$1,633,878
Proprietary Funds	1,361,806	1,361,804	1,300,564	1,629,116	1,633,878
Total Funds	\$1,361,806	\$1,361,804	\$1,300,564	\$1,629,116	\$1,633,878

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 06-Agency Legal Services Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	0	0	0	0	0.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06500 Agency Legal Services	0	3,262,994	0	3,262,994	100.00 %
Proprietary Total	\$0	\$3,262,994	\$0	\$3,262,994	100.00 %
Total All Funds	\$0	\$3,262,994	\$0	\$3,262,994	

Agency Legal Services (ALS) is funded with non-budgeted proprietary funds from fees charged to agencies for attorney and paralegal work.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	0	0	0	0.00 %	1,300,564	1,300,564	2,601,128	79.72 %
SWPL Adjustments	0	0	0	0.00 %	328,674	333,335	662,009	20.29 %
PL Adjustments	0	0	0	0.00 %	(122)	(21)	(143)	(0.00)%
New Proposals	0	0	0	0.00 %	0	0	0	0.00 %
Total Budget	\$0	\$0	\$0		\$1,629,116	\$1,633,878	\$3,262,994	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Present Law Adjustments										
DP 1 - Personal Services	0.00	0	0	0	329,087	0.00	0	0	0	333,508
DP 2 - Fixed Costs										
DP 3 - Inflation Deflation	0.00	0	0	0	(358)	0.00	0	0	0	(142)
DP 53 - SWPLA Fixed Cost Reductions	0.00	0	0	0	(55)	0.00	0	0	0	(31)
	0.00	0	0	0	(122)	0.00	0	0	0	(21)
Grand Total All Present Law Adjustments	0.00	\$0	\$0	\$0	\$328,552	0.00	\$0	\$0	\$0	\$333,314

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

DP 1 - Personal Services -

The legislature approved \$329,087 in FY 2018 and \$333,508 in FY 2019 to annualize various personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

DP 2 - Fixed Costs -

The legislature approved a reduction of \$358 in FY 2018 and \$142 in FY 2019 to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

DP 3 - Inflation Deflation -

The legislature approved a reduction of \$55 in FY 2018 and \$31 in FY 2019 to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, natural gas, electricity, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

New Proposals

The "New Proposals" table shows new changes to expenditures.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
New Proposals										
DP 56 - Oracle License Funding Reinstatement	0.00	0	0	0	0	0.00	0	0	0	0
Total	0.00	\$0	\$0	\$0	\$0	0.00	\$0	\$0	\$0	\$0

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

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

Other IssuesProprietary Rates

The legislature approved the following rates:

- \$106 per hour for attorney
- \$62 per hour for investigator

Rates requested are the same rates approved by the 2015 Legislature.

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	7,108,011	6,979,061	(128,950)	(1.81)%
Operating Expenses	1,657,433	1,654,109	(3,324)	(0.20)%
Equipment & Intangible Assets	165,720	165,720	0	0.00 %
Total Expenditures	\$8,931,164	\$8,798,890	(\$132,274)	(1.48)%
State/Other Special Rev. Funds	6,412,464	6,326,683	(85,781)	(1.34)%
Proprietary Funds	2,518,700	2,472,207	(46,493)	(1.85)%
Total Funds	\$8,931,164	\$8,798,890	(\$132,274)	(1.48)%
Total Ongoing	\$8,931,164	\$8,798,890	(\$132,274)	(1.48)%
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Gambling Control Division (GCD) regulates the gambling industry in Montana. GCD has criminal justice authority and conducts routine field inspections, audits, and investigations related to gambling activities. In addition to collecting and distributing licensing and permit fees for gambling machines and activities, GCD collects the gambling tax assessed on the net proceeds of gambling activities. In addition, it conducts investigations related to alcoholic beverage licensing and tobacco enforcement. An appointed Gaming Advisory Council of nine members advises the Attorney General to ensure uniform statewide regulation of gambling activities.

Program Highlights

Gambling Control Division Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium was decreased by \$0.1 million as compared to the 2017 biennium • A 6% vacancy savings was applied • In addition to the global appropriation rebase adjustment other budgetary changes were statewide present law adjustments

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	45.99	45.99	45.99	45.99	45.99
Personal Services	3,298,370	3,501,974	3,606,037	3,483,419	3,495,642
Operating Expenses	691,829	813,666	843,767	825,215	828,894
Equipment & Intangible Assets	65,849	82,860	82,860	82,860	82,860
Total Expenditures	\$4,056,048	\$4,398,500	\$4,532,664	\$4,391,494	\$4,407,396
State/Other Special Rev. Funds	2,879,809	3,157,185	3,255,279	3,157,641	3,169,042
Proprietary Funds	1,176,239	1,241,315	1,277,385	1,233,853	1,238,354
Total Funds	\$4,056,048	\$4,398,500	\$4,532,664	\$4,391,494	\$4,407,396
Total Ongoing	\$4,056,048	\$4,398,500	\$4,532,664	\$4,391,494	\$4,407,396
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 07-Gambling Control Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
General Fund	0	0	0	0	0.00 %	
02006 Cigarette Fire Safety Standard	0	0	0	0	0.00 %	
02074 Gambling License Fee Account	6,067,158	0	9,529,488	15,596,646	98.24 %	
02120 Live Game Tax	0	0	20,000	20,000	0.13 %	
02349 Highway Non-Restricted Account	0	0	0	0	0.00 %	
02790 6901-Statewide Tobacco Sttlmnt	259,525	0	0	259,525	1.63 %	
02937 DOJ Misc SSR MOUs	0	0	0	0	0.00 %	
State Special Total	\$6,326,683	\$0	\$9,549,488	\$15,876,171	86.53 %	
03187 BCC Grants To Dept. Of Justice	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
06005 Liquor Division	2,472,207	0	0	2,472,207	100.00 %	
06083 61-3-118 MVD E-Commerce	0	0	0	0	0.00 %	
Proprietary Total	\$2,472,207	\$0	\$0	\$2,472,207	13.47 %	
Total All Funds	\$8,798,890	\$0	\$9,549,488	\$18,348,378		

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

Statutory appropriations of state special revenue are to distribute the local government portions of gambling license fees.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category									
Budget Item	-----General Fund-----				-----Total Funds-----				
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	
2017 Base Budget	0	0	0	0.00 %	4,532,664	4,532,664	9,065,328	103.03 %	
SWPL Adjustments	0	0	0	0.00 %	(66,838)	(50,993)	(117,831)	(1.34)%	
PL Adjustments	0	0	0	0.00 %	(776)	(172)	(948)	(0.01)%	
New Proposals	0	0	0	0.00 %	(73,556)	(74,103)	(147,659)	(1.68)%	
Total Budget	\$0	\$0	\$0		\$4,391,494	\$4,407,396	\$8,798,890		

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	(34,618)	0	(48,758)	0.00	0	(25,756)	0	(36,275)
DP 2 - Fixed Costs	0.00	0	(2,873)	0	(7,771)	0.00	0	(2,221)	0	(6,852)
DP 3 - Inflation Deflation	0.00	0	(7,319)	0	(10,309)	0.00	0	(5,585)	0	(7,866)
DP 53 - SWPLA Fixed Cost Reductions	0.00	0	(500)	0	(777)	0.00	0	(54)	0	(173)
DP 54 - Non Office Rent Adjustment	0.00	0	0	0	1	0.00	0	0	0	1
Grand Total All Present Law Adjustments	0.00	\$0	(\$45,310)	\$0	(\$67,614)	0.00	\$0	(\$33,616)	\$0	(\$51,165)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Non Office Rent Adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 a square foot to \$5.33.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 51 - Additional 2% Vacancy Savings	0.00	0	(52,440)	0	(73,860)	0.00	0	(52,627)	0	(74,120)
DP 56 - Oracle License Funding Reinstatement	0.00	0	112	0	304	0.00	0	6	0	17
DP 555 - Appropriation Rebase	0.00	0	(143,990)	0	(143,990)	0.00	0	(143,990)	0	(143,990)
Total	0.00	\$0	(\$196,318)	\$0	(\$217,546)	0.00	\$0	(\$196,611)	\$0	(\$218,093)

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

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	6,444,284	7,477,766	1,033,482	16.04 %
Operating Expenses	2,458,334	2,524,772	66,438	2.70 %
Equipment & Intangible Assets	18,000	852,097	834,097	4,633.87 %
Debt Service	220,192	669,594	449,402	204.10 %
Total Expenditures	\$9,140,810	\$11,524,229	\$2,383,419	26.07 %
General Fund	8,381,818	9,551,487	1,169,669	13.95 %
State/Other Special Rev. Funds	758,992	1,972,742	1,213,750	159.92 %
Total Funds	\$9,140,810	\$11,524,229	\$2,383,419	26.07 %
Total Ongoing	\$9,140,810	\$10,724,229	\$1,583,419	17.32 %
Total OTO	\$0	\$800,000	\$800,000	100.00 %

Program Description

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

Program Highlights

Forensic Science Division Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium was increased by \$2.4 million as compared to the 2017 biennium • A 6% vacancy savings was applied • Funding in the amount of \$800,000 was provided to support a remodel project for morgue services • A new state special revenue account was created to support medical examiners from fees collected by services provided, saving \$900,000 in general fund • The addition of 5.00 FTE and over \$1.1 million of general fund was included to support the Eastern Crime Lab in Yellowstone county

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	35.30	35.30	35.30	40.30	40.30
Personal Services	3,031,393	3,179,223	3,265,061	3,735,558	3,742,208
Operating Expenses	1,568,728	1,425,805	1,032,529	1,259,473	1,265,299
Equipment & Intangible Assets	11,794	12,000	6,000	846,097	6,000
Debt Service	115,208	110,096	110,096	334,797	334,797
Total Expenditures	\$4,727,123	\$4,727,124	\$4,413,686	\$6,175,925	\$5,348,304
General Fund	4,354,701	4,354,702	4,027,116	5,639,554	3,911,933
State/Other Special Rev. Funds	372,422	372,422	386,570	536,371	1,436,371
Total Funds	\$4,727,123	\$4,727,124	\$4,413,686	\$6,175,925	\$5,348,304
Total Ongoing	\$4,727,123	\$4,727,124	\$4,413,686	\$5,375,925	\$5,348,304
Total OTO	\$0	\$0	\$0	\$800,000	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 08-Forensic Science Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	9,551,487	0	0	9,551,487	82.88 %
02014 Highway Patrol Pay & Retention	0	0	0	0	0.00 %
02349 Highway Non-Restricted Account	773,140	0	0	773,140	39.19 %
02422 Highways Special Revenue	0	0	0	0	0.00 %
02456 61-6-158 MTIVS & MCE	0	0	0	0	0.00 %
02546 MT Law Enforcement Academy	0	0	0	0	0.00 %
02945 DOJ Blood Draw MCA 61-8-402	1,199,602	0	0	1,199,602	60.81 %
State Special Total	\$1,972,742	\$0	\$0	\$1,972,742	17.12 %
03187 BCC Grants To Dept. Of Justice	0	0	0	0	0.00 %
03561 FSD Federal Grants	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$11,524,229	\$0	\$0	\$11,524,229	

Forensic Science Division (FSD) is funded primarily with general fund. State special revenue from non-restricted highway state special revenue funds provides the largest share of FSD’s state special revenue funding and supports certification, equipment maintenance, and training of law enforcement in the use of breath testing equipment. The remaining state special revenue comes from a blood-draw fee of \$300 imposed on drivers stopped for suspicion of driving under the influence of alcohol or drugs and is imposed when the driver refuses to submit to a blood or breath test.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	4,027,116	4,027,116	8,054,232	84.32 %	4,413,686	4,413,686	8,827,372	76.60 %
SWPL Adjustments	211,900	221,780	433,680	4.54 %	211,900	221,780	433,680	3.76 %
PL Adjustments	322,879	325,705	648,584	6.79 %	472,680	475,506	948,186	8.23 %
New Proposals	1,077,659	(662,668)	414,991	4.34 %	1,077,659	237,332	1,314,991	11.41 %
Total Budget	\$5,639,554	\$3,911,933	\$9,551,487		\$6,175,925	\$5,348,304	\$11,524,229	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	222,398	0	0	222,398	0.00	228,962	0	0	228,962
DP 2 - Fixed Costs	0.00	(5,000)	0	0	(5,000)	0.00	(4,088)	0	0	(4,088)
DP 3 - Inflation Deflation	0.00	(5,498)	0	0	(5,498)	0.00	(3,094)	0	0	(3,094)
DP 53 - SWPLA Fixed Cost Reductions	0.00	(763)	0	0	(763)	0.00	(96)	0	0	(96)
DP 801 - FSD Present Law Adjustments	0.00	323,642	149,801	0	473,443	0.00	325,801	149,801	0	475,602
Grand Total All Present Law Adjustments	0.00	\$534,779	\$149,801	\$0	\$684,580	0.00	\$547,485	\$149,801	\$0	\$697,286

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 801 - FSD Present Law Adjustments -

The legislature approved an increase in state special revenue to address cost increases associated with analysis of suspected impaired drivers' blood.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 50 - 5% Plan Adjustment	0.00	(200,562)	0	0	(200,562)	0.00	(200,562)	0	0	(200,562)
DP 51 - Additional 2% Vacancy Savings	0.00	(72,655)	0	0	(72,655)	0.00	(72,792)	0	0	(72,792)
DP 56 - Oracle License Funding Reinstatement	0.00	335	0	0	335	0.00	19	0	0	19
DP 403 - Secure funding for morgue facility (Biennial/OTO)	0.00	800,000	0	0	800,000	0.00	0	0	0	0
DP 404 - Create SSR for Medical Examiners	0.00	0	0	0	0	0.00	(900,000)	900,000	0	0
DP 407 - Adjustment to Fund Placement	0.00	0	0	0	0	0.00	0	0	0	0
DP 803 - FSD Eastern Crime Lab FTE Yellowstone County	5.00	550,541	0	0	550,541	5.00	510,667	0	0	510,667
Total	5.00	\$1,077,659	\$0	\$0	\$1,077,659	5.00	(\$662,668)	\$900,000	\$0	\$237,332

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

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 403 - Secure funding for morgue facility (Biennial/OTO) -

The legislature approved \$800,000 in FY 2018 to remodel an existing building used for morgue services.

DP 404 - Create SSR for Medical Examiners -

The legislature approved a reduction of \$900,000 to general fund and a like increase to state special revenue (SSR) that will be used to support this function. A new SSR will be required.

DP 407 - Adjustment to Fund Placement -

The legislature reallocated funding among various programs within the agency.

DP 803 - FSD Eastern Crime Lab FTE Yellowstone County -

The legislature funded costs for the Eastern Crime Lab in Yellowstone county including personal services to fund 5.00 FTE. Personal services for FTE include two medical assistance to assist medical examiners with autopsies. Other positions funded include two forensic scientists and one fingerprint and evidence technician.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	16,129,603	15,934,656	(194,947)	(1.21)%
Operating Expenses	32,265,870	32,865,495	599,625	1.86 %
Equipment & Intangible Assets	228,056	228,056	0	0.00 %
Debt Service	1,233,400	1,233,400	0	0.00 %
Total Expenditures	\$49,856,929	\$50,261,607	\$404,678	0.81 %
General Fund	20,831,829	18,439,438	(2,392,391)	(11.48)%
State/Other Special Rev. Funds	27,842,582	30,639,651	2,797,069	10.05 %
Proprietary Funds	1,182,518	1,182,518	0	0.00 %
Total Funds	\$49,856,929	\$50,261,607	\$404,678	0.81 %
Total Ongoing	\$49,856,929	\$49,261,607	(\$595,322)	(1.19)%
Total OTO	\$0	\$1,000,000	\$1,000,000	100.00 %

Program Description

The Motor Vehicle Division (MVD) is responsible for:

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

Program Highlights

Motor Vehicle Division Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium was increased by \$0.4 million as compared to the 2017 biennium • A 6% vacancy savings was applied • The program will no longer receive funding from the gas tax and associated highway special revenue account beginning July 1st, 2018 and will instead use motor vehicle fees established by the 2017 legislature estimated to generate roughly \$8.2 million in new revenue per year • Funding was provided to counties in the amount of \$2.0 million for drug and alcohol testing and also for upgrades to information technology systems

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	152.25	152.25	152.25	152.25	152.25
Personal Services	7,533,980	7,884,552	8,245,051	7,956,570	7,978,086
Operating Expenses	12,823,361	15,658,230	16,607,640	16,354,221	16,511,274
Equipment & Intangible Assets	52,729	114,028	114,028	114,028	114,028
Debt Service	27,515	616,700	616,700	616,700	616,700
Total Expenditures	\$20,437,585	\$24,273,510	\$25,583,419	\$25,041,519	\$25,220,088
General Fund	10,192,734	10,192,745	10,639,084	8,747,490	9,691,948
State/Other Special Rev. Funds	9,653,591	13,489,506	14,353,076	15,702,770	14,936,881
Proprietary Funds	591,260	591,259	591,259	591,259	591,259
Total Funds	\$20,437,585	\$24,273,510	\$25,583,419	\$25,041,519	\$25,220,088
Total Ongoing	\$20,437,585	\$24,273,510	\$25,583,419	\$24,541,519	\$24,720,088
Total OTO	\$0	\$0	\$0	\$500,000	\$500,000

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 09-Motor Vehicle Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	18,439,438	0	0	18,439,438	36.61 %
02140 Consumer Education Settlement	4,274	0	0	4,274	0.01 %
02200 Permits and Transfer Plates	12,125,692	0	0	12,125,692	39.44 %
02349 Highway Non-Restricted Account	0	0	0	0	0.00 %
02390 Spec Motorcycle Lic Plates	0	0	107,000	107,000	0.35 %
02422 Highways Special Revenue	3,500,000	0	0	3,500,000	11.38 %
02456 61-6-158 MTIVS & MCE	10,806,285	0	0	10,806,285	35.15 %
02798 61-3-550 MVD MERLIN HB261	4,203,400	0	0	4,203,400	13.67 %
State Special Total	\$30,639,651	\$0	\$107,000	\$30,746,651	61.04 %
03801 Dept Of Justice-Misc Grants	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06080 MVD/State Information Portal	0	0	0	0	0.00 %
06083 61-3-118 MVD E-Commerce	1,182,518	0	0	1,182,518	100.00 %
Proprietary Total	\$1,182,518	\$0	\$0	\$1,182,518	2.35 %
Total All Funds	\$50,261,607	\$0	\$107,000	\$50,368,607	

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

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	10,639,084	10,639,084	21,278,168	115.39 %	25,583,419	25,583,419	51,166,838	101.80 %
SWPL Adjustments	(434,571)	(437,992)	(872,563)	(4.73)%	(724,286)	(693,985)	(1,418,271)	(2.82)%
PL Adjustments	(34,927)	(12,750)	(47,677)	(0.26)%	(138,323)	(111,718)	(250,041)	(0.50)%
New Proposals	(1,422,096)	(496,394)	(1,918,490)	(10.40)%	320,709	442,372	763,081	1.52 %
Total Budget	\$8,747,490	\$9,691,948	\$18,439,438		\$25,041,519	\$25,220,088	\$50,261,607	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(71,515)	(47,678)	0	(119,193)	0.00	(58,330)	(38,888)	0	(97,218)
DP 2 - Fixed Costs	0.00	(340,229)	(226,818)	0	(567,047)	0.00	(358,838)	(203,224)	0	(562,062)
DP 3 - Inflation Deflation	0.00	(22,827)	(15,219)	0	(38,046)	0.00	(20,824)	(13,881)	0	(34,705)
DP 53 - SWPLA Fixed Cost Reductions	0.00	(19,403)	(6,004)	0	(25,407)	0.00	(3,641)	(1,574)	0	(5,215)
DP 54 - Non Office Rent Adjustment	0.00	26	18	0	44	0.00	28	16	0	44
DP 902 - MVD Title and Registration move to Helena	0.00	(146,117)	(97,410)	0	(243,527)	0.00	(146,117)	(97,410)	0	(243,527)
Grand Total All Present Law Adjustments	0.00	(\$600,065)	(\$393,111)	\$0	(\$993,176)	0.00	(\$587,722)	(\$354,961)	\$0	(\$942,683)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Non Office Rent Adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 a square foot to \$5.33.

DP 902 - MVD Title and Registration move to Helena -

The legislature approved reductions in general fund and state special revenue to recognize savings that would result from moving the Title and Registration Bureau operations from Deer Lodge to Helena.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 50 - 5% Plan Adjustment	0.00	(16,984)	(224,739)	0	(241,723)	0.00	(16,984)	(224,739)	0	(241,723)
DP 51 - Additional 2% Vacancy Savings	0.00	(101,572)	(67,716)	0	(169,288)	0.00	(101,847)	(67,900)	0	(169,747)
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	131,700	0	0	131,700
DP 56 - Oracle License Funding Reinstatement	0.00	6,097	4,065	0	10,162	0.00	374	209	0	583
DP 405 - 24 7 testing - (Biennial)	0.00	500,000	0	0	500,000	0.00	500,000	0	0	500,000
DP 406 - MVD county IT efficiencies (Biennial/OTO)	0.00	0	500,000	0	500,000	0.00	0	500,000	0	500,000
DP 407 - Adjustment to Fund Placement	0.00	(1,300,000)	1,300,000	0	0	0.00	(500,000)	500,000	0	0
DP 555 - Appropriation Rebase	0.00	(509,637)	0	0	(509,637)	0.00	(509,637)	0	0	(509,637)
Total	0.00	(\$1,422,096)	\$1,511,610	\$0	\$89,514	0.00	(\$496,394)	\$707,570	\$0	\$211,176

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

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Services Division. The license costs are allocated through fixed cost adjustments.

DP 405 - 24 7 testing - (Biennial) -

Funding provided for drug and alcohol testing for counties

DP 406 - MVD county IT efficiencies (Biennial/OTO) -

Improvements to MVD information technology systems related to counties.

DP 407 - Adjustment to Fund Placement -

The legislature reallocated funding among various programs within the agency.

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	2,801,968	2,759,582	(42,386)	(1.51)%
Operating Expenses	685,385	740,377	54,992	8.02 %
Total Expenditures	\$3,487,353	\$3,499,959	\$12,606	0.36 %
General Fund	1,230,365	2,358,606	1,128,241	91.70 %
State/Other Special Rev. Funds	2,188,330	1,069,933	(1,118,397)	(51.11)%
Federal Spec. Rev. Funds	7,059	8,872	1,813	25.68 %
Proprietary Funds	61,599	62,548	949	1.54 %
Total Funds	\$3,487,353	\$3,499,959	\$12,606	0.36 %
Total Ongoing	\$3,487,353	\$3,499,959	\$12,606	0.36 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

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

Program Highlights

Central Services Division Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium is increased by \$12,606 in comparison to the 2017 biennium • A 6% vacancy savings was applied • Other budget changes include state wide present law adjustments • HSRA funding is replaced with new fees associated with vehicle registration and gas sales

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	17.99	17.99	17.99	17.99	17.99
Personal Services	1,359,490	1,380,693	1,421,275	1,377,932	1,381,650
Operating Expenses	345,029	349,785	335,600	406,329	334,048
Total Expenditures	\$1,704,519	\$1,730,478	\$1,756,875	\$1,784,261	\$1,715,698
General Fund	554,302	577,633	652,732	1,194,030	1,164,576
State/Other Special Rev. Funds	1,120,201	1,120,204	1,068,126	554,563	515,370
Federal Spec. Rev. Funds	0	2,623	4,436	4,436	4,436
Proprietary Funds	30,016	30,018	31,581	31,232	31,316
Total Funds	\$1,704,519	\$1,730,478	\$1,756,875	\$1,784,261	\$1,715,698
Total Ongoing	\$1,704,519	\$1,730,478	\$1,756,875	\$1,784,261	\$1,715,698
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 10-Central Services Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	2,358,606	0	5,996,126	8,354,732	87.58 %
02014 Highway Patrol Pay & Retention	0	0	0	0	0.00 %
02016 Criminal Justice Info Network	0	0	0	0	0.00 %
02074 Gambling License Fee Account	220,613	0	0	220,613	20.62 %
02140 Consumer Education Settlement	294,450	0	0	294,450	27.52 %
02143 Drug Forfeitures-State	0	0	0	0	0.00 %
02349 Highway Non-Restricted Account	0	0	0	0	0.00 %
02422 Highways Special Revenue	0	0	0	0	0.00 %
02456 61-6-158 MTIVS & MCE	393,782	0	0	393,782	36.80 %
02546 MT Law Enforcement Academy	0	0	0	0	0.00 %
02790 6901-Statewide Tobacco Sttlmnt	0	0	0	0	0.00 %
02797 Criminal Records Info Sys	161,088	0	0	161,088	15.06 %
02798 61-3-550 MVD MERLIN HB261	0	0	0	0	0.00 %
State Special Total	\$1,069,933	\$0	\$0	\$1,069,933	11.22 %
03169 Federal Crime Victims Benefits	0	0	0	0	0.00 %
03187 BCC Grants To Dept. Of Justice	0	0	0	0	0.00 %
03214 Drug Forfeitures - Federal	0	0	44,000	44,000	83.22 %
03800 Medicaid Fraud	8,872	0	0	8,872	16.78 %
Federal Special Total	\$8,872	\$0	\$44,000	\$52,872	0.55 %
06005 Liquor Division	62,548	0	0	62,548	100.00 %
Proprietary Total	\$62,548	\$0	\$0	\$62,548	0.66 %
Total All Funds	\$3,499,959	\$0	\$6,040,126	\$9,540,085	

The Central Services Division (CSD) is funded by allocation of costs among the various funding sources supporting the department. General fund would provide roughly 67.4 % of the division’s HB 2 funding. State special revenue, the largest source being fees collected from motor vehicle services, would provide an additional 31% of the division HB 2 funding. Federal special revenue proprietary funds including liquor licensing fees provide the remainder of HB 2 funding.

General fund also accounts for an additional \$6.5 million in funding under a statutory appropriation that funds roughly half of county attorney’s salaries and contributions to group benefits.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	652,732	652,732	1,305,464	55.35 %	1,756,875	1,756,875	3,513,750	100.39 %
SWPL Adjustments	80,653	42,903	123,556	5.24 %	88,183	11,084	99,267	2.84 %
PL Adjustments	(2,350)	(2,472)	(4,822)	(0.20)%	(2,430)	(2,294)	(4,724)	(0.14)%
New Proposals	462,995	471,413	934,408	39.62 %	(58,367)	(49,967)	(108,334)	(3.10)%
Total Budget	\$1,194,030	\$1,164,576	\$2,358,606		\$1,784,261	\$1,715,698	\$3,499,959	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2018-----				-----Fiscal 2019-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	4,057	9,823	0	14,195	0.00	5,144	12,450	0	17,992
DP 2 - Fixed Costs	0.00	76,581	(2,624)	0	73,957	0.00	37,733	(44,695)	0	(6,962)
DP 3 - Inflation Deflation	0.00	15	16	0	31	0.00	26	28	0	54
DP 53 - SWPLA Fixed Cost Reductions	0.00	(2,379)	(79)	0	(2,458)	0.00	(2,321)	(1)	0	(2,322)
DP 54 - Non Office Rent Adjustment	0.00	29	(1)	0	28	0.00	(151)	179	0	28
Grand Total All Present Law Adjustments	0.00	\$78,303	\$7,135	\$0	\$85,753	0.00	\$40,431	(\$32,039)	\$0	\$8,790

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 54 - Non Office Rent Adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 a square foot to \$5.33.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 50 - 5% Plan Adjustment	0.00	(921)	0	0	(921)	0.00	(921)	0	0	(921)
DP 51 - Additional 2% Vacancy Savings	0.00	(8,547)	(20,695)	0	(29,906)	0.00	(8,573)	(20,749)	0	(29,985)
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	8,566	0	0	8,566
DP 56 - Oracle License Funding Reinstatement	0.00	95	(3)	0	92	0.00	(27)	32	0	5
DP 407 - Adjustment to Fund Placement	0.00	500,000	(500,000)	0	0	0.00	500,000	(500,000)	0	0
DP 555 - Appropriation Rebase	(0.50)	(27,632)	(15,062)	0	(42,694)	(0.50)	(27,632)	(15,062)	0	(42,694)
DP 650 - Removing HSRA funding per section 23 of HB 650	0.00	0	0	0	0	0.00	0	0	0	0
Total	(0.50)	\$462,995	(\$535,760)	\$0	(\$73,429)	(0.50)	\$471,413	(\$535,779)	\$0	(\$65,029)

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

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 407 - Adjustment to Fund Placement -

The legislature reallocated funding among various programs within the agency.

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%. For this program this reduction includes a personal services reduction with an associated reduction of 0.50 FTE each year.

DP 650 - Removing HSRA funding per section 23 of HB 650 -

The legislature removed funding for the highway special revenue fund 02422 by providing alternative fund sourcing for the motor vehicle division, information technology division, and central services division per HB 650. New fund numbers related to gas and motor vehicle fees will be provided when selected by the executive branch. Insurance verification fees related to fund number 02456 have been utilized as a place holder until the new fund numbers are created and changed within the budgeting system.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	420,453	485,188	64,735	15.40 %
Operating Expenses	388,087	360,703	(27,384)	(7.06)%
Total Expenditures	\$808,540	\$845,891	\$37,351	4.62 %
General Fund	808,540	845,891	37,351	4.62 %
Total Funds	\$808,540	\$845,891	\$37,351	4.62 %
Total Ongoing	\$808,540	\$845,891	\$37,351	4.62 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Montana Public Safety Officer Standards and Training (POST) Council is a quasi-judicial board. The Council is responsible for establishing basic and advanced qualification and training standards for employment of Montana's public safety officers. In addition, the council conducts and approves training, provides for the certification and re-certification of public safety officers, and is responsible for the suspension or revocation of certification of public safety officers

Program Highlights

POST Major Budget Highlights
<ul style="list-style-type: none"> • The budget for the 2019 biennium is increased by \$37,351 as compared to the 2017 biennium • A 6% vacancy savings was applied • Other budget changes include state wide present law adjustments

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	3.00	3.00	3.00	3.00	3.00
Personal Services	224,769	207,098	213,355	241,715	243,473
Operating Expenses	109,086	193,164	194,923	177,734	182,969
Total Expenditures	\$333,855	\$400,262	\$408,278	\$419,449	\$426,442
General Fund	333,855	400,262	408,278	419,449	426,442
Total Funds	\$333,855	\$400,262	\$408,278	\$419,449	\$426,442
Total Ongoing	\$333,855	\$400,262	\$408,278	\$419,449	\$426,442
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Justice, 19-Public Safety Officer Standards & Training Program Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	845,891	0	0	845,891	100.00 %
State Special Total	\$0	\$0	\$0	\$0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$845,891	\$0	\$0	\$845,891	

The Montana Public Safety Officer Standards and Training (POST) Council is funded with general fund.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	408,278	408,278	816,556	96.53 %	408,278	408,278	816,556	96.53 %
SWPL Adjustments	33,580	35,422	69,002	8.16 %	33,580	35,422	69,002	8.16 %
PL Adjustments	(29)	(5)	(34)	(0.00)%	(29)	(5)	(34)	(0.00)%
New Proposals	(22,380)	(17,253)	(39,633)	(4.69)%	(22,380)	(17,253)	(39,633)	(4.69)%
Total Budget	\$419,449	\$426,442	\$845,891		\$419,449	\$426,442	\$845,891	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	Fiscal 2018					Fiscal 2019				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Present Law Adjustments										
DP 1 - Personal Services	0.00	33,503	0	0	33,503	0.00	35,298	0	0	35,298
DP 2 - Fixed Costs	0.00	77	0	0	77	0.00	124	0	0	124
DP 53 - SWPLA Fixed Cost Reductions	0.00	(29)	0	0	(29)	0.00	(5)	0	0	(5)
Grand Total All Present Law Adjustments	0.00	\$33,551	\$0	\$0	\$33,551	0.00	\$35,417	\$0	\$0	\$35,417

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

New Proposals

The "New Proposals" table shows new changes to expenditures.

	Fiscal 2018					Fiscal 2019				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
New Proposals										
DP 50 - 5% Plan Adjustment	0.00	(556)	0	0	(556)	0.00	(556)	0	0	(556)
DP 51 - Additional 2% Vacancy Savings	0.00	(5,143)	0	0	(5,143)	0.00	(5,180)	0	0	(5,180)
DP 52 - Partial FY 2019 Base Budget Restoration	0.00	0	0	0	0	0.00	5,175	0	0	5,175
DP 56 - Oracle License Funding Reinstatement	0.00	12	0	0	12	0.00	1	0	0	1
DP 555 - Appropriation Rebase	0.00	(16,693)	0	0	(16,693)	0.00	(16,693)	0	0	(16,693)
Total	0.00	(\$22,380)	\$0	\$0	(\$22,380)	0.00	(\$17,253)	\$0	\$0	(\$17,253)

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

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed

budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 52 - Partial FY 2019 Base Budget Restoration -

The legislature restored a portion of the 5% base reduction for FY 2019.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Agency Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	6,802,608	6,525,013	(277,595)	(4.08)%
Operating Expenses	1,413,593	1,722,906	309,313	21.88 %
Debt Service	12,160	12,160	0	0.00 %
Total Expenditures	\$8,228,361	\$8,260,079	\$31,718	0.39 %
State/Other Special Rev. Funds	8,081,689	7,913,407	(168,282)	(2.08)%
Federal Spec. Rev. Funds	146,672	346,672	200,000	136.36 %
Total Funds	\$8,228,361	\$8,260,079	\$31,718	0.39 %
Total Ongoing	\$8,128,361	\$8,260,079	\$131,718	1.62 %
Total OTO	\$100,000	\$0	(\$100,000)	(100.00)%

Agency Description

The Department of Public Service Regulation (PSR) regulates the operations of public utility and transportation industries that operate in the state. Five commissioners, elected from districts throughout Montana, form the Montana Public Service Commission (PSC) that oversees the Public Service Regulation Program (PSR). Each commissioner serves a four-year term.

Agency Highlights

Public Service Commission Major Budget Highlights
<ul style="list-style-type: none"> • The budget increased by \$31,718 or 0.4% for the biennium • Management and information technology positions were reduced by 3.44 FTE and funding totaling approximately \$0.6 million for the biennium • Federal authority was increased to support pipeline safety totaling \$200,000 for the biennium

Agency Actuals and Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	38.44	38.44	38.44	35.00	35.00
Personal Services	3,039,037	3,410,227	3,392,381	3,259,355	3,265,658
Operating Expenses	653,705	717,470	696,123	1,095,902	627,004
Debt Service	6,075	6,080	6,080	6,080	6,080
Total Expenditures	\$3,698,817	\$4,133,777	\$4,094,584	\$4,361,337	\$3,898,742
State/Other Special Rev. Funds	3,625,479	4,060,441	4,021,248	4,188,001	3,725,406
Federal Spec. Rev. Funds	73,338	73,336	73,336	173,336	173,336
Total Funds	\$3,698,817	\$4,133,777	\$4,094,584	\$4,361,337	\$3,898,742
Total Ongoing	\$3,606,667	\$4,033,777	\$4,094,584	\$4,361,337	\$3,898,742
Total OTO	\$92,150	\$100,000	\$0	\$0	\$0

Summary of Legislative Action

The commission's budget was approved with an increase of \$31,718, or a 0.4% increase over the 2017 biennium. Decision packages that were funded included present law adjustments for fixed costs, personal services, and inflation/deflation. Also included in present law was an increase in federal authority supporting inspections and other services related to natural gas pipeline safety. The legislature also supported new proposals including a reduction to FTE for positions that have been vacant for an extended period of time, a reduction in IT services and other global areas, and a positive adjustment for operation authority.

Funding

The following table shows adopted agency funding by source of authority. Funding for each program is discussed in detail in the individual program narratives.

Total Public Service Commission Funding by Source of Authority 2019 Biennium Budget Request - Public Service Commission						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	0	0	0	0	0	0.00 %
State Special Total	7,913,407	0	0	0	7,913,407	95.80 %
Federal Special Total	346,672	0	0	0	346,672	4.20 %
Proprietary Total	0	0	0	0	0	0.00 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$8,260,079	\$0	\$0	\$0	\$8,260,079	
Percent - Total All Sources	100.00 %	0.00 %	0.00 %	0.00 %		

Public Service Commission (PSC) is funded by a combination of state and federal special revenue. State special revenue comprises the majority of PSC funding. State special revenue comes primarily from a fee that is levied on regulated companies, it is based on funding appropriated by the legislature for a specific fiscal year and are based upon a percentage of the gross operating revenue from all activities regulated by the commission (69-1-402, MCA).

PSC also administers a small amount of federal pipeline safety grant funds. For the 2019 biennium the federal share of pipeline safety funds increases from 50% to 80%.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	0	0	0	0.00 %	4,094,584	4,094,584	8,189,168	99.14 %
SWPL Adjustments	0	0	0	0.00 %	545,220	82,925	628,145	7.60 %
PL Adjustments	0	0	0	0.00 %	99,398	99,398	198,796	2.41 %
New Proposals	0	0	0	0.00 %	(377,865)	(378,165)	(756,030)	(9.15)%
Total Budget	\$0	\$0	\$0		\$4,361,337	\$3,898,742	\$8,260,079	

Executive Budget Comparison

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

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2017	Executive Budget Fiscal 2018	Legislative Budget Fiscal 2018	Leg — Exec. Difference Fiscal 2018	Executive Budget Fiscal 2019	Legislative Budget Fiscal 2019	Leg — Exec. Difference Fiscal 2019	Biennium Difference Fiscal 18-19
FTE	38.44	39.44	35.00	(4.44)	39.44	35.00	(4.44)	(4.44)
Personal Services	3,392,381	3,673,917	3,259,355	(414,562)	3,670,483	3,265,658	(404,825)	(819,387)
Operating Expenses	696,123	1,020,220	1,095,902	75,682	551,415	627,004	75,589	151,271
Debt Service	6,080	6,080	6,080	0	6,080	6,080	0	0
Total Costs	\$4,094,584	\$4,700,217	\$4,361,337	(\$338,880)	\$4,227,978	\$3,898,742	(\$329,236)	(\$668,116)
State/other Special Rev. Funds	4,021,248	4,526,881	4,188,001	(338,880)	4,054,642	3,725,406	(329,236)	(668,116)
Federal Spec. Rev. Funds	73,336	173,336	173,336	0	173,336	173,336	0	0
Total Funds	\$4,094,584	\$4,700,217	\$4,361,337	(\$338,880)	\$4,227,978	\$3,898,742	(\$329,236)	(\$668,116)
Total Ongoing	\$4,094,584	\$4,640,217	\$4,361,337	(\$278,880)	\$4,177,978	\$3,898,742	(\$279,236)	(\$558,116)
Total OTO	\$0	\$60,000	\$0	(\$60,000)	\$50,000	\$0	(\$50,000)	(\$110,000)

The legislative budget is \$670,000 lower than the executive request in both state special revenue and total funds. The primary reductions were:

- Removing positions and funding for 3.44 FTE vacant positions, for an approximate \$0.6 million biennium impact
- Not funding the requested addition of 1.00 FTE railroad inspector, for an approximate \$0.2 million biennium impact
- Not funding retirement payouts anticipated to occur during the 2019 biennium, for an approximate \$0.1 million biennium impact
- Reducing agency funding by 5% per the proposed reduction plan under 17-7-111, MCA, for a \$49,506 biennium impact

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	38.44	38.44	38.44	35.00	35.00
Personal Services	3,039,037	3,410,227	3,392,381	3,259,355	3,265,658
Operating Expenses	653,705	717,470	696,123	1,095,902	627,004
Debt Service	6,075	6,080	6,080	6,080	6,080
Total Expenditures	\$3,698,817	\$4,133,777	\$4,094,584	\$4,361,337	\$3,898,742
State/Other Special Rev. Funds	3,625,479	4,060,441	4,021,248	4,188,001	3,725,406
Federal Spec. Rev. Funds	73,338	73,336	73,336	173,336	173,336
Total Funds	\$3,698,817	\$4,133,777	\$4,094,584	\$4,361,337	\$3,898,742
Total Ongoing	\$3,606,667	\$4,033,777	\$4,094,584	\$4,361,337	\$3,898,742
Total OTO	\$92,150	\$100,000	\$0	\$0	\$0

Present Law Adjustments

The “Present Law Adjustments” table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. “Statewide Present Law” adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	0	79,814	0	79,814	0.00	0	86,324	0	86,324
DP 2 - Fixed Costs	0.00	0	464,984	0	464,984	0.00	0	(4,094)	0	(4,094)
DP 3 - Inflation Deflation	0.00	0	422	0	422	0.00	0	695	0	695
DP 53 - SWPLA Fixed Cost Reductions	0.00	0	(602)	0	(602)	0.00	0	(602)	0	(602)
DP 201705 - Pipeline Safety Federal Spending Authority	0.00	0	0	100,000	100,000	0.00	0	0	100,000	100,000
Grand Total All Present Law Adjustments	0.00	\$0	\$544,618	\$100,000	\$644,618	0.00	\$0	\$82,323	\$100,000	\$182,323

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

DP 201705 - Pipeline Safety Federal Spending Authority -

The legislature approved an increase in federal special revenue to reflect increased federal grant funding for pipeline safety. Increases are to address additional federal requirements and an increase in federal share from 50% to 80%. The federal grant supports inspection of natural gas pipelines, including construction, transmission and distribution integrity management, operator qualification as well as other operations, maintenance, and emergency response related activities.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 4 - Vacant Management and IT FTE Reductions	(3.44)	0	(277,840)	0	(277,840)	(3.44)	0	(278,047)	0	(278,047)
DP 8 - Restoration of Operating Expenses	0.00	0	100,531	0	100,531	0.00	0	100,531	0	100,531
DP 50 - 5% Plan Adjustment	0.00	0	(24,753)	0	(24,753)	0.00	0	(24,753)	0	(24,753)
DP 56 - 56 Oracle License Funding Reinstatement	0.00	0	506	0	506	0.00	0	413	0	413
DP 555 - Appropriation Rebase	0.00	0	(176,309)	0	(176,309)	0.00	0	(176,309)	0	(176,309)
Total	(3.44)	\$0	(\$377,865)	\$0	(\$377,865)	(3.44)	\$0	(\$378,165)	\$0	(\$378,165)

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

DP 4 - Vacant Management and IT FTE Reductions -

The legislature reduced personal services funding for three management and an information technology position that have been vacant for an extended period of time.

DP 8 - Restoration of Operating Expenses -

The legislature restored operating expenses in the amount of \$100,531 state special revenue each year of the biennium.

DP 50 - 5% Plan Adjustment -

Statute requires state agencies to submit a plan to reduce base expenditures for general fund and certain state special revenues as part of its budget submission. The executive incorporated a portion of these reductions in the proposed budget. The legislature adopted reductions for general fund and certain state special revenues to bring the total base reduction for the agency to 5% of the 2017 base budget as outlined in statute, with some exceptions.

DP 56 - 56 Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 555 - Appropriation Rebase -

The legislature adopted the executive proposed reductions to the present law budget that were based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Agency Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	40,377,781	45,213,572	4,835,791	11.98 %
Operating Expenses	27,490,595	19,716,287	(7,774,308)	(28.28)%
Equipment & Intangible Assets	46,649	37,108	(9,541)	(20.45)%
Total Expenditures	\$67,915,025	\$64,966,967	(\$2,948,058)	(4.34)%
General Fund	67,641,099	64,966,967	(2,674,132)	(3.95)%
State/Other Special Rev. Funds	273,926	0	(273,926)	(100.00)%
Total Funds	\$67,915,025	\$64,966,967	(\$2,948,058)	(4.34)%
Total Ongoing	\$4,852,613	\$63,941,967	\$59,089,354	1,217.68 %
Total OTO	\$63,062,412	\$1,025,000	(\$62,037,412)	(98.37)%

Agency Description

The primary mission of the statewide public defender system is to provide effective assistance of counsel to indigent persons accused of crime and other persons in civil cases who are entitled by law to the assistance of counsel at public expense.

The Office of State Public Defender administers the statewide public defender system that delivers public defender services in all courts in Montana for criminal and certain civil cases for an individual who is determined to be indigent per statutory provisions and is accused of an offense that could result in the person's loss of life or liberty if convicted. There is an eleven member advisory commission appointed by the Governor that provides guidance to the office. The director of the public defender office is hired and reports to the Department of Administration while taking input from the advisory commission. The director is responsible for the design, direction, and supervision of the system. The statewide public defender system also includes appellate defender functions.

Agency Highlights

**Office of State Public Defender
Major Budget Highlights**

- The budget decreased by \$2.9 million or a reduction of 4.3% compared to the previous legislative session
- An increase in ongoing funds of over 1,200% is largely the result of the entire budget being designated as one-time-only (OTO) by the 2015 Legislature and the 2017 Legislature restoring the majority of that budget
- Putative father and sentencing laws were passed by the legislature with a net general savings for the biennium of approximately \$0.7 million
- Resource advocates were added for a total of 5.00 FTE
- Contingent funding to build a soft cap system for attorneys, flat fee contracts, and implementing an eligibility statewide program are approved with total funding of \$1.0 million for the biennium
- Partial restoration of commission funding that included an additional 1.50 FTE

Agency Actuals and Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	0.00	0.00	0.00	271.94	271.94
Personal Services	18,044,697	18,044,687	22,333,094	22,584,837	22,628,735
Operating Expenses	14,885,416	14,885,416	12,605,179	10,190,669	9,525,618
Equipment & Intangible Assets	28,095	28,095	18,554	18,554	18,554
Total Expenditures	\$32,958,208	\$32,958,198	\$34,956,827	\$32,794,060	\$32,172,907
General Fund	32,958,208	32,958,198	34,682,901	32,794,060	32,172,907
State/Other Special Rev. Funds	0	0	273,926	0	0
Total Funds	\$32,958,208	\$32,958,198	\$34,956,827	\$32,794,060	\$32,172,907
Total Ongoing	\$2,038,973	\$2,038,973	\$2,813,640	\$32,269,060	\$31,672,907
Total OTO	\$30,919,235	\$30,919,225	\$32,143,187	\$525,000	\$500,000

Summary of Legislative Action

The legislature restored the majority of the budget for the 2017 biennium. The 2015 legislature had designated most of the funding as one-time-only and the increase of over 1,200% for the current biennium is largely due to this restoration. Legislation for the 2019 biennium included \$1.0 million for the biennium contingent on implementing a consistent and measurable eligibility program for the state, a soft cap system for attorneys, and creating a system of awarding contracts that are flat fee in nature.

Funding

The following table shows adopted agency funding by source of authority. Funding for each program is discussed in detail in the individual program narratives.

Total Office of State Public Defender Funding by Source of Authority 2019 Biennium Budget Request - Office of State Public Defender						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	63,941,967	1,025,000	0	0	64,966,967	100.00 %
State Special Total	0	0	0	0	0	0.00 %
Federal Special Total	0	0	0	0	0	0.00 %
Proprietary Total	0	0	0	0	0	0.00 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$63,941,967	\$1,025,000	\$0	\$0	\$64,966,967	
Percent - Total All Sources	98.42 %	1.58 %	0.00 %	0.00 %		

The agency is entirely funded by general fund for the 2019 biennium. The Department of Revenue will collect any defendant fees reimbursed for the next biennium.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	2,813,640	2,813,640	5,627,280	8.66 %	2,813,640	2,813,640	5,627,280	8.66 %
SWPL Adjustments	(2,561,469)	(2,615,906)	(5,177,375)	(7.97)%	(2,561,469)	(2,615,906)	(5,177,375)	(7.97)%
PL Adjustments	32,596,531	32,038,630	64,635,161	99.49 %	32,870,456	32,312,556	65,183,012	100.33 %
New Proposals	(54,642)	(63,457)	(118,099)	(0.18)%	(328,567)	(337,383)	(665,950)	(1.03)%
Total Budget	\$32,794,060	\$32,172,907	\$64,966,967		\$32,794,060	\$32,172,907	\$64,966,967	

Other Legislation

HB 133 - This bill eliminates the possibility of jail time on several misdemeanor offenses and institutes mandatory minimums for sex offenses against children aged 12 or younger. These changes affect expenditures for the Office of the Public Defender by reducing caseload and also impacts the Department of Justice, the court systems, and the Department of Corrections in various ways. The fiscal note summary provides a net savings of over \$0.5 million general fund for the biennium.

HB 59 - This bill removes court requirements for putative fathers in most cases and would likely reduce the number of dependant and neglect cases where the Office of Public Defender (OPD) is appointed for representation. The fiscal note summary provides a net savings of over \$0.2 million general fund for the biennium.

HB 77 - This bill reorganizes the Office of Public Defender. The fiscal note projects there will be a general fund cost for implementation of over \$0.5 million for the biennium Other points to the bill are as follows:

- Allows for a director position that will be hired by the Department of Administration
- Creates an advisory commission that is attached to the Office of State Public Defender
- Removes the allocation of the former commission to the Department of Administration
- Establishes a quarterly meeting expectation and allows for special meeting to be called when required
- Allows the director position to be named in place of chief public defender and chief appellate defender for certain duties

- Establishes definitions related to the office of state public defender
- Clarifies certain duties for the division administrator and commission
- Mandates any unencumbered state special revenue be transferred to the general fund by August 1 of each year
- Creates further direction for eligibility determination of indigence
- Describes duties of administrator position
- Provides transition instruction to the advisory commission and the Department of Administration

Executive Budget Comparison

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

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2017	Executive Budget Fiscal 2018	Legislative Budget Fiscal 2018	Leg — Exec. Difference Fiscal 2018	Executive Budget Fiscal 2019	Legislative Budget Fiscal 2019	Leg — Exec. Difference Fiscal 2019	Biennium Difference Fiscal 18-19
FTE	0.00	281.44	271.94	(9.50)	281.44	271.94	(9.50)	(9.50)
Personal Services	22,333,094	23,444,315	22,584,837	(859,478)	23,488,852	22,628,735	(860,117)	(1,719,595)
Operating Expenses	12,605,179	10,813,266	10,190,669	(622,597)	10,077,840	9,525,618	(552,222)	(1,174,819)
Equipment & Intangible Assets	18,554	18,554	18,554	0	18,554	18,554	0	0
Total Costs	\$34,956,827	\$34,276,135	\$32,794,060	(\$1,482,075)	\$33,585,246	\$32,172,907	(\$1,412,339)	(\$2,894,414)
General Fund	34,682,901	34,002,210	32,794,060	(1,208,150)	33,311,320	32,172,907	(1,138,413)	(2,346,563)
State/other Special Rev. Funds	273,926	273,925	0	(273,925)	273,926	0	(273,926)	(547,851)
Total Funds	\$34,956,827	\$34,276,135	\$32,794,060	(\$1,482,075)	\$33,585,246	\$32,172,907	(\$1,412,339)	(\$2,894,414)
Total Ongoing	\$2,813,640	\$34,251,135	\$32,269,060	(\$1,982,075)	\$33,585,246	\$31,672,907	(\$1,912,339)	(\$3,894,414)
Total OTO	\$32,143,187	\$25,000	\$525,000	\$500,000	\$0	\$500,000	\$500,000	\$1,000,000

The legislative budget is \$2.9 million total funds less than the executive for the biennium. Adjustments that factor into a lower budget than the executive request include:

- Savings related to putative father representation
- State special revenue is not restored for the biennium as that funding source will be collected by the Department of Revenue and deposited into the general fund
- Savings based on generally revised sentencing laws with lower associated funding
- Savings related to an additional 2% vacancy savings
- General reductions in fixed costs

Language and Statutory Authority

The legislature included the following language for the department in HB2:

"OPD Contingent Funding in fiscal year 2018 may be expended only after the budget director certifies that the agency has implemented a consistent and measurable statewide eligibility determination methodology in all regions. OPD Contingent Funding in fiscal year 2019 may be expended only after the budget director certifies that the agency has implemented a measurable soft cap system for contract attorneys as well as a system for potential award of flat fee contracts to contract attorneys."

"The budget director shall notify the Legislative Finance Committee in writing following the certifications of eligibility determination in fiscal year 2018 and soft cap system in fiscal year 2019 when these events are achieved."

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	34,956,913	36,917,211	1,960,298	5.61 %
Operating Expenses	11,652,302	5,489,019	(6,163,283)	(52.89)%
Equipment & Intangible Assets	46,649	37,108	(9,541)	(20.45)%
Total Expenditures	\$46,655,864	\$42,443,338	(\$4,212,526)	(9.03)%
General Fund	46,655,864	42,443,338	(4,212,526)	(9.03)%
Total Funds	\$46,655,864	\$42,443,338	(\$4,212,526)	(9.03)%
Total Ongoing	\$3,909,396	\$41,443,338	\$37,533,942	960.10 %
Total OTO	\$42,746,468	\$1,000,000	(\$41,746,468)	(97.66)%

Program Description

The Office of Public Defender administers the statewide public defender system that delivers public defender services in all courts in Montana for criminal and certain civil cases for an individual who is determined to be financially unable to retain private counsel and who is accused of an offense that could result in the person’s loss of life or liberty if convicted. The Public Defender Commission is responsible for the design, direction, and supervision of the system. The commission appoints the chief public defender, approves the strategic plan for the delivery of services, and approves statewide standards for qualifications and training of public defenders.

Program Highlights

Office of Public Defender Major Budget Highlights
<ul style="list-style-type: none"> • Funding related to positions and operating costs were restored including 204.94 FTE and \$42.4 million in general fund over the biennium • Funding in the amount of \$1.0 million general fund was approved contingent on implementation of a soft cap system for attorneys, providing a system for flat fee contracts, and consistent eligibility determination statewide • General fund savings related to HB 133 equate to roughly \$0.2 million • Funding to support resource advocates and an additional 5.00 FTE for each year of the biennium was approved

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	0.00	0.00	0.00	225.94	225.94
Personal Services	16,285,738	16,285,725	18,671,188	18,439,135	18,478,076
Operating Expenses	6,639,928	6,639,926	5,012,376	3,035,695	2,453,324
Equipment & Intangible Assets	28,095	28,095	18,554	18,554	18,554
Total Expenditures	\$22,953,761	\$22,953,746	\$23,702,118	\$21,493,384	\$20,949,954
General Fund	22,953,761	22,953,746	23,702,118	21,493,384	20,949,954
Total Funds	\$22,953,761	\$22,953,746	\$23,702,118	\$21,493,384	\$20,949,954
Total Ongoing	\$1,765,764	\$1,765,764	\$2,143,632	\$20,993,384	\$20,449,954
Total OTO	\$21,187,997	\$21,187,982	\$21,558,486	\$500,000	\$500,000

Funding

The following table shows adopted program funding by source of authority.

Office of State Public Defender, 01-Office of Public Defender Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	42,443,338	0	0	42,443,338	100.00 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$42,443,338	\$0	\$0	\$42,443,338		

The Office of the Public Defender is funded from the general fund.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	2,143,632	2,143,632	4,287,264	10.10 %	2,143,632	2,143,632	4,287,264	10.10 %
SWPL Adjustments	(2,143,778)	(2,142,052)	(4,285,830)	(10.10)%	(2,143,778)	(2,142,052)	(4,285,830)	(10.10)%
PL Adjustments	20,971,966	21,010,714	41,982,680	98.91 %	20,971,966	21,010,714	41,982,680	98.91 %
New Proposals	521,564	(62,340)	459,224	1.08 %	521,564	(62,340)	459,224	1.08 %
Total Budget	\$21,493,384	\$20,949,954	\$42,443,338		\$21,493,384	\$20,949,954	\$42,443,338	

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

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(2,143,632)	0	0	(2,143,632)	0.00	(2,143,632)	0	0	(2,143,632)
DP 3 - Inflation Deflation	0.00	(146)	0	0	(146)	0.00	1,580	0	0	1,580
DP 19 - Restore OPD Present Law Services	204.94	20,447,732	0	0	20,447,732	204.94	20,486,116	0	0	20,486,116
DP 20 - Restore Personal Services Base Contingency	8.00	524,234	0	0	524,234	8.00	524,598	0	0	524,598
Grand Total All Present Law Adjustments	212.94	\$18,828,188	\$0	\$0	\$18,828,188	212.94	\$18,868,662	\$0	\$0	\$18,868,662

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

DP 1 - Personal Services -

The legislature approved the removal of all base funding derived from the pay plan and allocations to the office from the Governor's personal services contingency base appropriation.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 19 - Restore OPD Present Law Services -

The legislature approved restoration of personal services and operating costs associated with the 2017 biennium.

DP 20 - Restore Personal Services Base Contingency -

The legislature restored positions and funding related to the personal services base contingency.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 8 - Program 1 - Resource Advocates	5.00	285,187	0	0	285,187	5.00	285,379	0	0	285,379
DP 88 - OPD Contingency Funding OTO	0.00	500,000	0	0	500,000	0.00	500,000	0	0	500,000
DP 133 - Generally Revise Sentencing laws HB 133	0.00	173,238	0	0	173,238	0.00	(410,858)	0	0	(410,858)
DP 555 - Appropriation Rebase	8.00	(436,861)	0	0	(436,861)	8.00	(436,861)	0	0	(436,861)
Total	13.00	\$521,564	\$0	\$0	\$521,564	13.00	(\$62,340)	\$0	\$0	(\$62,340)

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

DP 8 - Program 1 - Resource Advocates -

The legislature approved funding of \$285,187 in FY 2018 and \$285,379 in FY 2019 of general fund for personal services and operating expenses to add 5.00 FTE for resource advocates.

DP 88 - OPD Contingency Funding OTO -

The legislature approved general fund one time only contingent on the following language.

OPD Contingent Funding in FY 2018 may be expended only after the budget director certifies that the agency has implemented a consistent and measurable statewide eligibility determination methodology in all regions. OPD Contingent Funding in FY 2019 may be expended only after the budget director certifies that the agency has implemented a measurable soft cap system for contract attorneys as well as a system for potential award of flat fee contracts to contract attorneys.

The budget director shall notify the Legislative Finance Committee in writing following the certifications of eligibility determination in FY 2018 and soft cap system in FY 2019 when these events are achieved.

DP 133 - Generally Revise Sentencing laws HB 133 -

The legislature approved \$173,238 general fund authority in FY 2018 and a reduction of general authority in FY 2019 of \$410,858 contingent on passage of HB133.

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	2,383,840	2,915,020	531,180	22.28 %
Operating Expenses	985,725	913,012	(72,713)	(7.38)%
Total Expenditures	\$3,369,565	\$3,828,032	\$458,467	13.61 %
General Fund	3,369,565	3,828,032	458,467	13.61 %
Total Funds	\$3,369,565	\$3,828,032	\$458,467	13.61 %
Total Ongoing	\$57,812	\$3,828,032	\$3,770,220	6,521.52 %
Total OTO	\$3,311,753	\$0	(\$3,311,753)	(100.00)%

Program Description

The Appellate Defender Program provides appeal services for indigent citizens.

Program Highlights

Office of Appellate Defender Major Budget Highlights
<ul style="list-style-type: none"> • Funding related to positions and operating costs were restored including 14.00 FTE and over \$3.0 million general fund over the biennium • The legislature approved 1.50 FTE for attorneys to address caseloads

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	0.00	0.00	0.00	16.00	16.00
Personal Services	1,218,670	1,218,670	1,165,170	1,455,925	1,459,095
Operating Expenses	442,430	442,431	543,294	456,559	456,453
Total Expenditures	\$1,661,100	\$1,661,101	\$1,708,464	\$1,912,484	\$1,915,548
General Fund	1,661,100	1,661,101	1,708,464	1,912,484	1,915,548
Total Funds	\$1,661,100	\$1,661,101	\$1,708,464	\$1,912,484	\$1,915,548
Total Ongoing	\$14,365	\$14,365	\$43,447	\$1,912,484	\$1,915,548
Total OTO	\$1,646,735	\$1,646,736	\$1,665,017	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Office of State Public Defender, 02-Office of Appellate Defender Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	3,828,032	0	0	3,828,032	100.00 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$3,828,032	\$0	\$0	\$3,828,032		

The Office of Appellate Defender is funded with general fund.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	43,447	43,447	86,894	2.27 %	43,447	43,447	86,894	2.27 %
SWPL Adjustments	(43,659)	(43,643)	(87,302)	(2.28)%	(43,659)	(43,643)	(87,302)	(2.28)%
PL Adjustments	1,942,550	1,945,598	3,888,148	101.57 %	1,942,550	1,945,598	3,888,148	101.57 %
New Proposals	(29,854)	(29,854)	(59,708)	(1.56)%	(29,854)	(29,854)	(59,708)	(1.56)%
Total Budget	\$1,912,484	\$1,915,548	\$3,828,032		\$1,912,484	\$1,915,548	\$3,828,032	

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

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(43,447)	0	0	(43,447)	0.00	(43,447)	0	0	(43,447)
DP 3 - Inflation Deflation	0.00	(212)	0	0	(212)	0.00	(196)	0	0	(196)
DP 19 - Restore OPD Present Law Services	14.00	1,795,428	0	0	1,795,428	14.00	1,798,491	0	0	1,798,491
DP 21 - Restore Public Defender Commission Funding	1.50	147,122	0	0	147,122	1.50	147,107	0	0	147,107
Grand Total All Present Law Adjustments	15.50	\$1,898,891	\$0	\$0	\$1,898,891	15.50	\$1,901,955	\$0	\$0	\$1,901,955

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

DP 1 - Personal Services -

The legislature approved the removal of all base funding derived from the pay plan and allocations to the office from the executive's personal services contingency base appropriation.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 19 - Restore OPD Present Law Services -

The legislature approved restoration of personal services and operating costs associated with the 2019 biennium.

DP 21 - Restore Public Defender Commission Funding -

The legislature approved 1.50 FTE attorneys to address caseloads.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 555 - Appropriation Rebase	0.50	(29,854)	0	0	(29,854)	0.50	(29,854)	0	0	(29,854)
Total	0.50	(\$29,854)	\$0	\$0	(\$29,854)	0.50	(\$29,854)	\$0	\$0	(\$29,854)

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

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	1,418,221	2,417,915	999,694	70.49 %
Operating Expenses	13,850,505	11,051,336	(2,799,169)	(20.21)%
Total Expenditures	\$15,268,726	\$13,469,251	(\$1,799,475)	(11.79)%
General Fund	15,268,726	13,469,251	(1,799,475)	(11.79)%
Total Funds	\$15,268,726	\$13,469,251	(\$1,799,475)	(11.79)%
Total Ongoing	\$885,405	\$13,469,251	\$12,583,846	1,421.25 %
Total OTO	\$14,383,321	\$0	(\$14,383,321)	(100.00)%

Program Description

The Conflict Coordinator receives conflict cases from both the Public Defender Program and the Appellate Defender Program.

Program Highlights

Conflict Coordinator Major Budget Highlights
<ul style="list-style-type: none"> • Funding related to positions and operating costs were restored including 3.00 FTE and \$13.5 million general fund over the biennium • The legislature approved general fund reductions related to HB 59 which change representation requirements for putative fathers.

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	0.00	0.00	0.00	12.00	12.00
Personal Services	540,289	540,292	877,929	1,208,604	1,209,311
Operating Expenses	7,803,058	7,803,059	6,047,446	5,525,668	5,525,668
Total Expenditures	\$8,343,347	\$8,343,351	\$6,925,375	\$6,734,272	\$6,734,979
General Fund	8,343,347	8,343,351	6,925,375	6,734,272	6,734,979
Total Funds	\$8,343,347	\$8,343,351	\$6,925,375	\$6,734,272	\$6,734,979
Total Ongoing	\$258,844	\$258,844	\$626,561	\$6,734,272	\$6,734,979
Total OTO	\$8,084,503	\$8,084,507	\$6,298,814	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Office of State Public Defender, 03-Conflict Coordinator Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	13,469,251	0	0	13,469,251	100.00 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$13,469,251	\$0	\$0	\$13,469,251		

The Conflict Coordinator is funded with general fund.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	626,561	626,561	1,253,122	9.30 %	626,561	626,561	1,253,122	9.30 %
SWPL Adjustments	(626,561)	(626,561)	(1,253,122)	(9.30)%	(626,561)	(626,561)	(1,253,122)	(9.30)%
PL Adjustments	7,584,598	6,985,305	14,569,903	108.17 %	7,584,598	6,985,305	14,569,903	108.17 %
New Proposals	(850,326)	(250,326)	(1,100,652)	(8.17)%	(850,326)	(250,326)	(1,100,652)	(8.17)%
Total Budget	\$6,734,272	\$6,734,979	\$13,469,251		\$6,734,272	\$6,734,979	\$13,469,251	

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

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(626,561)	0	0	(626,561)	0.00	(626,561)	0	0	(626,561)
DP 19 - Restore OPD Present Law Services	3.00	6,932,475	0	0	6,932,475	3.00	6,332,687	0	0	6,332,687
DP 20 - Restore Personal Services Base Contingency	6.00	652,123	0	0	652,123	6.00	652,618	0	0	652,618
Grand Total All Present Law Adjustments	9.00	\$6,958,037	\$0	\$0	\$6,958,037	9.00	\$6,358,744	\$0	\$0	\$6,358,744

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

DP 1 - Personal Services -

The legislature approved the removal of all base funding derived from the pay plan and allocations to the office from the executive's personal services contingency base appropriation.

DP 19 - Restore OPD Present Law Services -

The legislature approved restoration of personal services and operating costs associated with the 2019 biennium.

DP 20 - Restore Personal Services Base Contingency -

The legislature restored positions and funding related to personal services base contingency.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 59 - Revise OPD representation for putative fathers HB 59	0.00	(104,160)	0	0	(104,160)	0.00	(104,160)	0	0	(104,160)
DP 319 - Adjustment to program 3	0.00	(600,000)	0	0	(600,000)	0.00	0	0	0	0
DP 555 - Appropriation Rebase	3.00	(146,166)	0	0	(146,166)	3.00	(146,166)	0	0	(146,166)
Total	3.00	(\$850,326)	\$0	\$0	(\$850,326)	3.00	(\$250,326)	\$0	\$0	(\$250,326)

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

DP 59 - Revise OPD representation for putative fathers HB 59 -

The legislature made reductions in general fund contingent on passage of HB 59 which generally changes representation for putative fathers.

DP 319 - Adjustment to program 3 -

The legislature made a general fund reduction of \$0.6 million for FY 2018 to partially offset present law services.

DP 555 - Appropriation Rebase -

The legislature approved reductions to the present law budget. The reductions are based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	1,618,807	2,963,426	1,344,619	83.06 %
Operating Expenses	1,002,063	2,262,920	1,260,857	125.83 %
Total Expenditures	\$2,620,870	\$5,226,346	\$2,605,476	99.41 %
General Fund	2,346,944	5,226,346	2,879,402	122.69 %
State/Other Special Rev. Funds	273,926	0	(273,926)	(100.00)%
Total Funds	\$2,620,870	\$5,226,346	\$2,605,476	99.41 %
Total Ongoing	\$0	\$5,201,346	\$5,201,346	100.00 %
Total OTO	\$2,620,870	\$25,000	(\$2,595,870)	(99.05)%

Program Description

The Chief Administrator's Office supports the Public Defender Commission and provides the central services administrative, human resources, and information technology functions for the programs of the Office of State Public Defender. The Public Defender Commission is responsible for the design, direction, and supervision of the system and approves the strategic plan for the delivery of services, and approves statewide standards for qualifications and training of public defenders.

Program Highlights

Chief Administrator's Office Major Budget Highlights
<ul style="list-style-type: none"> • Funding related to positions and operating costs were restored including 18.00 FTE and over \$5.2 million general fund over the biennium • The legislature approved \$25,000 for replacing agency vision net machines supporting information technology and networking services

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison						
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019	
FTE	0.00	0.00	0.00	18.00	18.00	
Personal Services	0	0	1,618,807	1,481,173	1,482,253	
Operating Expenses	0	0	1,002,063	1,172,747	1,090,173	
Total Expenditures	\$0	\$0	\$2,620,870	\$2,653,920	\$2,572,426	
General Fund	0	0	2,346,944	2,653,920	2,572,426	
State/Other Special Rev. Funds	0	0	273,926	0	0	
Total Funds	\$0	\$0	\$2,620,870	\$2,653,920	\$2,572,426	
Total Ongoing	\$0	\$0	\$0	\$2,628,920	\$2,572,426	
Total OTO	\$0	\$0	\$2,620,870	\$25,000	\$0	

Funding

The following table shows adopted program funding by source of authority.

Office of State Public Defender, 04-Chief Administrator's Office Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	5,226,346	0	0	5,226,346	100.00 %	
02250 OPD Collections	0	0	0	0	0.00 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$5,226,346	\$0	\$0	\$5,226,346		

The Chief Administrator's Office is funded primarily from the general fund. A small amount of state special revenue from collection of reimbursement for services also supports the program.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	0	0	0	0.00 %	0	0	0	0.00 %
SWPL Adjustments	252,529	196,350	448,879	8.59 %	252,529	196,350	448,879	8.59 %
PL Adjustments	2,097,417	2,097,013	4,194,430	80.26 %	2,371,342	2,370,939	4,742,281	90.74 %
New Proposals	303,974	279,063	583,037	11.16 %	30,049	5,137	35,186	0.67 %
Total Budget	\$2,653,920	\$2,572,426	\$5,226,346		\$2,653,920	\$2,572,426	\$5,226,346	

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

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 2 - Fixed Costs	0.00	252,529	0	0	252,529	0.00	196,350	0	0	196,350
DP 19 - Restore OPD Present Law Services	18.00	2,108,848	273,925	0	2,382,773	18.00	2,109,927	273,926	0	2,383,853
DP 53 - SWPLA Fixed Cost Reductions	0.00	(11,431)	0	0	(11,431)	0.00	(12,914)	0	0	(12,914)
Grand Total All Present Law Adjustments	18.00	\$2,349,946	\$273,925	\$0	\$2,623,871	18.00	\$2,293,363	\$273,926	\$0	\$2,567,289

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

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 19 - Restore OPD Present Law Services -

The legislature approved restoration of personal services and operating costs associated with the next biennium.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

New Proposals

The "New Proposals" table shows new changes to expenditures.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 7 - Program 4 - Replace Agency Vision Net Machines - Bien/OTO	0.00	25,000	0	0	25,000	0.00	0	0	0	0
DP 56 - Oracle License Funding Reinstatement	0.00	5,049	0	0	5,049	0.00	5,137	0	0	5,137
DP 62 - DOR Fund switch	0.00	273,925	(273,925)	0	0	0.00	273,926	(273,926)	0	0
Total	0.00	\$303,974	(\$273,925)	\$0	\$30,049	0.00	\$279,063	(\$273,926)	\$0	\$5,137

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

DP 7 - Program 4 - Replace Agency Vision Net Machines - Bien/OTO -

The legislature approved \$25,000 for Vision Net machines supporting information technology and networking as a biennial OTO appropriation. This was originally characterized as a present law adjustment but is a new proposal.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 62 - DOR Fund switch -

The legislature approved a fund switch from state special revenue to general fund to allow the department of revenue in conjunction with OPD to collect revenue from defendant costs related to court costs.

Agency Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	174,853,504	173,428,840	(1,424,664)	(0.81)%
Operating Expenses	234,175,825	238,374,199	4,198,374	1.79 %
Equipment & Intangible Assets	595,220	305,704	(289,516)	(48.64)%
Capital Outlay	41,546	41,546	0	0.00 %
Benefits & Claims	1,081,196	1,081,196	0	0.00 %
Transfers	426,819	404,934	(21,885)	(5.13)%
Debt Service	617,876	887,864	269,988	43.70 %
Total Expenditures	\$411,791,986	\$414,524,283	\$2,732,297	0.66 %
General Fund	401,926,696	403,948,154	2,021,458	0.50 %
State/Other Special Rev. Funds	9,655,286	10,361,671	706,385	7.32 %
Proprietary Funds	210,004	214,458	4,454	2.12 %
Total Funds	\$411,791,986	\$414,524,283	\$2,732,297	0.66 %
Total Ongoing	\$410,645,793	\$413,498,150	\$2,852,357	0.69 %
Total OTO	\$1,146,193	\$1,026,133	(\$120,060)	(10.47)%

Agency Description

The Department of Corrections (DOC), authorized in section 2-15-2301, MCA is directed in section 53-1-201, MCA to "use at maximum efficiency the resources of state government in a coordinated effort to:

(1) develop and maintain comprehensive services and programs in the field of adult and youth corrections; and (2) provide for the custody, assessment, care, supervision, treatment, education, rehabilitation, and work and skill development of youth alleged to be youth in need of intervention or delinquent youth who are referred or committed to the department."

The department's six programs are:

- Director's Office including the Information Technology Division, Business Management Services Division, and the administratively attached Board of Pardons and Parole
- Probation and Parole Division including probation and parole; Treasure State Correctional Training Center (TSCTC); contracted pre-release centers; DUI Unit (Warm Springs Addictions Treatment and Change Program (WATCH); Elkhorn and Nexus methamphetamine treatment centers, Missoula Assessment and Sanction Center (MASC); and the Sanction, Treatment, Assessment, Revocation, and Transition Center (START)
- Secure Custody including Montana State Prison (MSP), Montana Women's Prison (MWP), contract beds including regional prisons in Great Falls and Glendive, and a privately operated prison (Crossroads Correctional Center) in Shelby
- Montana Correctional Enterprises (MCE) including agriculture, ranching, industries, vocational education, food factory, license plate factory, fire crew and inmate canteen
- Youth Services Division including statewide juvenile community corrections functions, Riverside Youth Correctional Facility, the Transition Center, and Pine Hills Youth Correctional Facility
- Clinical services including division administration and the medical and mental health services provided at the Montana State Prison (MSP), Treasure State Correctional Training Center (TSCTC), Montana Women's Prison (MWP), and the two youth correctional facilities, either directly by DOC staff or through contracted healthcare providers. The division also has oversight of the health services provided at contracted facilities

Agency Highlights

Department of Corrections Major Budget Highlights
<ul style="list-style-type: none"> • HB 2 appropriations increase by \$2.7 million total funds or a 0.7% increase as compared to the 2017 biennium • Funding for outside medical costs are reduced by \$3.3 million • A 6.0% vacancy savings was applied • The legislature prioritized secure housing and correctional community programs to divert inmates from county jails • All funding and staff were moved from the Director's Office to the Board of Pardons and Parole. • The legislature funded and supported sentencing commission recommendations including measurement and data analysis of correctional programs • Funding including 6.0 FTE were added by the legislature to support presentencing investigations • Funding including 3.00 FTE were added by the legislature to support a revised board of pardons and parole and 4.00 FTE analyst positions were eliminated • The boot camp program was eliminated but funding was provided for prerelease and treatment programs in Great Falls, MT

Agency Actuals and Budget Comparison

The following table compares the 2017 biennium appropriated budget to the 2019 biennium appropriated budget by type of expenditure and source of funding.

Agency Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	1,269.02	1,269.02	1,269.02	1,274.52	1,274.02
Personal Services	83,101,910	84,194,883	90,658,621	86,587,412	86,841,428
Operating Expenses	118,652,780	120,094,310	114,081,515	119,132,444	119,241,755
Equipment & Intangible Assets	403,218	417,368	177,852	152,852	152,852
Capital Outlay	0	20,773	20,773	20,773	20,773
Benefits & Claims	528,938	540,598	540,598	540,598	540,598
Transfers	222,409	232,352	194,467	209,467	195,467
Debt Service	308,129	308,938	308,938	443,932	443,932
Total Expenditures	\$203,217,384	\$205,809,222	\$205,982,764	\$207,087,478	\$207,436,805
General Fund	198,650,891	200,882,191	201,044,505	201,799,442	202,148,712
State/Other Special Rev. Funds	4,463,718	4,824,256	4,831,030	5,180,807	5,180,864
Proprietary Funds	102,775	102,775	107,229	107,229	107,229
Total Funds	\$203,217,384	\$205,809,222	\$205,982,764	\$207,087,478	\$207,436,805
Total Ongoing	\$202,654,379	\$205,235,384	\$205,410,409	\$206,597,600	\$206,900,550
Total OTO	\$563,005	\$573,838	\$572,355	\$489,878	\$536,255

Summary of Legislative Action

The legislature approved the department's 2019 biennium HB 2 budget with an increase of \$2.7 million total funds, or an 0.7% increase, over the 2017 biennium. Various bills and decision packages were funded in HB 2 and contribute to the increase including:

- Funding in the amount of \$0.2 million to record and analyze data to produce an annual report related to the legislation proposed by the commission on sentencing
- The addition of 6.00 FTE and associated funding of \$0.7 million for pre-sentencing investigations
- Funding in the amount of \$6.0 million to reduce county jail holds and move placements to community facilities
- Increased funding in the amount of \$1.8 million for outside medical costs

The increase in funding was offset by reductions in the budget that include:

- Decreases in funding for 5% reduction plans
- Vacancy savings for personal services
- Inflation/Deflation adjustments

Funding

The following table shows adopted agency funding by source of authority. Funding for each program is discussed in detail in the individual program narratives.

Total Department of Corrections Funding by Source of Authority 2019 Biennium Budget Request - Department of Corrections						
Funds	HB2 Ongoing	HB2 OTO	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	402,922,021	1,026,133	0	0	403,948,154	90.62 %
State Special Total	10,361,671	0	0	1,053,806	11,415,477	2.56 %
Federal Special Total	0	0	0	0	0	0.00 %
Proprietary Total	214,458	0	30,164,250	0	30,378,708	6.82 %
Other Total	0	0	0	0	0	0.00 %
Total All Funds	\$413,498,150	\$1,026,133	\$30,164,250	\$1,053,806	\$445,742,339	
Percent - Total All Sources	92.77 %	0.23 %	6.77 %	0.24 %		

The Department of Corrections receives most of its funding from the general fund, with a small amount coming from state special revenue. The four largest state special revenue funds are:

- The canteen revolving fund, which receives revenue from the sale of items (such as personal hygiene items) to inmates
- Probation and parole supervision fees collected from offenders under the supervision of the department
- Pine Hills donations, interest, and income funds that come mostly from the collection of interest and income on school trust lands
- Juvenile placement costs of care that come from payments made by parents and other responsible parties toward the costs of care of juveniles under the supervision of juvenile parole (Corrections) or juvenile probation (Judicial Branch)

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	200,472,150	200,472,150	400,944,300	99.26 %	205,410,409	205,410,409	410,820,818	99.11 %
SWPL Adjustments	(1,235,293)	(1,046,154)	(2,281,447)	(0.56)%	(1,235,516)	(1,046,320)	(2,281,836)	(0.55)%
PL Adjustments	793,414	927,918	1,721,332	0.43 %	1,143,414	1,277,918	2,421,332	0.58 %
New Proposals	1,769,171	1,794,798	3,563,969	0.88 %	1,769,171	1,794,798	3,563,969	0.86 %
Total Budget	\$201,799,442	\$202,148,712	\$403,948,154		\$207,087,478	\$207,436,805	\$414,524,283	

Other Legislation

SB 59 - This bill generally revises criminal justice laws related to pretrial programs, creates an oversight council to monitor and report on the effects of criminal justice legislation, provides quality assurance direction, and provides an appropriation of \$28,000 for the purposes of funding the council.

SB 60 - This bill generally revises various criminal justice laws and presentance investigation laws and is part of the sentencing commission bills passed by the legislature. The department has been funded in HB 2 in the amount of \$0.7 million from consumer protection transfers to the general fund.

SB 64 - This bill generally revises laws related to the board of pardons and parole and is part of the sentencing commission bills passed by the legislature. The department has been funded in HB 2 in the amount of \$60,000 from consumer protection fund transfers to the general fund.

HB 143 - This bill generally revises criminal justice laws and creates an oversight council to monitor and report on the effects of the legislation. The department has been funded in HB 2 in the amount of \$0.2 million from consumer protection fund transfers to the general fund.

HB 650 - This bill authorizes transfers and other measures necessary to implement HB 2. The bill impacts the Department of Corrections by:

- Providing funding from the consumer protection fund to support sentencing commission bills in the amount of \$1.0 million
- Allocating the Montana Board of Crime Control to the Department of Corrections
- Removing the mandated use of the Treasure State Correctional Training Center, known as the boot camp, and providing flexibility and continued funding for repurposing
- Limiting the amount of payment to a regional correctional facility to no more than was paid to that facility on December 6, 2016

Executive Budget Comparison

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

Executive Budget Comparison								
Budget Item	Approp. Fiscal 2017	Executive Budget Fiscal 2018	Legislative Budget Fiscal 2018	Leg — Exec. Difference Fiscal 2018	Executive Budget Fiscal 2019	Legislative Budget Fiscal 2019	Leg — Exec. Difference Fiscal 2019	Biennium Difference Fiscal 18-19
FTE	1,269.02	1,269.02	1,274.52	5.50	1,269.02	1,274.02	5.00	5.00
Personal Services	90,658,621	87,394,328	86,587,412	(806,916)	87,614,339	86,841,428	(772,911)	(1,579,827)
Operating Expenses	114,081,515	120,723,885	119,132,444	(1,591,441)	120,838,929	119,241,755	(1,597,174)	(3,188,615)
Equipment & Intangible Assets	177,852	152,852	152,852	0	152,852	152,852	0	0
Capital Outlay	20,773	20,773	20,773	0	20,773	20,773	0	0
Grants	0	0	0	0	0	0	0	0
Benefits & Claims	540,598	540,598	540,598	0	540,598	540,598	0	0
Transfers	194,467	209,467	209,467	0	195,467	195,467	0	0
Debt Service	308,938	443,932	443,932	0	443,932	443,932	0	0
Total Costs	\$205,982,764	\$209,485,835	\$207,087,478	(\$2,398,357)	\$209,806,890	\$207,436,805	(\$2,370,085)	(\$4,768,442)
General Fund	201,044,505	204,197,799	201,799,442	(2,398,357)	204,518,797	202,148,712	(2,370,085)	(4,768,442)
State/other Special Rev. Funds	4,831,030	5,180,807	5,180,807	0	5,180,864	5,180,864	0	0
Federal Spec. Rev. Funds	0	0	0	0	0	0	0	0
Other	107,229	107,229	107,229	0	107,229	107,229	0	0
Total Funds	\$205,982,764	\$209,485,835	\$207,087,478	(\$2,398,357)	\$209,806,890	\$207,436,805	(\$2,370,085)	(\$4,768,442)
Total Ongoing	\$205,410,409	\$209,485,835	\$206,597,600	(\$2,888,235)	\$209,790,390	\$206,900,550	(\$2,889,840)	(\$5,778,075)
Total OTO	\$572,355	\$0	\$489,878	\$489,878	\$16,500	\$536,255	\$519,755	\$1,009,633

The legislative budget is \$4.8 million lower in general fund than the executive request. The main differences are:

- The legislature reduced personal services with an additional 2% vacancy savings resulting in a \$2.4 million biennium reduction
- The legislature reduced the funding for outside medical costs resulting in a \$3.3 million biennium reduction

Along with the above mentioned reductions, the legislature funded the following three recommendations from the 2017 Interim Commission on Sentencing that were not in the executive request:

- Sentencing commission implementation accountability in HB 143
- Presentencing investigations in SB 60
- Revise the Board of Pardons and Parole to create a professional board in SB 64

While funding costs to house inmates in county jails, the legislature established priorities that would divert inmates from county jails and provide secure placements with community providers that would better serve the needs of inmates.

Language and Statutory Authority

The legislature included the following language for the department in HB 2:

"All appropriations for Probation and Parole Division and the Secure Custody Facilities are biennial."

"Director's Office Contingent Funding may be expended in fiscal year 2018 only after the budget director certifies that the department has implemented the use of the risk and needs assessments for all individuals under department supervision and that county jail holds are at a level of 250 or less as of January 1, 2018. Director's Office Contingent Funding may be expended in fiscal year 2019 only after the budget director certifies that the department has implemented the Montana Incentive and Intervention Grid and the department has provided data to the budget director demonstrating the department has used the least restrictive and most appropriate sanctions to manage the offender population and that county jail holds are maintained at a level of 250 or less as of January 1, 2019."

"Reduce County Jail Holds - Community Placements is restricted to placing offenders in community facilities and programs including but not limited to: sanction/hold beds, transitional living program slots, enhanced supervision program slots, relapse intervention beds, chemical dependency treatment beds and other alternatives. The department shall report on the

placement of inmates, including county jail holds and community corrections placements that would have otherwise been county jail holds, to the legislative finance committee no less than twice during the 2019 biennium and upon request.”

"It is the intent of the legislature that Presentence Investigations focus priority to reduce the backlog of presentence investigations and then maintain the backlog level within statutory time frames."

"Secure Custody Facilities includes funding to house inmates in county jails. It is the intent of the legislature that the department of corrections pay no more than \$69 per day to house inmates in county jails. It is further intended by the legislature that the department house no more than 250 inmates in county jails by January 1, 2018, unless the budget director and the director of the department of corrections jointly determine a need to house more than 250 inmates in county jails due to safety concerns. Further, it is the intent of the legislature that the department use these funds to house inmates in state-owned facilities to the maximum extent possible before housing them in contracted secure custody beds."

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	15,464,144	14,901,974	(562,170)	(3.64)%
Operating Expenses	10,589,595	12,438,990	1,849,395	17.46%
Transfers	3,258	0	(3,258)	(100.00)%
Total Expenditures	\$26,056,997	\$27,340,964	\$1,283,967	4.93%
General Fund	24,936,511	26,209,644	1,273,133	5.11%
State/Other Special Rev. Funds	910,482	916,862	6,380	0.70%
Proprietary Funds	210,004	214,458	4,454	2.12%
Total Funds	\$26,056,997	\$27,340,964	\$1,283,967	4.93%
Total Ongoing	\$26,056,997	\$27,140,964	\$1,083,967	4.16%
Total OTO	\$0	\$200,000	\$200,000	100.00%

Program Description

The Director's Office Program includes the Director's Office, Information Technology Division, and Business Management Services Division. This program provides services to the department, governmental entities, and the public in the areas of: public and victim information, human resource management, staff development and training, American Indian liaison services, policy management, information technology, legal information, technical correctional services, research and statistics, project management, payroll, budgeting and program planning, contract development, federal grants management, victim restitution, supervision fee collection, accounting, and various administrative and management support functions.

Program Highlights

Director's Office Major Budget Highlights
<ul style="list-style-type: none"> • The budget increases by \$1.3 million for the biennium • The legislature approved funding to record and analyze data related to the sentencing commission in HB 143 • Over \$1.0 million in reductions resulted from the appropriation rebase for the 2019 biennium

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	100.31	100.31	100.31	100.31	100.31
Personal Services	7,306,341	7,402,405	8,061,739	7,436,715	7,465,259
Operating Expenses	5,507,036	5,503,307	5,086,288	6,277,625	6,161,365
Transfers	3,258	3,258	0	0	0
Total Expenditures	\$12,816,635	\$12,908,970	\$13,148,027	\$13,714,340	\$13,626,624
General Fund	12,300,827	12,354,144	12,582,367	13,148,680	13,060,964
State/Other Special Rev. Funds	413,033	452,051	458,431	458,431	458,431
Proprietary Funds	102,775	102,775	107,229	107,229	107,229
Total Funds	\$12,816,635	\$12,908,970	\$13,148,027	\$13,714,340	\$13,626,624
Total Ongoing	\$12,816,635	\$12,908,970	\$13,148,027	\$13,614,340	\$13,526,624
Total OTO	\$0	\$0	\$0	\$100,000	\$100,000

Funding

The following table shows adopted program funding by source of authority.

Department of Corrections, 01-Director's Office Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	26,209,644	0	0	26,209,644	95.86 %	
02355 Miscellaneous Fines and Fees	9,660	0	0	9,660	1.05 %	
02689 Offender Restitution	901,486	0	0	901,486	98.32 %	
02917 MSP Canteen Revolving Acct	5,716	0	0	5,716	0.62 %	
02768 Domestic Violence Intervention	0	0	0	0	0.00 %	
State Special Total	\$916,862	\$0	\$0	\$916,862	3.35 %	
03315 Misc Federal Grants	0	0	0	0	0.00 %	
03008 Juvenile Justice Council	0	0	0	0	0.00 %	
03009 Juvenile Accountability	0	0	0	0	0.00 %	
03081 OVW Sexual Assault Services	0	0	0	0	0.00 %	
03090 P COVERDELL FORENSIC SCIENCE	0	0	0	0	0.00 %	
03111 Residential Substance Abuse	0	0	0	0	0.00 %	
03188 Justice Assistance Grants	0	0	0	0	0.00 %	
03192 Crime Victim Assistance	0	0	0	0	0.00 %	
03200 SORNA CFDA 16.751	0	0	0	0	0.00 %	
03201 Justice System Enhancements	0	0	0	0	0.00 %	
03248 Prescription Drug Monitoring	0	0	0	0	0.00 %	
03343 Criminal History Record Improv	0	0	0	0	0.00 %	
03344 Violence Against Women Act	0	0	0	0	0.00 %	
03962 Enf. Underage Drinking Laws	0	0	0	0	0.00 %	
03963 John R Justice Grant	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
06033 Prison Ranch	53,318	0	0	53,318	24.86 %	
06034 MSP Institutional Industries	53,318	0	0	53,318	24.86 %	
06545 Prison Indust. Training Prog	1,186	0	0	1,186	0.55 %	
06572 MCE License Plate Production	53,318	0	0	53,318	24.86 %	
06573 MSP - Cook Chill	53,318	0	0	53,318	24.86 %	
Proprietary Total	\$214,458	\$0	\$0	\$214,458	0.78 %	
Total All Funds	\$27,340,964	\$0	\$0	\$27,340,964		

Most of the funding for this program comes from the general fund. A small amount of the program's funding comes from state special revenue, primarily from fees charged for the collection of restitution from offenders. The remainder of the program funding comes from proprietary funds such as the prison ranch, industries program, and cook chill operation, that support centralized service functions of the agency that are provided from this program.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	12,582,367	12,582,367	25,164,734	96.01 %	13,148,027	13,148,027	26,296,054	96.18 %
SWPL Adjustments	1,162,748	1,075,483	2,238,231	8.54 %	1,162,748	1,075,483	2,238,231	8.19 %
PL Adjustments	(41,295)	(38,562)	(79,857)	(0.30)%	(41,295)	(38,562)	(79,857)	(0.29)%
New Proposals	(555,140)	(558,324)	(1,113,464)	(4.25)%	(555,140)	(558,324)	(1,113,464)	(4.07)%
Total Budget	\$13,148,680	\$13,060,964	\$26,209,644		\$13,714,340	\$13,626,624	\$27,340,964	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(7,342)	0	0	(7,342)	0.00	21,810	0	0	21,810
DP 2 - Fixed Costs	0.00	1,169,369	0	0	1,169,369	0.00	1,051,180	0	0	1,051,180
DP 3 - Inflation Deflation	0.00	721	0	0	721	0.00	2,493	0	0	2,493
DP 53 - SWPLA Fixed Cost Reductions	0.00	(41,295)	0	0	(41,295)	0.00	(38,562)	0	0	(38,562)
Grand Total All Present Law Adjustments	0.00	\$1,121,453	\$0	\$0	\$1,121,453	0.00	\$1,036,921	\$0	\$0	\$1,036,921

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 2 - Fixed Costs -

The legislature approved adjustments to provide the funding required in the budget to pay increases in fixed costs assessed by other agencies within state government for the services they provide. The rates charged for these services are approved in the section of the budget for the programs that provide the services.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 53 - SWPLA Fixed Cost Reductions -

The legislature reduced fixed costs for warrant writer, rent, and information technology.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 51 - Additional 2% Vacancy Savings	0.00	(167,682)	0	0	(167,682)	0.00	(168,290)	0	0	(168,290)
DP 56 - Oracle License Funding Reinstatement	0.00	12,542	0	0	12,542	0.00	9,966	0	0	9,966
DP 100 - Director's Office Contingency Funding	0.00	0	0	0	0	0.00	0	0	0	0
DP 143 - Sentencing Commission Implementation Accountability (OTO)	0.00	100,000	0	0	100,000	0.00	100,000	0	0	100,000
DP 555 - Appropriation Rebase	0.00	(500,000)	0	0	(500,000)	0.00	(500,000)	0	0	(500,000)
Total	0.00	(\$555,140)	\$0	\$0	(\$555,140)	0.00	(\$558,324)	\$0	\$0	(\$558,324)

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

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 56 - Oracle License Funding Reinstatement -

The legislature increased funding for Oracle license costs included in the State Information Technology Service Division. The license costs are allocated through fixed cost adjustments.

DP 100 - Director's Office Contingency Funding -

The legislature approved contingent funding in the amount of \$1.0 million each year following the completion of language requirements listed in HB 2 and that county jails are less than 250 for both years.

DP 143 - Sentencing Commission Implementation Accountability (OTO) -

The legislature approved funding to track and analyze data and produce an annual report related to the implementation, effectiveness, and cost savings of legislation proposed by the commission on sentencing.

DP 555 - Appropriation Rebase -

The legislature adopted the executive proposed reductions to the present law budget that were based on plans submitted as part of the budget under 17-7-111, MCA. This statute requires that agencies submit plans to reduce general fund and certain state special revenue funds by 5%.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	35,366,749	35,234,021	(132,728)	(0.38)%
Operating Expenses	101,884,745	108,803,974	6,919,229	6.79%
Equipment & Intangible Assets	268,455	36,470	(231,985)	(86.41)%
Transfers	12,500	12,500	0	0.00%
Debt Service	140,966	140,966	0	0.00%
Total Expenditures	\$137,673,415	\$144,227,931	\$6,554,516	4.76%
General Fund	136,045,081	142,599,597	6,554,516	4.82%
State/Other Special Rev. Funds	1,628,334	1,628,334	0	0.00%
Total Funds	\$137,673,415	\$144,227,931	\$6,554,516	4.76%
Total Ongoing	\$137,673,415	\$143,507,931	\$5,834,516	4.24%
Total OTO	\$0	\$720,000	\$720,000	100.00%

Program Description

The Probation and Parole Division (PPD) includes probation and parole, intensive and enhanced supervision programs, and male and female community corrections programs that include:

- Chemical dependency treatment programs
- DUI treatment facilities
- Methamphetamine treatment facilities
- Assessment, sanction and revocation centers, and various other prison diversion programs

The department contracts with nonprofit corporations in Great Falls, Missoula, Billings, Bozeman, Butte, and Helena for pre-release services.

Program Highlights

Probation and Parole Major Budget Highlights
<ul style="list-style-type: none"> • The budget increased by \$6.6 million for the biennium • The legislature approved funding in the amount of \$0.7 million and added 6.00 FTE to support policies recommended by the sentencing commission and linked to SB 60 • Inmate utilization of county jails will be diverted to other resources through funding provided by the legislature • Close to \$6.0 million of general fund was added to support the use of community resources and programs for inmates

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	261.50	261.50	261.50	267.50	267.50
Personal Services	16,933,935	16,995,529	18,371,220	17,591,719	17,642,302
Operating Expenses	50,489,677	50,496,224	51,388,521	54,397,617	54,406,357
Equipment & Intangible Assets	255,373	250,220	18,235	18,235	18,235
Transfers	0	6,250	6,250	6,250	6,250
Debt Service	70,280	70,483	70,483	70,483	70,483
Total Expenditures	\$67,749,265	\$67,818,706	\$69,854,709	\$72,084,304	\$72,143,627
General Fund	66,935,094	67,004,539	69,040,542	71,270,137	71,329,460
State/Other Special Rev. Funds	814,171	814,167	814,167	814,167	814,167
Total Funds	\$67,749,265	\$67,818,706	\$69,854,709	\$72,084,304	\$72,143,627
Total Ongoing	\$67,749,265	\$67,818,706	\$69,854,709	\$71,724,304	\$71,783,627
Total OTO	\$0	\$0	\$0	\$360,000	\$360,000

Funding

The following table shows adopted program funding by source of authority.

Department of Corrections, 02-Probation and Parole Division Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	142,599,597	0	0	142,599,597	98.87 %	
02261 P & P Supervisory Fee	1,628,334	0	0	1,628,334	100.00 %	
State Special Total	\$1,628,334	\$0	\$0	\$1,628,334	1.13 %	
03315 Misc Federal Grants	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$144,227,931	\$0	\$0	\$144,227,931		

General fund provides nearly all of the division’s funding. A small amount of the funding comes from state special revenue collected from offenders who must pay a probation and parole supervision fee.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	69,040,542	69,040,542	138,081,084	96.83 %	69,854,709	69,854,709	139,709,418	96.87 %
SWPL Adjustments	(750,621)	(692,023)	(1,442,644)	(1.01)%	(750,621)	(692,023)	(1,442,644)	(1.00)%
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	2,980,216	2,980,941	5,961,157	4.18 %	2,980,216	2,980,941	5,961,157	4.13 %
Total Budget	\$71,270,137	\$71,329,460	\$142,599,597		\$72,084,304	\$72,143,627	\$144,227,931	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. “Statewide Present Law” adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(753,776)	0	0	(753,776)	0.00	(702,116)	0	0	(702,116)
DP 3 - Inflation Deflation	0.00	3,155	0	0	3,155	0.00	10,093	0	0	10,093
Grand Total All Present Law Adjustments	0.00	(\$750,621)	\$0	\$0	(\$750,621)	0.00	(\$692,023)	\$0	\$0	(\$692,023)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate

adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 51 - Additional 2% Vacancy Savings	0.00	(365,848)	0	0	(365,848)	0.00	(366,925)	0	0	(366,925)
DP 60 - Presentence Investigations (Restricted/OTO)	6.00	360,000	0	0	360,000	6.00	360,000	0	0	360,000
DP 3009 - Reduce County Jail Holds - Community Placements (Restricted)	0.00	2,986,064	0	0	2,986,064	0.00	2,987,866	0	0	2,987,866
Total	6.00	\$2,980,216	\$0	\$0	\$2,980,216	6.00	\$2,980,941	\$0	\$0	\$2,980,941

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

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 60 - Presentence Investigations (Restricted/OTO) -

The legislature approved funding to add 6.00 FTE probation officers to exclusively conduct pre-sentencing investigations. The intent of the legislature is that the probation officers would not carry caseloads but focus exclusively on pre-sentencing investigations. The funding of this decision package is linked to, but not made contingent on, passage of legislation that would implement policies similar to the introduced version of SB 60.

DP 3009 - Reduce County Jail Holds - Community Placements (Restricted) -

The legislature approved funding to reduce the number of inmates housed in county jails by utilizing community resources to house inmates that would otherwise be housed in county jails. The legislature restricted this funding to placement of offenders in community facilities and programs and directed the department to report to the Legislative Finance Committee on the placement of inmates.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	80,813,625	79,629,387	(1,184,238)	(1.47)%
Operating Expenses	84,386,789	78,916,091	(5,470,698)	(6.48)%
Equipment & Intangible Assets	177,510	175,210	(2,300)	(1.30)%
Capital Outlay	41,546	41,546	0	0.00 %
Transfers	106,200	22,200	(84,000)	(79.10)%
Debt Service	435,156	612,932	177,776	40.85 %
Total Expenditures	\$165,960,826	\$159,397,366	(\$6,563,460)	(3.95)%
General Fund	165,751,902	159,188,442	(6,563,460)	(3.96)%
State/Other Special Rev. Funds	208,924	208,924	0	0.00 %
Total Funds	\$165,960,826	\$159,397,366	(\$6,563,460)	(3.95)%
Total Ongoing	\$165,413,965	\$159,397,366	(\$6,016,599)	(3.64)%
Total OTO	\$546,861	\$0	(\$546,861)	(100.00)%

Program Description

The Secure Custody Facilities Program includes the Montana State Prison, Montana Women's Prison, and contract bed facilities that include: Dawson County Correctional Facility, Cascade County Regional Prison, and Crossroads Correctional Center in Shelby. Approximately 2,300 male and 200 female inmates are incarcerated in these facilities.

Program Highlights

<p>Secure Custody Facilities Major Budget Highlights</p>
<ul style="list-style-type: none"> • The budget decreased by \$6.6 million for the biennium

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	613.36	613.36	613.36	613.36	613.36
Personal Services	38,941,397	39,132,069	41,681,556	39,771,743	39,857,644
Operating Expenses	44,638,824	44,735,033	39,651,756	39,418,592	39,497,499
Equipment & Intangible Assets	89,525	89,905	87,605	87,605	87,605
Capital Outlay	0	20,773	20,773	20,773	20,773
Transfers	49,500	53,100	53,100	18,100	4,100
Debt Service	216,972	217,578	217,578	306,466	306,466
Total Expenditures	\$83,936,218	\$84,248,458	\$81,712,368	\$79,623,279	\$79,774,087
General Fund	83,835,214	84,143,996	81,607,906	79,518,817	79,669,625
State/Other Special Rev. Funds	101,004	104,462	104,462	104,462	104,462
Total Funds	\$83,936,218	\$84,248,458	\$81,712,368	\$79,623,279	\$79,774,087
Total Ongoing	\$83,662,457	\$83,974,697	\$81,439,268	\$79,623,279	\$79,774,087
Total OTO	\$273,761	\$273,761	\$273,100	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Corrections, 03-Secure Custody Facilities Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	159,188,442	0	0	159,188,442	99.21 %
02033 Pine Hills Vocational Program	0	0	0	0	0.00 %
02261 P & P Supervisory Fee	0	0	0	0	0.00 %
02339 Inmate Welfare/Inmate Pay	200,000	0	0	200,000	15.84 %
02345 Inmate Welfare Fund	0	0	1,053,806	1,053,806	83.45 %
02355 Miscellaneous Fines and Fees	8,924	0	0	8,924	0.71 %
02689 Offender Restitution	0	0	0	0	0.00 %
02916 PHS-Canteen	0	0	0	0	0.00 %
02917 MSP Canteen Revolving Acct	0	0	0	0	0.00 %
02927 PHS Donations/I & I	0	0	0	0	0.00 %
02970 Juvenile Plcmnt Cost of Care	0	0	0	0	0.00 %
State Special Total	\$208,924	\$0	\$1,053,806	\$1,262,730	0.79 %
03099 PHS-ESEA Title I	0	0	0	0	0.00 %
03315 Misc Federal Grants	0	0	0	0	0.00 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$159,397,366	\$0	\$1,053,806	\$160,451,172	

This division is funded almost entirely with general fund. A portion of state special revenue funds inmate welfare activities. These funds are derived from the sale of contraband and confiscated items, state prison inmate canteen purchases, and inmate telephone use. The majority of the state special revenue is statutorily appropriated. However, a small amount of the funds are appropriated in HB 2 to fund inmate pay.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	81,334,806	81,334,806	162,669,612	102.19 %	81,439,268	81,439,268	162,878,536	102.18 %
SWPL Adjustments	(1,480,737)	(1,328,963)	(2,809,700)	(1.76)%	(1,480,737)	(1,328,963)	(2,809,700)	(1.76)%
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(335,252)	(336,218)	(671,470)	(0.42)%	(335,252)	(336,218)	(671,470)	(0.42)%
Total Budget	\$79,518,817	\$79,669,625	\$159,188,442		\$79,623,279	\$79,774,087	\$159,397,366	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
-----Fiscal 2018-----						-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(1,301,461)	0	0	(1,301,461)	0.00	(1,214,594)	0	0	(1,214,594)
DP 3 - Inflation Deflation	0.00	(144,276)	0	0	(144,276)	0.00	(65,369)	0	0	(65,369)
Grand Total All Present Law Adjustments	0.00	(\$1,445,737)	\$0	\$0	(\$1,445,737)	0.00	(\$1,279,963)	\$0	\$0	(\$1,279,963)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals										
-----Fiscal 2018-----						-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 51 - Additional 2% Vacancy Savings	0.00	(335,252)	0	0	(335,252)	0.00	(336,218)	0	0	(336,218)
Total	0.00	(\$335,252)	\$0	\$0	(\$335,252)	0.00	(\$336,218)	\$0	\$0	(\$336,218)

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

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	1,624,094	1,646,105	22,011	1.36 %
Operating Expenses	5,213,417	5,851,103	637,686	12.23 %
Equipment & Intangible Assets	5,231	0	(5,231)	(100.00)%
Transfers	304,861	370,234	65,373	21.44 %
Total Expenditures	\$7,147,603	\$7,867,442	\$719,839	10.07 %
General Fund	1,855,981	1,875,815	19,834	1.07 %
State/Other Special Rev. Funds	5,291,622	5,991,627	700,005	13.23 %
Total Funds	\$7,147,603	\$7,867,442	\$719,839	10.07 %
Total Ongoing	\$7,147,603	\$7,867,442	\$719,839	10.07 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Montana Correctional Enterprises (MCE) Industry program includes furniture, upholstery, print, sign, sewing, garment graphics, and laundry operations at the Montana State Prison and Montana Women's Prison facilities. At the current time there are no programs operating at the regional and private facilities.

The MCE Ranch and Dairy operation includes range cattle, crops, feedlot, land management, a dairy milking parlor, dairy processing, heifer reproduction, and lumber processing, which are all located at the Montana State Prison facility.

The MCE Vocational Education program operates a motor vehicle maintenance shop and metal fabrication at the Montana State Prison facility.

The MCE Food Factory program prepares bulk and trayed meals, including baked goods, at the Montana State Prison facility for eight institutions in Montana.

The MCE License Plate program manufactures vehicle license plates at the Montana State Prison facility. Currently there are over 160 different types of plates manufactured.

The MCE Inmate Canteen provides offender commissary goods for all Montana correctional facilities. The commissary is located at the Montana State Prison facility.

Program Highlights

<p>Montana Correctional Enterprises Major Budget Highlights</p>
<ul style="list-style-type: none"> • The budget increases by \$0.7 million for the biennium • Proprietary rates directly affecting the general fund were approved

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	11.50	11.50	11.50	11.50	11.50
Personal Services	766,445	798,656	825,438	822,451	823,654
Operating Expenses	2,507,851	2,587,335	2,626,082	2,925,235	2,925,868
Equipment & Intangible Assets	0	5,231	0	0	0
Transfers	169,651	169,744	135,117	185,117	185,117
Total Expenditures	\$3,443,947	\$3,560,966	\$3,586,637	\$3,932,803	\$3,934,639
General Fund	899,225	915,352	940,629	937,018	938,797
State/Other Special Rev. Funds	2,544,722	2,645,614	2,646,008	2,995,785	2,995,842
Total Funds	\$3,443,947	\$3,560,966	\$3,586,637	\$3,932,803	\$3,934,639
Total Ongoing	\$3,443,947	\$3,560,966	\$3,586,637	\$3,932,803	\$3,934,639
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Corrections, 04-Montana Correctional Enterprises Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	1,875,815	0	0	1,875,815	4.93 %
02917 MSP Canteen Revolving Acct	5,991,627	0	0	5,991,627	100.00 %
State Special Total	\$5,991,627	\$0	\$0	\$5,991,627	15.75 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
06033 Prison Ranch	0	9,192,833	0	9,192,833	30.48 %
06034 MSP Institutional Industries	0	7,230,462	0	7,230,462	23.97 %
06545 Prison Indust. Training Prog	0	1,579,562	0	1,579,562	5.24 %
06572 MCE License Plate Production	0	2,151,270	0	2,151,270	7.13 %
06573 MSP - Cook Chill	0	10,010,123	0	10,010,123	33.19 %
Proprietary Total	\$0	\$30,164,250	\$0	\$30,164,250	79.31 %
Total All Funds	\$7,867,442	\$30,164,250	\$0	\$38,031,692	

HB 2 funding for this program comes from the general fund, state special revenue, and proprietary funds. General fund supports personal services in the inmate canteen and inmate vocational education functions. State special revenue from the inmate canteen state special service fund is derived from the sale of products to inmates and is paid by inmates through inmate wages and money received by family members. The remainder of the program’s funding comes from proprietary funds such as the prison ranch, industries program, license plate factory, and cook-chill operation.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	940,629	940,629	1,881,258	100.29 %	3,586,637	3,586,637	7,173,274	91.18 %
SWPL Adjustments	11,707	13,512	25,219	1.34 %	11,484	13,346	24,830	0.32 %
PL Adjustments	517	517	1,034	0.06 %	350,517	350,517	701,034	8.91 %
New Proposals	(15,835)	(15,861)	(31,696)	(1.69)%	(15,835)	(15,861)	(31,696)	(0.40)%
Total Budget	\$937,018	\$938,797	\$1,875,815		\$3,932,803	\$3,934,639	\$7,867,442	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	12,848	0	0	12,848	0.00	14,077	0	0	14,077
DP 3 - Inflation Deflation	0.00	(1,141)	(223)	0	(1,364)	0.00	(565)	(166)	0	(731)
DP 54 - Present law fixed cost non-rent adjustment	0.00	517	0	0	517	0.00	517	0	0	517
DP 4001 - Canteen authority	0.00	0	350,000	0	350,000	0.00	0	350,000	0	350,000
Grand Total All Present Law Adjustments	0.00	\$12,224	\$349,777	\$0	\$362,001	0.00	\$14,029	\$349,834	\$0	\$363,863

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 54 - Present law fixed cost non-rent adjustment -

The legislature passed adjustments to non-office rent as recommended by the sub-committee on general government which increased from \$4.90 per square foot to \$5.33.

DP 4001 - Canteen authority -

The legislature approved an increase in state special revenue to purchase additional merchandise for the prison canteens and to allow for transfers of some proceeds to the inmate welfare fund.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 51 - Additional 2% Vacancy Savings	0.00	(15,835)	0	0	(15,835)	0.00	(15,861)	0	0	(15,861)
Total	0.00	(\$15,835)	\$0	\$0	(\$15,835)	0.00	(\$15,861)	\$0	\$0	(\$15,861)

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

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

Other Issues

Proprietary Rates

Agricultural – Fund 06033

Proprietary Program Description

The agriculture program trains inmates in specific work and life skills and life in operations which include range and dairy cattle production, dairy milking parlor and processing plant, crops, land management, lumber processing, firefighting and various community work programs.

Proprietary Rates

This program is funded with an enterprise type proprietary fund. As such, the legislature does not appropriate funds or approve rates for the program.

MSP Institutional Industries – Fund 06034

Proprietary Program Description

The Industries Program trains inmates in specific work and life skills in operations which include manufacturing of furniture, upholstery, print work and signs, sewing and embroidery, institutional laundry, screen printing, inventory management, shipping, AutoCAD design, Web design, marketing, and hygiene kit assembly and public-private partnerships. In addition, industries includes a dog training program located at the Montana Women’s Prison.

One industry is currently certified by the U.S. Justice Department’s Prison Industry Enhancement Certification Program. Inmates in this program are paid prevailing wage for their work, and 80 percent of their gross wage is deducted for state and federal income tax, crime victim compensation, family support, and room and board. In addition, each inmate working in a certified program has 20 percent of his or her net wages deposited into a mandatory savings account available upon release.

Proprietary Rates

This program is funded with an enterprise type proprietary fund. As such, the legislature does not appropriate funds or approve rates for the program. Although the industries program is an enterprise fund, it has requested rate approvals for the laundry rate per pound, as these will directly affect the general fund customers served. The laundry is not an internal service fund as it is a small operation in the overall industries program. The following rates were approved by the legislature for the 2019 biennium.

Requested Rates for Internal Service Fund 06034		
Rate Item	FY 2018	FY 2019
Cost per pound laundry services	\$ 0.60	\$ 0.60
Delivery charge per pound		
Riverside Youth Correctional Facility	0.05	0.05
Montana Law Enforcement Academy	0.15	0.15
Montana Chemical Dependency Corporation	0.04	0.04
START Program	0.01	0.01
Montana State Hospital	0.00	0.00
University of Montana	\$ 0.20	\$ 0.20

MCE Food Factory – Fund 06573*Proprietary Program Description*

The Food Factory program trains inmates in specific work and life skills in meal preparation, bakery, and cook-chill operations while providing meals to numerous state and county facilities in western Montana.

Proprietary Rates

This program is funded with an internal service type proprietary fund. As such, the legislature approves the maximum rates the program may charge for its services. The legislature approved the rates shown below for the 2019 biennium.

Approved Rates for Internal Service Fund 06573		
Rate Item	FY 2018	FY 2019
Tray Meal Prices to all customers		
Base tray - hot/cold	\$ 2.35	\$ 2.35
Base tray - hot	1.22	\$ 1.22
Detention Center Trays	2.92	2.95
Accessory Package	0.16	0.16
Delivery Charge Per Tray Meal		
Delivery charge per mile	0.50	0.05
Delivery charge per hour	35.00	35.00
Spoilage percentage to all bulk customers*	0.05	0.05
Overhead charges		
Montana State Prison	76%	76%
Montana State Hospital	11%	11%
Treasure State Correctional Program**	13%	13%

*Bulk food is sold at cost, with a spoilage percentage added on and an overhead charge to cover operating expenses. Overhead charge is based on historical costs and volume of sales to the customer, as a percentage of overall food costs. Delivery is based on actual delivery costs.

** The Treasure State Correctional Program will be re-purposed during the 2019 biennium, however, prerelease inmates will likely continue to use the facility and rates shown above.

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge.

Vocational Education (Industries Training) – Fund 06545

Proprietary program Description

The Vocational Education program trains inmates in specific work skills and life skills in operations which include motor vehicle maintenance, vehicle restoration welding, and machining and metals programs in conjunction with the general funded vocational education program.

Proprietary Rates

This program is funded with an internal service type proprietary fund. As such, the legislature approves the maximum rates the program may charge for its services. The figure below shows the rates the legislature approved for the 2019 biennium.

Approved Rates for Internal Service Fund 06545		
Rate Item	FY 2018	FY 2019
Fee Description		
Labor charge/hour	\$ 28.45	\$ 28.45
Supply fee as a percentage of actual costs of parts	8%	8%

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge.

MCE License Plate – Fund 06572

Proprietary Rates

This program is funded with an internal service type proprietary fund. As such, the legislature approves the maximum rates the program may charge for its services. The legislature approved \$6.20 per set of plates as the rate for both FY 2018 and FY 2019.

The rates approved by the legislature are the maximum the program may charge during the biennium. They are not the rates the program must charge.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	22,794,608	23,041,737	247,129	1.08 %
Operating Expenses	3,933,018	4,267,540	334,522	8.51 %
Equipment & Intangible Assets	94,024	94,024	0	0.00 %
Benefits & Claims	1,081,196	1,081,196	0	0.00 %
Debt Service	41,754	133,966	92,212	220.85 %
Total Expenditures	\$27,944,600	\$28,618,463	\$673,863	2.41 %
General Fund	26,746,476	27,420,339	673,863	2.52 %
State/Other Special Rev. Funds	1,198,124	1,198,124	0	0.00 %
Total Funds	\$27,944,600	\$28,618,463	\$673,863	2.41 %
Total Ongoing	\$27,944,600	\$28,618,463	\$673,863	2.41 %
Total OTO	\$0	\$0	\$0	0.00 %

Program Description

The Youth Services Division is responsible for all state operated youth programs including Pine Hills Youth Correctional Facility for males located in Miles City, Riverside Youth Correctional Facility for females in Boulder, Youth Community Corrections including juvenile parole, interstate compact services for probation and parole, reentry services, transition centers, detention licensing, and transportation. Additional responsibilities include research, training, and administrative support services.

Program Highlights

<p>Youth Services Major Budget Highlights</p>
<ul style="list-style-type: none"> • The budget increases by \$0.7 million for the biennium

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	172.35	172.35	172.35	172.35	172.35
Personal Services	10,700,567	10,842,504	11,952,104	11,507,767	11,533,970
Operating Expenses	1,616,242	1,749,653	2,183,365	2,127,024	2,140,516
Equipment & Intangible Assets	33,320	47,012	47,012	47,012	47,012
Benefits & Claims	528,938	540,598	540,598	540,598	540,598
Debt Service	20,877	20,877	20,877	66,983	66,983
Total Expenditures	\$12,899,944	\$13,200,644	\$14,743,956	\$14,289,384	\$14,329,079
General Fund	12,309,156	12,601,582	14,144,894	13,690,322	13,730,017
State/Other Special Rev. Funds	590,788	599,062	599,062	599,062	599,062
Total Funds	\$12,899,944	\$13,200,644	\$14,743,956	\$14,289,384	\$14,329,079
Total Ongoing	\$12,899,944	\$13,200,644	\$14,743,956	\$14,289,384	\$14,329,079
Total OTO	\$0	\$0	\$0	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Corrections, 05-Youth Services Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	27,420,339	0	0	27,420,339	95.81 %	
02033 Pine Hills Vocational Program	15,752	0	0	15,752	1.31 %	
02034 Earmarked Alcohol Funds	51,046	0	0	51,046	4.26 %	
02916 PHS-Canteen	7,046	0	0	7,046	0.59 %	
02927 PHS Donations/I & I	754,660	0	0	754,660	62.99 %	
02970 Juvenile Plcmnt Cost of Care	369,620	0	0	369,620	30.85 %	
State Special Total	\$1,198,124	\$0	\$0	\$1,198,124	4.19 %	
03084 MVS-School Foods	0	0	0	0	0.00 %	
03089 PHS-School Foods	0	0	0	0	0.00 %	
03099 PHS-ESEA Title I	0	0	0	0	0.00 %	
03315 Misc Federal Grants	0	0	0	0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$28,618,463	\$0	\$0	\$28,618,463		

This division receives the majority of its support from the general fund. State special revenue is primarily from parental contributions toward the costs of care and interest/income related to Pine Hills school lands.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Summary by Category								
Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	14,144,894	14,144,894	28,289,788	103.17 %	14,743,956	14,743,956	29,487,912	103.04 %
SWPL Adjustments	(316,191)	(276,209)	(592,400)	(2.16)%	(316,191)	(276,209)	(592,400)	(2.07)%
PL Adjustments	0	0	0	0.00 %	0	0	0	0.00 %
New Proposals	(138,381)	(138,668)	(277,049)	(1.01)%	(138,381)	(138,668)	(277,049)	(0.97)%
Total Budget	\$13,690,322	\$13,730,017	\$27,420,339		\$14,289,384	\$14,329,079	\$28,618,463	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments										
FTE	-----Fiscal 2018-----				-----Fiscal 2019-----					
	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 1 - Personal Services	0.00	(305,956)	0	0	(305,956)	0.00	(279,466)	0	0	(279,466)
DP 3 - Inflation Deflation	0.00	(10,235)	0	0	(10,235)	0.00	3,257	0	0	3,257
Grand Total All Present Law Adjustments	0.00	(\$316,191)	\$0	\$0	(\$316,191)	0.00	(\$276,209)	\$0	\$0	(\$276,209)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 51 - Additional 2% Vacancy Savings	0.00	(138,381)	0	0	(138,381)	0.00	(138,668)	0	0	(138,668)
Total	0.00	(\$138,381)	\$0	\$0	(\$138,381)	0.00	(\$138,668)	\$0	\$0	(\$138,668)

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

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	17,216,478	17,398,691	182,213	1.06 %
Operating Expenses	27,746,859	27,704,305	(42,554)	(0.15)%
Equipment & Intangible Assets	50,000	0	(50,000)	(100.00)%
Total Expenditures	\$45,013,337	\$45,102,996	\$89,659	0.20 %
General Fund	44,595,537	44,685,196	89,659	0.20 %
State/Other Special Rev. Funds	417,800	417,800	0	0.00 %
Total Funds	\$45,013,337	\$45,102,996	\$89,659	0.20 %
Total Ongoing	\$44,424,105	\$45,102,996	\$678,891	1.53 %
Total OTO	\$589,232	\$0	(\$589,232)	(100.00)%

Program Description

The Clinical Services Division (CSD) provides medical, dental, and mental health staff at the Montana State Prison (MSP), Treasure State Correctional Training Center (TSCTC), Montana Women's Prison (MWP), Riverside Youth Correctional Facility, and Pine Hills Youth Correctional Facility. In addition, CSD oversees medical, dental, and mental health services at contracted facilities as specified in the facilities' contracts with DOC. CSD also works with a third-party administrator to oversee all claims submitted by outside medical providers. CSD oversees the health services pre-authorization process and provides education to contracted facilities with regard to medical issues. CSD tracks and ensures Medicaid reimbursement for DOC's Medicaid-eligible inmates.

Program Highlights

Clinical Services Division Major Budget Highlights
<ul style="list-style-type: none"> • The budget increased by \$90,000 for the biennium • The legislature approved \$1.8 million general fund to support outside medical costs

Program Actuals and Budget Comparison

The following table compares the program’s FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	99.00	99.00	99.00	99.00	99.00
Personal Services	7,729,683	8,247,208	8,969,270	8,687,605	8,711,086
Operating Expenses	13,612,926	14,785,402	12,961,457	13,794,701	13,909,604
Equipment & Intangible Assets	25,000	25,000	25,000	0	0
Total Expenditures	\$21,367,609	\$23,057,610	\$21,955,727	\$22,482,306	\$22,620,690
General Fund	21,367,609	22,848,710	21,746,827	22,273,406	22,411,790
State/Other Special Rev. Funds	0	208,900	208,900	208,900	208,900
Total Funds	\$21,367,609	\$23,057,610	\$21,955,727	\$22,482,306	\$22,620,690
Total Ongoing	\$21,078,365	\$22,767,633	\$21,656,472	\$22,482,306	\$22,620,690
Total OTO	\$289,244	\$289,977	\$299,255	\$0	\$0

Funding

The following table shows adopted program funding by source of authority.

Department of Corrections, 06-Clinical Services Division Funding by Source of Authority					
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
01100 General Fund	44,685,196	0	0	44,685,196	99.07 %
02355 Miscellaneous Fines and Fees	417,800	0	0	417,800	100.00 %
State Special Total	\$417,800	\$0	\$0	\$417,800	0.93 %
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %
Total All Funds	\$45,102,996	\$0	\$0	\$45,102,996	

General fund provides most of the division’s funding. State special revenue comes from revenue collected from inmates to defray a portion of their medical costs.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	21,447,572	21,447,572	42,895,144	95.99 %	21,656,472	21,656,472	43,312,944	96.03 %
SWPL Adjustments	173,121	196,733	369,854	0.83 %	173,121	196,733	369,854	0.82 %
PL Adjustments	834,192	949,463	1,783,655	3.99 %	834,192	949,463	1,783,655	3.95 %
New Proposals	(181,479)	(181,978)	(363,457)	(0.81)%	(181,479)	(181,978)	(363,457)	(0.81)%
Total Budget	\$22,273,406	\$22,411,790	\$44,685,196		\$22,482,306	\$22,620,690	\$45,102,996	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	174,069	0	0	174,069	0.00	198,049	0	0	198,049
DP 3 - Inflation Deflation	0.00	(948)	0	0	(948)	0.00	(1,316)	0	0	(1,316)
DP 6005 - Outside Medical Expenditures	0.00	834,192	0	0	834,192	0.00	949,463	0	0	949,463
Grand Total All Present Law Adjustments	0.00	\$1,007,313	\$0	\$0	\$1,007,313	0.00	\$1,146,196	\$0	\$0	\$1,146,196

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 3 - Inflation Deflation -

The legislature approved adjustments to reflect budgetary changes generated from the application of inflation and deflation factors to specific expenditure accounts. Affected accounts include food, postage, gasoline, and others.

DP 6005 - Outside Medical Expenditures -

The legislature approved general fund for increases in medical costs for medical expenses that occur outside a state facility.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	-----Fiscal 2018-----					-----Fiscal 2019-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 51 - Additional 2% Vacancy Savings	0.00	(181,479)	0	0	(181,479)	0.00	(181,978)	0	0	(181,978)
Total	0.00	(\$181,479)	\$0	\$0	(\$181,479)	0.00	(\$181,978)	\$0	\$0	(\$181,978)

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

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

Program Budget Comparison

The following Program Budget Comparison table compares the 2017 biennium appropriated budget to the 2019 biennium adopted budget by type of expenditure and source of funding.

Program Budget Comparison				
Budget Item	Appropriated Budget 16-17	Legislative Budget 18-19	Biennium Change	Biennium % Change
Personal Services	1,573,806	1,576,925	3,119	0.20 %
Operating Expenses	421,402	392,196	(29,206)	(6.93)%
Total Expenditures	\$1,995,208	\$1,969,121	(\$26,087)	(1.31)%
General Fund	1,995,208	1,969,121	(26,087)	(1.31)%
Total Funds	\$1,995,208	\$1,969,121	(\$26,087)	(1.31)%
Total Ongoing	\$1,985,108	\$1,862,988	(\$122,120)	(6.15)%
Total OTO	\$10,100	\$106,133	\$96,033	950.82 %

Program Description

The Board of Pardons and Parole serves all Montana citizens by administering a parole system that is balanced with public safety, offender accountability and rehabilitation, as well as protecting the interests of victims and communities, with the goal of successfully reintegrating merited offenders back into society through a reentry process.

Program Highlights

Board of Pardons and Parole Major Budget Highlights
<ul style="list-style-type: none"> • The budget decreased by \$26,000 for the biennium • Funding was added in the amount of \$90,000 general fund and 3.00 FTE for professional board members in pardons and parole • Staff positions were reduced by 4.00 FTE for the department

Program Actuals and Budget Comparison

The following table compares the program's FY 2016 actual expenditures with FY 2016 through FY 2019 appropriations.

Program Actuals and Budget Comparison					
Budget Item	Actuals Fiscal 2016	Approp. Fiscal 2016	Approp. Fiscal 2017	Legislative Fiscal 2018	Legislative Fiscal 2019
FTE	11.00	11.00	11.00	10.50	10.00
Personal Services	723,542	776,512	797,294	769,412	807,513
Operating Expenses	280,224	237,356	184,046	191,650	200,546
Total Expenditures	\$1,003,766	\$1,013,868	\$981,340	\$961,062	\$1,008,059
General Fund	1,003,766	1,013,868	981,340	961,062	1,008,059
Total Funds	\$1,003,766	\$1,013,868	\$981,340	\$961,062	\$1,008,059
Total Ongoing	\$1,003,766	\$1,003,768	\$981,340	\$931,184	\$931,804
Total OTO	\$0	\$10,100	\$0	\$29,878	\$76,255

Funding

The following table shows adopted program funding by source of authority.

Department of Corrections, 07-Board of Pardons and Parole Funding by Source of Authority						
Funds	HB2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	
01100 General Fund	1,969,121	0	0	1,969,121	100.00 %	
State Special Total	\$0	\$0	\$0	\$0	0.00 %	
Federal Special Total	\$0	\$0	\$0	\$0	0.00 %	
Proprietary Total	\$0	\$0	\$0	\$0	0.00 %	
Total All Funds	\$1,969,121	\$0	\$0	\$1,969,121		

Funding for the Board of Pardons and Parole comes entirely from general fund.

Budget Summary by Category

The following summarizes the total budget by base, present law adjustments, and new proposals. For a description of these categories, please see the glossary section of the Budget Analysis.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget	Budget Fiscal 2018	Budget Fiscal 2019	Biennium Fiscal 18-19	Percent of Budget
2017 Base Budget	981,340	981,340	1,962,680	99.67 %	981,340	981,340	1,962,680	99.67 %
SWPL Adjustments	(35,320)	(34,687)	(70,007)	(3.56)%	(35,320)	(34,687)	(70,007)	(3.56)%
PL Adjustments	0	16,500	16,500	0.84 %	0	16,500	16,500	0.84 %
New Proposals	15,042	44,906	59,948	3.04 %	15,042	44,906	59,948	3.04 %
Total Budget	\$961,062	\$1,008,059	\$1,969,121		\$961,062	\$1,008,059	\$1,969,121	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes from the FY 2017 base appropriation to the budget approved by the legislature. "Statewide Present Law" adjustments are standard statewide categories of adjustments made to all agencies. Decisions on these items were applied globally to all agencies.

Present Law Adjustments	Fiscal 2018					Fiscal 2019				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1 - Personal Services	0.00	(35,320)	0	0	(35,320)	0.00	(34,687)	0	0	(34,687)
DP 7003 - Accreditation Fees (OTO)	0.00	0	0	0	0	0.00	16,500	0	0	16,500
Grand Total All Present Law Adjustments	0.00	(\$35,320)	\$0	\$0	(\$35,320)	0.00	(\$18,187)	\$0	\$0	(\$18,187)

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

DP 1 - Personal Services -

The legislature approved adjustments to annualize personal services costs including FY 2017 statewide pay plan adjustments and increases to state share costs for health insurance passed by the 2015 Legislature, benefit rate adjustments, and longevity adjustments related to incumbents in each position at the time of the personal services snapshot.

DP 7003 - Accreditation Fees (OTO) -

The legislature approved general fund to pay the accreditation fee in FY 2019 to the American Correctional Association to maintain the board's accreditation. The legislature designated funding as one time only.

New Proposals

The "New Proposals" table shows new changes to expenditures.

New Proposals	Fiscal 2018					Fiscal 2019				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 51 - Additional 2% Vacancy Savings	0.00	(14,836)	0	0	(14,836)	0.00	(14,849)	0	0	(14,849)
DP 64 - Revise Board of Pardons and Parole (OTO)	(0.50)	29,878	0	0	29,878	(1.00)	59,755	0	0	59,755
Total	(0.50)	\$15,042	\$0	\$0	\$15,042	(1.00)	\$44,906	\$0	\$0	\$44,906

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

DP 51 - Additional 2% Vacancy Savings -

The legislature adopted an additional 2% vacancy savings for the 2019 biennium, resulting in a total 6% vacancy savings for the 2019 biennium.

DP 64 - Revise Board of Pardons and Parole (OTO) -

The legislature approved funding to add 3.00 FTE as professional pardons and parole board members and to reduce funding for 4.00 FTE staff analysts. Implementation would begin January 1, 2018, and is linked to, but not made contingent on passage of legislation that would implement policies similar to the introduced version of SB 64.