

Agency Budget Comparison

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

Agency Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	412.58	412.58	428.83	429.83	412.58	429.83	17.25	4.18%
Personal Services	29,439,881	30,280,661	31,012,646	31,097,800	59,720,542	62,110,446	2,389,904	4.00%
Operating Expenses	7,574,185	7,744,566	8,899,347	8,620,621	15,318,751	17,519,968	2,201,217	14.37%
Equipment & Intangible Assets	121,156	130,870	123,633	125,605	252,026	249,238	(2,788)	(1.11%)
Benefits & Claims	0	0	0	0	0	0	0	n/a
Transfers	0	0	0	0	0	0	0	n/a
Debt Service	8,875	11,651	8,875	8,875	20,526	17,750	(2,776)	(13.52%)
Total Costs	\$37,144,097	\$38,167,748	\$40,044,501	\$39,852,901	\$75,311,845	\$79,897,402	\$4,585,557	6.09%
General Fund	35,052,259	35,658,080	37,422,144	37,232,971	70,710,339	74,655,115	3,944,776	5.58%
State Special	1,969,709	2,386,679	2,501,475	2,499,089	4,356,388	5,000,564	644,176	14.79%
Federal Special	122,129	122,989	120,882	120,841	245,118	241,723	(3,395)	(1.39%)
Total Funds	\$37,144,097	\$38,167,748	\$40,044,501	\$39,852,901	\$75,311,845	\$79,897,402	\$4,585,557	6.09%

Agency Description

Mission Statement: The Judicial Branch's mission 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 legislative budget is \$4.6 million higher than the current biennium <ul style="list-style-type: none"> ● Funding increases are for: 1) cost increases of district courts; 2) courtroom technology; 3) increased costs and expansion in state support for drug courts ● The legislature provided funding to add 17.25 FTE for: 1) the Water Court via a transfer of FTE from the Department Natural Resources and Conservation; 2) law clerks for district court judges; 3) information technology staff to address workload issues; 4) staff for drug courts; and 5) staff for the court help program that has been funded as one-time-only in past biennia

Summary of Legislative Action

The legislature provided funding for the agency that consists of:

- The base budget plus statewide present law adjustments, but with vacancy savings at 2% applied to non-elected positions
- Funding to add 3.00 FTE to provide law clerks for specified district court judges
- Funding to add 3.00 FTE to address demands on information technology staff

- Funding to add 3.00 FTE to the water court via a transfer of positions from the Department of Natural Resources and Conservation
- Funding to add 4.25 FTE for the court help program, which is funded in the current biennium with one-time-only funds
- Funding to add 4.00 FTE for drug courts
- Increased costs and to expand state support for drug and driving while intoxicated (DUI) courts
- Cost increases in district courts

Funding

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

Total Judicial Branch Funding by Source of Authority 2015 Biennium Budget					
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	\$74,655,115	\$0	\$0	\$74,655,115	93.0%
State Special Total	5,000,564	-	-	5,000,564	6.2%
Federal Special Total	241,723	-	-	241,723	0.3%
Proprietary Total	-	368,529	-	368,529	0.5%
Current Unrestricted	-	-	-	-	0.0%
Other Total	-	-	-	-	0.0%
Total All Funds	\$79,897,402	\$368,529	\$0	\$80,265,931	
Percent - Total All Sources	99.5%	0.5%	0.0%		

The branch receives the majority of its funding from the general fund. The largest sources of state special revenue are the natural resources operation fund and water adjudication fund, which support the Water Court. Other sources of state special revenue include fines and fees, assessments for training events, and the accrued county sick/vacation leave fund. Federal funds received by the branch support the Court Assessment Program.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Budget Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Budget Biennium Fiscal 14-15	Percent of Budget
Base Budget	35,052,259	35,052,259	70,104,518	94.01%	37,144,097	37,144,097	74,288,194	93.07%
Statewide PL Adjustments	1,233,271	1,210,023	2,443,294	3.28%	1,473,953	1,454,891	2,928,844	3.67%
Other PL Adjustments	122,180	100,757	222,937	0.30%	412,017	383,981	795,998	1.00%
New Proposals	974,434	829,932	1,804,366	2.42%	974,434	829,932	1,804,366	2.26%
Total Budget	\$37,382,144	\$37,192,971	\$74,575,115		\$40,004,501	\$39,812,901	\$79,817,402	

Other Legislation

HB 13 – The legislature approved funding for a pay plan for state employees. The bill includes a lump sum appropriation for pay raises that will be determined for their respective employees by the executive, legislative, and judicial branches and the Montana University System. The bill also includes funding for a 10% insurance increase for all employees each year. The legislature did not specify a particular percentage salary increase a state employee should receive, but stipulated

that the appropriated funds must be used to increase the base pay of each employee, with particular attention to the lower pay bands and employees who did not receive an increase in the 2013 biennium.

Executive Budget Comparison

The following table compares the legislative budget in the 2015 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2012	Executive Budget Fiscal 2014	Legislative Budget Fiscal 2014	Leg – Exec. Difference Fiscal 2014	Executive Budget Fiscal 2015	Legislative Budget Fiscal 2015	Leg – Exec. Difference Fiscal 2015	Biennium Difference Fiscal 14-15
FTE	412.58	436.83	428.83	(8.00)	437.83	429.83	(8.00)	
Personal Services	29,439,881	31,888,159	31,012,646	(875,513)	31,973,563	31,097,800	(875,763)	(1,751,276)
Operating Expenses	7,574,185	9,307,627	8,859,347	(448,280)	8,894,166	8,580,621	(313,545)	(761,825)
Equipment & Intangible Assets	121,156	123,633	123,633	0	125,605	125,605	0	0
Benefits & Claims	0	0	0	0	0	0	0	0
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	\$37,144,097	\$41,328,294	\$40,004,501	(\$1,323,793)	\$41,002,209	\$39,812,901	(\$1,189,308)	(\$2,513,101)
General Fund	35,052,259	38,699,814	37,382,144	(1,317,670)	38,376,086	37,192,971	(1,183,115)	(2,500,785)
State/Other Special	1,969,709	2,506,544	2,501,475	(5,069)	2,504,229	2,499,089	(5,140)	(10,209)
Federal Special	122,129	121,936	120,882	(1,054)	121,894	120,841	(1,053)	(2,107)
Total Funds	\$37,144,097	\$41,328,294	\$40,004,501	(\$1,323,793)	\$41,002,209	\$39,812,901	(\$1,189,308)	(\$2,513,101)

The legislative budget for the Judicial Branch is \$2.5 million in general fund and total funds lower than the executive budget request. The legislature made the following changes to the executive request:

- A 2% vacancy savings rate was applied to all non-elected positions rather than the 0% as proposed by the Governor
- Funding for 4.00 fewer FTE were approved to support increased demand on information technology staff
- Funding for 4.00 fewer FTE were approved to provide support for district court judges
- Funding to address increases in district court costs was approved at \$250,000 lower than requested
- Funding to address increased costs and to expand drug and driving while intoxicated (DUI) courts was approved at \$240,000 lower than requested

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	67.25	67.25	77.50	78.50	67.25	78.50	11.25	16.73%
Personal Services	4,709,540	5,199,121	5,522,847	5,583,499	9,908,661	11,106,346	1,197,685	12.09%
Operating Expenses	4,459,087	4,411,407	5,319,567	5,059,980	8,870,494	10,379,547	1,509,053	17.01%
Equipment & Intangible Assets	8,885	0	8,885	8,885	8,885	17,770	8,885	100.00%
Transfers	0	0	0	0	0	0	0	n/a
Total Costs	\$9,177,512	\$9,610,528	\$10,851,299	\$10,652,364	\$18,788,040	\$21,503,663	\$2,715,623	14.45%
General Fund	8,843,564	9,222,703	10,488,862	10,289,967	18,066,267	20,778,829	2,712,562	15.01%
State Special	211,819	264,836	241,555	241,556	476,655	483,111	6,456	1.35%
Federal Special	122,129	122,989	120,882	120,841	245,118	241,723	(3,395)	(1.39%)
Total Funds	\$9,177,512	\$9,610,528	\$10,851,299	\$10,652,364	\$18,788,040	\$21,503,663	\$2,715,623	14.45%

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.

Program Highlights

Supreme Court Operations Major Budget Highlights	
<ul style="list-style-type: none"> ◆ General fund was approved to replace expiring federal grant funds for drug courts ◆ Major funding increases were for: <ul style="list-style-type: none"> • Statewide present law adjustments • Court Help Program • Expansion of drug courts started with federal funds • Information technology staff and courtroom technology ◆ The legislature approved funding to add 11.25 FTE, all but 4.00 FTE of which are associated with one-time-only (OTO) funding and will need to be requested from the 2015 Legislature to continue: <ul style="list-style-type: none"> • 3.00 FTE to support court information systems, OTO funding • 4.25 FTE for the Court Help Program – OTO funding • 4.00 FTE to support drug courts – ongoing funding 	

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Judicial Branch Funding by Source of Authority 2015 Biennium Budget - Supreme Court Operations							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$20,778,829	\$0	\$0	\$20,778,829	96.6%		
State Special Total	\$483,111	\$0	\$0	\$483,111	2.2%		
02399 Boards And Commissions - Mji	\$129,269	\$0	\$0	\$129,269	0.6%		
02536 Legal Assistance	\$281,338	\$0	\$0	\$281,338	1.3%		
02961 State Grants To Drug Courts	\$72,504	\$0	\$0	\$72,504	0.3%		
Federal Special Total	\$241,723	\$0	\$0	\$241,723	1.1%		
03240 Court Assessment Program	\$241,723	\$0	\$0	\$241,723	1.1%		
Total All Funds	\$21,503,663	\$0	\$0	\$21,503,663	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

The bulk of the program’s funding comes from the general fund. State special revenues supporting the program include revenue from a portion of the dissolution of marriage fees used to provide civil legal services for indigent victims of domestic violence (3-2-714, MCA) and fees collected by drug courts. State special revenue from fees charged for training events provides a portion of the funding in support of boards and commissions. Federal funds support the court assessment program.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	8,843,564	8,843,564	17,687,128	85.12%	9,177,512	9,177,512	18,355,024	85.36%
Statewide PL Adjustments	763,108	712,221	1,475,329	7.10%	762,915	711,986	1,474,901	6.86%
Other PL Adjustments	(22,244)	(25,750)	(47,994)	(0.23%)	6,438	2,934	9,372	0.04%
New Proposals	904,434	759,932	1,664,366	8.01%	904,434	759,932	1,664,366	7.74%
Total Budget	\$10,488,862	\$10,289,967	\$20,778,829		\$10,851,299	\$10,652,364	\$21,503,663	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					375,487					379,399
Inflation/Deflation					(2,840)					(1,401)
Fixed Costs					390,268					333,988
Total Statewide Present Law Adjustments		\$763,108	\$0	(\$193)	\$762,915		\$712,221	\$0	(\$235)	\$711,986
DP 50 - Initial Motion to FY 2012 Base	0.00	(763,108)	0	193	(762,915)	0.00	(712,221)	0	235	(711,986)
DP 51 - Adjustment for Statewide Personal Services	0.00	300,027	(264)	(1,252)	298,511	0.00	303,910	(263)	(1,301)	302,346
DP 52 - Adjustment for Statewide Operations	0.00	392,296	0	5	392,301	0.00	337,439	0	13	337,452
DP 1001 - Judicial Standards - Restricted/Biennial	0.00	5,998	0	0	5,998	0.00	0	0	0	0
DP 1002 - Information Technology System Maintenance Costs	0.00	37,555	0	0	37,555	0.00	37,555	0	0	37,555
DP 1004 - Rent Old Federal Building	0.00	4,988	0	0	4,988	0.00	7,567	0	0	7,567
DP 1006 - Drug Court Increase to Existing Funding	0.00	0	30,000	0	30,000	0.00	0	30,000	0	30,000
Total Other Present Law Adjustments	0.00	(\$22,244)	\$29,736	(\$1,054)	\$6,438	0.00	(\$25,750)	\$29,737	(\$1,053)	\$2,934
Grand Total All Present Law Adjustments	0.00	\$740,864	\$29,736	(\$1,247)	\$769,353	0.00	\$686,471	\$29,737	(\$1,288)	\$714,920

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services, with a 2% vacancy savings applied to all non-elected positions.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 1001 - Judicial Standards - Restricted/Biennial - The legislature approved general fund to fund the constitutionally mandated Judicial Standards Commission. This adjustment will be used to pay for the investigations of complaints against judges and will restore the biennium funding to \$25,000, which is the level the legislature has appropriated since the 2007 biennium. The legislature designated the funding as restricted and biennial.

DP 1002 - Information Technology System Maintenance Costs - The legislature approved general fund to fund contractual increases in the vendor contracts to maintain case management systems and provide technical support via vendor contracts in Missoula, Yellowstone, Flathead, and Ravalli counties.

DP 1004 - Rent Old Federal Building - The legislature approved general fund to address a 2% inflation clause in the lease for the building that houses a portion of program staff in downtown Helena.

DP 1006 - Drug Court Increase to Existing Funding - The legislature approved increases to fund additional costs for the 13 drug courts initially funded by the 2009 Legislature. The increased funding will be used primarily to address inflationary pressures as well as allow more participation (up to a 5% increase or 8 participants) in the program if funds are available after addressing cost inflation.

New Proposals

New Proposals	-----Fiscal 2014-----					-----Fiscal 2015-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1003 - Information Technology Increased Staffing - OTO											
01	3.00	171,517	0	0	171,517	3.00	162,712	0	0	162,712	
DP 1005 - Court Help Program											
01	4.25	325,000	0	0	325,000	4.25	324,842	0	0	324,842	
DP 1007 - Drug Courts Add Funding for Expiring Grants											
01	3.00	185,467	0	0	185,467	4.00	272,378	0	0	272,378	
DP 1009 - Courtroom Technology - OTO											
01	0.00	222,450	0	0	222,450	0.00	0	0	0	0	
Total	10.25	\$904,434	\$0	\$0	\$904,434	11.25	\$759,932	\$0	\$0	\$759,932	

DP 1003 - Information Technology Increased Staffing - OTO - The legislature approved increases for personal services and operating costs to add 3.00 FTE (1.00 FTE network technicians and 2.00 FTE business analysts) and operating costs to support branch automated court systems. The funding was designated as one-time-only.

DP 1005 - Court Help Program - The legislature approved general fund for personal services and operating costs to add 4.25 FTE for the Court Help Program. The FTE will run self-help centers in Flathead, Gallatin, and Yellowstone Counties (2.5 FTE), manage the self-help component of the program including providing oversight of centers and AmeriCorps service members working in the centers (1.00 FTE), and manage the pro bono component of the program (1.00 FTE). The legislature designated the funding as biennial and one-time-only.

DP 1007 - Drug Courts Add Funding for Expiring Grants - The legislature approved increases for personal services and operating costs to add 3.00 FTE in each year of the biennium and an additional 1.00 FTE in FY 2015. Besides staffing costs other costs are for drug testing and treatment expenses. The funding will support drug courts in five additional courts beyond the 13 courts currently funded. The five additional courts are currently funded with federal grant funds that are slated to expire during the 2015 biennium.

DP 1009 - Courtroom Technology - OTO - The legislature approved increases to continue courtroom technology improvements throughout Montana courts. This funding includes \$285,000 to upgrade existing equipment and to add technology to courtrooms where it currently does not exist. It also includes \$37,450 to add video conferencing equipment to the seven rural counties where no video conferencing capabilities currently exist. The legislature designated the funding as one-time-only and biennial.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	6.75	6.75	6.75	6.75	6.75	6.75	0.00	0.00%
Personal Services	377,472	404,751	370,781	372,348	782,223	743,129	(39,094)	(5.00%)
Operating Expenses	404,222	335,237	404,253	404,305	739,459	808,558	69,099	9.34%
Equipment & Intangible Assets	84,261	97,184	86,738	88,710	181,445	175,448	(5,997)	(3.31%)
Debt Service	8,875	7,901	8,875	8,875	16,776	17,750	974	5.81%
Total Costs	\$874,830	\$845,073	\$870,647	\$874,238	\$1,719,903	\$1,744,885	\$24,982	1.45%
General Fund	874,830	845,073	870,647	874,238	1,719,903	1,744,885	24,982	1.45%
Total Funds	\$874,830	\$845,073	\$870,647	\$874,238	\$1,719,903	\$1,744,885	\$24,982	1.45%

Program Description

The State Law Library of Montana (MCA 22-1-501 et seq) 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 provides 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. 75% of the people the Law Library assists are non-lawyers who cannot afford attorneys. The Library also operates a Self-Help Center in partnership with Carroll College students.

Program Highlights

<p>Law Library Major Budget Highlights</p>
<p>◆ The only change to the budget was for statewide present law adjustments</p>

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Judicial Branch Funding by Source of Authority 2015 Biennium Budget - Law Library							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$1,744,885	\$0	\$0	\$1,744,885	82.6%		
Proprietary Total	\$0	\$368,529	\$0	\$368,529	17.4%		
06019 Law Library Searches/research	\$0	\$368,529	\$0	\$368,529	17.4%		
Total All Funds	\$1,744,885	\$368,529	\$0	\$2,113,414	100.0%		
Percent - Total All Sources	82.6%	17.4%	0.0%				

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 and the funding does not appear in HB 2 tables.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	874,830	874,830	1,749,660	100.27%	874,830	874,830	1,749,660	100.27%
Statewide PL Adjustments	3,384	7,007	10,391	0.60%	3,384	7,007	10,391	0.60%
Other PL Adjustments	(7,567)	(7,599)	(15,166)	(0.87%)	(7,567)	(7,599)	(15,166)	(0.87%)
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$870,647	\$874,238	\$1,744,885		\$870,647	\$874,238	\$1,744,885	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					876					2,475
Inflation/Deflation					2,508					4,532
Total Statewide Present Law Adjustments		\$3,384	\$0	\$0	\$3,384		\$7,007	\$0	\$0	\$7,007
DP 50 - Initial Motion to FY 2012 Base	0.00	(3,384)	0	0	(3,384)	0.00	(7,007)	0	0	(7,007)
DP 51 - Adjustment for Statewide Personal Services	0.00	(6,691)	0	0	(6,691)	0.00	(5,124)	0	0	(5,124)
DP 52 - Adjustment for Statewide Operations	0.00	2,508	0	0	2,508	0.00	4,532	0	0	4,532
Total Other Present Law Adjustments	0.00	(\$7,567)	\$0	\$0	(\$7,567)	0.00	(\$7,599)	\$0	\$0	(\$7,599)
Grand Total All Present Law Adjustments	0.00	(\$4,183)	\$0	\$0	(\$4,183)	0.00	(\$592)	\$0	\$0	(\$592)

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services, with a 2% vacancy savings applied to all non-elected positions.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

Proprietary Rates

Law Library Searches/Research Enterprise Fund – 06019

Proprietary Program Description

The law library contracts with an on-line provider for access to a legal database.

Expenses

This proprietary program has only two expenses: 1) an allocation for the statewide indirect cost pool; and 2) charges for searches and research of the on-line database.

Revenues

Revenues for the services are payments made by the various state, county, and city entities that use the services and are based on based on the cost of the search performed.

Proprietary Rates

No changes were made.

This program is funded with an enterprise type proprietary fund. As such, the legislature does not appropriate funds or approve rates for the program.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	311.58	311.58	314.58	314.58	311.58	314.58	3.00	0.96%
Personal Services	22,496,889	22,546,580	22,851,493	22,870,679	45,043,469	45,722,172	678,703	1.51%
Operating Expenses	2,470,597	2,761,692	2,870,494	2,856,714	5,232,289	5,727,208	494,919	9.46%
Equipment & Intangible Assets	19,723	25,399	19,723	19,723	45,122	39,446	(5,676)	(12.58%)
Benefits & Claims	0	0	0	0	0	0	0	n/a
Debt Service	0	3,750	0	0	3,750	0	(3,750)	(100.00%)
Total Costs	\$24,987,209	\$25,337,421	\$25,741,710	\$25,747,116	\$50,324,630	\$51,488,826	\$1,164,196	2.31%
General Fund	24,862,817	25,110,156	25,592,692	25,598,098	49,972,973	51,190,790	1,217,817	2.44%
State Special	124,392	227,265	149,018	149,018	351,657	298,036	(53,621)	(15.25%)
Federal Special	0	0	0	0	0	0	0	n/a
Total Funds	\$24,987,209	\$25,337,421	\$25,741,710	\$25,747,116	\$50,324,630	\$51,488,826	\$1,164,196	2.31%

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"> ◆ Major funding increases were for: <ul style="list-style-type: none"> • Statewide present law adjustments • Funding to add 3.00 FTE judicial support staff for district court judges • Funding to annualize district court variable costs due to an abnormally low base year

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Judicial Branch Funding by Source of Authority 2015 Biennium Budget - District Court Operations							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$51,190,790	\$0	\$0	\$51,190,790	99.4%		
State Special Total	\$298,036	\$0	\$0	\$298,036	0.6%		
02141 Youth Court Fees	\$181,194	\$0	\$0	\$181,194	0.4%		
02788 Acc. Cty Sick/vacation Leave	\$116,842	\$0	\$0	\$116,842	0.2%		
Total All Funds	\$51,488,826	\$0	\$0	\$51,488,826	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

The bulk 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 and county payments to the accrued sick/vacation leave fund made at the time of state assumption of District Court costs. Federal funds supporting the program are generally time limited grant awards that support special projects such as drug courts. No federal funds are anticipated in the 2015 biennium.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	24,862,817	24,862,817	49,725,634	97.14%	24,987,209	24,987,209	49,974,418	97.06%
Statewide PL Adjustments	461,496	484,775	946,271	1.85%	457,686	480,965	938,651	1.82%
Other PL Adjustments	198,379	180,506	378,885	0.74%	226,815	208,942	435,757	0.85%
New Proposals	70,000	70,000	140,000	0.27%	70,000	70,000	140,000	0.27%
Total Budget	\$25,592,692	\$25,598,098	\$51,190,790		\$25,741,710	\$25,747,116	\$51,488,826	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					462,710					482,412
Inflation/Deflation					(4,661)					(1,160)
Fixed Costs					(363)					(287)
Total Statewide Present Law Adjustments		\$461,496	(\$3,810)	\$0	\$457,686		\$484,775	(\$3,810)	\$0	\$480,965
DP 50 - Initial Motion to FY 2012 Base	0.00	(461,496)	3,810	0	(457,686)	0.00	(484,775)	3,810	0	(480,965)
DP 51 - Adjustment for Statewide Personal Services	0.00	160,913	(3,840)	0	157,073	0.00	180,216	(3,834)	0	176,382
DP 52 - Adjustment for Statewide Operations	0.00	(5,054)	30	0	(5,024)	0.00	(1,471)	24	0	(1,447)
DP 4001 - Minimum Standards - Judicial Support Staff	3.00	201,516	0	0	201,516	3.00	184,036	0	0	184,036
DP 4003 - Accrued Leave Payouts - State Special Revenue	0.00	0	28,436	0	28,436	0.00	0	28,436	0	28,436
DP 4004 - Increase for District Court Contracts & Transcript	0.00	12,500	0	0	12,500	0.00	12,500	0	0	12,500
DP 4005 - District Court Variable Base Adjustment	0.00	250,000	0	0	250,000	0.00	250,000	0	0	250,000
DP 4006 - HB 107 Transfer	0.00	40,000	0	0	40,000	0.00	40,000	0	0	40,000
Total Other Present Law Adjustments	3.00	\$198,379	\$28,436	\$0	\$226,815	3.00	\$180,506	\$28,436	\$0	\$208,942
Grand Total All Present Law Adjustments	3.00	\$659,875	\$24,626	\$0	\$684,501	3.00	\$665,281	\$24,626	\$0	\$689,907

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services, with a 2% vacancy savings applied to all non-elected positions.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 4001 - Minimum Standards - Judicial Support Staff - The legislature approved general fund for operating costs and personal services to add 3.00 FTE law clerks. In approving the funds, the legislature specified that 1.00 FTE each may be added only to Judicial District 7 (Dawson/Richland/McCone/ Prairie/Wibaux Counties); Judicial District 15 (Daniels/Roosevelt/Sheridan Counties); and Judicial District 16 (Carter/Custer/Fallon/Garfield/Powder River/Rosebud/Treasure Counties).

DP 4003 - Accrued Leave Payouts - State Special Revenue - The legislature approved state special revenue for projected retirement payouts of employees who became state employees at the time of district court assumption.

DP 4004 - Increase for District Court Contracts & Transcript - The legislature approved funding to increase rates to contractors in several areas for district courts: contracted court reporters (3 judicial Districts), relief court reporters (most judicial districts), court appointed special advocates (CASA) programs, and contracted guardians ad litem (GAL). The funding will also increase the statutory transcript rate.

DP 4005 - District Court Variable Base Adjustment - The legislature approved funding for anticipated increases in District Court variable costs. Among the functions covered are jury and witness costs, psychiatric evaluations, appointed guardians ad litem, court reporters, travel, and interpreters.

DP 4006 - HB 107 Transfer - The legislature passed HB 107 that transfers the expense for counsel assignments from the Office of State Public Defender to the courts for certain cases in abuse and neglect proceedings. This adjustment increases funding for the courts for these expenses per the coordinating language of HB 107. An offsetting adjustment is made in the Office of Public Defender Program of the Office of State Public Defender.

New Proposals

New Proposals											
		-----Fiscal 2014-----					-----Fiscal 2015-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 4002 - Continued Guardian Ad Litem Funding											
04	0.00	70,000	0	0	70,000	0.00	70,000	0	0	70,000	
Total	0.00	\$70,000	\$0	\$0	\$70,000	0.00	\$70,000	\$0	\$0	\$70,000	

DP 4002 - Continued Guardian Ad Litem Funding - The legislature approved funding for the guardian ad litem services in child abuse and neglect cases in Judicial District 2, Silver Bow County.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	21.50	21.50	24.50	24.50	21.50	24.50	3.00	13.95%
Personal Services	1,428,829	1,694,135	1,841,659	1,844,846	3,122,964	3,686,505	563,541	18.05%
Operating Expenses	196,382	192,156	260,956	255,382	388,538	516,338	127,800	32.89%
Equipment & Intangible Assets	8,287	8,287	8,287	8,287	16,574	16,574	0	0.00%
Total Costs	\$1,633,498	\$1,894,578	\$2,110,902	\$2,108,515	\$3,528,076	\$4,219,417	\$691,341	19.60%
State Special	1,633,498	1,894,578	2,110,902	2,108,515	3,528,076	4,219,417	691,341	19.60%
Total Funds	\$1,633,498	\$1,894,578	\$2,110,902	\$2,108,515	\$3,528,076	\$4,219,417	\$691,341	19.60%

Program Description

The Water Courts Supervision Program, located in Bozeman, adjudicates claims of existing water rights in Montana pursuant to Title 3, Chapter 7 and Title 85, Chapter 2, MCA.

Program Highlights

Water Courts Supervision Major Budget Highlights
<ul style="list-style-type: none"> ◆ The legislature transferred funding for 3.00 FTE to the Water Court from the Department of Natural Resources and Conservation (DNRC) ◆ Major funding increases were for: <ul style="list-style-type: none"> ● Statewide present law adjustments ● Funding for FTE transferred to the Water Court from DNRC

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Judicial Branch Funding by Source of Authority 2015 Biennium Budget - Water Courts Supervision							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
State Special Total		\$4,219,417	\$0	\$4,219,417	100.0%		
02431 Water Adjudication		\$2,187,117	\$0	\$2,187,117	51.8%		
02576 Natural Resources Operations Ssr Fu		\$2,032,300	\$0	\$2,032,300	48.2%		
Total All Funds		\$4,219,417	\$0	\$4,219,417	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

The Water Court is supported entirely by state special revenue from the natural resources operations and the water adjudication account.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	0	0	0	0.00%	1,633,498	1,633,498	3,266,996	77.43%
Statewide PL Adjustments	0	0	0	0.00%	244,685	248,913	493,598	11.70%
Other PL Adjustments	0	0	0	0.00%	232,719	226,104	458,823	10.87%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$0	\$0	\$0		\$2,110,902	\$2,108,515	\$4,219,417	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----				-----Fiscal 2015-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					245,923					249,307
Inflation/Deflation					188					463
Fixed Costs					(1,426)					(857)
Total Statewide Present Law Adjustments		\$0	\$244,685	\$0	\$244,685		\$0	\$248,913	\$0	\$248,913
DP 50 - Initial Motion to FY 2012 Base	0.00	0	(244,685)	0	(244,685)	0.00	0	(248,913)	0	(248,913)
DP 51 - Adjustment for Statewide Personal Services	0.00	0	241,118	0	241,118	0.00	0	244,430	0	244,430
DP 52 - Adjustment for Statewide Operations	0.00	0	(1,238)	0	(1,238)	0.00	0	(394)	0	(394)
DP 5001 - Water Court Rent Increase	0.00	0	5,328	0	5,328	0.00	0	8,130	0	8,130
DP 5002 - Water Court - FTE Transfer	3.00	0	232,196	0	232,196	3.00	0	222,851	0	222,851
Total Other Present Law Adjustments	3.00	\$0	\$232,719	\$0	\$232,719	3.00	\$0	\$226,104	\$0	\$226,104
Grand Total All Present Law Adjustments	3.00	\$0	\$477,404	\$0	\$477,404	3.00	\$0	\$475,017	\$0	\$475,017

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services with a 2% vacancy savings applied to all non-elected positions.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 5001 - Water Court Rent Increase - The legislature approved an increase of \$5,328 in FY 2014 and \$8,130 in FY 2015 of special revenue fund authority to cover a 3% annual increase in rent payments. The 3% increase is required every May per the lease agreement.

DP 5002 - Water Court - FTE Transfer - The legislature approved the transfer of 3.00 FTE from the Department of Natural Resources to the Water Court.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	5.50	5.50	5.50	5.50	5.50	5.50	0.00	0.00%
Personal Services	427,151	436,074	425,866	426,428	863,225	852,294	(10,931)	(1.27%)
Operating Expenses	43,897	44,074	44,077	44,240	87,971	88,317	346	0.39%
Total Costs	\$471,048	\$480,148	\$469,943	\$470,668	\$951,196	\$940,611	(\$10,585)	(1.11%)
General Fund	471,048	480,148	469,943	470,668	951,196	940,611	(10,585)	(1.11%)
Total Funds	\$471,048	\$480,148	\$469,943	\$470,668	\$951,196	\$940,611	(\$10,585)	(1.11%)

Program Description

The Office of Clerk of the Supreme Court Program, pursuant to Title 3, Chapter 2, part 4, conducts the business of the court, and serves as the liaison between the public, attorneys, and the Supreme Court. By statutory authority, 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
◆ The only change to the budget was for statewide present law adjustments

Funding

This program is funded entirely with general fund.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	471,048	471,048	942,096	100.16%	471,048	471,048	942,096	100.16%
Statewide PL Adjustments	5,283	6,020	11,303	1.20%	5,283	6,020	11,303	1.20%
Other PL Adjustments	(6,388)	(6,400)	(12,788)	(1.36%)	(6,388)	(6,400)	(12,788)	(1.36%)
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$469,943	\$470,668	\$940,611		\$469,943	\$470,668	\$940,611	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					5,103					5,677
Inflation/Deflation					180					343
Total Statewide Present Law Adjustments		\$5,283	\$0	\$0	\$5,283		\$6,020	\$0	\$0	\$6,020
DP 50 - Initial Motion to FY 2012 Base	0.00	(5,283)	0	0	(5,283)	0.00	(6,020)	0	0	(6,020)
DP 51 - Adjustment for Statewide Personal Services	0.00	(1,285)	0	0	(1,285)	0.00	(723)	0	0	(723)
DP 52 - Adjustment for Statewide Operations	0.00	180	0	0	180	0.00	343	0	0	343
Total Other Present Law Adjustments	0.00	(\$6,388)	\$0	\$0	(\$6,388)	0.00	(\$6,400)	\$0	\$0	(\$6,400)
Grand Total All Present Law Adjustments	0.00	(\$1,105)	\$0	\$0	(\$1,105)	0.00	(\$380)	\$0	\$0	(\$380)

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services, with a 2% vacancy savings applied to all non-elected positions.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

Agency Budget Comparison

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

Agency Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	17.50	17.50	17.50	17.50	17.50	17.50	0.00	0.00%
Personal Services	1,057,693	1,085,513	1,173,491	1,173,475	2,143,206	2,346,966	203,760	9.51%
Operating Expenses	790,837	748,052	791,506	789,953	1,538,889	1,581,459	42,570	2.77%
Equipment & Intangible Assets	12,779	13,042	12,779	12,779	25,821	25,558	(263)	(1.02%)
Grants	5,930,638	11,389,002	5,930,638	5,930,638	17,319,640	11,861,276	(5,458,364)	(31.52%)
Transfers	637,956	1,724,475	637,956	637,956	2,362,431	1,275,912	(1,086,519)	(45.99%)
Total Costs	\$8,429,903	\$14,960,084	\$8,546,370	\$8,544,801	\$23,389,987	\$17,091,171	(\$6,298,816)	(26.93%)
General Fund	2,261,059	2,263,250	2,343,618	2,342,690	4,524,309	4,686,308	161,999	3.58%
State Special	151,364	333,199	152,173	152,165	484,563	304,338	(180,225)	(37.19%)
Federal Special	6,017,480	12,363,635	6,050,579	6,049,946	18,381,115	12,100,525	(6,280,590)	(34.17%)
Total Funds	\$8,429,903	\$14,960,084	\$8,546,370	\$8,544,801	\$23,389,987	\$17,091,171	(\$6,298,816)	(26.93%)

Agency Description

Mission Statement: To pro-actively contribute to public safety, crime prevention, and victim assistance with planning, policy development, and coordination of the justice systems in partnership with citizens, government, and communities.

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 an 18-member board appointed by the Governor. The MBCC supervises the Crime Control Division (CCD), which 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 approved a present law budget ◆ Due to the number of FTE in the agency, it has no vacancy savings applied

Summary of Legislative Action

The legislature approved a present law budget, with the overall reduction being the result of the legislature not funding a requested 1.00 FTE position and adjusting fixed costs. Compared to the 2013 biennium, the 2015 biennium budget is \$6.3 million lower in federal funds due to carrying forward into FY 2013 grants that were not expended in the base and that were not funding in the 2015 biennium.

Executive Budget Comparison

The following table compares the legislative budget in the 2015 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2012	Executive Budget Fiscal 2014	Legislative Budget Fiscal 2014	Leg - Exec. Difference Fiscal 2014	Executive Budget Fiscal 2015	Legislative Budget Fiscal 2015	Leg - Exec. Difference Fiscal 2015	Biennium Difference Fiscal 14-15
FTE	17.50	18.50	17.50	(1.00)	18.50	17.50	(1.00)	
Personal Services	1,057,693	1,232,540	1,173,491	(59,049)	1,232,438	1,173,475	(58,963)	(118,012)
Operating Expenses	790,837	795,419	791,506	(3,913)	794,014	789,953	(4,061)	(7,974)
Equipment & Intangible Assets	12,779	12,779	12,779	0	12,779	12,779	0	0
Grants	5,930,638	5,930,638	5,930,638	0	5,930,638	5,930,638	0	0
Transfers	637,956	637,956	637,956	0	637,956	637,956	0	0
Total Costs	\$8,429,903	\$8,609,332	\$8,546,370	(\$62,962)	\$8,607,825	\$8,544,801	(\$63,024)	(\$125,986)
General Fund	2,261,059	2,388,659	2,343,618	(45,041)	2,387,774	2,342,690	(45,084)	(90,125)
State/Other Special	151,364	152,617	152,173	(444)	152,609	152,165	(444)	(888)
Federal Special	6,017,480	6,068,056	6,050,579	(17,477)	6,067,442	6,049,946	(17,496)	(34,973)
Total Funds	\$8,429,903	\$8,609,332	\$8,546,370	(\$62,962)	\$8,607,825	\$8,544,801	(\$63,024)	(\$125,986)

The legislative budget is about \$126,000 lower than the executive request because the legislature did not approve a request to fund the addition of 1.00 FTE to expand financial monitoring of grant projects and changed fixed costs associated with insurance and the State Accounting, Budgeting, and Human Resources System (SABHRS).

Funding

The following table shows funding, by source for the 2015 biennium as approved by the legislature.

Total Crime Control Division Funding by Source of Authority 2015 Biennium Budget - Justice System Support Service								
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category	
General Fund	\$4,686,308	\$0	\$0	\$4,686,308	27.4%			
State Special Total	\$304,338	\$0	\$0	\$304,338	1.8%			
02768 Dom Violence Intervention - Hb 47	\$304,338	\$0	\$0	\$304,338	1.8%			
Federal Special Total	\$12,100,525	\$0	\$0	\$12,100,525	70.8%			
03008 Juvenile Justice Council	\$1,222,773	\$0	\$0	\$1,222,773	7.2%			
03009 Juvenile Accountability	\$615,970	\$0	\$0	\$615,970	3.6%			
03081 Ovw Sexual Assault Services	\$520,012	\$0	\$0	\$520,012	3.0%			
03090 P Coverdell Forensic Science	\$200,000	\$0	\$0	\$200,000	1.2%			
03093 Title V Delinquency Intervention	\$25,000	\$0	\$0	\$25,000	0.1%			
03111 Rsat Residential Substance Abuse	\$177,614	\$0	\$0	\$177,614	1.0%			
03186 Project Safe Neighborhood	\$300,043	\$0	\$0	\$300,043	1.8%			
03188 Justice Assistance Grants	\$2,874,840	\$0	\$0	\$2,874,840	16.8%			
03192 Crime Victim Assistance	\$3,574,377	\$0	\$0	\$3,574,377	20.9%			
03201 Justice System Enhancements	\$179,970	\$0	\$0	\$179,970	1.1%			
03343 Criminal History Record Improv	\$400,000	\$0	\$0	\$400,000	2.3%			
03344 Violence Against Women Act	\$1,899,996	\$0	\$0	\$1,899,996	11.1%			
03962 Enf. Underage Drinking Laws	\$109,930	\$0	\$0	\$109,930	0.6%			
Total All Funds	\$17,091,171	\$0	\$0	\$17,091,171	100.0%			
Percent - Total All Sources	100.0%	0.0%	0.0%					

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 various federal grants with the majority of these being pass-through funds that go to state and local agencies and not-for profit providers. A small portion of the federal funds support agency operations.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	2,261,059	2,261,059	4,522,118	96.50%	8,429,903	8,429,903	16,859,806	98.65%
Statewide PL Adjustments	82,309	81,437	163,746	3.49%	116,115	114,625	230,740	1.35%
Other PL Adjustments	250	194	444	0.01%	352	273	625	0.00%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$2,343,618	\$2,342,690	\$4,686,308		\$8,546,370	\$8,544,801	\$17,091,171	

Other Legislation

HB 13 – The legislature approved funding for a pay plan for state employees. The bill includes a lump sum appropriation for pay raises that will be determined for their respective employees by the executive, legislative, and judicial branches and the Montana University System. The bill also includes funding for a 10% insurance increase for all employees each year. The legislature did not specify a particular percentage salary increase a state employee should receive, but stipulated that the appropriated funds must be used to increase the base pay of each employee, with particular attention to the lower pay bands and employees who did not receive an increase in the 2013 biennium.

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----				-----Fiscal 2015-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					115,798					115,782
Inflation/Deflation					(347)					(143)
Fixed Costs					664					(1,014)
Total Statewide Present Law Adjustments		\$82,309	\$807	\$32,999	\$116,115		\$81,437	\$799	\$32,389	\$114,625
DP 50 - Initial Motion to FY 2012 Base	0.00	(82,309)	(807)	(32,999)	(116,115)	0.00	(81,437)	(799)	(32,389)	(114,625)
DP 51 - Adjustment for Statewide Personal Services	0.00	82,084	805	32,909	115,798	0.00	82,259	807	32,716	115,782
DP 52 - Adjustment for Statewide Operations	0.00	475	4	190	669	0.00	(628)	(6)	(250)	(884)
Total Other Present Law Adjustments	0.00	\$250	\$2	\$100	\$352	0.00	\$194	\$2	\$77	\$273
Grand Total All Present Law Adjustments	0.00	\$82,559	\$809	\$33,099	\$116,467	0.00	\$81,631	\$801	\$32,466	\$114,898

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

Language and Statutory Authority

The legislature included 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 2013 biennium are authorized to continue and are appropriated in fiscal year 2014 and fiscal year 2015."

Agency Budget Comparison

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

Agency Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	754.85	754.85	772.85	772.85	754.85	772.85	18.00	2.38%
Estimated Impact of HB 2*			(16.43)	(16.43)		(16.43)	(16.43)	
Net Estimated FTE*			756.42	756.42		756.42	(1.57)	
Personal Services	46,742,854	50,296,036	52,092,948	52,157,256	97,038,890	104,250,204	7,211,314	7.43%
Operating Expenses	26,076,259	24,686,726	30,064,434	30,347,510	50,762,985	60,411,944	9,648,959	19.01%
Equipment & Intangible Assets	2,284,825	1,995,547	2,541,150	2,405,325	4,280,372	4,946,475	666,103	15.56%
Grants	0	0	0	0	0	0	0	n/a
Benefits & Claims	824,712	1,011,704	824,712	824,712	1,836,416	1,649,424	(186,992)	(10.18%)
Transfers	11,295	11,295	11,295	11,295	22,590	22,590	0	0.00%
Debt Service	331,089	4,021,659	726,796	726,796	4,352,748	1,453,592	(2,899,156)	(66.61%)
Total Costs	\$76,271,034	\$82,022,967	\$86,261,335	\$86,472,894	\$158,294,001	\$172,734,229	\$14,440,228	9.12%
General Fund	26,416,233	26,315,728	29,918,271	29,924,611	52,731,961	59,842,882	7,110,921	13.49%
State Special	46,978,839	52,273,582	53,469,674	53,668,593	99,252,421	107,138,267	7,885,846	7.95%
Federal Special	1,119,209	1,493,495	1,102,415	1,102,408	2,612,704	2,204,823	(407,881)	(15.61%)
Other	1,756,753	1,940,162	1,770,975	1,777,282	3,696,915	3,548,257	(148,658)	(4.02%)
Total Funds	\$76,271,034	\$82,022,967	\$86,261,335	\$86,472,894	\$158,294,001	\$172,734,229	\$14,440,228	9.12%

*Estimated impact of HB 2 boilerplate language showing net FTE with reductions. See boilerplate language on the following pages.

Agency Description

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

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

Agency Highlights

Department of Justice Major Budget Highlights
<ul style="list-style-type: none"> ◆ The 2015 biennium budget is \$14.4 million or 9.1% higher than the 2013 biennium ◆ Significant items contributing to the budget growth are: <ul style="list-style-type: none"> • Statewide present law adjustments, \$9.4 million • Purchase of license plates for the statutory rolling reissue, \$2.6 million • Major litigation of the water rights claim between Montana and Wyoming, \$2.0 million • Highway patrol officers to assignment in the Bakken energy development area of eastern Montana, \$1.4 million ◆ Funding for 18.0 FTE was added for: <ul style="list-style-type: none"> • One trainer at the Montana Law Enforcement Academy • Two attorneys to support the Child Sexual Predator and Drug Diversion Program • Five highway patrol officers for the Bakken area • One paralegal to make legal case information available on the department's internet site • One child and family ombudsman • Four commercial driver license technicians • One business process analyst to support MERLIN • One investigator to monitor compliance of the Sexual and Violent Offender Registry Program • One investigator to investigate claims of abuse at residential facilities • One forensic scientist to test for synthetic drugs at the state crime lab

Summary of Legislative Action

Except for new programs requested by the newly elected attorney general the legislative budget primarily funds present law. The legislative budget provides funding for increased public safety presence in the energy development area of the state by adding highway patrol officers to be placed in that region. The budget also funds initiatives to increase transparency of the department's legal decisions and cases and to improve Motor Vehicle Division transparency and business interactions with the public. A forensic scientist was added to the state crime laboratory to address increased workloads resulting from growth in synthetic drug presence.

The legislative budget is \$7.1 million or 13.5% general fund and \$14.4 million or 9.1% total funds higher than current biennium. Funding increases are for:

- Statewide present law adjustments
- Continuation of the child sexual predator and drug diversion program that the previous legislature funded in FY 2013
- Salary increases for highway patrol officer

Boilerplate

The boilerplate section in HB 2 includes the following language:

“It is the intent of the legislature that the appropriations for personal services contained in this bill for fiscal year 2014 and fiscal year 2015, except for the reductions contained in decision packages that remove an additional vacancy savings

amount, are supported by only the number of FTE that are funded. It is the intent of the legislature that this net level of FTE is the level that will be used to calculate personal services funding in the next biennium.”

The LFD has calculated that this intent language would reduce the current biennium base FTE by 440 statewide and by 16.43 FTE for this agency. The lower level of FTE will be the starting point or base the legislature will use for personal services budget deliberations in the 2017 biennium.

Funding

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

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget					
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	\$59,842,882	\$0	\$9,136,482	\$68,979,364	36.2%
State Special Total	107,138,267	-	5,092,280	112,230,547	58.9%
Federal Special Total	2,204,823	-	328,400	2,533,223	1.3%
Proprietary Total	3,548,257	3,140,358	-	6,688,615	3.5%
Current Unrestricted	-	-	-	-	0.0%
Other Total	-	-	-	-	0.0%
Total All Funds	\$172,734,229	\$3,140,358	\$14,557,162	\$190,431,749	
Percent - Total All Sources	90.7%	1.6%	7.6%		

Funding for the department varies by division and function. General fund supports the Legal Services Division, 92%; Motor Vehicle Division, 42%; Division of Criminal Investigation, 62%; Central Services Division, 33%; Information Technology Division, 96%; and Forensic Science Division, 92%. The highways state special revenue account supports a number of programs where highway safety is impacted. Highways state special revenue provides significant portions of the funding for the Motor Vehicle Division, Highway Patrol Division, and Central Services Division. State special revenue from consumer settlement proceeds supports the Office of Consumer Protection, gambling license fees support Gambling Control, and motor vehicle fees support the debt payment for the development and implementation of a computer system. Federal funds combined with general fund support Medicaid fraud investigation and the Child Protection Unit within the Legal Division. Proprietary funds support liquor licensing functions and legal services provided under contract to other agencies.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	26,416,233	26,416,233	52,832,466	88.29%	76,271,034	76,271,034	152,542,068	88.31%
Statewide PL Adjustments	1,895,897	1,910,904	3,806,801	6.36%	4,080,248	4,163,235	8,243,483	4.77%
Other PL Adjustments	542,091	558,968	1,101,059	1.84%	4,350,821	4,794,968	9,145,789	5.29%
New Proposals	1,064,050	1,038,506	2,102,556	3.51%	1,559,232	1,243,657	2,802,889	1.62%
Total Budget	\$29,918,271	\$29,924,611	\$59,842,882		\$86,261,335	\$86,472,894	\$172,734,229	

Other Legislation

HB 5 - This bill appropriates funds for capital construction projects. It included funding for construction of the Butte Justice Center. When constructed, the center will house operations of the department and the Butte-Silver Bow local government. Other than funding for construction of the center no other operating and maintenance costs are expected in the 2015 biennium, but are for the 2017 biennium.

HB 13 – The legislature approved funding for a pay plan for state employees. The bill includes a lump sum appropriation for pay raises that will be determined for their respective employees by the executive, legislative, and judicial branches and the Montana University System. The bill also includes funding for a 10% insurance increase for all employees each year. The legislature did not specify a particular percentage salary increase a state employee should receive, but stipulated that the appropriated funds must be used to increase the base pay of each employee, with particular attention to the lower pay bands and employees who did not receive an increase in the 2013 biennium.

HB 168 – This bill provided a legal limit for a person's blood level of delta-9-tetrahydrocannabinol in order to be charged with driving under the influence. The fiscal note for HB 168 assumes a one-time \$4,400 cost would be incurred in FY 2014 to reconfigure computer code in the statewide database to generate license suspension letters and reports. No funding was provided in HB 2 for these costs.

HB 297 – This bill makes it unlawful to employ unauthorized aliens. The fiscal note for HB 297 assumes a biennium cost for the department of nearly \$358,000 to investigate complaints and hold hearings. No funding was provided in HB 2 for these costs.

HB 498 – This bill revised expiration dates for state identification cards. The fiscal note for HB 498 assumes a one-time \$2,200 cost would be incurred in FY 2014 to reconfigure computer code in the driver's license system. No funding was provided in HB 2 for these costs.

HB 566 – This bill created a next-of-kin special license plate for certain family members of deceased military personnel. The fiscal note for HB 566 assumes a one-time \$1,100 cost would be incurred in FY 2014 to reconfigure computer code in the statewide database. No funding was provided in HB 2 for these costs.

HB 607 – This bill adds an optional service to expedite electronic vehicle title, lien filings, and registrations for a fee. The fiscal note for HB 607 assumes a one-time \$1,320 cost would be incurred in FY 2014 to reconfigure computer code in MERLIN to add a new fee type. No funding was provided in HB 2 for these costs.

SB 213 – This bill requires certain sex offenders to provide a DNA sample for entry into the Montana DNA database. The fiscal note for SB 213 assumes a biennium cost for the department of \$5,000 to process additional DNA samples expected under the bill. No funding was provided in HB 2 for these costs.

SB 275 – This bill provides a veteran designation on state driver's licenses and identification cards. The fiscal note for SB 275 assumes a one-time \$65,500 cost would be incurred in FY 2014 to modify driver licenses and identification cards and reconfigure computer code in the statewide database. No funding was provided in HB 2 for these costs.

SB 351 – This bill provides requirements for conducting criminal background checks for residents in homes where a potential emergency placement may be made. The fiscal note for SB 351 assumes a one-time \$8,250 cost would be incurred in FY 2014 to reconfigure computer code in the statewide database. No funding was provided in HB 2 for these costs.

Executive Budget Comparison

The following table compares the legislative budget in the 2015 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2012	Executive Budget Fiscal 2014	Legislative Budget Fiscal 2014	Leg - Exec. Difference Fiscal 2014	Executive Budget Fiscal 2015	Legislative Budget Fiscal 2015	Leg - Exec. Difference Fiscal 2015	Biennium Difference Fiscal 14-15
FTE	754.85	763.85	772.85	9.00	763.85	772.85	9.00	
Estimated Impact of HB 2*			(16.43)	(16.43)		(16.43)	(16.43)	
Net Estimated FTE*			756.42	(7.43)		756.42	(7.43)	
Personal Services	46,742,854	52,020,186	52,092,948	72,762	52,085,689	52,157,256	71,567	144,329
Operating Expenses	26,076,259	29,579,856	30,064,434	484,578	30,016,226	30,347,510	331,284	815,862
Equipment & Intangible Assets	2,284,825	2,460,325	2,541,150	80,825	2,460,325	2,405,325	(55,000)	25,825
Grants	0	0	0	0	0	0	0	0
Benefits & Claims	824,712	824,712	824,712	0	824,712	824,712	0	0
Transfers	11,295	11,295	11,295	0	11,295	11,295	0	0
Debt Service	331,089	726,796	726,796	0	726,796	726,796	0	0
Total Costs	\$76,271,034	\$85,623,170	\$86,261,335	\$638,165	\$86,125,043	\$86,472,894	\$347,851	\$986,016
General Fund	26,416,233	29,810,309	29,918,271	107,962	29,822,290	29,924,611	102,321	210,283
State/Other Special	46,978,839	52,934,978	53,469,674	534,696	53,423,364	53,668,593	245,229	779,925
Federal Special	1,119,209	1,102,415	1,102,415	0	1,102,408	1,102,408	0	0
Proprietary	1,756,753	1,775,468	1,770,975	(4,493)	1,776,981	1,777,282	301	(4,192)
Total Funds	\$76,271,034	\$85,623,170	\$86,261,335	\$638,165	\$86,125,043	\$86,472,894	\$347,851	\$986,016

*Estimated impact of HB 2 boilerplate language showing net FTE with reductions. See boilerplate language on the previous pages.

The legislative budget is \$348,000 higher than the executive budget. The difference is due to the net effect of reductions to the executive request and offsetting increases to approved requests of the newly elected attorney general. The effect of the legislative actions was to increase general fund by \$102,000 and increase state special by \$245,000.

The following executive requests were not funded or were reduced from the requested amount:

- Base supplies for the Montana Highway was reduced by nearly \$1.4 million
- Base funding for major litigation contracts was reduced by \$1.0 million
- A funding request for the Motor Vehicle Division for commercial drivers' license medical certification programs was not funded

The following requests of the newly elected attorney general that were not included in the executive budget were funded:

- Restricted funding for the water rights litigation between Montana and Wyoming, \$2.0 million
- Five highway patrol officers for the energy development impacted areas of the state, \$1.4 million
- One business development specialist to improve transparency and business interactions in the Motor Vehicle Division, \$0.6 million
- One forensic scientist for synthetic drug testing at the state crime laboratory, \$0.2 million
- One paralegal to provide legal case information and make the department more transparent to the public, \$0.1 million

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	53.00	53.00	57.00	57.00	53.00	57.00	4.00	7.55%
Personal Services	3,938,715	4,069,498	4,480,874	4,487,913	8,008,213	8,968,787	960,574	11.99%
Operating Expenses	1,737,888	1,044,518	2,465,325	2,448,356	2,782,406	4,913,681	2,131,275	76.60%
Benefits & Claims	824,712	934,654	824,712	824,712	1,759,366	1,649,424	(109,942)	(6.25%)
Total Costs	\$6,501,315	\$6,048,670	\$7,770,911	\$7,760,981	\$12,549,985	\$15,531,892	\$2,981,907	23.76%
General Fund	5,913,418	5,216,042	7,168,502	7,158,578	11,129,460	14,327,080	3,197,620	28.73%
State Special	193,655	209,587	189,998	189,998	403,242	379,996	(23,246)	(5.76%)
Federal Special	394,242	623,041	412,411	412,405	1,017,283	824,816	(192,467)	(18.92%)
Total Funds	\$6,501,315	\$6,048,670	\$7,770,911	\$7,760,981	\$12,549,985	\$15,531,892	\$2,981,907	23.76%

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; and assistance to victims of crime, including compensation payments.

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

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

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

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

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

Program Highlights

Legal Services Division Major Budget Highlights	
<ul style="list-style-type: none"> ◆ The budget for the 2015 biennium is nearly \$3.0 million or 23.8% higher than the 2013 biennium due to: <ul style="list-style-type: none"> • Funding for major litigation in the water rights case between Montana and Wyoming • Statewide present law adjustments • Funding to add 4.00 FTE, including 2.00 FTE lawyers to support the Child Sexual Predator and Drug Diversion Program, 1.00 FTE paralegal to provide case information on the agency's website, and 1.00 FTE child and family ombudsman 	

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget - Legal Services Division							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$14,327,080	\$0	\$0	\$14,327,080	85.2%		
State Special Total	\$379,996	\$0	\$1,276,280	\$1,656,276	9.9%		
02106 Crime Victims Compensation	\$0	\$0	\$1,276,280	\$1,276,280	7.6%	53-9-113	Direct
02937 Justice State Special Misc	\$379,996	\$0	\$0	\$379,996	2.3%		
Federal Special Total	\$824,816	\$0	\$0	\$824,816	4.9%		
03169 Federal Crime Victims Benefits	\$479,188	\$0	\$0	\$479,188	2.9%		
03801 Dept Of Justice-misc Grants	\$345,628	\$0	\$0	\$345,628	2.1%		
Total All Funds	\$15,531,892	\$0	\$1,276,280	\$16,808,172	100.0%		
Percent - Total All Sources	92.4%	0.0%	7.6%				

The division receives the majority of its funding from the general fund. Each of the various functions within the division has a unique funding source. Attorneys are supported primarily by general fund, but a small portion is funded with state special revenue from fees charged for services provided under contracts. The cost of major litigation is supported entirely by the general fund. Funding for assistance to crime victims comes from the general fund and federal grants.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	5,913,418	5,913,418	11,826,836	82.55%	6,501,315	6,501,315	13,002,630	83.72%
Statewide PL Adjustments	350,947	356,549	707,496	4.94%	365,459	371,055	736,514	4.74%
Other PL Adjustments	1,291	1,302	2,593	0.02%	1,291	1,302	2,593	0.02%
New Proposals	902,846	887,309	1,790,155	12.49%	902,846	887,309	1,790,155	11.53%
Total Budget	\$7,168,502	\$7,158,578	\$14,327,080		\$7,770,911	\$7,760,981	\$15,531,892	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----				-----Fiscal 2015-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					396,564					404,311
Vacancy Savings					(167,684)					(167,993)
Inflation/Deflation					(1,585)					(446)
Fixed Costs					138,164					135,183
Total Statewide Present Law Adjustments		\$350,947	(\$3,657)	\$18,169	\$365,459		\$356,549	(\$3,657)	\$18,163	\$371,055
DP 50 - Initial Motion to FY 2012 Base	0.00	(350,947)	3,657	(18,169)	(365,459)	0.00	(356,549)	3,657	(18,163)	(371,055)
DP 51 - Adjustment for Statewide Personal Services	0.00	212,609	(1,901)	18,172	228,880	0.00	220,149	(1,960)	18,129	236,318
DP 52 - Adjustment for Statewide Operations	0.00	139,629	(1,756)	(3)	137,870	0.00	137,702	(1,697)	34	136,039
Total Other Present Law Adjustments	0.00	\$1,291	\$0	\$0	\$1,291	0.00	\$1,302	\$0	\$0	\$1,302
Grand Total All Present Law Adjustments	0.00	\$352,238	(\$3,657)	\$18,169	\$366,750	0.00	\$357,851	(\$3,657)	\$18,163	\$372,357

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

New Proposals

Program	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 101 - LSD Child Sexual Predator and Drug Diversion 01	2.00	204,817	0	0	204,817	2.00	193,250	0	0	193,250
DP 104 - Technology Upgrades - Transparency 01	1.00	73,029	0	0	73,029	1.00	69,059	0	0	69,059
DP 110 - Reduction For Selected Contracts 01	0.00	(500,000)	0	0	(500,000)	0.00	(500,000)	0	0	(500,000)
DP 112 - Child and Family Ombudsman - HB 76 01	1.00	125,000	0	0	125,000	1.00	125,000	0	0	125,000
DP 113 - Major Litigation - Montana v. Wyoming Water 01	0.00	1,000,000	0	0	1,000,000	0.00	1,000,000	0	0	1,000,000
Total	4.00	\$902,846	\$0	\$0	\$902,846	4.00	\$887,309	\$0	\$0	\$887,309

DP 101 - LSD Child Sexual Predator and Drug Diversion - The legislature approved funding for personal services and operating costs to add 2.00 FTE attorneys to work exclusively with the Child Sexual Predator and Drug Diversion Program.

DP 104 - Technology Upgrades - Transparency - The legislature approved funding for personal services and operating expenses to add 1.00 FTE paralegal to provide case information on the agency's website and facilitate movement of legal documents to electronic discovery and filing.

DP 110 - Reduction For Selected Contracts - The legislature reduced funding for base year expenditures on selected contracts.

DP 112 - Child and Family Ombudsman - HB 76 - The legislature approved funding for operating costs and personal services to add 1.00 FTE to function as a child and family ombudsman. The funding was designated as biennial and made contingent upon HB 76 being passed and approved. HB 76 has become law. The general fund budget for the Department of Public Health and Human Services was reduced by a like amount.

DP 113 - Major Litigation - Montana v. Wyoming Water - The legislature approved funding for major litigation. The funding is designated as restricted, biennial, and one-time-only. It is restricted for litigation of the water case between Montana and Wyoming.

Language and Statutory Authority

The legislature included the following language in HB 2:

"If House Bill No. 76 is not passed and approved, Child and Family Ombudsman is void."

HB 76 has become law.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	9.00	9.00	9.00	9.00	9.00	9.00	0.00	0.00%
Personal Services	616,245	574,853	574,095	577,255	1,191,098	1,151,350	(39,748)	(3.34%)
Operating Expenses	284,974	247,906	292,981	293,709	532,880	586,690	53,810	10.10%
Grants	0	0	0	0	0	0	0	n/a
Benefits & Claims	0	77,050	0	0	77,050	0	(77,050)	(100.00%)
Transfers	0	0	0	0	0	0	0	n/a
Total Costs	\$901,219	\$899,809	\$867,076	\$870,964	\$1,801,028	\$1,738,040	(\$62,988)	(3.50%)
State Special	901,219	899,809	867,076	870,964	1,801,028	1,738,040	(62,988)	(3.50%)
Total Funds	\$901,219	\$899,809	\$867,076	\$870,964	\$1,801,028	\$1,738,040	(\$62,988)	(3.50%)

Program Description

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

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

Program Highlights

Office of Consumer Protection Major Budget Highlights	
◆	The legislature approved a present law budget for this office

Funding

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

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	0	0	0	0.00%	901,219	901,219	1,802,438	103.71%
Statewide PL Adjustments	0	0	0	0.00%	(34,338)	(30,452)	(64,790)	(3.73%)
Other PL Adjustments	0	0	0	0.00%	195	197	392	0.02%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$0	\$0	\$0		\$867,076	\$870,964	\$1,738,040	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					(18,230)					(14,937)
Vacancy Savings					(23,920)					(24,053)
Inflation/Deflation					217					440
Fixed Costs					7,595					8,098
Total Statewide Present Law Adjustments		\$0	(\$34,338)		\$0		\$0	(\$30,452)	\$0	(\$30,452)
DP 50 - Initial Motion to FY 2012 Base	0.00	0	34,338	0	34,338	0.00	0	30,452	0	30,452
DP 51 - Adjustment for Statewide Personal Services	0.00	0	(42,150)	0	(42,150)	0.00	0	(38,990)	0	(38,990)
DP 52 - Adjustment for Statewide Operations	0.00	0	8,007	0	8,007	0.00	0	8,735	0	8,735
Total Other Present Law Adjustments	0.00	\$0	\$195	\$0	\$195	0.00	\$0	\$197	\$0	\$197
Grand Total All Present Law Adjustments	0.00	\$0	(\$34,143)	\$0	(\$34,143)	0.00	\$0	(\$30,255)	\$0	(\$30,255)

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

Program Highlights

Agency Legal Services Major Budget Highlights
<ul style="list-style-type: none"> ◆ The legislature approved a \$2.50 per hour rate increase for attorneys and investigators

Proprietary Rates

Agency Legal Services – Fund 06500

Proprietary Program Description

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

Expenses

The primary costs for the division are personal services and operating costs. Factors that influence costs include the state pay plan, the ability to recruit and retain staff, and general inflationary pressures that increase costs for items such as utilities, rent, supplies, and equipment.

Revenues

Revenues are generated by fees charged to this and other state agencies for services provided.

Proprietary Rates

The legislature approved the following rates for the 2015 biennium:

- Attorney, \$95.50 per hour
- Investigator, \$55.50 per hour

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. Proprietary rates are listed in Section R of HB 2.

Program Budget Comparison

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

Program Budget Comparison	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	47.00	47.00	47.00	47.00	47.00	47.00	0.00	0.00%
Personal Services	2,887,456	3,164,353	3,116,469	3,119,928	6,051,809	6,236,397	184,588	3.05%
Operating Expenses	728,559	825,909	744,088	750,036	1,554,468	1,494,124	(60,344)	(3.88%)
Equipment & Intangible Assets	82,860	79,900	82,860	82,860	162,760	165,720	2,960	1.82%
Debt Service	0	960	0	0	960	0	(960)	(100.00%)
Total Costs	\$3,698,875	\$4,071,122	\$3,943,417	\$3,952,824	\$7,769,997	\$7,896,241	\$126,244	1.62%
State Special	2,590,037	2,798,072	2,799,826	2,806,505	5,388,109	5,606,331	218,222	4.05%
Other	1,108,838	1,273,050	1,143,591	1,146,319	2,381,888	2,289,910	(91,978)	(3.86%)
Total Funds	\$3,698,875	\$4,071,122	\$3,943,417	\$3,952,824	\$7,769,997	\$7,896,241	\$126,244	1.62%

Program Description

The Gambling Control Division (GCD) was established by the 1989 Legislature to regulate the gambling industry in Montana. The division has criminal justice authority and conducts routine field inspections and investigations related to gambling activities. In addition to collecting and distributing licensing fees for gambling machines and activities, the division collects the gambling tax assessed on the net proceeds of gambling activities. It conducts investigations related to alcoholic beverage licensing and tobacco enforcement. An appointed Gaming Advisory Council of nine members advises the Attorney General to ensure uniform statewide regulation of gambling activities. The Gambling Control Program is mandated by state law.

Program Highlights

Gambling Control Division Major Budget Highlights
◆ The legislature approved a present law budget for this division

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget - Gambling Control Division								
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category	
State Special Total	\$5,606,331	\$0	\$3,566,000	\$9,172,331	80.0%			
02074 Gambling License Fee Account	\$5,369,443	\$0	\$3,566,000	\$8,935,443	78.0%	23-5-612	Direct	
02790 6901-statewide Tobacco Sttlmnt	\$236,888	\$0	\$0	\$236,888	2.1%			
Proprietary Total	\$2,289,910	\$0	\$0	\$2,289,910	20.0%			
06005 Liquor Division	\$2,289,910	\$0	\$0	\$2,289,910	20.0%			
Total All Funds	\$7,896,241	\$0	\$3,566,000	\$11,462,241	100.0%			
Percent - Total All Sources	68.9%	0.0%	31.1%					

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

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	0	0	0	0.00%	3,698,875	3,698,875	7,397,750	93.69%
Statewide PL Adjustments	0	0	0	0.00%	219,949	226,688	446,637	5.66%
Other PL Adjustments	0	0	0	0.00%	24,593	27,261	51,854	0.66%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$0	\$0	\$0		\$3,943,417	\$3,952,824	\$7,896,241	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----				-----Fiscal 2015-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					346,365					349,967
Vacancy Savings					(129,352)					(129,495)
Inflation/Deflation					(3,273)					(1,840)
Fixed Costs					6,209					8,056
Total Statewide Present Law Adjustments		\$0	\$192,328	\$0	\$219,949*		\$0	\$197,113	\$0	\$226,688*
DP 50 - Initial Motion to FY 2012 Base	0.00	0	(192,328)	0	(219,949)*	0.00	0	(197,113)	0	(226,688)*
DP 51 - Adjustment for Statewide Personal Services	0.00	0	189,761	0	217,013*	0.00	0	191,708	0	220,472*
DP 52 - Adjustment for Statewide Operations	0.00	0	3,300	0	3,968*	0.00	0	6,140	0	7,252*
DP 701 - GCD Base Adjustments	0.00	0	16,728	0	23,561*	0.00	0	18,620	0	26,225*
Total Other Present Law Adjustments	0.00	\$0	\$17,461	\$0	\$24,593*	0.00	\$0	\$19,355	\$0	\$27,261*
Grand Total All Present Law Adjustments	0.00	\$0	\$209,789	\$0	\$244,542*	0.00	\$0	\$216,468	\$0	\$253,949*

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

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 701 - GCD Base Adjustments - The legislature approved funding for office rent and overtime.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	153.75	153.75	158.75	158.75	153.75	158.75	5.00	3.25%
Personal Services	6,175,229	6,411,398	6,279,075	6,282,726	12,586,627	12,561,801	(24,826)	(0.20%)
Operating Expenses	8,858,544	10,003,181	11,688,361	12,139,828	18,861,725	23,828,189	4,966,464	26.33%
Equipment & Intangible Assets	43,528	37,269	114,028	114,028	80,797	228,056	147,259	182.26%
Debt Service	266,700	3,956,310	616,700	616,700	4,223,010	1,233,400	(2,989,610)	(70.79%)
Total Costs	\$15,344,001	\$20,408,158	\$18,698,164	\$19,153,282	\$35,752,159	\$37,851,446	\$2,099,287	5.87%
General Fund	7,507,520	7,511,729	7,978,597	7,997,520	15,019,249	15,976,117	956,868	6.37%
State Special	7,245,222	12,281,714	10,133,100	10,564,503	19,526,936	20,697,603	1,170,667	6.00%
Other	591,259	614,715	586,467	591,259	1,205,974	1,177,726	(28,248)	(2.34%)
Total Funds	\$15,344,001	\$20,408,158	\$18,698,164	\$19,153,282	\$35,752,159	\$37,851,446	\$2,099,287	5.87%

Program Description

The Motor Vehicle Division (MVD), under provision of Title 61 and Title 23, MCA, and certain federal statutes is responsible for: 1) examination and licensure of all drivers; 2) verification of identification; 3) creation and maintenance of permanent driver and motor vehicle records; 4) titling and registration of all vehicles including boats, snowmobiles, and ATVs; 5) inspection and verification of vehicle identification numbers; 6) licensure and compliance control of motor vehicle dealers and manufacturers; and 7) providing motor voter registration.

Program Highlights

Motor Vehicle Division Major Budget Highlights	
◆	The budget for the 2015 biennium is \$2.1 million or 5.9% higher than the 2013 biennium due to: <ul style="list-style-type: none"> ● Statewide present law adjustments ● Costs to purchase vehicle license plates for the rolling reissue ● Annualization of a contract for the insurance verification system that was implemented in FY 2013 ● Funding to add 5.00 FTE, including 4.00 FTE to support increased demand for commercial driver’s licenses and 1.00 FTE to support business process development associated with MERLIN

Program Narrative

The legislature applied a 2% vacancy savings adjustment to most agencies. For this agency the reduction was applied to this division and language was approved to allow the reduction to be allocated to other programs. As such, the biennium budget growth for this division is understated by roughly \$1.0 million.

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget - Motor Vehicle Division							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$15,976,117	\$0	\$0	\$15,976,117	42.2%		
State Special Total	\$20,697,603	\$0	\$0	\$20,697,603	54.7%		
02225 Mvd Inform Tech System Hb577	\$107,616	\$0	\$0	\$107,616	0.3%		
02422 Highways Special Revenue	\$11,342,753	\$0	\$0	\$11,342,753	30.0%		
02456 Insurance Verification Sb508	\$8,121,450	\$0	\$0	\$8,121,450	21.5%		
02798 Mvd It System - Hb261	\$1,125,784	\$0	\$0	\$1,125,784	3.0%		
Proprietary Total	\$1,177,726	\$0	\$0	\$1,177,726	3.1%		
06080 Mvd/state Information Portal	(\$4,792)	\$0	\$0	(\$4,792)	0.0%		
06083 Mvd Electronic Commerce	\$1,182,518	\$0	\$0	\$1,182,518	3.1%		
Total All Funds	\$37,851,446	\$0	\$0	\$37,851,446	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

General fund supports all functions of the division except debt service on loans that finance development and upgrade to Montana Enhanced Registration and Licensing Information Network (MERLIN). State special revenues collected through vehicle registration fees support payment of debt for MERLIN and the vehicle insurance verification system. Highways state special revenue from gasoline tax revenues supports most remaining functions of the division except for debt service on management systems. Proprietary funds collected from fees charged for e-government services support online web based services that may be used by the public.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	7,507,520	7,507,520	15,015,040	93.98%	15,344,001	15,344,001	30,688,002	81.07%
Statewide PL Adjustments	475,009	495,094	970,103	6.07%	624,506	657,981	1,282,487	3.39%
Other PL Adjustments	188,881	192,083	380,964	2.38%	2,734,513	3,173,851	5,908,364	15.61%
New Proposals	(192,813)	(197,177)	(389,990)	(2.44%)	(4,856)	(22,551)	(27,407)	(0.07%)
Total Budget	\$7,978,597	\$7,997,520	\$15,976,117		\$18,698,164	\$19,153,282	\$37,851,446	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					685,210					690,557
Vacancy Savings					(274,418)					(274,640)
Inflation/Deflation					10,793					27,666
Fixed Costs					202,921					214,398
Total Statewide Present Law Adjustments		\$475,009	\$149,497	\$0	\$624,506		\$495,094	\$162,887	\$0	\$657,981
DP 50 - Initial Motion to FY 2012 Base	0.00	(475,009)	(149,497)	0	(624,506)	0.00	(495,094)	(162,887)	0	(657,981)
DP 51 - Adjustment for Statewide Personal Services	0.00	282,756	128,036	0	410,792	0.00	285,606	130,311	0	415,917
DP 52 - Adjustment for Statewide Operations	0.00	194,271	22,806	0	217,077	0.00	211,514	33,927	0	245,441
DP 1202 - MVD Annualize MTIVS Contract	0.00	0	952,392	0	952,392	0.00	0	952,392	0	952,392
DP 1203 - MVD License Plate Rolling Reissue	0.00	0	1,085,000	0	1,085,000	0.00	0	1,519,000	0	1,519,000
DP 1204 - MVD Annualize Mail Renewal Contract & Office Lease	0.00	86,863	57,908	0	144,771	0.00	90,057	60,038	0	150,095
DP 1205 - MVD Base Adjustments	0.00	100,000	98,987	0	198,987	0.00	100,000	98,987	0	198,987
DP 1207 - MVD Debt Payments to BOI	0.00	0	350,000	0	350,000	0.00	0	350,000	0	350,000
Total Other Present Law Adjustments	0.00	\$188,881	\$2,545,632	\$0	\$2,734,513	0.00	\$192,083	\$2,981,768	\$0	\$3,173,851
Grand Total All Present Law Adjustments	0.00	\$663,890	\$2,695,129	\$0	\$3,359,019	0.00	\$687,177	\$3,144,655	\$0	\$3,831,832

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 1202 - MVD Annualize MTIVS Contract - The legislature approved state special revenue to fund costs paid to a private vendor responsible for operating the Montana Vehicle Insurance Verification System (MTIVS). Roughly 27% of the funding will go toward annualizing to a full year those basic contract costs that were incurred for only six months during the base year and support ongoing system access, utilization, maintenance, and support including batch processing and notice generation. The remaining 73% of the funding will fund costs associated with higher than anticipated volumes of system inquiries and customer service center contacts that would exceed trigger levels in the vendor contract.

DP 1203 - MVD License Plate Rolling Reissue - The legislature approved state special revenue to fund an increase in the number of vehicle license plates purchased from the Montana Correctional Enterprises License Plate Factory as a result of the rolling reissue of vehicle license plates under 61-3-332(3), MCA.

DP 1204 - MVD Annualize Mail Renewal Contract & Office Lease - The legislature approved funding for: 1) increased lease costs for twelve driver licensing offices across the state due to annual inflation clauses in the lease contracts; 2)

contracted printing and mailing costs for various renewal notices; and 3) postage increases for mailing vehicle registration renewal notices in a format that better protects personal information.

DP 1205 - MVD Base Adjustments - The legislature approved funding to: 1) replace computers, printers and servers under a 5 year replacement cycle; and 2) replace division vehicles with high mileage.

DP 1207 - MVD Debt Payments to BOI - The legislature approved state special revenue to fund debt payments associated with the Montana Enhanced Registration and Licensing Information Network (MERLIN).

New Proposals

New Proposals											
Program	FTE	-----Fiscal 2014-----				-----Fiscal 2015-----					
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 54 - Additional Vacancy Savings	12	0.00	(397,535)	(171,421)	0	(573,748)*	0.00	(399,973)	(174,974)	0	(574,947)
DP 1201 - MVD Commercial Driver License Program	12	4.00	0	249,886	0	249,886	4.00	0	236,599	0	236,599
DP 1209 - MVD National Motor Vehicle Title Info System	12	0.00	33,295	0	0	33,295	0.00	33,295	0	0	33,295
DP 1210 - MVD Customer Service	12	1.00	171,427	114,284	0	285,711	1.00	169,501	113,001	0	282,502
Total	5.00	(\$192,813)	\$192,749	\$0	(\$4,856)*	5.00	(\$197,177)	\$174,626	\$0	(\$22,551)	

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

DP 54 - Additional Vacancy Savings - The legislature applied an additional 2% vacancy savings to all positions except those exempt in statute or that must be filled 24/7. Language was included in HB 2 that allows the agency to allocate the reduction among programs.

DP 1201 - MVD Commercial Driver License Program - The legislature approved funding from the highways state special revenue account to add 4.00 FTE and associated operating costs to address workload issues for commercial driver licenses (CDL) and associated customer services to assist applicants schedule testing appointments.

DP 1209 - MVD National Motor Vehicle Title Info System - The legislature approved funding for the National Motor Vehicle Information System (NMVTIS) contract, which allows the state to verify the information on paper titles with the electronic data from the state that issued the title to help prevent fraudulent titling transactions.

DP 1210 - MVD Customer Service - The legislature approved funding for personal services and operating costs to add 1.00 FTE business development specialist to work on Motor Vehicle Division transparency, business interactions related to the Montana Enhanced Registration and Licensing information Network (MERLIN) implementation, and division electronic commerce.

Language and Statutory Authority

The legislature included the following language in HB 2:

"Motor Vehicle Division includes a reduction in general fund of \$397,535 in fiscal year 2014 and \$399,973 in fiscal year 2015, state special revenue of \$171,421 in fiscal year 2014 and \$174,974 in fiscal year 2015, and proprietary funds of \$4,792 in fiscal year 2014. The reduction is the equivalent of an additional 2% vacancy savings. The agency may allocate this reduction in funding among programs when developing 2015 biennium operating plans."

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	297.00	297.00	302.00	302.00	297.00	302.00	5.00	1.68%
Personal Services	21,055,923	23,452,153	24,174,095	24,210,357	44,508,076	48,384,452	3,876,376	8.71%
Operating Expenses	8,499,915	6,648,811	8,256,781	8,150,431	15,148,726	16,407,212	1,258,486	8.31%
Equipment & Intangible Assets	1,992,165	1,608,530	2,127,990	1,992,165	3,600,695	4,120,155	519,460	14.43%
Total Costs	\$31,548,003	\$31,709,494	\$34,558,866	\$34,352,953	\$63,257,497	\$68,911,819	\$5,654,322	8.94%
General Fund	0	0	0	0	0	0	0	n/a
State Special	31,548,003	31,709,494	34,558,866	34,352,953	63,257,497	68,911,819	5,654,322	8.94%
Total Funds	\$31,548,003	\$31,709,494	\$34,558,866	\$34,352,953	\$63,257,497	\$68,911,819	\$5,654,322	8.94%

Program Description

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

Program Highlights

Montana Highway Patrol Major Budget Highlights	
◆	The budget for the 2015 biennium is \$5.7 million or 8.9% higher than the 2013 biennium primarily due to: <ul style="list-style-type: none"> ● Statewide present law adjustments ● Funding to add 5.00 FTE patrol officers to serve in the Bakken energy development impacted area of eastern Montana ● Funding for pay increases for highway patrol officers

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget - Montana Highway Patrol								
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category	
General Fund	\$0	\$0	\$3,140,356	\$3,140,356	4.4%	16-6-404	Pass Thru	
State Special Total	\$68,911,819	\$0	\$0	\$68,911,819	95.6%			
02014 Highway Patrol Retire Clearing	\$12,033,723	\$0	\$0	\$12,033,723	16.7%			
02422 Highways Special Revenue	\$56,878,096	\$0	\$0	\$56,878,096	78.9%			
Total All Funds	\$68,911,819	\$0	\$3,140,356	\$72,052,175	100.0%			
Percent - Total All Sources	95.6%	0.0%	4.4%					

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. The highway patrol recruitment and retention fund supported by a \$5 vehicle registration fee may be used to support the cost of uniformed officers, equipment, and pay increases, and beginning in the 2013 biennium supports the executive protection function. Please refer to the narrative for the Department of Transportation in the Natural Resources and Transportation section for a discussion of the highway state special revenue fund.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	0	0	0	0.00%	31,548,003	31,548,003	63,096,006	91.56%
Statewide PL Adjustments	0	0	0	0.00%	1,640,328	1,722,651	3,362,979	4.88%
Other PL Adjustments	0	0	0	0.00%	1,238,310	1,226,774	2,465,084	3.58%
New Proposals	0	0	0	0.00%	132,225	(144,475)	(12,250)	(0.02%)
Total Budget	\$0	\$0	\$0		\$34,558,866	\$34,352,953	\$68,911,819	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					1,646,842					1,683,104
Inflation/Deflation					(86,524)					(57,647)
Fixed Costs					80,010					97,194
Total Statewide Present Law Adjustments		\$0	\$1,640,328	\$0	\$1,640,328		\$0	\$1,722,651	\$0	\$1,722,651
DP 50 - Initial Motion to FY 2012 Base	0.00	0	(1,640,328)	0	(1,640,328)	0.00	0	(1,722,651)	0	(1,722,651)
DP 51 - Adjustment for Statewide Personal Services	0.00	0	1,646,842	0	1,646,842	0.00	0	1,683,104	0	1,683,104
DP 52 - Adjustment for Statewide Operations	0.00	0	(60)	0	(60)	0.00	0	46,033	0	46,033
DP 1301 - MHP Salary Increase per Survey	0.00	0	548,796	0	548,796	0.00	0	548,796	0	548,796
DP 1302 - MHP Base Adjustments	0.00	0	683,060	0	683,060	0.00	0	671,492	0	671,492
Total Other Present Law Adjustments	0.00	\$0	\$1,238,310	\$0	\$1,238,310	0.00	\$0	\$1,226,774	\$0	\$1,226,774
Grand Total All Present Law Adjustments	0.00	\$0	\$2,878,638	\$0	\$2,878,638	0.00	\$0	\$2,949,425	\$0	\$2,949,425

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 1301 - MHP Salary Increase per Survey - The legislature approved state special revenue to fund salary adjustments for Montana highway patrol officers based on the most recent salary survey specified in law.

DP 1302 - MHP Base Adjustments - The legislature approved state special revenue to fund: 1) overtime pay; 2) rent and tower site access across the state to adjust for contractual cost increases; and 3) removal of the deflation adjustment for gasoline in the statewide present law adjustments so the budget for gasoline is at the actual FY 2012 level.

New Proposals

New Proposals										
	-----Fiscal 2014-----					-----Fiscal 2015-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 53 - Correct Funding - Statewide Present Law Adjustment										
13	0.00	0	0	0	0	0.00	0	0	0	0
DP 1305 - Reduce Base Funding for Supplies										
13	0.00	0	(688,000)	0	(688,000)	0.00	0	(688,000)	0	(688,000)
DP 1320 - Bakken - Montana Highway Patrol										
13	5.00	0	820,225	0	820,225	5.00	0	543,525	0	543,525
Total	5.00	\$0	\$132,225	\$0	\$132,225	5.00	\$0	(\$144,475)	\$0	(\$144,475)

DP 53 - Correct Funding - Statewide Present Law Adjustment - The legislature approved a funding switch to correctly fund the statewide present law adjustments by reducing highways state special revenue and increasing highway patrol retirement clearing state special by \$805,590 in FY 2014 and by \$614,478 in FY 2015.

DP 1305 - Reduce Base Funding for Supplies - The legislature reduced funding for base year purchases of law enforcement personnel and vehicle supplies.

DP 1320 - Bakken - Montana Highway Patrol - The legislature approved funding for operating costs and personal services to add 5.00 FTE band 5 highway patrol officers to serve in the areas impacted by the Eastern Montana energy development. FY 2014 funding to outfit the new positions was designated as one-time-only.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	102.00	102.00	105.00	105.00	102.00	105.00	3.00	2.94%
Personal Services	5,860,119	6,330,106	6,797,216	6,803,000	12,190,225	13,600,216	1,409,991	11.57%
Operating Expenses	3,549,053	3,584,854	4,083,840	4,111,053	7,133,907	8,194,893	1,060,986	14.87%
Equipment & Intangible Assets	123,452	170,162	123,452	123,452	293,614	246,904	(46,710)	(15.91%)
Transfers	11,295	11,295	11,295	11,295	22,590	22,590	0	0.00%
Total Costs	\$9,543,919	\$10,096,417	\$11,015,803	\$11,048,800	\$19,640,336	\$22,064,603	\$2,424,267	12.34%
General Fund	5,639,292	6,133,196	6,836,394	6,861,392	11,772,488	13,697,786	1,925,298	16.35%
State Special	3,182,165	3,095,269	3,492,057	3,500,056	6,277,434	6,992,113	714,679	11.38%
Federal Special	722,462	867,952	687,352	687,352	1,590,414	1,374,704	(215,710)	(13.56%)
Total Funds	\$9,543,919	\$10,096,417	\$11,015,803	\$11,048,800	\$19,640,336	\$22,064,603	\$2,424,267	12.34%

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, operate 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 is \$2.4 million or 12.3% higher in the 2015 biennium than the 2013 biennium ◆ Budget growth is due to: <ul style="list-style-type: none"> • Statewide present law adjustments • A subsidy funded by the highways state special revenue account to support operations of the Montana Law Enforcement Academy (MLEA) • Funding to add 3.00 FTE, including 2.00 FTE investigators and 1.00 FTE MLEA trainer • A program to prevent child abuse 	

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget - Div. Of Criminal Investigation							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$13,697,786	\$0	\$0	\$13,697,786	61.9%		
State Special Total	\$6,992,113	\$0	\$0	\$6,992,113	31.6%		
02006 Cigarette Fire Safety Standard	\$189,634	\$0	\$0	\$189,634	0.9%		
02016 Criminal Justice Info Network	\$1,004,544	\$0	\$0	\$1,004,544	4.5%		
02349 Highway Non-restricted Account	\$350,000	\$0	\$0	\$350,000	1.6%		
02546 Mtlaw Enforc. Acad. Surcharge	\$2,822,307	\$0	\$0	\$2,822,307	12.7%		
02797 Cjis - Background Checks	\$2,262,348	\$0	\$0	\$2,262,348	10.2%		
02937 Justice State Special Misc	\$363,280	\$0	\$0	\$363,280	1.6%		
Federal Special Total	\$1,374,704	\$0	\$78,400	\$1,453,104	6.6%		
03187 Bcc Grants To Dept. Of Justice	\$322,748	\$0	\$0	\$322,748	1.5%		
03214 Special Law Enforcement Assist	\$0	\$0	\$78,400	\$78,400	0.4%	44-12-203	Direct
03800 Medicaid Fraud	\$1,051,956	\$0	\$0	\$1,051,956	4.8%		
Total All Funds	\$22,064,603	\$0	\$78,400	\$22,143,003	100.0%		
Percent - Total All Sources	99.6%	0.0%	0.4%				

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

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

The largest source of federal funds is Medicaid funding that supports investigation of Medicaid fraud. Other federal grants support drug enforcement task forces and homeland security functions.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	5,639,292	5,639,292	11,278,584	82.34%	9,543,919	9,543,919	19,087,838	86.51%
Statewide PL Adjustments	644,244	655,756	1,300,000	9.49%	744,026	763,537	1,507,563	6.83%
Other PL Adjustments	284,882	298,536	583,418	4.26%	284,882	298,536	583,418	2.64%
New Proposals	267,976	267,808	535,784	3.91%	442,976	442,808	885,784	4.01%
Total Budget	\$6,836,394	\$6,861,392	\$13,697,786		\$11,015,803	\$11,048,800	\$22,064,603	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					931,720					937,988
Vacancy Savings					(271,658)					(271,904)
Inflation/Deflation					(24,604)					(18,489)
Fixed Costs					108,568					115,942
Total Statewide Present Law Adjustments		\$644,244	\$134,892	(\$35,110)	\$744,026		\$655,756	\$142,891	(\$35,110)	\$763,537
DP 50 - Initial Motion to FY 2012 Base	0.00	(644,244)	(134,892)	35,110	(744,026)	0.00	(655,756)	(142,891)	35,110	(763,537)
DP 51 - Adjustment for Statewide Personal Services	0.00	617,137	68,816	(25,891)	660,062	0.00	621,221	70,240	(25,377)	666,084
DP 52 - Adjustment for Statewide Operations	0.00	29,331	66,076	(9,219)	86,188	0.00	36,770	72,651	(9,733)	99,688
DP 1804 - DCI Child Sexual Predator and Drug Diversion	0.00	183,128	0	0	183,128	0.00	183,128	0	0	183,128
DP 1806 - DCI Base Adjustments	0.00	38,183	0	0	38,183	0.00	51,913	0	0	51,913
DP 1808 - MLEA Trainer	1.00	61,347	0	0	61,347	1.00	61,260	0	0	61,260
Total Other Present Law Adjustments	1.00	\$284,882	\$0	\$0	\$284,882	1.00	\$298,536	\$0	\$0	\$298,536
Grand Total All Present Law Adjustments	1.00	\$929,126	\$134,892	(\$35,110)	\$1,028,908	1.00	\$954,292	\$142,891	(\$35,110)	\$1,062,073

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 1804 - DCI Child Sexual Predator and Drug Diversion - The legislature approved funding to continue the Child Sexual Predator and Drug Diversion Programs and provide a program aimed at preventing child abuse. The legislature

designated \$100,000 general fund each year as one-time-only and restricted to providing a program for preventing child abuse, including, but not limited to providing child sexual abuse prevention.

DP 1806 - DCI Base Adjustments - The legislature approved funding for lease increases for office space across the state that is rented from the private sector.

DP 1808 - MLEA Trainer - The legislature approved funding for personal services to add 1.00 FTE training development specialist at the Montana Law Enforcement Academy (MLEA).

New Proposals

Program	FTE	-----Fiscal 2014-----				-----Fiscal 2015-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 1801 - DCI SVOR Compliance Investigators										
18	1.00	120,912	0	0	120,912	1.00	120,744	0	0	120,744
DP 1807 - DCI MLEA Maintenance										
18	0.00	0	175,000	0	175,000	0.00	0	175,000	0	175,000
DP 1820 - POST Contracted Legal Costs (RST)										
18	0.00	50,000	0	0	50,000	0.00	50,000	0	0	50,000
DP 1821 - SB 43 Investigator										
18	1.00	97,064	0	0	97,064	1.00	97,064	0	0	97,064
Total	2.00	\$267,976	\$175,000	\$0	\$442,976	2.00	\$267,808	\$175,000	\$0	\$442,808

DP 1801 - DCI SVOR Compliance Investigators - The legislature approved funding for personal services and associated operating costs to add 1.00 FTE for a compliance program for the Sexual and Violent Offender Registry Program. The positions, one crime investigator and one crime analyst, will process compliance documents and perform forensic training across Montana for the Children's Justice Center (CJC) and the Sexual and Violent Offender Registry program (SVOR).

DP 1807 - DCI MLEA Maintenance - The legislature approved funding from the non-restricted highways state special revenue account to augment funding for the Montana Law Enforcement Academy.

DP 1820 - POST Contracted Legal Costs (RST) - The legislature approved funding for the Public Safety Officer Standards and Training Council to pay for costs associated with work performed by the Agency Legal Services attorney. The funding was restricted for this purpose.

DP 1821 - SB 43 Investigator - The legislature approved funding for operating costs and personal services to add 1.00 FTE investigator to investigate alleged mistreatment, neglect, or abuse of residents at a residential facility in accordance with SB 43. The funding was designated as restricted only for this purpose.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	19.00	19.00	19.00	19.00	19.00	19.00	0.00	0.00%
Personal Services	1,106,876	1,144,628	1,193,405	1,197,458	2,251,504	2,390,863	139,359	6.19%
Operating Expenses	231,883	230,112	263,218	188,150	461,995	451,368	(10,627)	(2.30%)
Total Costs	\$1,338,759	\$1,374,740	\$1,456,623	\$1,385,608	\$2,713,499	\$2,842,231	\$128,732	4.74%
General Fund	437,695	518,824	485,386	460,969	956,519	946,355	(10,164)	(1.06%)
State Special	859,232	818,330	945,176	899,790	1,677,562	1,844,966	167,404	9.98%
Other	41,832	37,586	26,061	24,849	79,418	50,910	(28,508)	(35.90%)
Total Funds	\$1,338,759	\$1,374,740	\$1,456,623	\$1,385,608	\$2,713,499	\$2,842,231	\$128,732	4.74%

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 the County Attorney Payroll.

Program Highlights

Central Services Division Major Budget Highlights
<ul style="list-style-type: none"> ◆ The legislature approved a present law budget, with the nearly \$129,000 or 4.7% growth from the 2013 biennium to the 2015 biennium attributed to statewide present law adjustments

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget - Central Services Division							
Funds	HB 2	Non-		Total All Sources	% Total All Funds	MCA Reference	Statutory Category
		Budgeted Proprietary	Statutory Appropriation				
General Fund	\$946,355	\$0	\$5,996,126	\$6,942,481	74.3%		
State Special Total	\$1,844,966	\$0	\$250,000	\$2,094,966	22.4%		
02074 Gambling License Fee Account	\$124,514	\$0	\$0	\$124,514	1.3%		
02140 Consumer Education Settlement	\$163,912	\$0	\$0	\$163,912	1.8%		
02143 Drug Forfeitures-state	\$0	\$0	\$250,000	\$250,000	2.7%	44-12-206	Direct
02422 Highways Special Revenue	\$1,451,148	\$0	\$0	\$1,451,148	15.5%		
02797 Cjis - Background Checks	\$105,392	\$0	\$0	\$105,392	1.1%		
Federal Special Total	\$0	\$0	\$250,000	\$250,000	2.7%		
03214 Special Law Enforcement Assist	\$0	\$0	\$250,000	\$250,000	2.7%	44-12-206	Direct
Proprietary Total	\$50,910	\$0	\$0	\$50,910	0.5%		
06005 Liquor Division	\$50,910	\$0	\$0	\$50,910	0.5%		
Total All Funds	\$2,842,231	\$0	\$6,496,126	\$9,338,357	100.0%		
Percent - Total All Sources	30.4%	0.0%	69.6%				

The Central Services Division is funded by allocation of costs among the various funding sources supporting the department. General fund provides one third of the division’s HB 2 funding. State special revenue, the largest source being the restricted portion of the highways state special revenue account, provides half of the division funding. Proprietary funds, including liquor licensing fees and fees for agency legal services, provide the remainder of the division’s funding.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	437,695	437,695	875,390	92.50%	1,338,759	1,338,759	2,677,518	94.20%
Statewide PL Adjustments	47,271	22,851	70,122	7.41%	117,444	46,426	163,870	5.77%
Other PL Adjustments	420	423	843	0.09%	420	423	843	0.03%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$485,386	\$460,969	\$946,355		\$1,456,623	\$1,385,608	\$2,842,231	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					136,251					140,478
Vacancy Savings					(49,722)					(49,896)
Inflation/Deflation					(4)					19
Fixed Costs					30,919					(44,175)
Total Statewide Present Law Adjustments		\$47,271	\$85,944	\$0	\$117,444*		\$22,851	\$40,558	\$0	\$46,426*
DP 50 - Initial Motion to FY 2012 Base	0.00	(47,271)	(85,944)	0	(117,444)*	0.00	(22,851)	(40,558)	0	(46,426)*
DP 51 - Adjustment for Statewide Personal Services	0.00	34,827	63,322	0	86,529*	0.00	44,584	79,133	0	90,582*
DP 52 - Adjustment for Statewide Operations	0.00	12,864	22,622	0	31,335*	0.00	(21,310)	(38,575)	0	(43,733)*
Total Other Present Law Adjustments	0.00	\$420	\$0	\$0	\$420*	0.00	\$423	\$0	\$0	\$423*
Grand Total All Present Law Adjustments	0.00	\$47,691	\$85,944	\$0	\$117,864*	0.00	\$23,274	\$40,558	\$0	\$46,849*

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

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	40.80	40.80	40.80	40.80	40.80	40.80	0.00	0.00%
Personal Services	2,543,238	2,521,335	2,717,487	2,718,536	5,064,573	5,436,023	371,450	7.33%
Operating Expenses	1,062,634	1,028,751	1,113,168	1,111,506	2,091,385	2,224,674	133,289	6.37%
Equipment & Intangible Assets	36,820	90,135	36,820	36,820	126,955	73,640	(53,315)	(42.00%)
Total Costs	\$3,642,692	\$3,640,221	\$3,867,475	\$3,866,862	\$7,282,913	\$7,734,337	\$451,424	6.20%
General Fund	3,491,704	3,489,288	3,708,491	3,707,900	6,980,992	7,416,391	435,399	6.24%
State Special	133,659	133,620	141,476	141,456	267,279	282,932	15,653	5.86%
Federal Special	2,505	2,502	2,652	2,651	5,007	5,303	296	5.91%
Other	14,824	14,811	14,856	14,855	29,635	29,711	76	0.26%
Total Funds	\$3,642,692	\$3,640,221	\$3,867,475	\$3,866,862	\$7,282,913	\$7,734,337	\$451,424	6.20%

Program Description

The Justice Information Technology Services Division (JITSD) provides a full range of information technology and criminal justice services for the department, including: system development and maintenance for all systems and platforms within the department, such as MERLIN, mainframe development and maintenance of the motor vehicle titling, registration, driver license and history system, criminal history record information system and the Montana Uniform Crime Reporting System, support for the department's internal computers and systems, support for the Criminal Justice Information Network (CJIN) which links law enforcement and criminal justice agencies with information sources at local, state, and national levels by interfacing with the National Law Enforcement Telecommunications System, the National Crime Information Center (NCIC), and numerous State of Montana files. Some of the newer systems supported are the MHP Integrated Public Safety System (CAD, RMS, Mobile in Car, e-citations, crash reporting, End of Life, Hope Card, Concealed Weapons, and Amber Alert). One of the largest projects is support and maintenance of the IJIS broker. This system is key to interoperability between all justice information technology systems within the state, which includes federal, state, and local agencies being interfaced together to share information.

Program Highlights

<p>Information Technology Services Division Major Budget Highlights</p>
<p>◆ The 2015 biennium budget is \$451,000 or 6.2% higher than the 2013 biennium due to statewide present law adjustments</p>

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget - Information Technology Service							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$7,416,391	\$0	\$0	\$7,416,391	95.9%		
State Special Total	\$282,932	\$0	\$0	\$282,932	3.7%		
02016 Criminal Justice Info Network	\$7,972	\$0	\$0	\$7,972	0.1%		
02074 Gambling License Fee Account	\$35,132	\$0	\$0	\$35,132	0.5%		
02422 Highways Special Revenue	\$136,583	\$0	\$0	\$136,583	1.8%		
02797 Cjis - Background Checks	\$96,056	\$0	\$0	\$96,056	1.2%		
02937 Justice State Special Misc	\$7,189	\$0	\$0	\$7,189	0.1%		
Federal Special Total	\$5,303	\$0	\$0	\$5,303	0.1%		
03800 Medicaid Fraud	\$5,303	\$0	\$0	\$5,303	0.1%		
Proprietary Total	\$29,711	\$0	\$0	\$29,711	0.4%		
06005 Liquor Division	\$14,348	\$0	\$0	\$14,348	0.2%		
06500 Agency Legal Services	\$15,363	\$0	\$0	\$15,363	0.2%		
Total All Funds	\$7,734,337	\$0	\$0	\$7,734,337	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

The division is funded primarily with general fund and state special revenue. State special revenue is primarily from the restricted portion of highway state special revenue, Criminal Justice Information System (CJIS) background check fees, and gambling license fees. The balance of the division’s funding comes from a very small amount of federal funds (Medicaid) and proprietary funds, including liquor licensing fees and agency legal service fees.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	3,491,704	3,491,704	6,983,408	94.16%	3,642,692	3,642,692	7,285,384	94.20%
Statewide PL Adjustments	205,893	205,298	411,191	5.54%	213,889	213,272	427,161	5.52%
Other PL Adjustments	10,894	10,898	21,792	0.29%	10,894	10,898	21,792	0.28%
New Proposals	0	0	0	0.00%	0	0	0	0.00%
Total Budget	\$3,708,491	\$3,707,900	\$7,416,391		\$3,867,475	\$3,866,862	\$7,734,337	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					277,061					278,150
Vacancy Savings					(112,812)					(112,852)
Inflation/Deflation					(177)					(112)
Fixed Costs					49,817					48,086
Total Statewide Present Law Adjustments		\$205,893	\$7,817	\$147	\$213,889*		\$205,298	\$7,797	\$146	\$213,272*
DP 50 - Initial Motion to FY 2012 Base	0.00	(205,893)	(7,817)	(147)	(213,889)*	0.00	(205,298)	(7,797)	(146)	(213,272)*
DP 51 - Adjustment for Statewide Personal Services	0.00	158,108	6,004	113	164,249*	0.00	159,118	6,043	113	165,298*
DP 52 - Adjustment for Statewide Operations	0.00	48,679	1,813	34	50,534*	0.00	47,078	1,754	33	48,872*
DP 2901 - JITSD Base Adjustment	0.00	10,000	0	0	10,000	0.00	10,000	0	0	10,000
Total Other Present Law Adjustments	0.00	\$10,894	\$0	\$0	\$10,894*	0.00	\$10,898	\$0	\$0	\$10,898*
Grand Total All Present Law Adjustments	0.00	\$216,787	\$7,817	\$147	\$224,783*	0.00	\$216,196	\$7,797	\$146	\$224,170*

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

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 2901 - JITSD Base Adjustment - The legislature approved funding for overtime at roughly the same level as the base year to support on-call and call-out operations for division staff.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	33.30	33.30	34.30	34.30	33.30	34.30	1.00	3.00%
Personal Services	2,559,053	2,627,712	2,760,232	2,760,083	5,186,765	5,520,315	333,550	6.43%
Operating Expenses	1,122,809	1,072,684	1,156,672	1,154,441	2,195,493	2,311,113	115,620	5.27%
Equipment & Intangible Assets	6,000	9,551	56,000	56,000	15,551	112,000	96,449	620.21%
Debt Service	64,389	64,389	110,096	110,096	128,778	220,192	91,414	70.99%
Total Costs	\$3,752,251	\$3,774,336	\$4,083,000	\$4,080,620	\$7,526,587	\$8,163,620	\$637,033	8.46%
General Fund	3,426,604	3,446,649	3,740,901	3,738,252	6,873,253	7,479,153	605,900	8.82%
State Special	325,647	327,687	342,099	342,368	653,334	684,467	31,133	4.77%
Total Funds	\$3,752,251	\$3,774,336	\$4,083,000	\$4,080,620	\$7,526,587	\$8,163,620	\$637,033	8.46%

Program Description

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

Program Highlights

Forensic Science Division Major Budget Highlights
<ul style="list-style-type: none"> ◆ The 2015 biennium budget is \$637,000 or 8.5% higher than the 2013 biennium due to: <ul style="list-style-type: none"> • Statewide present law adjustments • Funding to purchase laboratory equipment • Funding to add 1.00 FTE forensic scientist to provide synthetic drug testing

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Justice Funding by Source of Authority 2015 Biennium Budget - Forensic Science Division							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$7,479,153	\$0	\$0	\$7,479,153	91.6%		
State Special Total	\$684,467	\$0	\$0	\$684,467	8.4%		
02349 Highway Non-restricted Account	\$684,467	\$0	\$0	\$684,467	8.4%		
Total All Funds	\$8,163,620	\$0	\$0	\$8,163,620	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

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

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	3,426,604	3,426,604	6,853,208	91.63%	3,752,251	3,752,251	7,504,502	91.93%
Statewide PL Adjustments	172,533	175,356	347,889	4.65%	188,985	192,077	381,062	4.67%
Other PL Adjustments	55,723	55,726	111,449	1.49%	55,723	55,726	111,449	1.37%
New Proposals	86,041	80,566	166,607	2.23%	86,041	80,566	166,607	2.04%
Total Budget	\$3,740,901	\$3,738,252	\$7,479,153		\$4,083,000	\$4,080,620	\$8,163,620	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----				-----Fiscal 2015-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					245,149					244,993
Vacancy Savings					(112,169)					(112,162)
Inflation/Deflation					(3,694)					(1,163)
Fixed Costs					59,699					60,409
Total Statewide Present Law Adjustments		\$172,533	\$16,452	\$0	\$188,985		\$175,356	\$16,721	\$0	\$192,077
DP 50 - Initial Motion to FY 2012 Base	0.00	(172,533)	(16,452)	0	(188,985)	0.00	(175,356)	(16,721)	0	(192,077)
DP 51 - Adjustment for Statewide Personal Services	0.00	121,403	11,577	0	132,980	0.00	121,268	11,563	0	132,831
DP 52 - Adjustment for Statewide Operations	0.00	51,853	4,875	0	56,728	0.00	54,814	5,158	0	59,972
DP 3201 - FSD Base Adjustments	0.00	5,000	0	0	5,000	0.00	5,000	0	0	5,000
DP 3202 - FSD Equipment - Bien	0.00	50,000	0	0	50,000	0.00	50,000	0	0	50,000
Total Other Present Law Adjustments	0.00	\$55,723	\$0	\$0	\$55,723	0.00	\$55,726	\$0	\$0	\$55,726
Grand Total All Present Law Adjustments	0.00	\$228,256	\$16,452	\$0	\$244,708	0.00	\$231,082	\$16,721	\$0	\$247,803

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 3201 - FSD Base Adjustments - The legislature approved funding to annualize the maintenance contract for the heating, ventilation, and air conditioning (HVAC) maintenance contract implemented part way through the base year after a recent upgrade of the HVAC system was completed at the state crime laboratory in Missoula.

DP 3202 - FSD Equipment - Bien - The legislature approved funding to purchase new and/or replacement equipment. The funding was designated as one-time-only, restricted, and biennial.

New Proposals

New Proposals										
-----Fiscal 2014-----						-----Fiscal 2015-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 3203 - Forensic Testing										
32	1.00	86,041	0	0	86,041	1.00	80,566	0	0	80,566
Total	1.00	\$86,041	\$0	\$0	\$86,041	1.00	\$80,566	\$0	\$0	\$80,566

DP 3203 - Forensic Testing - The legislature approved funding for personal services and operating costs to add 1.00 FTE forensic scientist to provide synthetic drug testing.

Agency Budget Comparison

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

Agency Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	40.00	40.00	40.00	40.00	40.00	40.00	0.00	0.00%
Estimated Impact of HB 2*			(1.29)	(1.29)		(1.29)	(1.29)	
Net Estimated FTE*			38.71	38.71		38.71	(1.29)	
Personal Services	2,755,472	3,056,595	3,092,634	3,002,847	5,812,067	6,095,481	283,414	4.88%
Operating Expenses	612,409	633,847	637,818	652,041	1,246,256	1,289,859	43,603	3.50%
Equipment & Intangible Assets	0	0	0	0	0	0	0	n/a
Debt Service	6,080	6,080	6,080	6,080	12,160	12,160	0	0.00%
Total Costs	\$3,373,961	\$3,696,522	\$3,736,532	\$3,660,968	\$7,070,483	\$7,397,500	\$327,017	4.63%
State Special	3,308,354	3,591,088	3,670,925	3,595,361	6,899,442	7,266,286	366,844	5.32%
Federal Special	65,607	105,434	65,607	65,607	171,041	131,214	(39,827)	(23.29%)
Total Funds	\$3,373,961	\$3,696,522	\$3,736,532	\$3,660,968	\$7,070,483	\$7,397,500	\$327,017	4.63%

*Estimated impact of HB 2 boilerplate language showing net FTE with reductions. See boilerplate language on the following pages.

Agency Description

Mission Statement: To fairly balance the long-term interests of Montana utility and transportation companies and the customers they serve.

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 Regulation Major Budget Highlights
<ul style="list-style-type: none"> ◆ The legislature approved a present law budget ◆ Vacancy savings was applied at 4% ◆ Funding was approved for anticipated retirement payouts

Summary of Legislative Action

The legislature approved a present law budget and funds personal services with a 4% vacancy savings applied and funding approved for anticipated retirement payouts.

Boilerplate

The boilerplate section in HB 2 includes the following language:

“It is the intent of the legislature that the appropriations for personal services contained in this bill for fiscal year 2014 and fiscal year 2015, except for the reductions contained in decision packages that remove an additional vacancy savings amount, are supported by only the number of FTE that are funded. It is the intent of the legislature that this net level of FTE is the level that will be used to calculate personal services funding in the next biennium.”

The LFD has calculated that this intent language would reduce the current biennium base FTE by 440 statewide and by 1.29 for this agency. The lower level of FTE will be the starting point or base the legislature will use for personal services budget deliberations in the 2017 biennium.

Executive Budget Comparison

The following table compares the legislative budget in the 2015 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2012	Executive Budget Fiscal 2014	Legislative Budget Fiscal 2014	Leg - Exec. Difference Fiscal 2014	Executive Budget Fiscal 2015	Legislative Budget Fiscal 2015	Leg - Exec. Difference Fiscal 2015	Biennium Difference Fiscal 14-15
FTE	40.00	40.00	40.00	0.00	40.00	40.00	0.00	
Estimated Impact of HB 2*			(1.29)	(1.29)		(1.29)	(1.29)	
Net Estimated FTE*			38.71	(1.29)		38.71	(1.29)	
Personal Services	2,755,472	3,092,634	3,092,634	0	3,002,847	3,002,847	0	0
Operating Expenses	612,409	637,087	637,818	731	651,310	652,041	731	1,462
Equipment & Intangible Assets	0	0	0	0	0	0	0	0
Debt Service	6,080	6,080	6,080	0	6,080	6,080	0	0
Total Costs	\$3,373,961	\$3,735,801	\$3,736,532	\$731	\$3,660,237	\$3,660,968	\$731	\$1,462
State/Other Special	3,308,354	3,670,194	3,670,925	731	3,594,630	3,595,361	731	1,462
Federal Special	65,607	65,607	65,607	0	65,607	65,607	0	0
Total Funds	\$3,373,961	\$3,735,801	\$3,736,532	\$731	\$3,660,237	\$3,660,968	\$731	\$1,462

*Estimated impact of HB 2 boilerplate language showing net FTE with reductions. See boilerplate language on the previous pages.

The legislative budget is \$1,462 higher than the executive request because the legislature changed fixed costs associated with insurance and the State Accounting, Budgeting, and Human Resources System (SABHRS).

Funding

The following table shows funding, by source for the 2015 biennium as approved by the legislature.

Total Public Service Regulation Funding by Source of Authority 2015 Biennium Budget - Public Service Regulation Prog							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
State Special Total	\$7,266,286	\$0	\$0	\$7,266,286	98.2%		
02281 Public Service Commission	\$7,266,286	\$0	\$0	\$7,266,286	98.2%		
Federal Special Total	\$131,214	\$0	\$0	\$131,214	1.8%		
03011 Natural Gas Safety Pgm	\$131,214	\$0	\$0	\$131,214	1.8%		
Total All Funds	\$7,397,500	\$0	\$0	\$7,397,500	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

Public Service Regulation (PSR) is funded primarily by a fee that is levied on regulated companies, based on funding appropriated by the legislature for a specific fiscal year. Fees are deposited directly into a state special revenue account and are based upon a percentage of the gross operating revenue from all activities regulated by the commission for the calendar quarter of operation (69-1-402, MCA). The department also administers a small amount of federal pipeline safety grant funds.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	0	0	0	0.00%	3,373,961	3,373,961	6,747,922	91.22%
Statewide PL Adjustments	0	0	0	0.00%	258,368	241,004	499,372	6.75%
Other PL Adjustments	0	0	0	0.00%	154,091	95,953	250,044	3.38%
New Proposals	0	0	0	0.00%	(49,888)	(49,950)	(99,838)	(1.35%)
Total Budget	\$0	\$0	\$0		\$3,736,532	\$3,660,968	\$7,397,500	

Other Legislation

HB 13 – The legislature approved funding for a pay plan for state employees. The bill includes a lump sum appropriation for pay raises that will be determined for their respective employees by the executive, legislative, and judicial branches and the Montana University System. The bill also includes funding for a 10% insurance increase for all employees each year. The legislature did not specify a particular percentage salary increase a state employee should receive, but stipulated that the appropriated funds must be used to increase the base pay of each employee, with particular attention to the lower pay bands and employees who did not receive an increase in the 2013 biennium.

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----				-----Fiscal 2015-----					
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					344,138					347,274
Vacancy Savings					(99,776)					(99,899)
Inflation/Deflation					(516)					(154)
Fixed Costs					14,522					(6,217)
Total Statewide Present Law Adjustments		\$0	\$258,368	\$0	\$258,368		\$0	\$241,004	\$0	\$241,004
DP 1 - Retirement Payouts (Restricted/Biennial)	0.00	0	92,800	0	92,800	0.00	0	0	0	0
DP 2 - Computer Replacement	0.00	0	8,150	0	8,150	0.00	0	42,750	0	42,750
DP 3 - Building Rent	0.00	0	2,715	0	2,715	0.00	0	2,715	0	2,715
DP 50 - Initial Motion to FY 2012 Base	0.00	0	(258,368)	0	(258,368)	0.00	0	(241,004)	0	(241,004)
DP 51 - Adjustment for Statewide Personal Services	0.00	0	294,250	0	294,250	0.00	0	297,325	0	297,325
DP 52 - Adjustment for Statewide Operations	0.00	0	14,544	0	14,544	0.00	0	(5,833)	0	(5,833)
Total Other Present Law Adjustments	0.00	\$0	\$154,091	\$0	\$154,091	0.00	\$0	\$95,953	\$0	\$95,953
Grand Total All Present Law Adjustments	0.00	\$0	\$412,459	\$0	\$412,459	0.00	\$0	\$336,957	\$0	\$336,957

DP 1 - Retirement Payouts (Restricted/Biennial) - The legislature approved state special revenue to fund costs to pay for staff retirement payouts. The legislature designated this funding as biennial and restricted only for this purpose.

DP 2 - Computer Replacement - The legislature approved state special revenue to fund replacement of the following computer equipment under a five-year replacement cycle:

FY 2014

2 servers (\$9,800)

FY 2015

25 desktop computers (\$30,000)

5 laptop computers with monitors (\$9,500)

1 server (\$4,900)

DP 3 - Building Rent - The legislature approved state special revenue to fund the difference between the base of \$222,705 and the total of \$225,420, which is the annual fixed cost contractual rent for the office space occupied by the agency.

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings at 2%.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

New Proposals

New Proposals										
		-----Fiscal 2014-----				-----Fiscal 2015-----				
Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 54 - Additional Vacancy Savings										
01	0.00	0	(49,888)	0	(49,888)	0.00	0	(49,950)	0	(49,950)
Total	0.00	\$0	(\$49,888)	\$0	(\$49,888)	0.00	\$0	(\$49,950)	\$0	(\$49,950)

DP 54 - Additional Vacancy Savings - The legislature applied an additional 2% vacancy savings to all positions except those exempt in statute or that must be filled 24/7.

Agency Budget Comparison

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

Agency Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	209.50	209.50	217.50	217.50	209.50	217.50	8.00	3.82%
Estimated Impact of HB 2*			(8.06)	(8.06)		(8.06)	(8.06)	
Net Estimated FTE*			209.44	209.44		209.44	(0.06)	
Personal Services	13,643,678	12,439,402	15,071,637	15,070,617	26,083,080	30,142,254	4,059,174	15.56%
Operating Expenses	9,015,625	9,403,675	11,355,000	11,411,836	18,419,300	22,766,836	4,347,536	23.60%
Equipment & Intangible Assets	18,554	21,118	18,554	18,554	39,672	37,108	(2,564)	(6.46%)
Total Costs	\$22,677,857	\$21,864,195	\$26,445,191	\$26,501,007	\$44,542,052	\$52,946,198	\$8,404,146	18.87%
General Fund	22,577,899	21,678,051	26,163,647	26,227,081	44,255,950	52,390,728	8,134,778	18.38%
State Special	99,958	186,144	281,544	273,926	286,102	555,470	269,368	94.15%
Total Funds	\$22,677,857	\$21,864,195	\$26,445,191	\$26,501,007	\$44,542,052	\$52,946,198	\$8,404,146	18.87%

*Estimated impact of HB 2 boilerplate language showing net FTE with reductions. See boilerplate language on the following pages.

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

Agency Highlights

Office of State Public Defender Major Budget Highlights	
<ul style="list-style-type: none"> ◆ The budget approved for the 2015 biennium is \$8.4 million or 18.9% higher than the 2013 biennium ◆ Besides statewide present law adjustments that included vacancy savings of 4%, significant funding increases were for: <ul style="list-style-type: none"> • Contracted services to address caseload impacts with contracted staff • Funding for an attorney career ladder to address staff attorney turnover • Funding for 8.00 FTE to address caseload impacts 	

Summary of Legislative Action

The legislature provided funding for the agency that consists of:

- The base budget plus statewide present law adjustments
- Nearly \$3.7 million to fund contracted services to address caseload growth
- Nearly \$2.6 million to fund a career ladder for attorneys to address turnover issues

- o \$500,000 dedicated to death penalty cases
- o Funding to add 8.00 FTE to address caseload growth

Boilerplate

The boilerplate section in HB 2 includes the following language:

“It is the intent of the legislature that the appropriations for personal services contained in this bill for fiscal year 2014 and fiscal year 2015, except for the reductions contained in decision packages that remove an additional vacancy savings amount, are supported by only the number of FTE that are funded. It is the intent of the legislature that this net level of FTE is the level that will be used to calculate personal services funding in the next biennium.”

The LFD has calculated that this intent language would reduce the current biennium base FTE by 440 statewide and by 8.06 for this agency. The lower level of FTE will be the starting point or base the legislature will use for personal services budget deliberations in the 2017 biennium.

Funding

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

Total Office Of The Public Defender Funding by Source of Authority 2015 Biennium Budget					
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	\$52,390,728	\$0	\$0	\$52,390,728	99.0%
State Special Total	555,470	-	-	555,470	1.0%
Federal Special Total	-	-	-	-	0.0%
Proprietary Total	-	-	-	-	0.0%
Current Unrestricted	-	-	-	-	0.0%
Other Total	-	-	-	-	0.0%
Total All Funds	\$52,946,198	\$0	\$0	\$52,946,198	
Percent - Total All Sources	100.0%	0.0%	0.0%		

The agency is funded primarily by the general fund. A small amount of state special revenue from reimbursements for services provided is also available to the agency.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	22,577,899	22,577,899	45,155,798	86.19%	22,677,857	22,677,857	45,355,714	85.66%
Statewide PL Adjustments	(456,715)	(509,265)	(965,980)	(1.84%)	(456,715)	(509,265)	(965,980)	(1.82%)
Other PL Adjustments	2,355,644	2,358,125	4,713,769	9.00%	2,537,230	2,532,093	5,069,323	9.57%
New Proposals	1,686,819	1,800,322	3,487,141	6.66%	1,686,819	1,800,322	3,487,141	6.59%
Total Budget	\$26,163,647	\$26,227,081	\$52,390,728		\$26,445,191	\$26,501,007	\$52,946,198	

Other Legislation

HB 13 – The legislature approved funding for a pay plan for state employees. The bill includes a lump sum appropriation for pay raises that will be determined for their respective employees by the executive, legislative, and judicial branches and the Montana University System. The bill also includes funding for a 10% insurance increase for all employees each year. The legislature did not specify a particular percentage salary increase a state employee should receive, but stipulated that the appropriated funds must be used to increase the base pay of each employee, with particular attention to the lower pay bands and employees who did not receive an increase in the 2013 biennium.

Executive Budget Comparison

The following table compares the legislative budget in the 2015 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2012	Executive Budget Fiscal 2014	Legislative Budget Fiscal 2014	Leg – Exec. Difference Fiscal 2014	Executive Budget Fiscal 2015	Legislative Budget Fiscal 2015	Leg – Exec. Difference Fiscal 2015	Biennium Difference Fiscal 14-15
FTE	209.50	246.50	217.50	(29.00)	246.50	217.50	(29.00)	
Estimated Impact of HB 2*			(8.06)	(8.06)		(8.06)	(8.06)	
Net Estimated FTE*			209.44	(37.06)		209.44	(37.06)	
Personal Services	13,643,678	16,921,661	15,071,637	(1,850,024)	17,175,465	15,070,617	(2,104,848)	(3,954,872)
Operating Expenses	9,015,625	10,035,403	11,355,000	1,319,597	9,994,493	11,411,836	1,417,343	2,736,940
Equipment & Intangible Assets	18,554	28,554	18,554	(10,000)	18,554	18,554	0	(10,000)
Total Costs	\$22,677,857	\$26,985,618	\$26,445,191	(\$540,427)	\$27,188,512	\$26,501,007	(\$687,505)	(\$1,227,932)
General Fund	22,577,899	26,705,884	26,163,647	(542,237)	26,913,053	26,227,081	(685,972)	(1,228,209)
State/Other Special	99,958	279,734	281,544	1,810	275,459	273,926	(1,533)	277
Total Funds	\$22,677,857	\$26,985,618	\$26,445,191	(\$540,427)	\$27,188,512	\$26,501,007	(\$687,505)	(\$1,227,932)

*Estimated impact of HB 2 boilerplate language showing net FTE with reductions. See boilerplate language on the previous pages.

The legislative budget for the Office of Public Defender is \$1.2 million in both general fund and total funds lower than the executive request. The legislature added funding to address caseload impacts through contracted services, but did not approve executive requests for funding to:

- Increase staffing in both the public and appellate defender offices
- Reduce managers' caseloads
- Reduce the caseloads and establish a backup for the conflict coordinator
- Add investigative staff
- Replace computer equipment

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	199.50	199.50	205.50	205.50	199.50	205.50	6.00	3.01%
Personal Services	12,923,907	11,780,292	14,121,372	14,120,617	24,704,199	28,241,989	3,537,790	14.32%
Operating Expenses	8,594,131	9,039,405	10,925,314	10,983,371	17,633,536	21,908,685	4,275,149	24.24%
Equipment & Intangible Assets	18,554	21,118	18,554	18,554	39,672	37,108	(2,564)	(6.46%)
Total Costs	\$21,536,592	\$20,840,815	\$25,065,240	\$25,122,542	\$42,377,407	\$50,187,782	\$7,810,375	18.43%
General Fund	21,436,634	20,654,671	24,874,489	24,935,600	42,091,305	49,810,089	7,718,784	18.34%
State Special	99,958	186,144	190,751	186,942	286,102	377,693	91,591	32.01%
Total Funds	\$21,536,592	\$20,840,815	\$25,065,240	\$25,122,542	\$42,377,407	\$50,187,782	\$7,810,375	18.43%

Program Description

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 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 office administers the statewide public defender system that is supervised by the Public Defender Commission. The office is administratively attached to the Department of Administration but has authority in law to provide administrative functions as determined by the commission.

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

Program Highlights

Office of Public Defender Program Major Budget Highlights
<ul style="list-style-type: none"> ◆ The budget approved for the 2015 biennium is \$7.8 million or 18.4% higher than the 2013 biennium ◆ Besides statewide present law adjustments that included vacancy savings of 4%, significant funding increases were for: <ul style="list-style-type: none"> ● Contracted services to address caseload impacts with contracted staff ● Funding for an attorney career ladder to address staff attorney turnover ● Funding for 6.00 FTE to address caseload impacts

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Office Of The Public Defender Funding by Source of Authority 2015 Biennium Budget - Office Of Public Defender							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$49,810,089	\$0	\$0	\$49,810,089	99.2%		
State Special Total	\$377,693	\$0	\$0	\$377,693	0.8%		
02250 Court Ordered Sentencing Costs	\$377,693	\$0	\$0	\$377,693	0.8%		
Total All Funds	\$50,187,782	\$0	\$0	\$50,187,782	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

The Office of the Public Defender 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.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	21,436,634	21,436,634	42,873,268	86.07%	21,536,592	21,536,592	43,073,184	85.82%
Statewide PL Adjustments	(416,916)	(469,267)	(886,183)	(1.78%)	(416,916)	(469,267)	(886,183)	(1.77%)
Other PL Adjustments	2,170,275	2,172,557	4,342,832	8.72%	2,261,068	2,259,541	4,520,609	9.01%
New Proposals	1,684,496	1,795,676	3,480,172	6.99%	1,684,496	1,795,676	3,480,172	6.93%
Total Budget	\$24,874,489	\$24,935,600	\$49,810,089		\$25,065,240	\$25,122,542	\$50,187,782	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					(50,950)					(53,969)
Vacancy Savings					(514,908)					(514,789)
Inflation/Deflation					31,011					35,833
Fixed Costs					117,931					63,658
Total Statewide Present Law Adjustments		(\$416,916)	\$0	\$0	(\$416,916)		(\$469,267)	\$0	\$0	(\$469,267)
DP 1 - Support Workload - FTE	1.00	0	90,793	0	90,793	1.00	0	86,984	0	86,984
DP 9 - Capital Case Defense - OTO/RST/BIEN	0.00	250,000	0	0	250,000	0.00	250,000	0	0	250,000
DP 13 - Fund Career Ladder	0.00	1,209,927	0	0	1,209,927	0.00	1,209,848	0	0	1,209,848
DP 15 - Support Workload - Modified FTE	5.00	439,641	0	0	439,641	5.00	438,972	0	0	438,972
DP 16 - HB 107 Transfer	0.00	(40,000)	0	0	(40,000)	0.00	(40,000)	0	0	(40,000)
DP 50 - Initial Motion to FY 2012 Base	0.00	416,916	0	0	416,916	0.00	469,267	0	0	469,267
DP 51 - Adjustment for Statewide Personal Services	0.00	(257,454)	0	0	(257,454)	0.00	(257,394)	0	0	(257,394)
DP 52 - Adjustment for Statewide Operations	0.00	151,245	0	0	151,245	0.00	101,864	0	0	101,864
Total Other Present Law Adjustments	6.00	\$2,170,275	\$90,793	\$0	\$2,261,068	6.00	\$2,172,557	\$86,984	\$0	\$2,259,541
Grand Total All Present Law Adjustments	6.00	\$1,753,359	\$90,793	\$0	\$1,844,152	6.00	\$1,703,290	\$86,984	\$0	\$1,790,274

DP 1 - Support Workload - FTE - The legislature approved general fund for personal services and operating costs for the addition of 1.00 FTE attorney.

DP 9 - Capital Case Defense - OTO/RST/BIEN - The legislature approved general fund for costs associated with death penalty cases and designated funding as one-time-only, restricted to fund defense costs on death penalty cases or cases that are likely to be a death penalty case, and biennial.

DP 13 - Fund Career Ladder - The legislature approved general fund for adjustments to the career ladder for unionized attorneys. The career ladder provides incremental competency pay adjustments under a negotiated pay schedule for employees as they achieve certain educational and experiential milestones.

DP 15 - Support Workload - Modified FTE - The legislature approved general fund for operating costs and personal services for the addition of 5.00 FTE attorneys to address caseload growth.

DP 16 - HB 107 Transfer - The legislature passed HB 107 that transfers the expense for counsel assignments from the Office of State Public Defender to the courts for certain cases in abuse and neglect proceedings. This adjustment decreases funding to implement the transfer of funding to the Judiciary per the coordinating language of HB 107. An offsetting adjustment is made in the District Court Operations Program of the Judicial Branch.

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings at 2%.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

New Proposals

New Proposals										
Program	FTE	-----Fiscal 2014-----				-----Fiscal 2015-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 12 - Increase Contract Attorney Rates										
01	0.00	111,113	0	0	111,113	0.00	222,226	0	0	222,226
DP 19 - Contract Costs for Caseload Growth										
01	0.00	1,845,000	0	0	1,845,000	0.00	1,845,000	0	0	1,845,000
DP 54 - Additional Vacancy Savings										
01	0.00	(271,617)	0	0	(271,617)	0.00	(271,550)	0	0	(271,550)
Total	0.00	\$1,684,496	\$0	\$0	\$1,684,496	0.00	\$1,795,676	\$0	\$0	\$1,795,676

DP 12 - Increase Contract Attorney Rates - - The legislature approved funding for an increase in the hourly rate paid to contracted attorneys by 2% in FY 2014 and an additional 2% in FY 2015.

DP 19 - Contract Costs for Caseload Growth - The legislature approved funding for contracted services to address caseload impacts of the office.

DP 54 - Additional Vacancy Savings - The legislature applied an additional 2% vacancy savings to all positions except those exempt in statute or that must be filled 24/7. Language was included in HB 2 that allows the agency to allocate the reduction among programs.

Language and Statutory Authority

The legislature included the following language in HB 2:

"Office of State Public Defender includes a reduction in general fund of \$271,617 in fiscal year 2014 and \$271,550 in fiscal year 2015. The reduction is the equivalent of an additional 2% vacancy savings. The agency may allocate this reduction in funding among programs when developing 2015 biennium operating plans."

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	10.00	10.00	12.00	12.00	10.00	12.00	2.00	20.00%
Personal Services	719,771	659,110	950,265	950,000	1,378,881	1,900,265	521,384	37.81%
Operating Expenses	421,494	364,270	429,686	428,465	785,764	858,151	72,387	9.21%
Total Costs	\$1,141,265	\$1,023,380	\$1,379,951	\$1,378,465	\$2,164,645	\$2,758,416	\$593,771	27.43%
General Fund	1,141,265	1,023,380	1,289,158	1,291,481	2,164,645	2,580,639	415,994	19.22%
State Special	0	0	90,793	86,984	0	177,777	177,777	n/a
Total Funds	\$1,141,265	\$1,023,380	\$1,379,951	\$1,378,465	\$2,164,645	\$2,758,416	\$593,771	27.43%

Program Description

The Appellate Defender Program provides appeal services for indigent citizens.

Program Highlights

Office of Appellate Defender Major Budget Highlights	
◆	The budget approved for the 2015 biennium is \$594,000 or 27.4% higher than the 2013 biennium
◆	Besides statewide present law adjustments that included vacancy savings of 4%, significant funding increases were for: <ul style="list-style-type: none"> • Contracted services to address caseload impacts with contracted staff • Funding for 2.00 FTE to address caseload impacts

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Office Of The Public Defender Funding by Source of Authority 2015 Biennium Budget - Office Of Appellate Defender							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$2,580,639	\$0	\$0	\$2,580,639	93.6%		
State Special Total	\$177,777	\$0	\$0	\$177,777	6.4%		
02250 Court Ordered Sentencing	\$177,777	\$0	\$0	\$177,777	6.4%		
Total All Funds	\$2,758,416	\$0	\$0	\$2,758,416	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

The Appellate Defender Program is supported entirely by the general fund.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	1,141,265	1,141,265	2,282,530	88.45%	1,141,265	1,141,265	2,282,530	82.75%
Statewide PL Adjustments	(39,799)	(39,998)	(79,797)	(3.09%)	(39,799)	(39,998)	(79,797)	(2.89%)
Other PL Adjustments	185,369	185,568	370,937	14.37%	276,162	272,552	548,714	19.89%
New Proposals	2,323	4,646	6,969	0.27%	2,323	4,646	6,969	0.25%
Total Budget	\$1,289,158	\$1,291,481	\$2,580,639		\$1,379,951	\$1,378,465	\$2,758,416	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					(11,637)					(11,982)
Vacancy Savings					(28,326)					(28,311)
Inflation/Deflation					164					295
Total Statewide Present Law Adjustments		(\$39,799)	\$0	\$0	(\$39,799)		(\$39,998)	\$0	\$0	(\$39,998)
DP 3 - Support Workload	1.00	0	90,793	0	90,793	1.00	0	86,984	0	86,984
DP 17 - Fund Career Ladder	0.00	72,453	0	0	72,453	0.00	72,448	0	0	72,448
DP 18 - Support Workload - Modified FTE	1.00	87,116	0	0	87,116	1.00	86,983	0	0	86,983
DP 50 - Initial Motion to FY 2012 Base	0.00	39,799	0	0	39,799	0.00	39,998	0	0	39,998
DP 51 - Adjustment for Statewide Personal Services	0.00	(14,163)	0	0	(14,163)	0.00	(14,156)	0	0	(14,156)
DP 52 - Adjustment for Statewide Operations	0.00	164	0	0	164	0.00	295	0	0	295
Total Other Present Law Adjustments	2.00	\$185,369	\$90,793	\$0	\$276,162	2.00	\$185,568	\$86,984	\$0	\$272,552
Grand Total All Present Law Adjustments	2.00	\$145,570	\$90,793	\$0	\$236,363	2.00	\$145,570	\$86,984	\$0	\$232,554

DP 3 - Support Workload - The legislature approved general fund to fund operating costs and personal services for the addition of 1.00 FTE attorney.

DP 17 - Fund Career Ladder - The legislature approved general fund to fund a career ladder for non-unionized attorneys. The career ladder provides incremental competency pay adjustments under a pay schedule for employees as they achieve certain educational and experiential milestones.

DP 18 - Support Workload - Modified FTE - The legislature approved general fund to fund operating costs and personal services for the addition of 1.00 FTE attorney to address caseload growth.

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings at 2%.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

New Proposals

New Proposals										
Program	FTE	-----Fiscal 2014-----				-----Fiscal 2015-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 10 - Increase Contract Attorney Rates 02	0.00	2,323	0	0	2,323	0.00	4,646	0	0	4,646
Total	0.00	\$2,323	\$0	\$0	\$2,323	0.00	\$4,646	\$0	\$0	\$4,646

DP 10 - Increase Contract Attorney Rates - The legislature approved funding for an increase in the hourly rate paid to contracted attorneys by 2% in FY 2014 and an additional 2% in FY 2015.

Agency Budget Comparison

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

Agency Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	1,279.89	1,279.89	1,281.89	1,281.89	1,279.89	1,281.89	2.00	0.16%
Estimated Impact of HB 2*			(34.49)	(34.49)		(34.49)	(34.49)	
Net Estimated FTE*			1247.40	1247.40		1247.40	(32.49)	
Personal Services	69,859,396	70,643,147	71,478,400	71,543,752	140,502,543	143,022,152	2,519,609	1.79%
Operating Expenses	99,536,893	98,970,190	107,700,976	109,196,488	198,507,083	216,897,464	18,390,381	9.26%
Equipment & Intangible Assets	100,851	81,681	303,851	141,551	182,532	445,402	262,870	144.01%
Benefits & Claims	2,330,087	2,940,542	2,080,087	2,080,087	5,270,629	4,160,174	(1,110,455)	(21.07%)
Transfers	3,526,709	2,916,469	3,519,259	3,515,659	6,443,178	7,034,918	591,740	9.18%
Debt Service	86,479	86,651	262,329	262,329	173,130	524,658	351,528	203.04%
Total Costs	\$175,440,415	\$175,638,680	\$185,344,902	\$186,739,866	\$351,079,095	\$372,084,768	\$21,005,673	5.98%
General Fund	170,077,589	170,089,157	179,367,912	180,767,375	340,166,746	360,135,287	19,968,541	5.87%
State Special	4,714,007	4,788,037	5,894,818	5,893,475	9,502,044	11,788,293	2,286,249	24.06%
Federal Special	16,005	25,739	16,005	16,005	41,744	32,010	(9,734)	(23.32%)
Other	632,814	735,747	66,167	63,011	1,368,561	129,178	(1,239,383)	(90.56%)
Total Funds	\$175,440,415	\$175,638,680	\$185,344,902	\$186,739,866	\$351,079,095	\$372,084,768	\$21,005,673	5.98%

*Estimated impact of HB 2 boilerplate language showing net FTE with reductions. See boilerplate language on the following pages.

Agency Description

Mission - The Montana Department of Corrections enhances public safety, promotes positive change in offender behavior, reintegrates offenders into the community, and supports victims of crime.

The Department of Corrections (DOC), authorized in section 2-15-2301, MCA, is directed in section 53-1-201, MCA, to "utilize 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 care, protection, and mental and physical development of youth alleged to be youth in need of supervision, or delinquent youth who are referred or committed to the department." The department's five programs are:

- Administration and support services including the Director's Office, Health Services, Information Technology Services, Human Resources Division, Administrative and Financial Services Division, and the administratively attached Board of Pardons and Parole
- Community Corrections Division including division administration; Treasure State Correctional Treatment Center (TSCTC); contracted pre-release centers, probation and parole; Warm Springs Addictions Treatment and Change Program (WATCH), the DUI treatment unit; 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, lumber processing, 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

Agency Highlights

Department of Corrections Major Budget Highlights
<ul style="list-style-type: none"> ◆ The legislature funded the department expecting that total populations would grow by 1% per year, with female secure care populations growing the most at an average rate of 4.4% per year ◆ The legislature addressed these expected populations by: <ul style="list-style-type: none"> • Annualizing contract beds to the full contracted level, except for a reduction of 12 male pre-release beds • Increasing female pre-release and transitional living beds by 10 beds • Using the remodeled Montana Mental Health Nursing Care Center in Lewistown to house inmates needing staff assistance for their daily care. This initiative began in FY 2013 and is expected to free up space in the Montana State Prison to accommodate growth ◆ Other factors contributing to the funding increase are: <ul style="list-style-type: none"> • Statewide present law adjustments • Outside medical cost inflation • Annualizing of contracted beds • Provider rate increases of 2% per year for most providers with selected providers receiving 1% increases ◆ The legislature funded the addition of a net 2.00 FTE: <ul style="list-style-type: none"> • 1.00 FTE for correctional relief factors at the Montana Women's Prison • 6.00 FTE to replace the previously contracted health services function for the Montana Women's Prison • 4.00 FTE moved from budgeted funds in HB 2 to non-budgeted proprietary funds for the Vocational Education program • 1.00 FTE long-term vacant position at the Pine Hills Youth Correctional Center not funded

Summary of Legislative Action

Total funding for the department increases \$21.0 million or 6.0% and general fund support increases \$20.0 million or 5.9% over the current biennium.

State special revenue support for the agency increases due to legislative action that shifted funding for expenditures from the general fund to state special revenue funds, including supervision fees, restitution administrative fees, and parental cost of care payments for juveniles.

The legislative budget provides funding to increase provider rates by 2% in FY 2014 and an additional 2% in FY 2015 for all but a few selected providers. Provider rate increases were approved for both not-for-profit providers and for-profit providers. Funding for medical costs that occur when an inmate is treated outside a state facility are funded nearly 20% higher than the base year costs.

Population and Bed Increases

The legislature generally funded beds for fewer offenders than the department estimates will enter the system during the 2015 biennium. The following figure summarizes the average daily population (ADP) funded and reflects the following reductions from the executive request: 1) 12 fewer male pre-release beds; 2) 10 fewer female pre-release beds; and 3) 10 fewer female transitional living beds. However, the legislature provided an appropriation of \$2.0 million to the department and an unspecified portion of another \$7.5 million appropriation in SB 410 that the department could use to offset these reductions.

Department of Corrections Funded ADP		
	FY 2014	FY 2015
Male Prison	2,372	2,392
Female Prison	209	218
Alternatives to Prison	1,011	1,044
Prerelease and Transitional Living	928	934
Specialized Supervision Programs	656	656
Probation and Parole	<u>7,728</u>	<u>7,778</u>
Total ADP	<u>12,904</u>	<u>13,022</u>

Overall offender populations are anticipated to grow by roughly 1% per year. Growth is influenced by female secure custody and programs functioning as an alternative to prison with female secure custody expected to grow by about 4.4% per year and alternatives to prison to grow by 3.4% per year.

A detailed table showing historical populations along with current projections can be found here: <http://leg.mt.gov/content/Publications/fiscal/FR-2015/Additional-Data-Tables/Corrections-ADP-table.pdf>

Boilerplate

The boilerplate section in HB 2 includes the following language:

“It is the intent of the legislature that the appropriations for personal services contained in this bill for fiscal year 2014 and fiscal year 2015, except for the reductions contained in decision packages that remove an additional vacancy savings amount, are supported by only the number of FTE that are funded. It is the intent of the legislature that this net level of FTE is the level that will be used to calculate personal services funding in the next biennium.”

The LFD has calculated that this intent language would reduce the current biennium base FTE by 440 statewide and by 34.49 for this agency. The lower level of FTE will be the starting point or base the legislature will use for personal services budget deliberations in the 2017 biennium.

Funding

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

Total Department Of Corrections Funding by Source of Authority 2015 Biennium Budget					
Funds	HB 2	Non-Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds
General Fund	\$360,135,287	\$0	\$0	\$360,135,287	90.6%
State Special Total	11,788,293	-	706,163	12,494,456	3.1%
Federal Special Total	32,010	-	-	32,010	0.0%
Proprietary Total	129,178	24,805,976	-	24,935,154	6.3%
Total All Funds	<u>\$372,084,768</u>	<u>\$24,805,976</u>	<u>\$706,163</u>	<u>\$397,596,907</u>	
Percent - Total All Sources	93.6%	6.2%	0.2%		

The department 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 comes 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)

The department receives a small amount of federal funds for the Youth Services program from the Title IV-E Foster Care and Adoption Program.

The remainder of the department’s funding comes from proprietary funds such as license plate manufacturing and prison ranch operations.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	170,077,589	170,077,589	340,155,178	94.45%	175,440,415	175,440,415	350,880,830	94.30%
Statewide PL Adjustments	(903,265)	(857,204)	(1,760,469)	(0.49%)	(803,886)	(757,584)	(1,561,470)	(0.42%)
Other PL Adjustments	7,959,199	8,210,274	16,169,473	4.49%	9,125,066	9,371,114	18,496,180	4.97%
New Proposals	2,234,389	3,336,716	5,571,105	1.55%	1,583,307	2,685,921	4,269,228	1.15%
Total Budget	\$179,367,912	\$180,767,375	\$360,135,287		\$185,344,902	\$186,739,866	\$372,084,768	

Other Legislation

HB 13 – The legislature approved funding for a pay plan for state employees. The bill includes a lump sum appropriation for pay raises that will be determined for their respective employees by the executive, legislative, and judicial branches and the Montana University System. The bill also includes funding for a 10% insurance increase for all employees each year. The legislature did not specify a particular percentage salary increase a state employee should receive, but stipulated that the appropriated funds must be used to increase the base pay of each employee, with particular attention to the lower pay bands and employees who did not receive an increase in the 2013 biennium.

SB 410 –This bill includes a one-time-only biennial appropriation of \$7.5 million general fund to the Governor’s Office. The funding can be transferred at the Governor’s discretion in the 2015 biennium to the following departments for operations costs:

- Governor’s Office
- Public Health and Human Services
- Natural Resources and Conservation
- Environmental Quality
- Administration
- Commerce
- Revenue
- Corrections
- Labor and Industry

Any funds transferred are one-time-only and consequently will not be part of the FY 2014 budget base.

The legislature also provided a direct appropriation to this agency of \$2 million from the state special revenue fund, funded with a general fund transfer. The agency may use these funds for operation of the agency.

Executive Budget Comparison

The following table compares the legislative budget in the 2015 biennium to the budget requested by the Governor, by type of expenditure and source of funding.

Executive Budget Comparison								
Budget Item	Base Budget Fiscal 2012	Executive Budget Fiscal 2014	Legislative Budget Fiscal 2014	Leg - Exec. Difference Fiscal 2014	Executive Budget Fiscal 2015	Legislative Budget Fiscal 2015	Leg - Exec. Difference Fiscal 2015	Biennium Difference Fiscal 14-15
FTE	1,279.89	1,309.89	1,281.89	(28.00)	1,309.89	1,281.89	(28.00)	
Estimated Impact of HB 2*			(34.49)	(34.49)		(34.49)	(34.49)	
Net Estimated FTE*			1247.40	(62.49)		1247.40	(62.49)	
Personal Services	69,859,396	73,437,426	71,478,400	(1,959,026)	74,294,282	71,543,752	(2,750,530)	(4,709,556)
Operating Expenses	99,536,893	109,379,576	107,700,976	(1,678,600)	111,748,553	109,196,488	(2,552,065)	(4,230,665)
Equipment & Intangible Assets	100,851	376,851	303,851	(73,000)	141,551	141,551	0	(73,000)
Benefits & Claims	2,330,087	2,330,087	2,080,087	(250,000)	2,330,087	2,080,087	(250,000)	(500,000)
Transfers	3,526,709	3,519,259	3,519,259	0	3,515,659	3,515,659	0	0
Debt Service	86,479	262,329	262,329	0	262,329	262,329	0	0
Total Costs	\$175,440,415	\$189,305,528	\$185,344,902	(\$3,960,626)	\$192,292,461	\$186,739,866	(\$5,552,595)	(\$9,513,221)
General Fund	170,077,589	183,035,457	179,367,912	(3,667,545)	186,022,149	180,767,375	(5,254,774)	(8,922,319)
State/Other Special	4,714,007	5,452,076	5,894,818	442,742	5,452,165	5,893,475	441,310	884,052
Federal Special	16,005	16,005	16,005	0	16,005	16,005	0	0
Proprietary	632,814	801,990	66,167	(735,823)	802,142	63,011	(739,131)	(1,474,954)
Total Funds	\$175,440,415	\$189,305,528	\$185,344,902	(\$3,960,626)	\$192,292,461	\$186,739,866	(\$5,552,595)	(\$9,513,221)

*Estimated impact of HB 2 boilerplate language showing net FTE with reductions. See boilerplate language on the previous pages.

The legislature approved general fund that is \$8.9 million lower and \$9.5 million lower in total funds than the executive through a combination of offsetting reductions and increases. The legislature:

- Reduced funding for outside medical by \$1.9 million
- Reduced funding for a contract between the department and the Department of Public Health and Human services for care of 20 inmates at the Montana Mental Health Nursing Care Center in Lewistown for additional FTE to provide security at the facility
- Did not fund the request for a career ladder for correctional officers
- Funded no FTE for the agency's re-entry initiative when 8.00 FTE were requested, but approved funding for coordination of re-entry efforts
- Funded the addition of 5 pre-release transitional living beds and 5 women's pre-release beds when 10 transitional living and 15 women's pre-release beds were requested
- Funded 12 fewer male pre-release beds than are currently funded

The legislature also reduced budgeted proprietary funds that were duplicated with funding authorized through proprietary rates approved for a portion of Montana Correctional Enterprises program operations. This action reduced total funds by nearly \$1.5 million.

Additionally, the legislature funded a number of requests with state special revenue from probation and parole supervision fees and interest and income generated from leasing land at Pine Hills when general fund was requested by the Governor. While this action had no impact on total funds, it resulted in a reduction of general fund.

Language and Statutory Authority

The legislature approved the following language in HB 2:

"Administration and Support Services includes appropriations of \$8,050,772 in general fund in each year for outside medical costs that are biennial.

All appropriations for Adult Community Corrections and Secure Custody Facilities are biennial."

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	106.50	106.50	106.50	106.50	106.50	106.50	0.00	0.00%
Personal Services	6,355,494	6,637,121	6,217,885	6,218,108	12,992,615	12,435,993	(556,622)	(4.28%)
Operating Expenses	12,530,975	9,371,896	14,301,642	13,929,144	21,902,871	28,230,786	6,327,915	28.89%
Total Costs	\$18,886,469	\$16,009,017	\$20,519,527	\$20,147,252	\$34,895,486	\$40,666,779	\$5,771,293	16.54%
General Fund	18,302,311	15,401,225	19,760,821	19,393,075	33,703,536	39,153,896	5,450,360	16.17%
State Special	486,136	510,996	692,539	691,166	997,132	1,383,705	386,573	38.77%
Federal Special	0	0	0	0	0	0	0	n/a
Other	98,022	96,796	66,167	63,011	194,818	129,178	(65,640)	(33.69%)
Total Funds	\$18,886,469	\$16,009,017	\$20,519,527	\$20,147,252	\$34,895,486	\$40,666,779	\$5,771,293	16.54%

Program Description

The Administration and Support Services Program includes the Director’s Office, Health Services, Information Services Division, Staff Services Division, Administrative and Financial Services Division, and the administratively attached Board of Pardons and Parole. 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 & training, American Indian liaison services, policy management, information technology, legal information, technical correctional services, research and statistics, medical services management, 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

Administration and Support Services Program Major Budget Highlights
<ul style="list-style-type: none"> ◆ Major factors contributing to the funding increase are: <ul style="list-style-type: none"> • Inflationary growth for medical costs that arise when an inmate is treated outside the prison system • Statewide present law adjustments ◆ The increases are partially offset by application in this division of the agency’s additional 2% vacancy savings adjustment, which can be allocated to other divisions

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Corrections Funding by Source of Authority 2015 Biennium Budget - Admin And Support Services							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$39,153,896	\$0	\$0	\$39,153,896	96.3%		
State Special Total	\$1,383,705	\$0	\$0	\$1,383,705	3.4%		
02261 P & P Supervisory Fee	\$80,000	\$0	\$0	\$80,000	0.2%		
02355 Miscellaneous Fines And Fees	\$17,412	\$0	\$0	\$17,412	0.0%		
02689 Offender Restitution	\$1,280,302	\$0	\$0	\$1,280,302	3.1%		
02917 Msp Canteen Revolving Acct	\$5,991	\$0	\$0	\$5,991	0.0%		
Proprietary Total	\$129,178	\$0	\$0	\$129,178	0.3%		
06033 Prison Ranch	\$42,884	\$0	\$0	\$42,884	0.1%		
06034 Msp Institutional Industries	\$39,596	\$0	\$0	\$39,596	0.1%		
06545 Prison Indust. Training Prog	\$2,601	\$0	\$0	\$2,601	0.0%		
06572 Mce License Plate Production	\$3,894	\$0	\$0	\$3,894	0.0%		
06573 Msp - Cook Chill	\$40,203	\$0	\$0	\$40,203	0.1%		
Total All Funds	\$40,666,779	\$0	\$0	\$40,666,779	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

The bulk 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’s funding comes from proprietary funds such as the prison ranch, industries program, and cook chill operation.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	18,302,311	18,302,311	36,604,622	93.49%	18,886,469	18,886,469	37,772,938	92.88%
Statewide PL Adjustments	550,828	450,735	1,001,563	2.56%	708,147	608,543	1,316,690	3.24%
Other PL Adjustments	1,532,922	1,279,729	2,812,651	7.18%	1,510,151	1,251,940	2,762,091	6.79%
New Proposals	(625,240)	(639,700)	(1,264,940)	(3.23%)	(585,240)	(599,700)	(1,184,940)	(2.91%)
Total Budget	\$19,760,821	\$19,393,075	\$39,153,896		\$20,519,527	\$20,147,252	\$40,666,779	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					740,141					745,227
Vacancy Savings					(282,495)					(282,699)
Inflation/Deflation					(2,798)					(1,174)
Fixed Costs					253,299					147,189
Total Statewide Present Law Adjustments		\$550,828	\$183,985	\$0	\$708,147*		\$450,735	\$184,037	\$0	\$608,543*
DP 50 - Initial Motion to FY 2012 Base	0.00	(550,828)	(183,985)	0	(708,147)*	0.00	(450,735)	(184,037)	0	(608,543)*
DP 51 - Adjustment for Statewide Personal Services	0.00	391,394	136,877	0	528,271	0.00	396,387	136,817	0	533,204
DP 52 - Adjustment for Statewide Operations	0.00	345,180	(13,530)	0	299,795*	0.00	245,151	(14,843)	0	195,297*
DP 101 - Outside Medical Inflationary Increase (BIEN/RESTR)	0.00	1,027,622	0	0	1,027,622	0.00	1,027,622	0	0	1,027,622
DP 601 - Victim Services	0.00	37,194	0	0	37,194	0.00	37,194	0	0	37,194
DP 701 - MSP Door Control System (OTO/BIEN)	0.00	48,632	0	0	48,632	0.00	0	0	0	0
DP 702 - Agile Assets/RevQ Licenses	0.00	10,000	43,056	0	53,056	0.00	10,000	43,056	0	53,056
DP 703 - MSP Water Telemetry System (OTO/BIEN)	0.00	50,000	0	0	50,000	0.00	0	0	0	0
DP 704 - Vocational Training OTO/Bien	0.00	159,618	0	0	159,618	0.00	0	0	0	0
DP 804 - Investigator Overtime	0.00	7,010	0	0	7,010	0.00	7,010	0	0	7,010
DP 901 - Parole Board Member Compensation	0.00	7,100	0	0	7,100	0.00	7,100	0	0	7,100
Total Other Present Law Adjustments	0.00	\$1,532,922	(\$17,582)	\$0	\$1,510,151*	0.00	\$1,279,729	(\$19,007)	\$0	\$1,251,940*
Grand Total All Present Law Adjustments	0.00	\$2,083,750	\$166,403	\$0	\$2,218,298*	0.00	\$1,730,464	\$165,030	\$0	\$1,860,483*

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

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings at 3% for all positions.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 101 - Outside Medical Inflationary Increase (BIEN/RESTR) - The legislature approved funding to address inflationary increases associated with medical care obtained outside of a correctional facility or program. The funding is designated as biennial and restricted to this purpose.

DP 601 - Victim Services - The legislature approved funding for two victim programs: 1) victim impact panels; and 2) victim-offender dialogues. The funding will reimburse volunteers who participate on 10 new victim impact panels during the biennium and reimburse volunteer facilitators who assist with 15 victim-offender dialogue cases during the biennium. In addition, this funding will support the Victim Information Notification Everyday (VINE) system, which provides notifications required in 46-24-212, MCA, to victims when an offender not in prison has a custody status change.

DP 701 - MSP Door Control System (OTO/BIEN) - The legislature approved funding to complete security door control system upgrades for the Martz Diagnostic Intake Unit at the Montana State Prison. The funding will replace the server, computer, and the software that controls the system from a system that is currently operating on Windows 98. The funding was designated as one-time-only, restricted, and biennial.

DP 702 - Agile Assets/RevQ Licenses - The legislature approved funding for software system maintenance agreements for: 1) the Agile Assets system used to track vehicle usage information and maintenance costs; and 2) an automated internet based system used for the collection and disbursement of victim’s restitution payments, and supervision and pre-sentence investigation (PSI) fees.

DP 703 - MSP Water Telemetry System (OTO/BIEN) - The legislature approved funding to replace the Montana State Prison (MSP) water telemetry system. The telemetry system monitors a number of wells to maintain prison water system pressures. The funding was designated as one-time-only, restricted, and biennial.

DP 704 - Vocational Training OTO/Bien - The legislature approved funding to purchase computers and software for General Educational Development (GED) testing and digital literacy testing skills for inmates/offenders. The funding will be used to purchase computers and software for a computer laboratory at Montana State Prison. The industry that provides GED testing services has moved from a paper-based system to requiring online access. The funding was designated as one-time-only, restricted, and biennial.

DP 804 - Investigator Overtime - The legislature approved funding for overtime for institutional investigators for matters from crimes of violence inside secure facilities to employee misconduct. The bureau often maintains 24-hour support to preserve evidence at crime scenes and conclude the investigations.

DP 901 - Parole Board Member Compensation - The legislature approved funding to increase Board of Pardons and Parole members’ compensation as outlined in 2-15-124 (7), MCA for more meetings of the board. Board members are entitled to be paid \$50 per diem for every day in which the member is engaged in the performance of board duties.

New Proposals

Program	FTE	-----Fiscal 2014-----				-----Fiscal 2015-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 54 - Additional Vacancy Savings										
01	0.00	(685,990)	0	0	(685,990)	0.00	(684,700)	0	0	(684,700)
DP 620 - Victim Impact Panel Volunteer Costs										
01	0.00	0	40,000	0	40,000	0.00	0	40,000	0	40,000
DP 702 - Inmate Adult Educational Assessment Software										
01	0.00	20,000	0	0	20,000	0.00	20,000	0	0	20,000
DP 704 - MSP Employee Training Lab (OTO/BIEN)										
01	0.00	15,750	0	0	15,750	0.00	0	0	0	0
DP 805 - Radio Systems										
01	0.00	25,000	0	0	25,000	0.00	25,000	0	0	25,000
Total	0.00	(\$625,240)	\$40,000	\$0	(\$585,240)	0.00	(\$639,700)	\$40,000	\$0	(\$599,700)

DP 54 - Additional Vacancy Savings - The legislature applied an additional 2% vacancy savings to all positions except those exempt in statute or that must be filled 24/7. Language was included in HB 2 that allows the agency to allocate the reduction among programs.

DP 620 - Victim Impact Panel Volunteer Costs - The legislature approved funding for volunteer costs associated with participation on victim impact panels, including meals and travel costs.

DP 702 - Inmate Adult Educational Assessment Software - The legislature approved funding to contract for access to education assessment software for adult education at Montana State Prison. The software would enable an inmate to take

a test, the results from which would identify the curriculum level appropriate for the inmate to prepare for a GED test. Funding was designated as one-time-only and restricted.

DP 704 - MSP Employee Training Lab (OTO/BIEN) - The legislature approved funding for the replacement of 15 computers at Montana State Prison training lab that are at the end of their lifespan. The funding was designated as one-time-only, restricted, and biennial.

DP 805 - Radio Systems - The legislature approved funding to contract with technical vendors to upgrade radio programming for agency radios.

Language and Statutory Authority

The legislature included the following language in HB 2:

"Administration and Support Services includes a reduction in general fund of \$685,990 in fiscal year 2014 and \$684,700 in fiscal year 2015. The reduction is the equivalent of an additional 2% vacancy savings. The agency may allocate this reduction in funding among programs when developing 2015 biennium operating plans."

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	257.50	257.50	257.50	257.50	257.50	257.50	0.00	0.00%
Personal Services	14,615,426	14,700,076	15,064,377	15,079,039	29,315,502	30,143,416	827,914	2.82%
Operating Expenses	45,204,759	46,744,592	48,086,278	49,022,125	91,949,351	97,108,403	5,159,052	5.61%
Equipment & Intangible Assets	15,500	4,300	15,500	15,500	19,800	31,000	11,200	56.57%
Transfers	12,500	12,500	6,250	6,250	25,000	12,500	(12,500)	(50.00%)
Debt Service	28,742	28,858	69,311	69,311	57,600	138,622	81,022	140.66%
Total Costs	\$59,876,927	\$61,490,326	\$63,241,716	\$64,192,225	\$121,367,253	\$127,433,941	\$6,066,688	5.00%
General Fund	58,610,791	60,224,206	61,741,505	62,692,014	118,834,997	124,433,519	5,598,522	4.71%
State Special	1,266,136	1,266,120	1,500,211	1,500,211	2,532,256	3,000,422	468,166	18.49%
Federal Special	0	0	0	0	0	0	0	n/a
Total Funds	\$59,876,927	\$61,490,326	\$63,241,716	\$64,192,225	\$121,367,253	\$127,433,941	\$6,066,688	5.00%

Program Description

The Adult Community Corrections Division includes probation and parole; intensive and enhanced supervision programs; and male and female community corrections programs that include: the boot camp training center, chemical dependency treatment programs, DUI treatment facilities, Methamphetamine treatment facilities, assessment, sanction, and revocation centers, and various other programs that divert offenders from prison. The department contracts with nonprofit corporations in Great Falls, Missoula, Billings, Bozeman, Butte, and Helena for prerelease services.

Program Highlights

Adult Community Corrections Division Major Budget Highlights	
◆	The legislature funded community corrections facilities based on expected increases that average 3.4% per year for alternative placement facilities and 1.3% for pre-release and transitional living facilities. The budget would address these expected increases by: <ul style="list-style-type: none"> • Maintaining all but 12 male pre-release contract beds at the full contract level through the entire biennium • Increasing the per diem rate for contracted facilities • Increasing the capacity for transitional living and women’s pre-release beds by 10 beds

Program Narrative

The Adult Community Corrections Division supervises offenders in settings other than prison. The types of services vary in intensity from community supervision to supervised residential settings such as pre-release centers and treatment facilities. The division provides services through the use of state employees (probation and parole officers) and contracts with nonprofit organization that operate various types of community based residential programs.

The figure shows average daily population (ADP) by category of service that were funded by the legislature.

Funded ADP Adult Community Corrections		
	FY 2014	FY 2015
Alternatives to Prison	1,011	1,044
Pre-release/Transitional Living	928	934
Specialized Supervision	656	656
Probation, Parole, and Enhances Supervision	7,728	7,778

The primary drivers of community correctional costs are increases in the number of offenders to be supervised or housed and the type of placement or service that is needed to supervise the offenders. Community residential treatment programs such as the methamphetamine treatment centers tend to have the highest per day costs while probation and parole supervision has the lowest per day costs. While fewer offenders receive residential services than supervision services, the cost per day can be almost twenty times greater.

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Corrections Funding by Source of Authority 2015 Biennium Budget - Adult Community Corrections							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$124,433,519	\$0	\$0	\$124,433,519	97.6%		
State Special Total	\$3,000,422	\$0	\$0	\$3,000,422	2.4%		
02261 P & P Supervisory Fee	\$3,000,422	\$0	\$0	\$3,000,422	2.4%		
Total All Funds	\$127,433,941	\$0	\$0	\$127,433,941	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

Nearly 98% of the division’s funding comes from the general fund. About 2% 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.

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	58,610,791	58,610,791	117,221,582	94.20%	59,876,927	59,876,927	119,753,854	93.97%
Statewide PL Adjustments	204,165	227,950	432,115	0.35%	204,165	227,950	432,115	0.34%
Other PL Adjustments	2,170,983	2,231,439	4,402,422	3.54%	2,380,058	2,440,514	4,820,572	3.78%
New Proposals	755,566	1,621,834	2,377,400	1.91%	780,566	1,646,834	2,427,400	1.90%
Total Budget	\$61,741,505	\$62,692,014	\$124,433,519		\$63,241,716	\$64,192,225	\$127,433,941	

Present Law Adjustments

The “Present Law Adjustments” table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					846,013					861,132
Vacancy Savings					(618,450)					(619,061)
Inflation/Deflation					(17,717)					(8,440)
Fixed Costs					(5,681)					(5,681)
Total Statewide Present Law Adjustments		\$204,165	\$0	\$0	\$204,165		\$227,950	\$0	\$0	\$227,950
DP 50 - Initial Motion to FY 2012 Base	0.00	(204,165)	0	0	(204,165)	0.00	(227,950)	0	0	(227,950)
DP 51 - Adjustment for Statewide Personal Services	0.00	382,174	0	0	382,174	0.00	396,836	0	0	396,836
DP 52 - Adjustment for Statewide Operations	0.00	(23,398)	0	0	(23,398)	0.00	(14,121)	0	0	(14,121)
DP 201 - Annualize Treatment Beds	0.00	298,860	0	0	298,860	0.00	298,860	0	0	298,860
DP 202 - Annualize Pre-release Beds	0.00	1,358,641	0	0	1,358,641	0.00	1,358,641	0	0	1,358,641
DP 203 - Annualize MASC Beds	0.00	141,394	0	0	141,394	0.00	141,394	0	0	141,394
DP 204 - TSCTC Overtime/Holiday Worked	0.00	33,142	0	0	33,142	0.00	33,142	0	0	33,142
DP 205 - Probation and Parole Overtime/Holiday Worked	0.00	33,635	0	0	33,635	0.00	33,635	0	0	33,635
DP 206 - SCRAM GPS Units	0.00	0	115,750	0	115,750	0.00	0	115,750	0	115,750
DP 207 - Probation and Parole Mental Health Contract	0.00	42,000	0	0	42,000	0.00	42,000	0	0	42,000
DP 209 - Pre-release Transitional Living	0.00	0	38,325	0	38,325	0.00	0	38,325	0	38,325
DP 210 - Passages Mental Health Contract	0.00	0	55,000	0	55,000	0.00	0	55,000	0	55,000
DP 213 - MCE Rate Increase	0.00	108,700	0	0	108,700	0.00	169,002	0	0	169,002
Total Other Present Law Adjustments	0.00	\$2,170,983	\$209,075	\$0	\$2,380,058	0.00	\$2,231,439	\$209,075	\$0	\$2,440,514
Grand Total All Present Law Adjustments	0.00	\$2,375,148	\$209,075	\$0	\$2,584,223	0.00	\$2,459,389	\$209,075	\$0	\$2,668,464

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings at 3% for all positions, except for nurses and correctional officers that support 24 hour seven days per week shifts at the Treasure State Correctional Training Center in which a 2% rate was applied.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 201 - Annualize Treatment Beds - The legislature annualized the funding for community corrections beds to include funding for 100% utilization of all existing contracted treatment beds.

DP 202 - Annualize Pre-release Beds - The legislature annualized the funding for community pre-release beds to include funding for all but 12 male beds at existing contracted pre-release centers. The legislature specified that the reduction of the 12 beds may not impact pre-release centers in Great Falls and Missoula.

DP 203 - Annualize MASC Beds - The legislature annualized per diem rate funding at the Missoula Assessment and Sanction Center (MASC) to include funding for 100% utilization.

DP 204 - TSCTC Overtime/Holiday Worked - The legislature approved funding for overtime and holidays worked at the same level as the base.

DP 205 - Probation and Parole Overtime/Holiday Worked - The legislature approved funding for overtime and holidays worked for probation and parole to respond to after-hour incidents involving supervised offenders.

DP 206 - SCRAM GPS Units - The legislature approved funding to add 5 secure continuous remote alcohol monitor (SCRAM) units and global positioning system (GPS) units to monitor sexual and high-risk offenders under community probation and parole supervision. These units provide 24 hour a day, 7 days per week electronic monitoring.

DP 207 - Probation and Parole Mental Health Contract - The legislature approved funding for additional mental health services in the Kalispell probation and parole region.

DP 209 - Pre-release Transitional Living - The legislature approved funding to add 5 transitional living program (TLP) slots as a means of enhancing re-entry efforts.

DP 210 - Passages Mental Health Contract - The legislature approved funding to expand female mental health services at the Passages program in Billings. This funding will provide the same assessment, stabilization, and support services to female offenders with mental health needs that are provided at the revocation program for male offenders.

DP 213 - MCE Rate Increase - The legislature approved funding for rate changes approved for the Montana Correctional Enterprises (MCE) for production services of food, laundry, and motor vehicle maintenance.

New Proposals

Program	FTE	-----Fiscal 2014-----				-----Fiscal 2015-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 201 - Re-entry Coordination										
02	0.00	0	25,000	0	25,000	0.00	0	25,000	0	25,000
DP 203 - Per Diem Adult Community Corrections										
02	0.00	685,168	0	0	685,168	0.00	1,481,037	0	0	1,481,037
DP 212 - Additional community corrections beds for women										
02	0.00	70,398	0	0	70,398	0.00	140,797	0	0	140,797
Total	0.00	\$755,566	\$25,000	\$0	\$780,566	0.00	\$1,621,834	\$25,000	\$0	\$1,646,834

DP 201 - Re-entry Coordination - The legislature approved funding for re-entry coordination activities and restricted the funding for this purpose.

DP 203 - Per Diem Adult Community Corrections - The legislature approved funding to provide a 2% provider rate increase in FY 2014 and an additional 2% (4% total) rate increase for FY 2015 for all pre-release bed providers and treatment bed providers, except the FY 2014 rate for the providers at the Elkhorn and Nexus treatment facilities was increased by 1% and the funding for treatment center increases was designated as restricted.

DP 212 - Additional community corrections beds for women - The legislature approved funding to add 5 pre-release beds for women beginning January 1, 2014, to address anticipated female pre-release growth.

Language and Statutory Authority

The legislature included the following language in HB 2 for this program:

"Adult Community Corrections includes reductions in general fund of \$228,798 in each year to remove funding for 12 male prerelease beds. Reductions at prerelease centers in Great Falls and Missoula may not be made to implement the reductions."

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	697.54	697.54	704.54	704.54	697.54	704.54	7.00	1.00%
Personal Services	37,414,105	37,471,761	38,531,715	38,568,796	74,885,866	77,100,511	2,214,645	2.96%
Operating Expenses	36,915,766	38,117,853	40,212,616	41,226,693	75,033,619	81,439,309	6,405,690	8.54%
Equipment & Intangible Assets	85,351	77,381	288,351	126,051	162,732	414,402	251,670	154.65%
Transfers	54,300	55,738	53,100	49,500	110,038	102,600	(7,438)	(6.76%)
Debt Service	36,860	36,860	172,141	172,141	73,720	344,282	270,562	367.01%
Total Costs	\$74,506,382	\$75,759,593	\$79,257,923	\$80,143,181	\$150,265,975	\$159,401,104	\$9,135,129	6.08%
General Fund	74,401,566	75,595,727	79,153,107	80,038,365	149,997,293	159,191,472	9,194,179	6.13%
State Special	104,816	153,520	104,816	104,816	258,336	209,632	(48,704)	(18.85%)
Federal Special	0	10,346	0	0	10,346	0	(10,346)	(100.00%)
Total Funds	\$74,506,382	\$75,759,593	\$79,257,923	\$80,143,181	\$150,265,975	\$159,401,104	\$9,135,129	6.08%

Program Description

The Secure Facilities Program includes the Montana State Prison, Montana Women's Prison, and contract bed facilities which 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

Secure Custody Facilities Program	
Major Budget Highlights	
◆	Funding for secure custody facilities accommodates average annual increases of 1.2% for males and 4.4% for females. The budget addresses these increases by: <ul style="list-style-type: none"> • Contracting with the Department of Public Health and Human Services to house 25 inmates needing assistance with their daily care, thus freeing up 35 beds at the Montana State Prison • Maintaining contract beds at the full contract level through the entire biennium
◆	The legislature funded: <ul style="list-style-type: none"> • A prevailing wage adjustment in the contract for the private prison in Shelby • A provider rate increase for private for-profit providers of 2% each year
◆	The legislature funded the addition of 7.00 FTE: <ul style="list-style-type: none"> • For correctional relief factors at Montana State Prison and Montana Women's Prison, 1.00 FTE • To replace the previously contracted health services function for the Montana Women's Prison, 6.00 FTE

Program Narrative

The Secure Custody Facilities Program houses offenders in the Montana State Prison, Montana Women's Prison, and various contracted prison and detention facilities. Montana State Prison (MSP) for male offenders is the largest facility with an operational capacity of 1,485 inmates, while regional prison facilities in Glendive and Great Falls that house a combined 293 inmates are the smallest facilities. Montana Women's Prison (MWP), the only female prison in the state,

has an operational capacity of 194. Both male and female secure inmates are also held in county jails. The cost of contracted prison beds includes the cost to house 550 inmates in the Crossroads Correctional Center in Shelby as well as the cost of housing offenders in county jails and two regional prisons. Beginning halfway through FY 2013, 25 inmates are housed at the Montana Mental Health Nursing Care Center (MMHNCC) in Lewistown. The department is responsible for the cost of housing offenders after conviction.

The primary cost drivers for this program include the average daily population (ADP) of offenders to be housed; operating costs at state facilities including staffing costs; and per diem rates negotiated with the private prison, regional prisons, county jails, and other contractors.

The figure shows the average daily population (ADP) of offenders for male and female prisons funded by the legislature. This funding includes 25 secure assisted living beds at MMHNCC.

Funded ADP Secure Custody Facilities		
	FY 2014	FY 2015
Males	2,372	2,392
Females	209	218
Total ADP	2,581	2,610

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Corrections Funding by Source of Authority 2015 Biennium Budget - Secure Custody Facilities							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$159,191,472	\$0	\$0	\$159,191,472	99.4%		
State Special Total	\$209,632	\$0	\$706,163	\$915,795	0.6%		
02339 Inmate Welfare/inmate Pay	\$200,000	\$0	\$0	\$200,000	0.1%		
02345 Inmate Welfare Fund	\$0	\$0	\$706,163	\$706,163	0.4%	53-1-109	Direct
02355 Miscellaneous Fines And Fees	\$9,632	\$0	\$0	\$9,632	0.0%		
Total All Funds	\$159,401,104	\$0	\$706,163	\$160,107,267	100.0%		
Percent - Total All Sources	99.6%	0.0%	0.4%				

This division is funded almost entirely by the general fund. State special funds are from the sale of canteen items to inmates and support the cost of purchasing canteen items.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	74,401,566	74,401,566	148,803,132	93.47%	74,506,382	74,506,382	149,012,764	93.48%
Statewide PL Adjustments	(1,581,066)	(1,484,249)	(3,065,315)	(1.93%)	(1,681,066)	(1,584,249)	(3,265,315)	(2.05%)
Other PL Adjustments	4,193,424	4,737,093	8,930,517	5.61%	4,293,424	4,837,093	9,130,517	5.73%
New Proposals	2,139,183	2,383,955	4,523,138	2.84%	2,139,183	2,383,955	4,523,138	2.84%
Total Budget	\$79,153,107	\$80,038,365	\$159,191,472		\$79,257,923	\$80,143,181	\$159,401,104	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					(135,660)					(96,846)
Vacancy Savings					(1,491,127)					(1,492,692)
Inflation/Deflation					(84,980)					(24,765)
Fixed Costs					30,701					30,054
Total Statewide Present Law Adjustments		(\$1,581,066)	(\$100,000)	\$0	(\$1,681,066)		(\$1,484,249)	(\$100,000)	\$0	(\$1,584,249)
DP 50 - Initial Motion to FY 2012 Base	0.00	1,581,066	100,000	0	1,681,066	0.00	1,484,249	100,000	0	1,584,249
DP 51 - Adjustment for Statewide Personal Services	0.00	(1,142,721)	(100,000)	0	(1,242,721)	0.00	(1,105,082)	(100,000)	0	(1,205,082)
DP 52 - Adjustment for Statewide Operations	0.00	(54,279)	0	0	(54,279)	0.00	5,289	0	0	5,289
DP 301 - MWP Correctional Officer	1.00	38,912	0	0	38,912	1.00	38,862	0	0	38,862
DP 303 - Montana Women's Prison Contracts	0.00	31,250	0	0	31,250	0.00	31,250	0	0	31,250
DP 304 - MWP Supplies (OTO/BIEN/RESTR)	0.00	25,000	0	0	25,000	0.00	35,000	0	0	35,000
DP 305 - MSP Inmate programming	0.00	30,000	0	0	30,000	0.00	30,000	0	0	30,000
DP 307 - MWP Overtime/Holiday Worked	0.00	221,594	0	0	221,594	0.00	221,594	0	0	221,594
DP 308 - MWP Inmate Pay	0.00	19,235	0	0	19,235	0.00	19,235	0	0	19,235
DP 314 - MSP Supplies and Equipment (OTO/BIEN/RESTR)	0.00	110,000	0	0	110,000	0.00	30,000	0	0	30,000
DP 316 - MSP Overtime/Holiday worked	0.00	1,476,927	0	0	1,476,927	0.00	1,476,927	0	0	1,476,927
DP 317 - MSP Inmate Pay	0.00	150,405	100,000	0	250,405	0.00	150,405	100,000	0	250,405
DP 319 - Annualize Secure Care Contract Bed	0.00	1,075,093	0	0	1,075,093	0.00	1,349,473	0	0	1,349,473
DP 321 - MCE Rate Increase	0.00	520,942	0	0	520,942	0.00	969,891	0	0	969,891
DP 324 - MSP Van Replacement (OTO/BIEN)	0.00	110,000	0	0	110,000	0.00	0	0	0	0
Total Other Present Law Adjustments	1.00	\$4,193,424	\$100,000	\$0	\$4,293,424	1.00	\$4,737,093	\$100,000	\$0	\$4,837,093
Grand Total All Present Law Adjustments	1.00	\$2,612,358	\$0	\$0	\$2,612,358	1.00	\$3,252,844	\$0	\$0	\$3,252,844

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings at 3% for all positions, except for nurses and correctional officers that support 24 hour seven days per week shifts at Montana State Prison and Montana Woman's Prison for which a 2% rate was applied.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 301 - MWP Correctional Officer - The legislature approved funding to add 1.00 FTE for the correctional officer relief factor, which provides coverage for staff vacancies of other officers associated with sick leave, vacation, and regular days off.

DP 303 - Montana Women’s Prison Contracts - The legislature approved funding to: 1) increase hours for religious activities; 2) fund all 187 regular and 54 summer school days under the contract with the Billings public school system for adult basic education and literacy education services to inmates at the Montana Women's Prison; and 3) address increases for the chemical dependency contract.

DP 304 - MWP Supplies (OTO/BIEN/RESTR) - The legislature approved funding to purchase supplies and equipment ranging from key locks, fencing, washers, dryers, facility security equipment for staff, mattresses, chairs, and dresser supplies to flooring repairs needed for facility security and maintenance at the Montana Women’s Prison. The legislature designated funding as one-time-only, biennial, and restricted.

DP 305 - MSP Inmate programming - The legislature approved funding to purchase training materials to expand the Steps to Economic and Personal Success (STEPS) and New Directions programs for inmates, which teaches offenders how to change their way of thinking about themselves, their lives, and their criminal background.

DP 307 - MWP Overtime/Holiday Worked - The legislature approved general fund for overtime and holidays worked.

DP 308 - MWP Inmate Pay - The legislature approved general fund to pay inmates for work and educational assignments.

DP 314 - MSP Supplies and Equipment (OTO/BIEN/RESTR) - The legislature approved general fund to purchase supplies and equipment ranging from medical equipment, kitchen supplies, yard replacement, and fencing and utility vehicles needed for facility security and maintenance at Montana State Prison. The legislature designated funding as one-time-only, biennial, and restricted.

DP 316 - MSP Overtime/Holiday worked - The legislature approved general fund for overtime and holidays worked.

DP 317 - MSP Inmate Pay - The legislature approved funding to pay inmates for work and educational assignments. The state special funding is from the inmate welfare and inmate pay fund.

DP 319 - Annualize Secure Care Contract Bed- The legislature approved funding to annualize the costs of contract prison beds to include funding for 100% utilization of all existing contracted beds at the projected per diem rates at the Cascade County and Dawson County regional prisons and county jails.

DP 321 - MCE Rate Increase - The legislature approved funding for rate changes approved for Montana Correctional Enterprises (MCE) for production services of food, laundry, and motor vehicle maintenance.

DP 324 - MSP Van Replacement (OTO/BIEN) - The legislature approved funding to purchase an inmate transportation van. The funding was designated as one-time-only, restricted, and biennial.

New Proposals

Program	FTE	-----Fiscal 2014-----				-----Fiscal 2015-----				
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 301 - Montana Women’s Prison Medical Services										
03	6.00	11,258	0	0	11,258	6.00	10,750	0	0	10,750
DP 320 - Lewistown Infirmary Beds										
03	0.00	1,328,721	0	0	1,328,721	0.00	1,328,721	0	0	1,328,721
DP 323 - Contract Beds Private Prison Per Diem										
03	0.00	560,056	0	0	560,056	0.00	560,056	0	0	560,056
DP 325 - Provider Rate Increase Private For-Profit Prison										
03	0.00	239,148	0	0	239,148	0.00	484,428	0	0	484,428
Total	6.00	\$2,139,183	\$0	\$0	\$2,139,183	6.00	\$2,383,955	\$0	\$0	\$2,383,955

DP 301 - Montana Women's Prison Medical Services - The legislature approved funding for operating costs and personal services to add 6.00 FTE to fund health services at the Montana Women's Prison. Positions that will be added are: 1) two licensed practical nurses; 2) three registered nurses; and 3) one medical assistant.

DP 320 - Lewistown Infirmary Beds - The legislature approved funding for a contract (memorandum of understanding) with the Department of Public Health and Human Services for 25 beds at the Lewistown Infirmary. The facility serves an agency-identified population of older offenders with chronic medical conditions that require a specialized level of care, which has become increasingly challenging to provide in a traditional prison environment. The inmates designated for this facility are low-security offenders with an array of serious physical issues.

DP 323 - Contract Beds Private Prison Per Diem - The legislature approved funding to pay for a prevailing wage adjustment under the contract for per diem payments to the Crossroads Corrections Center, the private prison in Shelby.

DP 325 - Provider Rate Increase Private For-Profit Prison - The legislature approved funding to provide provider rate increases for contracted beds operated by private for-profit providers of 2% in FY 2014 and an additional 2% in FY 2015.

Language and Statutory Authority

The legislature included the following language in HB 2:

"Secure Custody Facilities includes \$239,148 in general fund money in fiscal year 2014 and \$484,428 in general fund money in fiscal year 2015 that may be used only for provider rate increases for contracted beds operated by private for-profit providers. In addition, Secure Custody Facilities includes \$560,056 in general fund money in fiscal year 2014 and \$560,056 in general fund money in fiscal year 2015 that may be used only for reimbursement to private for-profit providers for prevailing wages as obligated under contract."

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	16.00	16.00	12.00	12.00	16.00	12.00	(4.00)	(25.00%)
Personal Services	810,031	943,083	718,910	720,631	1,753,114	1,439,541	(313,573)	(17.89%)
Operating Expenses	2,511,876	2,490,111	2,621,054	2,621,560	5,001,987	5,242,614	240,627	4.81%
Equipment & Intangible Assets	0	0	0	0	0	0	0	n/a
Total Costs	\$3,321,907	\$3,433,194	\$3,339,964	\$3,342,191	\$6,755,101	\$6,682,155	(\$72,946)	(1.08%)
General Fund	801,606	790,402	824,496	826,693	1,592,008	1,651,189	59,181	3.72%
State Special	1,985,509	2,003,841	2,515,468	2,515,498	3,989,350	5,030,966	1,041,616	26.11%
Other	534,792	638,951	0	0	1,173,743	0	(1,173,743)	(100.00%)
Total Funds	\$3,321,907	\$3,433,194	\$3,339,964	\$3,342,191	\$6,755,101	\$6,682,155	(\$72,946)	(1.08%)

Program Description

The Montana Correctional Enterprises (MCE) Division provides vocational education and on the job training to over 400 offenders with minimal general fund support. MCE programs allow offenders to gain valuable knowledge, life skills, and work experience, helping them to transition back into society.

Program Highlights

Montana Correctional Enterprises Major Budget Highlights	
◆	The 2015 biennium budget is \$73,000 or 1.1% lower than the 2013 biennium due to the following offsetting factors: <ul style="list-style-type: none"> • \$1.4 million of proprietary funds that had previously been budgeted in HB 2 were taken off budget through proprietary rate supported funding • Statewide present law adjustments, authority to purchase additional merchandise for the canteen, and staff overtime and inmate pay nearly offset the reduced proprietary funds

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Corrections Funding by Source of Authority 2015 Biennium Budget - Mont Correctional Enterprises							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$1,651,189	\$0	\$0	\$1,651,189	5.2%		
State Special Total	\$5,030,966	\$0	\$0	\$5,030,966	16.0%		
02917 Msp Canteen Revolving Acct	\$5,030,966	\$0	\$0	\$5,030,966	16.0%		
Proprietary Total	\$0	\$24,805,976	\$0	\$24,805,976	78.8%		
06033 Prison Ranch	\$0	\$8,929,778	\$0	\$8,929,778	28.4%		
06034 Msp Institutional Industries	\$0	\$4,519,754	\$0	\$4,519,754	14.4%		
06545 Prison Indust. Training Prog	\$0	\$1,464,685	\$0	\$1,464,685	4.7%		
06572 Mce License Plate Production	\$0	\$1,872,667	\$0	\$1,872,667	5.9%		
06573 Msp - Cook Chill	\$0	\$8,019,092	\$0	\$8,019,092	25.5%		
Total All Funds	\$6,682,155	\$24,805,976	\$0	\$31,488,131	100.0%		
Percent - Total All Sources	21.2%	78.8%	0.0%				

HB 2 funding for this program is a combination of general fund and state special revenue. General fund supports a portion of the vocational education program and personal services costs for the inmate canteen. State special revenue from the inmate canteen fund supports the purchase of merchandise that is distributed and sold to inmates through the canteen. Non-budgeted proprietary funds support a portion of the vocational education program, industries, food factory, the prison ranch, and license plate operations, and are discussed separately in the Proprietary Rates section.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	801,606	801,606	1,603,212	97.09%	3,321,907	3,321,907	6,643,814	99.43%
Statewide PL Adjustments	(16,858)	(14,686)	(31,544)	(1.91%)	25,202	27,126	52,328	0.78%
Other PL Adjustments	39,748	39,773	79,521	4.82%	725,341	725,357	1,450,698	21.71%
New Proposals	0	0	0	0.00%	(732,486)	(732,199)	(1,464,685)	(21.92%)
Total Budget	\$824,496	\$826,693	\$1,651,189		\$3,339,964	\$3,342,191	\$6,682,155	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					60,364					61,845
Vacancy Savings					(34,814)					(34,877)
Inflation/Deflation					(348)					158
Total Statewide Present Law Adjustments		(\$16,858)	(\$19,353)	\$0	\$25,202*		(\$14,686)	(\$19,316)	\$0	\$27,126*
DP 50 - Initial Motion to FY 2012 Base	0.00	16,858	19,353	0	(25,202)*	0.00	14,686	19,316	0	(27,126)*
DP 51 - Adjustment for Statewide Personal Services	0.00	(29,303)	0	0	36,391*	0.00	(27,582)	0	0	37,825*
DP 52 - Adjustment for Statewide Operations	0.00	(307)	(41)	0	(348)	0.00	169	(11)	0	158
DP 402 - MCE Overtime and Inmate Pay	0.00	52,500	30,000	0	114,500*	0.00	52,500	30,000	0	114,500*
DP 403 - MCE Additional Spending Authority	0.00	0	500,000	0	600,000*	0.00	0	500,000	0	600,000*
Total Other Present Law Adjustments	0.00	\$39,748	\$549,312	\$0	\$725,341*	0.00	\$39,773	\$549,305	\$0	\$725,357*
Grand Total All Present Law Adjustments	0.00	\$22,890	\$529,959	\$0	\$750,543*	0.00	\$25,087	\$529,989	\$0	\$752,483*

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

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings at 3% for all positions.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 402 - MCE Overtime and Inmate Pay - The legislature approved funding for staff overtime and inmate pay.

DP 403 - MCE Additional Spending Authority - The legislature approved state special revenue to purchase additional merchandise for the canteen.

New Proposals

New Proposals	-----Fiscal 2014-----					-----Fiscal 2015-----					
	Program	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
DP 420 - Move Funding to Proprietary Rates	04	(4.00)	0	0	0	(732,486)*	(4.00)	0	0	0	(732,199)*
Total		(4.00)	\$0	\$0	\$0	(\$732,486)*	(4.00)	\$0	\$0	\$0	(\$732,199)*

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

DP 420 - Move Funding to Proprietary Rates - The legislature reduced all funding from the Vocational Education - Proprietary sub-program as the proprietary rates provide authority for the same purpose.

Proprietary Rates

Proprietary Program Description

The Montana Correctional Enterprises Program provides the following functions funded with proprietary funds. These programs are described below along with a discussion of the program revenues, expenses, and rates being requested to finance the programs:

- Prison Ranch
- Industries
- Vocational Education
- Food Factory
- License Plate Operations

Prison Ranch – Fund 06033

Proprietary Program Description

The proprietary program consists of the ranch operation located near the Montana State Prison in Deer Lodge and includes cattle, crops, feedlot, land management, dairy milking parlor, dairy processing, heifer reproduction, and lumber processing activities.

Expenses

Personal services funds 21.50 FTE. The largest operating expenses for the program include items such as feed, grain, gasoline, diesel fuel, and veterinary supplies. The cost of these supplies varies with general economic conditions.

Revenues

Revenues for this program are derived primarily from the sale of raw milk and livestock. Additionally, a small amount of revenue is generated through logging. Revenues vary depending upon general economic conditions that impact commodity prices.

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

This proprietary program consists of the furniture, upholstery, print, sign, and laundry operations at the Montana State Prison facility.

Expenses

The expenses are split almost equally between personal services for 21.00 FTE and operating expenses. The largest categories of operating expenses for the program include items related to furniture manufacturing and shop supplies.

Revenues

Revenues are derived primarily from the sale of merchandise (furniture and signs) and charges for laundry services. In FY 2012 about \$935,000 of revenue was derived from furniture sales and upholstery work to state agencies and the private sector and \$433,000 was derived from the provision of laundry services to Montana State Prison (MSP) and Montana State Hospital (MSH).

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.

MCE Food Factory – Fund 06573*Proprietary Program Description*

This proprietary program consists of food processing and creation of trayed meals and products that are sold to other facilities of the agency and the Montana State Hospital at Warm Springs.

Expenses

The expenses include personal services for 21.00 FTE and operating expenses, with the bulk of the funding supporting operating costs. The largest category of operating cost is raw materials, which includes the various grocery type items needed to prepare meals.

Revenues

Revenues are derived from the sale of meals to facilities. The largest customer is MSP.

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 rates approved for this program are listed in Section R of HB 2 and were not changed from those requested.

Vocational Education – Fund 06545*Proprietary Program Description*

This proprietary program consists of the motor vehicle maintenance shop.

Expenses

The expenses are split between personal services (4.00 FTE) and operating expenses, with about one-third of the budget supporting personal services and the remaining two-thirds supporting operating costs. The largest category of operating expense for the program is merchandise.

Revenues

Revenues are derived primarily from motor vehicle maintenance completed for MSP and the prison ranch.

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 rates approved for this program are listed in Section R of HB 2 and were not changed from those requested.

MCE License Plate – Fund 06572*Proprietary Program Description*

This proprietary program consists of license plate manufacturing.

Expenses

The expenses for this program include personal services for 2.50 FTE and operating expenses, with the bulk of the funding supporting operating costs for materials used in the production of license plates.

Revenues

Revenues are derived from the sale of license plates to the Department of Justice. The Department of Justice pays for the license plates with fee revenue collected from license plate sales.

Proprietary Rates

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. The rates approved for this program are listed in Section R of HB 2 and were not changed from those requested.

Program Budget Comparison

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

Program Budget Comparison								
Budget Item	Base Fiscal 2012	Approp. Fiscal 2013	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 12-13	Biennium Fiscal 14-15	Biennium Change	Biennium % Change
FTE	202.35	202.35	201.35	201.35	202.35	201.35	(1.00)	(0.49%)
Personal Services	10,664,340	10,891,106	10,945,513	10,957,178	21,555,446	21,902,691	347,245	1.61%
Operating Expenses	2,373,517	2,245,738	2,479,386	2,396,966	4,619,255	4,876,352	257,097	5.57%
Equipment & Intangible Assets	0	0	0	0	0	0	0	n/a
Benefits & Claims	2,330,087	2,940,542	2,080,087	2,080,087	5,270,629	4,160,174	(1,110,455)	(21.07%)
Transfers	3,459,909	2,848,231	3,459,909	3,459,909	6,308,140	6,919,818	611,678	9.70%
Debt Service	20,877	20,933	20,877	20,877	41,810	41,754	(56)	(0.13%)
Total Costs	\$18,848,730	\$18,946,550	\$18,985,772	\$18,915,017	\$37,795,280	\$37,900,789	\$105,509	0.28%
General Fund	17,961,315	18,077,597	17,887,983	17,817,228	36,038,912	35,705,211	(333,701)	(0.93%)
State Special	871,410	853,560	1,081,784	1,081,784	1,724,970	2,163,568	438,598	25.43%
Federal Special	16,005	15,393	16,005	16,005	31,398	32,010	612	1.95%
Total Funds	\$18,848,730	\$18,946,550	\$18,985,772	\$18,915,017	\$37,795,280	\$37,900,789	\$105,509	0.28%

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

Youth Services Division Major Budget Highlights
<ul style="list-style-type: none"> ◆ The 2015 biennium budget is nearly equivalent to the 2013 biennium budget ◆ The legislature made the following offsetting adjustments: <ul style="list-style-type: none"> • Staff overtime and inmate pay was approved • Funding was approved to replace doors at the Riverside Youth Correctional Facility • Annual 1% provider rate increases were approved for juvenile re-entry service providers • The legislature reduced funding associated with 1.00 FTE that had been vacant for an extended period • Youth placement funds were reduced by \$500,000

Funding

The following table shows program funding by source of authority for the 2015 biennium as adopted by the legislature.

Total Department Of Corrections Funding by Source of Authority 2015 Biennium Budget - Youth Services							
Funds	HB 2	Non-Budgeted Proprietary	Statutory Appropriation	Total All Sources	% Total All Funds	MCA Reference	Statutory Category
General Fund	\$35,705,211	\$0	\$0	\$35,705,211	94.2%		
State Special Total	\$2,163,568	\$0	\$0	\$2,163,568	5.7%		
02034 Earmarked Alcohol Funds	\$51,046	\$0	\$0	\$51,046	0.1%		
02916 Phs-canteen	\$7,550	\$0	\$0	\$7,550	0.0%		
02927 Phs Donations/i & I	\$1,234,806	\$0	\$0	\$1,234,806	3.3%		
02970 Juvenile Plcmnt Cost Of Care	\$870,166	\$0	\$0	\$870,166	2.3%		
Federal Special Total	\$32,010	\$0	\$0	\$32,010	0.1%		
03530 6901-foster Care 93.658	\$32,010	\$0	\$0	\$32,010	0.1%		
Total All Funds	\$37,900,789	\$0	\$0	\$37,900,789	100.0%		
Percent - Total All Sources	100.0%	0.0%	0.0%				

This division receives about 94% of its support from the general fund. State special revenue, primarily from parental contributions toward the costs of care and interest and income related to Pine Hills school lands, provides about 6% of the division’s funding. The division also receives a small amount of federal funds from the Title IV-E Foster Care and Adoption Program.

Budget Summary by Category

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

Budget Item	-----General Fund-----				-----Total Funds-----			
	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget	Budget Fiscal 2014	Budget Fiscal 2015	Biennium Fiscal 14-15	Percent of Budget
Base Budget	17,961,315	17,961,315	35,922,630	100.61%	18,848,730	18,848,730	37,697,460	99.46%
Statewide PL Adjustments	(60,334)	(36,954)	(97,288)	(0.27%)	(60,334)	(36,954)	(97,288)	(0.26%)
Other PL Adjustments	22,122	(77,760)	(55,638)	(0.16%)	216,092	116,210	332,302	0.88%
New Proposals	(35,120)	(29,373)	(64,493)	(0.18%)	(18,716)	(12,969)	(31,685)	(0.08%)
Total Budget	\$17,887,983	\$17,817,228	\$35,705,211		\$18,985,772	\$18,915,017	\$37,900,789	

Present Law Adjustments

The "Present Law Adjustments" table shows the changes to the base budget adopted by the legislature.

Present Law Adjustments	-----Fiscal 2014-----					-----Fiscal 2015-----				
	FTE	General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds
Personal Services					398,405					410,372
Vacancy Savings					(442,512)					(442,984)
Inflation/Deflation					(16,227)					(4,342)
Total Statewide Present Law Adjustments		(\$60,334)	\$0	\$0	(\$60,334)		(\$36,954)	\$0	\$0	(\$36,954)
DP 50 - Initial Motion to FY 2012 Base	0.00	60,334	0	0	60,334	0.00	36,954	0	0	36,954
DP 51 - Adjustment for Statewide Personal Services	0.00	66,521	0	0	66,521	0.00	78,134	0	0	78,134
DP 52 - Adjustment for Statewide Operations	0.00	(16,227)	0	0	(16,227)	0.00	(4,342)	0	0	(4,342)
DP 501 - PHYCF Overtime/Holiday Worked	0.00	0	164,120	0	164,120	0.00	0	164,120	0	164,120
DP 502 - RYCF Overtime/Holiday Worked	0.00	37,567	0	0	37,567	0.00	37,567	0	0	37,567
DP 503 - YTC Overtime/Holiday Worked	0.00	22,927	0	0	22,927	0.00	22,927	0	0	22,927
DP 504 - PHYCF Inmate Pay	0.00	0	29,850	0	29,850	0.00	0	29,850	0	29,850
DP 505 - RYCF Inmate Pay	0.00	1,000	0	0	1,000	0.00	1,000	0	0	1,000
DP 507 - RYCF Safety and Security OTO/BIEN	0.00	100,000	0	0	100,000	0.00	0	0	0	0
DP 511 - Youth Placement Funding Reduction	0.00	(250,000)	0	0	(250,000)	0.00	(250,000)	0	0	(250,000)
Total Other Present Law Adjustments	0.00	\$22,122	\$193,970	\$0	\$216,092	0.00	(\$77,760)	\$193,970	\$0	\$116,210
Grand Total All Present Law Adjustments	0.00	(\$38,212)	\$193,970	\$0	\$155,758	0.00	(\$114,714)	\$193,970	\$0	\$79,256

DP 50 - Initial Motion to FY 2012 Base - The legislature adopted a motion to establish the starting point for budget deliberations as the FY 2012 base. This adjustment removes statewide present law adjustments for personal services, vacancy savings, fixed costs, and inflation/deflation.

DP 51 - Adjustment for Statewide Personal Services - This adjustment funds statewide personal services and vacancy savings at 3% for all positions, except for nurses and correctional officers that support 24 hour seven days per week shifts at Pine Hills and Riverside Youth Correctional Facilities in which a 2% rate was applied.

DP 52 - Adjustment for Statewide Operations - This adjustment establishes the fixed cost and inflation/deflation rates as approved by the General Government subcommittee.

DP 501 - PHYCF Overtime/Holiday Worked - The legislature approved funding for overtime and holidays worked at the base level for the Pine Hills Youth Correctional Facility (PHYCF).

DP 502 - RYCF Overtime/Holiday Worked - The legislature approved funding for overtime and holidays worked at the base level for the Riverside Youth Correctional Facility (RYCF).

DP 503 - YTC Overtime/Holiday Worked - The legislature approved funding for overtime and holidays worked at the base level at the Youth Transitional Center (YTC).

DP 504 - PHYCF Inmate Pay - The legislature approved funding for inmate pay at Pine Hills Youth Correctional Facility. Youth pay restitution to their victims through their work.

DP 505 - RYCF Inmate Pay - The legislature approved funding for inmate pay at the Riverside Youth Correctional Facility. Youth pay restitution to their victims through their work.

DP 507 - RYCF Safety and Security OTO/BIEN - The legislature approved funding for a project to replace doors throughout the Riverside Youth Correctional Facility. The funding was designated as one-time-only, restricted, and biennial.

DP 511 - Youth Placement Funding Reduction - The legislature reduced funding for juvenile placements.

New Proposals

New Proposals											
Program	FTE	-----Fiscal 2014-----				-----Fiscal 2015-----					
		General Fund	State Special	Federal Special	Total Funds	FTE	General Fund	State Special	Federal Special	Total Funds	
DP 509 - PHYCF Vocational Program											
05	0.00	0	16,404	0	16,404	0.00	0	16,404	0	16,404	
DP 510 - Juvenile Re-entry Provider Rate Increase											
05	0.00	5,692	0	0	5,692	0.00	11,387	0	0	11,387	
DP 512 - Remove Funding for Long-term Vacant Position											
05	(1.00)	(40,812)	0	0	(40,812)	(1.00)	(40,760)	0	0	(40,760)	
Total	(1.00)	(\$35,120)	\$16,404	\$0	(\$18,716)	(1.00)	(\$29,373)	\$16,404	\$0	(\$12,969)	

DP 509 - PHYCF Vocational Program - The legislature approved state special revenue for the Pine Hill Youth Correctional Facility vocational program.

DP 510 - Juvenile Re-entry Provider Rate Increase - The legislature approved funding for provider rate increases for non-profit providers of juvenile re-entry services of 1% in FY 2014 and an additional 1% in FY 2015.

DP 512 - Remove Funding for Long-term Vacant Position - The legislature removed funding for a correctional officer position at Pine Hills Youth Correctional Facility that had been vacant for an extended period of time.