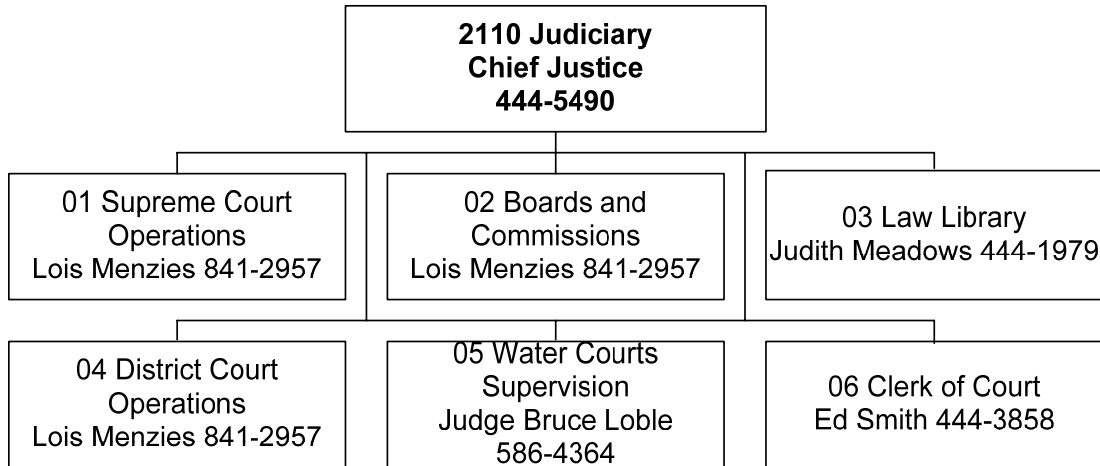


JUDICIAL BRANCH-2110 SUPREME COURT OPERATIONS-01

Please note that this agency also contains proprietary funding (see Section P).



Mission Statement - The Judiciary'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.

Statutory Authority - Article III, Section 1, and Article VII, Montana Constitution; Title 3, MCA.

Agency Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	397.08	0.00	6.50	403.58	0.00	6.50	403.58
Personal Services	25,851,024	2,485,350	324,122	28,660,496	2,452,777	324,214	28,628,015
Operating Expenses	7,811,135	702,040	256,250	8,769,425	674,843	238,099	8,724,077
Equipment & Intangible Assets	104,887	8,644	0	113,531	13,776	0	118,663
Grants	274,469	0	0	274,469	0	0	274,469
Debt Service	26,604	0	0	26,604	0	0	26,604
Total Costs	\$34,068,119	\$3,196,034	\$580,372	\$37,844,525	\$3,141,396	\$562,313	\$37,771,828
General Fund	32,171,909	2,760,691	580,372	35,512,972	2,672,706	562,313	35,406,928
State/Other Special	1,773,813	431,869	0	2,205,682	465,203	0	2,239,016
Federal Special	122,397	3,474	0	125,871	3,487	0	125,884
Total Funds	\$34,068,119	\$3,196,034	\$580,372	\$37,844,525	\$3,141,396	\$562,313	\$37,771,828

In accordance with 17-7-122, MCA, the Judicial Branch proposals must be included in the budget submittal by the Governor, but expenditures above the current base budget need not be a part of the balanced financial plan pursuant to 17-7-123, MCA. This comparison is provided in Table D-1.

**JUDICIAL BRANCH-2110
SUPREME COURT OPERATIONS-01**

Table A-1				
Judicial Branch Budget Request Compared to Executive Recommended Budget				
	BIENNIAL AMOUNTS FY 2010 & FY 2011			
	Branch	OBPP	OBPP Over/(Under)	
<u>Branch Wide</u>	<u>Submission</u>	<u>Recommended</u>	<u>Submission</u>	
FTE	433.58	403.58	(30.00)	
Personal Services	60,766,702	57,288,511	(3,478,191)	
Operating Costs	19,657,141	17,493,502	(2,163,639)	
Equipment	292,194	232,194	(60,000)	
Grants	-	548,938	548,938	
Debt Service	<u>53,208</u>	<u>53,208</u>	<u>-</u>	
TOTAL	<u>\$ 80,769,245</u>	<u>\$ 75,616,353</u>	<u>\$ (5,152,892)</u>	
<u>Funding</u>				
General Fund	75,972,792	70,919,900	(5,052,892)	
State/Other Special	4,544,698	4,444,698	(100,000)	
Federal	<u>251,755</u>	<u>251,755</u>	<u>-</u>	
TOTAL	<u>\$ 80,769,245</u>	<u>\$ 75,616,353</u>	<u>\$ (5,152,892)</u>	
ITEMS NOT RECOMMENDED	AMOUNTS NOT RECOMMENDED TO BE FUNDED			
	<u>FTE</u>	<u>FY 2010</u>	<u>FY 2011</u>	<u>TOTAL REDUCTION</u>
Montana Drug Court Funding	5.00	536,157	627,969	1,164,126
Civil Writ and Motion Law Clerk	1.00	60,906	58,445	119,351
Self Help Law/Statewide Pro Bono Coordinator	2.00	75,000	75,000	150,000
Office of Court Administrator Staff Attorney	1.00	59,406	56,945	116,351
New Judge's Staff	21.00	1,660,802	1,942,262	3,603,064
TOTAL	<u>30.00</u>	<u>\$ 2,392,271</u>	<u>\$ 2,760,621</u>	<u>\$ 5,152,892</u>

JUDICIAL BRANCH-2110 SUPREME COURT OPERATIONS-01

**01 Supreme Court Operations
Lois Menzies 841-2957**

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, admission to the bar, and the conduct of its members. Within the Supreme Court Operations program, the Office of Court Administrator provides 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 Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2008	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
	Fiscal 2008	Fiscal 2010	Fiscal 2010	Fiscal 2010	Fiscal 2011	Fiscal 2011	Fiscal 2011
FTE	63.75	0.00	2.50	66.25	0.00	2.50	66.25
Personal Services	4,383,242	426,528	156,239	4,966,009	435,962	156,282	4,975,486
Operating Expenses	3,614,446	487,336	234,030	4,335,812	438,878	226,279	4,279,603
Equipment & Intangible Assets	5,199	0	0	5,199	0	0	5,199
Grants	274,469	0	0	274,469	0	0	274,469
Total Costs	\$8,277,356	\$913,864	\$390,269	\$9,581,489	\$874,840	\$382,561	\$9,534,757
General Fund	8,044,917	872,196	390,269	9,307,382	833,159	382,561	9,260,637
State/Other Special	110,042	38,194	0	148,236	38,194	0	148,236
Federal Special	122,397	3,474	0	125,871	3,487	0	125,884
Total Funds	\$8,277,356	\$913,864	\$390,269	\$9,581,489	\$874,840	\$382,561	\$9,534,757

-----**Present Law Adjustments**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$38,194	\$0
FY 2011	\$38,194	\$0

PL- 1005 - Indigent Victims of Domestic Violence -

This proposal requests an increase of \$38,194 each year in state special revenue fund spending authority for funds that are distributed from the Civil Legal Assistance for Indigent Victims of Domestic Violence Account established in 3-2-714, MCA.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$4,631	\$4,631
FY 2011	\$7,022	\$7,022

PL- 1008 - Rent Park Avenue Building -

This request is for an additional general fund appropriation of \$4,631 in FY 2010 and \$7,022 in FY 2011 to cover the increase in lease payments for space rented at the Park Avenue Building in Helena. The increase is required per the

JUDICIAL BRANCH-2110 SUPREME COURT OPERATIONS-01

lease agreement.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$21,504	\$21,504
FY 2011	\$21,504	\$21,504

PL- 1010 - ITSD Fixed Cost PL Adjustment -

The executive is requesting \$21,504 general fund each year of the biennium for the Supreme Court's operations to fund the agency's portion of ITSD fixed cost allocation that falls outside the adjusted base.

-----New Proposals-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$123,782	\$123,782
FY 2011	\$117,934	\$117,934

NP- 1001 - Appellate Mediator -

This proposal requests \$241,716 of general fund money for the biennium for an appellate mediator and part-time support staff. Montana is one of nine states that does not have an intermediate appellate court. Therefore, the Supreme Court must dispose of all appeals as well as original proceedings, which results in a very heavy and complex workload. To lessen the workload, the Court adopted a mandatory mediation procedure for certain types of cases. In 2007, 20.74% of the appeals subject to mandatory mediation were settled. Data from mediation programs in other states indicate that employment of a full-time mediator could significantly improve the mediation settlement rate.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$252,500	\$252,500
FY 2011	\$252,500	\$252,500

NP- 1006 - Self-Help Law/Statewide. Pro Bono Coordinator. – Rest/Bien -

This executive request is to provide a restricted, biennial appropriation of \$505,000 general fund to support a self-help law program that would provide information and assistance to individuals involved in civil litigation that are representing themselves. This includes funding for 1.00 FTE program administrator. This is a continuation of the program as authorized as an OTO by the 2007 legislature.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$13,987	\$13,987
FY 2011	\$12,127	\$12,127

NP- 6101 - Fixed Cost Work Comp Mgmt Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$13,987 in FY 2010 and \$12,127 in FY 2011 general fund for the Supreme Court's allocation of the fixed cost.

JUDICIAL BRANCH-2110 BOARDS AND COMMISSIONS-02

**02 Boards and Commissions
Lois Menzies 841-2957**

Program Description - The Boards and Commissions Program provides staff and other support to constitutionally and statutorily required commissions attached to the Montana Supreme Court, specifically the Judicial Standards Commission, the Sentence Review Board, and the Commission on Courts of Limited Jurisdiction. The Program also supports activities of the Commission on Practice. Other specialized commissions and task forces - not required by the Constitution and statute but created by the Supreme Court to address specific issues - receive minimal financial assistance with travel expenses and supplies.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	3.00	0.00	0.00	3.00	0.00	0.00	3.00
Personal Services	171,168	18,201	0	189,369	19,147	0	190,315
Operating Expenses	112,125	69,405	0	181,530	46,747	0	158,872
Total Costs	\$283,293	\$87,606	\$0	\$370,899	\$65,894	\$0	\$349,187
General Fund	258,287	41,374	0	299,661	19,651	0	277,938
State/Other Special	25,006	46,232	0	71,238	46,243	0	71,249
Total Funds	\$283,293	\$87,606	\$0	\$370,899	\$65,894	\$0	\$349,187

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$22,762	\$22,762
FY 2011	\$0	\$0

PL- 2001 - Judicial Standards Restricted/Biennial -

This proposal requests \$22,762 in general fund money for the constitutionally mandated Judicial Standards Commission. The Judicial Branch received a \$25,000 restricted, biennial, general fund appropriation to be used to pay for the investigation of complaints against judges for the 2007 and 2009 biennia. This request is to restore the appropriation to \$25,000 for the 2011 biennium. If approved, this funding will be used only for the investigation of complaints against judges. If the costs are not incurred, the funds will revert to the general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$45,994	\$0
FY 2011	\$45,994	\$0

PL- 2002 - State Spec Spending Authority for Judges Training -

This proposal requests a biennial increase of \$91,988 in state special revenue fund spending authority for fees collected to support training for judges in the courts of limited jurisdiction. The Supreme Court is statutorily required to provide training twice a year to the judges in the courts of limited jurisdiction. The Supreme Court also provides training once a year to clerks in the courts of limited jurisdiction. The Supreme Court is required to collect registration fees from cities and counties to cover the costs of the training sessions. This increase reflects the cost of providing the training and the collection rates under the current registration fee. Registration fees, set by the Commission on Courts of Limited Jurisdiction, pay for the cost of speakers, meetings rooms, meals, printing, and other associated costs. The fees also are used to purchase reference materials, including evidence manuals and other books, for judges and clerks in the limited jurisdiction courts. Without an increase in spending authority, the Supreme Court will be unable to adequately meet the statutory requirement to provide training to the courts of limited jurisdiction.

JUDICIAL BRANCH-2110 LAW LIBRARY-03

Please note that this program also contains proprietary funding (see Section P).

**03 Law Library
Judith Meadows 444-1979**

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 staff provides extensive training in legal research methods and Montana law. The library's web site (www.lawlibrary.mt.us) has been designed to help Montana's citizens find the appropriate statutes, court cases, legal forms, and explanation of the laws they need. 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.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	6.75	0.00	0.00	6.75	0.00	0.00	6.75
Personal Services	350,139	42,472	0	392,611	43,744	0	393,883
Operating Expenses	427,284	2,167	0	429,451	3,427	0	430,711
Equipment & Intangible Assets	55,550	8,644	0	64,194	13,776	0	69,326
Debt Service	22,854	0	0	22,854	0	0	22,854
Total Costs	\$855,827	\$53,283	\$0	\$909,110	\$60,947	\$0	\$916,774
General Fund	855,827	53,283	0	909,110	60,947	0	916,774
Total Funds	\$855,827	\$53,283	\$0	\$909,110	\$60,947	\$0	\$916,774

JUDICIAL BRANCH-2110 DISTRICT COURT OPERATIONS-04

**04 District Court Operations
Lois Menzies 841-2957**

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 43 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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	300.08	0.00	4.00	304.08	0.00	4.00	304.08
Personal Services	19,430,613	1,749,744	167,883	21,348,240	1,700,178	167,932	21,298,723
Operating Expenses	3,377,771	118,298	22,220	3,518,289	157,307	11,820	3,546,898
Equipment & Intangible Assets	30,577	0	0	30,577	0	0	30,577
Debt Service	3,750	0	0	3,750	0	0	3,750
Total Costs	\$22,842,711	\$1,868,042	\$190,103	\$24,900,856	\$1,857,485	\$179,752	\$24,879,948
General Fund	22,590,955	1,737,503	190,103	24,518,561	1,702,426	179,752	24,473,133
State/Other Special	251,756	130,539	0	382,295	155,059	0	406,815
Total Funds	\$22,842,711	\$1,868,042	\$190,103	\$24,900,856	\$1,857,485	\$179,752	\$24,879,948

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$75,600	\$0
FY 2011	\$100,000	\$0

PL- 4003 - Youth Probation Fees Spending Authority Increase -

This proposal requests a biennial increase of \$175,600 in state special revenue spending authority for fees collected from youth on probation in the 22 District Court Youth Courts. Cost recovery is a key aspect of holding youth accountable and is required by the Montana Youth Court Act. The fees are used to pay for a variety of services, including drug testing, restitution collection, community service supervision, workers' compensation coverage for community service, other programming for youth (shoplifting classes, MIP classes, etc.), and staff training.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$53,903	\$0
FY 2011	\$53,903	\$0

PL- 4004 - State Special Authority for Accrued Leave Payouts -

This proposal requests \$107,806 state special revenue spending authority for the biennium to fund projected leave payouts for employees who became state employees at the time of district court assumption. When a Judicial Branch employee (who was a county employee at the time of district court assumption) leaves state service, the Judicial Branch pays his or her accrued sick and annual leave from this state special revenue fund. The amount requested is an average of actual expenditures in FY 2006 and FY 2007 (\$122,903 and \$83,841) less what is in FY 2008 base (\$49,469).

**JUDICIAL BRANCH-2110
DISTRICT COURT OPERATIONS-04**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$80,878	\$80,878
FY 2011	\$0	\$0

PL- 4005 - Call in Retired Judges (Restricted/Biennial) -

This proposal requests \$80,878 in state general fund money as a restricted/biennial appropriation to allow for the payment of salaries for retired District Court judges and Supreme Court justices who are called to active duty as provided for in Article 7, Section 6 of the Montana Constitution and 19-5-103, MCA. This funding would be used only if the Chief Justice has determined that it is necessary to call into duty a retired judge or justice to aid and assist a District Court because of the inability of a judge to conduct the court's business due to extended illness or other circumstances. The funding, would ensure that the business of the affected court would continue with minimal disruption to the public.

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$190,103	\$190,103
FY 2011	\$179,752	\$179,752

NP- 4001 - Minimum Staffing for District Court Judges -

This proposal requests \$369,855 in general fund for the 2011 biennium for 4.00 FTE. Currently, 11 judicial districts in the state do not have the minimum level of staffing defined as one judicial assistant, one law clerk, and one court reporter per judge. Lack of support staff forces judges to do their own scheduling, research, and administrative tasks, which reduces the efficiency of the judicial process. The Judicial Branch has been slowly requesting these minimum staffing positions since the first legislative session (2003) following state assumption of the District Courts. This request reflects the greatest need and is focused on rural judicial districts.

JUDICIAL BRANCH-2110 WATER COURTS SUPERVISION-05

**05 Water Courts Supervision
Judge Bruce Loble 586-4364**

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 Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2008	Adjustment Fiscal 2010	Proposals Fiscal 2010	Exec. Budget Fiscal 2010	Adjustment Fiscal 2011	Proposals Fiscal 2011	Exec. Budget Fiscal 2011
FTE	18.00	0.00	0.00	18.00	0.00	0.00	18.00
Personal Services	1,148,317	192,486	0	1,340,803	197,702	0	1,346,019
Operating Expenses	225,131	24,418	0	249,549	28,005	0	253,136
Equipment & Intangible Assets	13,561	0	0	13,561	0	0	13,561
Total Costs	\$1,387,009	\$216,904	\$0	\$1,603,913	\$225,707	\$0	\$1,612,716
State/Other Special	1,387,009	216,904	0	1,603,913	225,707	0	1,612,716
Total Funds	\$1,387,009	\$216,904	\$0	\$1,603,913	\$225,707	\$0	\$1,612,716

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$4,543	\$0
FY 2011	\$6,917	\$0

PL- 5001 - Water Court Rent Increase -

This proposal requests an increase of \$4,543 in FY 2010 and \$6,917 in FY 2011 of state special revenue fund spending authority to cover a 3% annual increase in rent payments. The 3% increase is required every May per the lease agreement.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$15,876	\$0
FY 2011	\$16,349	\$0

PL- 5002 - Water Court Office Expansion -

This proposal requests \$15,876 in FY 2010 and \$16,349 in FY 2011 in rent for an additional 958 square feet of space in the Bozeman building in which the Water Court is currently located. The 2005 Legislature significantly accelerated the pace of Montana statewide adjudication of water rights. As a result, the Water Court estimates issuing approximately 30 water right decrees in the next 10 years that will result in an estimated 40,000 claim files. The additional space is needed to store the files and to have immediate access to work on them.

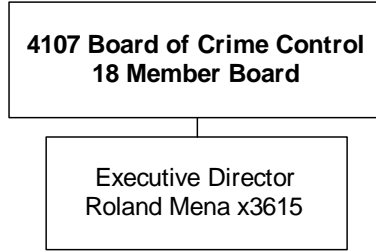
JUDICIAL BRANCH-2110 CLERK OF COURT-06

06 Clerk of Court Ed Smith 444-3858
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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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	5.50	0.00	0.00	5.50	0.00	0.00	5.50
Personal Services	367,545	55,919	0	423,464	56,044	0	423,589
Operating Expenses	54,378	416	0	54,794	479	0	54,857
Total Costs	\$421,923	\$56,335	\$0	\$478,258	\$56,523	\$0	\$478,446
General Fund	421,923	56,335	0	478,258	56,523	0	478,446
Total Funds	\$421,923	\$56,335	\$0	\$478,258	\$56,523	\$0	\$478,446

CRIME CONTROL DIVISION-4107 JUSTICE SYSTEM SUPPORT SERVICE-01



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.

Statutory Authority - 2-15-2006 and 44-4-301, MCA, create and define the board; 41-5-1901, MCA, youth detention services grants; Title 53, Chapter 9, part 1, MCA, Victims Compensation Act; 42 USC 4760 Anti-Drug Abuse Act; 42 USC 10603 Victims of Crime Act; 42 USC 3796 Stop Violence Against Women Act; 42 USC 3701 National Criminal History Improvement Program; 42 USC 5601 Juvenile Justice and Delinquency Prevention Act; and USC 13701 Violent Crime Control and Law Enforcement Act.

Program Description - The Montana Board of Crime Control (MBCC) is the state's designated agency for criminal and juvenile justice, victim assistance, resource development, and public safety policy, planning and program development. The MBCC is administratively attached to the Department of Justice, with an 18-member quasi-judicial board appointed by the Governor. The MBCC provides financial support, technical assistance, and supportive services to state and local criminal justice agencies. The board provides funding to local, regional, and statewide projects with the central goal of making Montana a safer state.

MBCC is the state administering agency for the US Department of Justice programs and the Omnibus Crime Control and Safe Streets Act. The MBCC administers federal anti-drug and anti-crime grants, provides funding for juvenile justice programs, and provides assistance to victims of crime. It also collects and analyzes crime data from Montana law enforcement agencies and publishes the annual Crime in Montana Report. The division is established in 2-15-2006, MCA.

Language Recommendations - " All remaining pass-through grant appropriations, up to \$7,000,000 in federal funds, including reversions, for the 2009 biennium are authorized to continue and are appropriated in fiscal year 2010 and fiscal year 2011. Crime Control Division may request appropriations be reduced to reflect actual grant funds."

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	19.50	0.50	0.00	20.00	0.50	0.00	20.00
Personal Services	1,058,895	208,628	0	1,267,523	211,321	0	1,270,216
Operating Expenses	755,049	156,563	128,600	1,040,212	158,400	521	913,970
Grants	6,504,797	306,992	0	6,811,789	306,992	0	6,811,789
Total Costs	\$8,318,741	\$672,183	\$128,600	\$9,119,524	\$676,713	\$521	\$8,995,975
General Fund	2,195,808	306,342	64,444	2,566,594	310,316	386	2,506,510
State/Other Special	67,087	97,907	0	164,994	97,906	0	164,993
Federal Special	6,055,846	267,934	64,156	6,387,936	268,491	135	6,324,472
Total Funds	\$8,318,741	\$672,183	\$128,600	\$9,119,524	\$676,713	\$521	\$8,995,975

**CRIME CONTROL DIVISION-4107
JUSTICE SYSTEM SUPPORT SERVICE-01**

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$6,700	\$4,958
FY 2011	\$6,700	\$4,958

PL- 101 - Board & Council Member Stipends -

The Montana Board of Crime Control (MBCC) must pay stipends to certain board and council members. These expenditures are zero based and must be requested in a decision package as they do not roll forward in the base budget. The amount being requested is \$4,958 in general fund each year of the biennium with the balance being paid from federal funds.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$18,117	\$0
FY 2011	\$18,121	\$0

PL- 102 - Administrative Support Position -

This request by the MBCC is for a 0.50 administrative support position. This request is based on an increased workload as a result of additional grants and projects assigned to the division by the board. The position is currently staffed with a 0.50 permanent FTE and a 0.50 temporary modified FTE. The division request to make the position 1.00 FTE permanently. The funding for this request is \$18,117 in FY 2010 and \$18,121 in FY 2011 and is 100% federal funds.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$15,000	\$15,000
FY 2011	\$15,000	\$15,000

PL- 103 - Detention Data Information System -

The MBCC is requesting \$15,000/yr general fund to facilitate the state's strategic response to jail overcrowding. With guidance from the Detention Dilemma Workgroup and guidance from the National Institute of Corrections (NIC), the Montana Board of Crime Control took on the task of developing a statewide detention repository capable of collecting data from Montana's local jails and detention centers. The statewide detention repository is a direct result of a recommendation made by the NIC.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$0	\$0

PL- 104 - Consolidate Agency Operating Costs -

This is a request from the MBCC to move base level operating expenditures from one program to the other. In doing this the ongoing budget will be allocated to the correct program. This transfer of \$54,914 in FY 2010 and \$54,925 in FY 2011 has a net zero effect to the budget.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$14,000	\$0
FY 2011	\$14,000	\$0

PL- 105 - Forensic Crime Lab Improvements -

Recently the MBCC has secured increases in the Paul Coverdell Forensic Sciences Improvement Act grant funds. These funds can only be used by crime labs and will be sub granted to the state Crime Lab in Missoula. This grant allows expenditures in a number of areas: staff training, equipment, and personal services.

**CRIME CONTROL DIVISION-4107
JUSTICE SYSTEM SUPPORT SERVICE-01**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$10,000	\$0
FY 2011	\$10,000	\$0

PL- 106 - STOP Violence Against Women Grant -

The Montana Board of Crime Control (MBCC) administers the STOP Violence Against Women Act in Montana. Presently, MBCC funds approximately 25 programs throughout the State of Montana relating to this act. This request is to increase spending authority in accordance with slight increases in the federal grants. The funds, \$10,000/yr federal funding, will be used to pay for additional services around the state.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$191,000	\$0
FY 2011	\$191,000	\$0

PL- 107 - Criminal History Record Improvement Grant -

The MBCC administers the National Criminal History Record Improvement Grant. These funds are intended to improve the exchange of information between states and nationally. This request is to obtain additional spending authority to reflect increases in federal grant funds. It is anticipated that the available federal funding will increase by \$191,000 each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$96,697	\$0
FY 2011	\$96,677	\$0

PL- 108 - Domestic Violence Intervention Grant -

This MBCC request for \$96,697 in state special revenue authority each fiscal year restores base levels of funding to \$165,000 in spending authority each year. The MBCC administers the Misdemeanor Probation for Domestic Violence Program in Montana. The 2005 Legislature passed HB 476 increasing the marriage license fee to fund this program.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$8,000	\$8,000
FY 2011	\$8,000	\$8,000

PL- 109 - Juvenile Detention Center Reporting -

The MBCC is requesting \$8,000 general fund each year of the biennium to fund software and database maintenance on a Juvenile Detention Reporting System (JDRS) combined with a Unified Case Management System. The board has combined efforts with the regional detention centers to establish the database system that will serve both state and local purposes. The JDR system that MBCC had been using became obsolete and would no longer operate on newer operating systems.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$121,630	\$85,141
FY 2011	\$123,624	\$86,537

PL- 110 - Office Rent Increase -

The Montana Board of Crime Control is requesting \$121,630 in FY 2010 and \$123,624 in FY 2011 of general fund and federal authority to fund an anticipated increase in rent costs in a new building proposed at South Pointe. This request is based on a square foot cost of \$23.13 with a 1% increase in the second year. The current office space that is leased has inadequate heating, cooling, and fresh air ventilation. There have also been significant problems with mold.

**CRIME CONTROL DIVISION-4107
JUSTICE SYSTEM SUPPORT SERVICE-01**

-----**New Proposals**-----

	Total Agency Impact	General Fund Total
FY 2010	\$128,000	\$64,000
FY 2011	\$0	\$0

NP- 111 - NIBRS Web Stats Enhancement (Bien/OTO) -

The Montana Board of Crime Control is requesting \$64,000 general fund authority and \$64,000 federal special authority for the biennium to enhance the interface to the crime database to make it more usable to government decision makers and the public. The National Incident Based Reporting System (NIBRS) program collects and disseminates Montana crime data. The current application is collecting data from local and state law enforcement agencies and successfully exporting it to the FBI. The MBCC will make the information more accessible to law enforcement contributors and other users of crime data through an enhanced web interface.

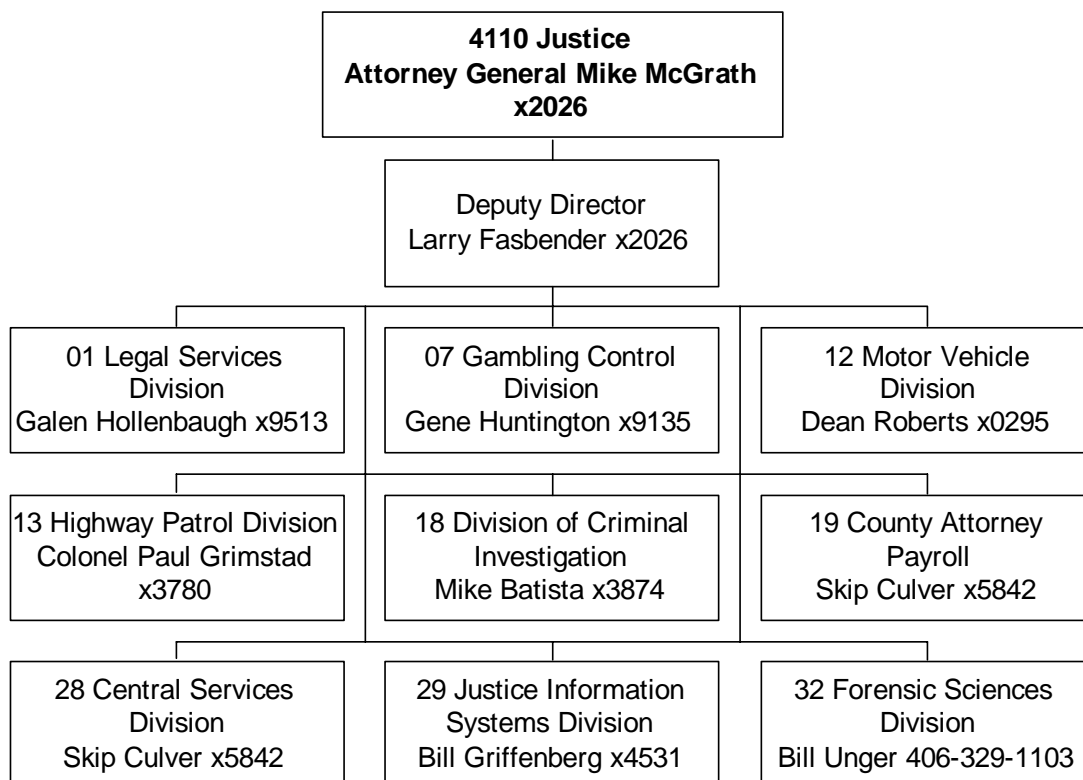
	Total Agency Impact	General Fund Total
FY 2010	\$600	\$444
FY 2011	\$521	\$386

NP- 6101 - Fixed Cost Workers Comp Management Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. This request includes \$1,121 general and federal funds for the biennium for crime control's allocation of the fixed cost.

DEPARTMENT OF JUSTICE-4110

Please note that this agency also contains proprietary funding (see Section P).



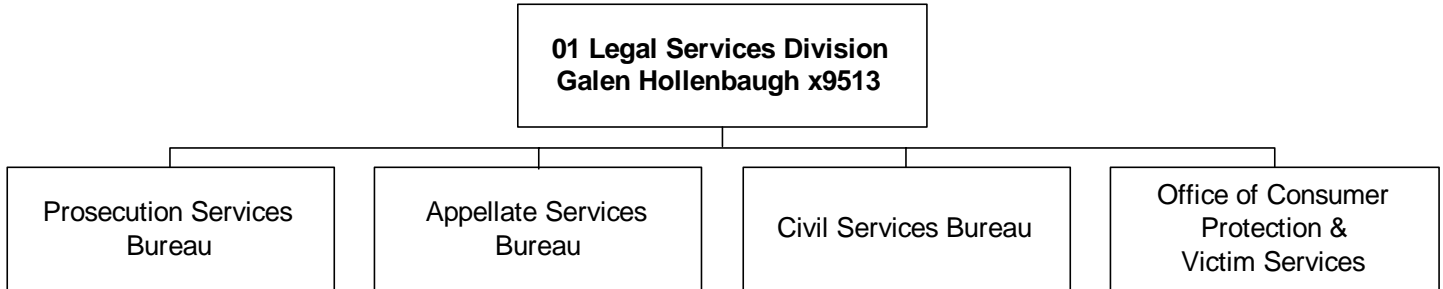
Mission Statement - The mission of the Department of Justice is to pursue activities and programs that seek to ensure and promote the public interest, safety, and well-being through leadership, advocacy, education, regulation, and enforcement.

Statutory Authority - Statutory authority is provided in 2-15-501 MCA, 2-15-2001 through -2021 MCA, and Title 44 MCA.

Language - "The Department of Justice is re-appropriated the unspent balance of the appropriation that was established by the 2007 Legislature for activities and potential litigation related to the Yellowstone River Compact, up to \$2.9M general fund."

Agency Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	690.27	4.00	0.00	694.27	4.00	0.00	694.27
Personal Services	37,299,436	4,737,645	0	42,037,081	4,883,110	0	42,182,546
Operating Expenses	20,506,827	2,106,556	538,791	23,152,174	1,791,777	35,627	22,334,231
Equipment & Intangible Assets	2,090,990	292,500	0	2,383,490	325,500	0	2,416,490
Benefits & Claims	860,152	85,479	990,000	1,935,631	85,479	990,000	1,935,631
Debt Service	830,342	1,046,873	0	1,877,215	931,425	0	1,761,767
Total Costs	\$61,587,747	\$8,269,053	\$1,528,791	\$71,385,591	\$8,017,291	\$1,025,627	\$70,630,665
General Fund	23,761,709	2,973,204	509,608	27,244,521	2,748,734	8,330	26,518,773
State/Other Special	35,011,954	4,558,814	1,018,415	40,589,183	4,526,024	1,016,630	40,554,608
Federal Special	1,335,049	413,677	331	1,749,057	417,398	287	1,752,734
Proprietary	1,479,035	323,358	437	1,802,830	325,135	380	1,804,550
Total Funds	\$61,587,747	\$8,269,053	\$1,528,791	\$71,385,591	\$8,017,291	\$1,025,627	\$70,630,665

DEPARTMENT OF JUSTICE-4110 LEGAL SERVICES DIVISION-01



Program Description - The Legal Services Division provides: 1) the Attorney General with legal research and analysis; 2) legal counsel for state government officials, bureaus, and boards; 3) legal assistance to local governments and Indian tribes; 4) legal assistance, training and support for county prosecutors; and 5) assistance to victims of crime, including compensation payments.

County Prosecutor Services provides special prosecution assistance to counties in the prosecution and disposition of major felonies and in cases in which county attorneys or city attorneys have conflicts of interest. County Prosecutor Services also provides prosecutor services to the Eastern Coal Counties Drug Task Force and the Western Montana Special Investigation Section and coordinates training and continuing legal education for county attorneys, city attorneys, and law enforcement personnel.

The Appellate Services Bureau is responsible for representing the state in all criminal appeals and responds to all habeas corpus and post-conviction proceedings where federal and state courts order the state to defend the legality of convictions.

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, federal reserved water rights, election law, antitrust, conflicts of interest, and open meetings.

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 Proposed Budget	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	56.50	0.00	0.00	56.50	0.00	0.00	56.50
Personal Services	3,592,019	541,024	0	4,133,043	553,581	0	4,145,600
Operating Expenses	1,196,673	44,920	1,880	1,243,473	46,719	1,630	1,245,022
Benefits & Claims	860,152	85,479	0	945,631	85,479	0	945,631
Total Costs	\$5,648,844	\$671,423	\$1,880	\$6,322,147	\$685,779	\$1,630	\$6,336,253
General Fund	4,873,596	486,529	1,880	5,362,005	498,440	1,630	5,373,666
State/Other Special	356,508	38,332	0	394,840	40,337	0	396,845
Federal Special	418,740	146,562	0	565,302	147,002	0	565,742
Total Funds	\$5,648,844	\$671,423	\$1,880	\$6,322,147	\$685,779	\$1,630	\$6,336,253

**DEPARTMENT OF JUSTICE-4110
LEGAL SERVICES DIVISION-01**

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$6,000	\$4,500
FY 2011	\$6,000	\$4,500

PL- 103 - Vehicle Lease for Child Protection Unit -

The Legal Services Division requests \$12,000 for the 2011 biennium (general fund - \$9,000; federal special revenue - \$3,000) in the Child Protection Unit to provide a leased vehicle for the attorney that works the eastern half of Montana. The 2007 Legislature approved the addition of two new child protection attorneys, to handle the ever-increasing case load in this area, along with one vehicle lease. Because of the extensive travel involved to cover this region, another vehicle is needed. The average cost for a leased vehicle in FY 2010 and 2011 will be \$6,000. Funding for the lease is split between general fund (75%) and federal funds (25%).

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$2,500	\$2,500
FY 2011	\$2,500	\$2,500

PL- 105 - Forensic Rape Examination Payment Program (FREPP) -

The Legal Services Division is requesting \$5,000 in general fund appropriation for the 2011 biennium. The Forensic Rape Examination Payment Program (FREPP) helps rape victims pay for the necessary forensic medical exam. The program ensures that the forensic evidence necessary to prosecute rape cases is available, even if victims are not ready to report the crime to law enforcement when they first go to an emergency room.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$82,979	\$0
FY 2011	\$82,979	\$0

PL- 107 - Addition Federal Grant Money for Victims of Crime -

The Legal Services Division, Victim Services Bureau requests additional federal special revenue authority of \$165,958 for the 2011 biennium for the Violent Offenders Compensation program. This request provides spending authority for additional federal funds that will be received.

-----New Proposals-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$0	\$0

NP- 110 - State Special Revenue Funding Switch -

A report presented to the Legislative Finance Committee by Legislative Fiscal Division staff recommended that funds be appropriated directly from the non-restricted highway revenue fund rather than being transferred to and spent from the restricted fund. In accordance with the LFD report, this request switches funding of \$89,858 in FY 2010 and \$90,756 in FY 2011 from the restricted to the non-restricted highway state special revenue fund.

**DEPARTMENT OF JUSTICE-4110
LEGAL SERVICES DIVISION-01**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$1,880	\$1,880
FY 2011	\$1,630	\$1,630

NP- 6101 - Fixed Cost Workers Comp Mgmt Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$1,880 in FY 2010 and \$1,630 in FY 2011 general fund authority for the Legal Services Division's allocation of the fixed cost.

**DEPARTMENT OF JUSTICE-4110
OFFICE OF CONSUMER PROTECTION-02**

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, and 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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	8.25	0.00	0.00	8.25	0.00	0.00	8.25
Personal Services	423,538	21,536	0	445,074	22,107	0	445,645
Operating Expenses	190,159	4,630	10,278	205,067	4,568	10,241	204,968
Benefits & Claims	0	0	990,000	990,000	0	990,000	990,000
Total Costs	\$613,697	\$26,166	\$1,000,278	\$1,640,141	\$26,675	\$1,000,241	\$1,640,613
State/Other Special	613,697	26,166	1,000,278	1,640,141	26,675	1,000,241	1,640,613
Total Funds	\$613,697	\$26,166	\$1,000,278	\$1,640,141	\$26,675	\$1,000,241	\$1,640,613

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$1,000,000	\$0
FY 2011	\$1,000,000	\$0

NP- 201 - Distribute Settlement Funds to Injured Parties -

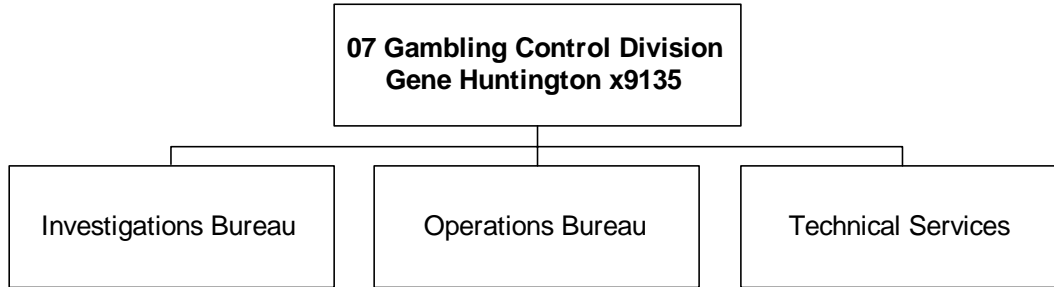
The Office of Consumer Protection (OCP) requests \$2.0 million in state special revenue appropriation to provide for the distribution of settlement proceeds to Montana consumers in the form of rebates, training, education, or other public service programs. Every year OCP receives funds from settlements related to the defrauding of consumers.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$278	\$0
FY 2011	\$241	\$0

NP- 6101 - Fixed Cost Workers Comp Mgmt Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$278 in FY 2010 and \$241 in FY 2011 state special revenue authority for the Office of Consumer Protection's allocation of the fixed cost

**DEPARTMENT OF JUSTICE-4110
GAMBLING CONTROL DIVISION-07**



Program Description - The Gambling Control Division 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.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	49.50	1.00	0.00	50.50	1.00	0.00	50.50
Personal Services	2,626,118	388,456	0	3,014,574	394,150	0	3,020,268
Operating Expenses	778,201	131,641	6,598	916,440	131,243	6,385	915,829
Equipment & Intangible Assets	132,158	0	0	132,158	0	0	132,158
Debt Service	3,723	0	0	3,723	0	0	3,723
Total Costs	\$3,540,200	\$520,097	\$6,598	\$4,066,895	\$525,393	\$6,385	\$4,071,978
State/Other Special	2,582,066	389,671	6,167	2,977,904	393,549	6,011	2,981,626
Proprietary	958,134	130,426	431	1,088,991	131,844	374	1,090,352
Total Funds	\$3,540,200	\$520,097	\$6,598	\$4,066,895	\$525,393	\$6,385	\$4,071,978

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$55,500	\$0
FY 2011	\$56,900	\$0

PL- 701 - GCD Base Operating Expense Adjustments -

This decision package requests \$112,400 in the Gambling Control Division for annualization of base operating expenditures, lease rate adjustments, and out of country travel. Funding for the request is \$74,000 in state special revenue and \$38,400 in proprietary funds. The last legislature provided for additional investigators in the division. However, the division was not able to fill the positions until April, May and June of the base year. This request annualizes the operating costs related to supporting the tasks and duties of these positions. In addition, the division occupies leased office space in non-DOA buildings around the state where the lease agreements call for annual rate increases. Again in the event foreign machine manufacturers apply for licenses to sell machines in this state, the division is requesting \$15,000 per year for out of country travel so that the division can be prepared to make three trips out of country to conduct license investigations of video gambling manufacturers that are based outside of the United States.

**DEPARTMENT OF JUSTICE-4110
GAMBLING CONTROL DIVISION-07**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$50,000	\$0
FY 2011	\$50,000	\$0

PL- 702 - Continue OTO Approp - Gambling Database – (Bien/OTO) -

This decision package requests \$100,000 state special revenue funding in the Gambling Control Division as a one-time-only, biennial appropriation, to enhance the web entry system that is being used by a larger proportion of gambling operators than was anticipated. The division will initiate a planning process with customers to improve functionality and convenience. The improvements may require changes to the data base or web interface.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$71,433	\$0
FY 2011	\$68,966	\$0

PL- 703 - New Machine Tester FTE -

This decision package requests \$140,399 and 1.00 FTE machine tester in the Gambling Control Division, to complete testing of new video gambling machines, new machine programs, and automated accounting and reporting systems submitted to the division for approval and subsequent sale to Montana gambling operators.

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$5,000	\$0
FY 2011	\$5,000	\$0

NP- 704 - Recycling Video Gambling Machines -

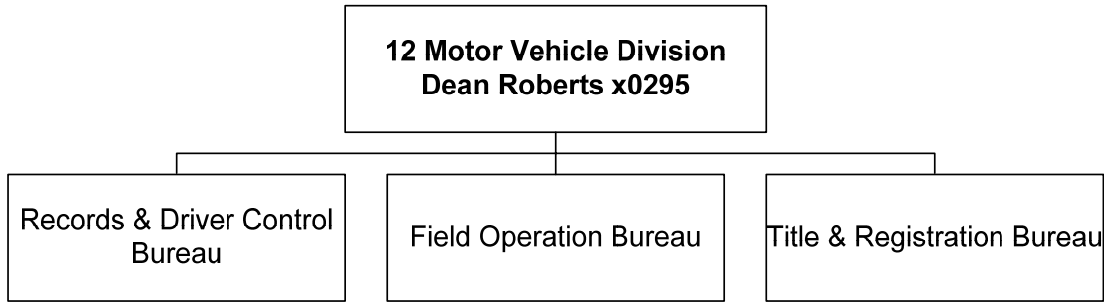
This decision package requests an appropriation of \$5,000 each year of the biennium from the gambling state special revenue fund to pay for the costs of recycling video gambling machines that are confiscated or abandoned by their previous owner. In cases where the owner of the old video gambling machines can be identified, the Gambling Control Division would use these funds to negotiate a cost sharing agreement for the recycling of the machines.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$1,598	\$0
FY 2011	\$1,385	\$0

NP- 6101 - Fixed Cost Workers Comp Management Program Allocation. -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$1,598 in FY 2010 and \$1,385 in FY 2011 state special revenue and proprietary authority for the Gambling Control Division's allocation of the fixed cost.

**DEPARTMENT OF JUSTICE-4110
MOTOR VEHICLE DIVISION-12**



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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	155.00	0.00	0.00	155.00	0.00	0.00	155.00
Personal Services	5,629,097	733,084	0	6,362,181	747,632	0	6,376,729
Operating Expenses	6,224,419	1,116,381	5,055	7,345,855	820,220	4,383	7,049,022
Equipment & Intangible Assets	32,649	107,500	0	140,149	107,500	0	140,149
Debt Service	736,412	1,046,873	0	1,783,285	931,425	0	1,667,837
Total Costs	\$12,622,577	\$3,003,838	\$5,055	\$15,631,470	\$2,606,777	\$4,383	\$15,233,737
General Fund	6,771,937	1,285,235	3,033	8,060,205	987,639	2,631	7,762,207
State/Other Special	5,409,492	1,531,629	2,022	6,943,143	1,432,008	1,752	6,843,252
Proprietary	441,148	186,974	0	628,122	187,130	0	628,278
Total Funds	\$12,622,577	\$3,003,838	\$5,055	\$15,631,470	\$2,606,777	\$4,383	\$15,233,737

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$189,948	\$113,969
FY 2011	\$210,017	\$126,010

PL- 1201 - Base Adjustments MVD Field Operations Bureau -

The Motor Vehicle Division (MVD) Field Operations Bureau requests base budget adjustments totaling \$399,965 in the 2011 biennium, with \$239,979 funding from the general fund and \$159,986 from a state special revenue fund. These base year adjustments are necessary to allow MVD to continue meeting its on-going driver licensing and driver control responsibilities in light of higher work-load levels, technology advances, and specific price increases for goods or services. Base budget adjustments are requested for rent, and vehicle replacements.

**DEPARTMENT OF JUSTICE-4110
MOTOR VEHICLE DIVISION-12**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$30,382	\$18,229
FY 2011	\$33,440	\$20,064

PL- 1202 - Base Adjustments MVD Title and Registration Bureau -

The Motor Vehicle Division (MVD) requests base budget adjustments totaling \$63,822 for the 2011 biennium to cover cost increases for staff overtime, legal fees, and rent. The funding requested totals \$38,293 in general fund and \$25,529 in state special revenue for the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$1,046,873	\$0
FY 2011	\$931,425	\$0

PL- 1204 - Adjust Base for HB 577, HB 261, & HB 90 Debt Pmts -

Budget adjustments are necessary to fund debt payments for HB 577, the Motor Vehicle System, Phase One, Titling System project (MVS1) and for HB 261 and 90, the Motor Vehicle System, Phase Two, Vehicle Registration and Driver Licensing/Driver Control System project (MVS2). A total of \$1,978,298 in state special revenue authority is requested for the 2011 biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$279,020	\$167,412
FY 2011	\$279,020	\$167,412

PL- 1205 - New Driver's License Production Costs -

The Motor Vehicle Division (MVD) requests increased appropriations for the 2011 biennium of \$558,040 (general fund \$334,824; state special revenue - \$223,216) to cover the higher production costs of the new driver's license cards that were released in July 2008. The RFP contract, signed in August 2007, replaced an eight-year contract and locked in the contract costs for seven years from the date of implementation. The new contract MVD has for card production will generate cards with enhanced security features that will reduce the potential of identity fraud and allow for greater customer services to the public with automated testing and scheduling services.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$202,845	\$121,707
FY 2011	\$202,845	\$121,707

PL- 1207 - Point of Sale Title and Registration Forms -

The new vehicle registration forms, approved by the 2007 Legislature, will be immediately available at the point-of-sale (POS). POS capabilities streamline and simplify the titling and registration processes. The MVD Title and Registration Bureau requests \$405,690 general fund and state special revenue for the 2011 biennium for supplies and printing costs necessary to operate POS. The POS forms and decals and the specialized cartridges for the POS printers are very critical to the MERLIN system and without them the counties cannot act as agents for the state in the registration of motor vehicles.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$321,250	\$321,250
FY 2011	\$0	\$0

PL- 1208 - License Plate Reissue - OTO -

Montana statute 61-3-332(3)(a), MCA, requires the manufacture and issuance of new general issue motor vehicle license plates beginning January 1, 2010. A one-time present law base adjustment of \$321,250 in general funds is requested for FY 2010. The expenditures are offset by general fund revenue generated by the sale of the plates to the public.

**DEPARTMENT OF JUSTICE-4110
MOTOR VEHICLE DIVISION-12**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$25,000	\$0
FY 2011	\$25,000	\$0

PL- 1212 - MV Proprietary Account Spending Authority -

Spending authority is requested for costs of development, maintenance, and distribution of information in the state's motor vehicle and driver licensing database applications. A 2011 biennial spending authorization in the amount of \$50,000 is requested.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$158,852	\$0
FY 2011	\$158,852	\$0

PL- 1213 - HB 671 Proprietary Account Spending Authority -

The legislature approved proprietary funds in the 2007 biennium to support operating costs for an enhanced motor vehicle web portal that allows 3rd party users to access the system. Implementation was delayed in FY 2008 and therefore is not reflected in the base budget. An increase in spending authority is requested in the amount of \$158,852 each year of the biennium for these proprietary funds providing a total authorized spending authority of \$600,000 in each year of the biennium.

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$0	\$0

NP- 1210 - State Special Revenue Funding Switch -

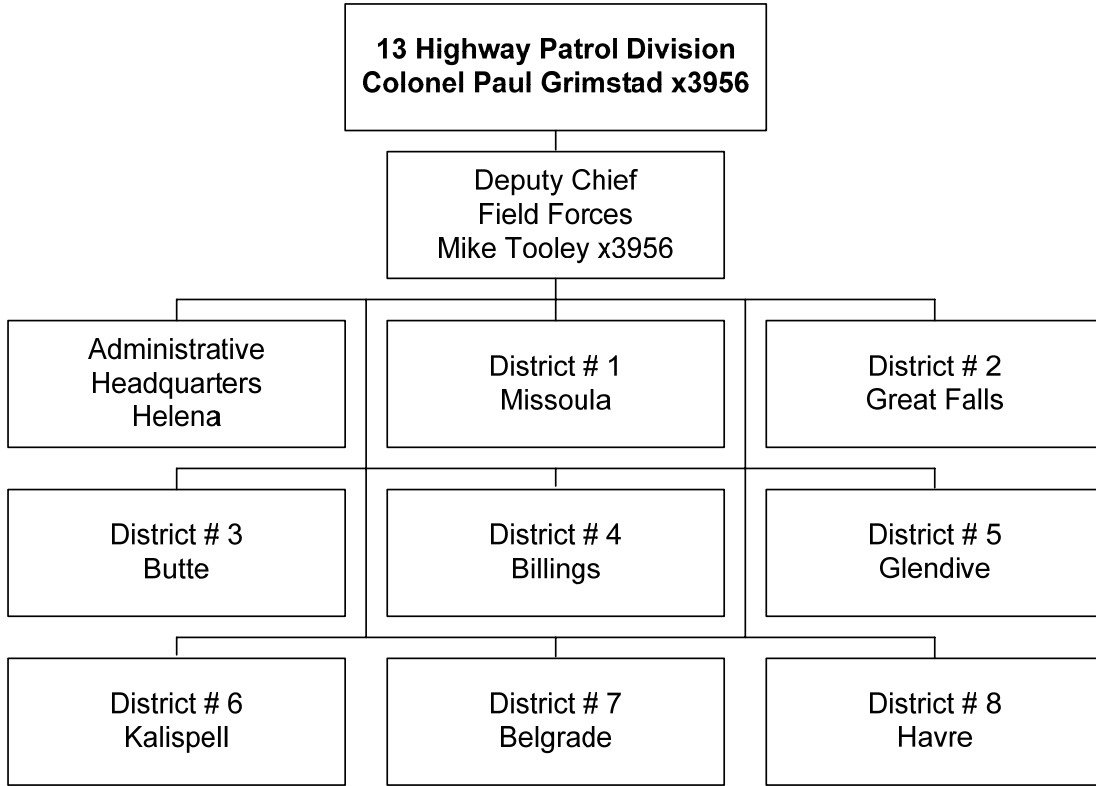
A report presented to the Legislative Finance Committee by Legislative Fiscal Division staff recommended that funds be appropriated directly from the non-restricted highway revenue fund rather than being transferred to and spent from the restricted fund. In accordance with the LFD report, this request switches funding of \$4,876,958 in FY 2010 and \$4,883,534 in FY 2011 from the restricted to the non-restricted highway state special revenue fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$5,055	\$3,033
FY 2011	\$4,383	\$2,631

NP- 6101 - Fixed Cost WC Management Program Allocation –

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$5,055 in FY 2010 and \$4,383 in FY 2011 general fund and state special revenue authority for the Gambling Control Division's allocation of the fixed cost.

**DEPARTMENT OF JUSTICE-4110
HIGHWAY PATROL DIVISION-13**



Program Description - The Highway Patrol Division (HPD) 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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	232.27	0.00	0.00	232.27	0.00	0.00	232.27
Personal Services	14,456,401	1,615,875	0	16,072,276	1,678,174	0	16,134,575
Operating Expenses	6,010,899	613,620	8,704	6,633,223	657,313	7,547	6,675,759
Equipment & Intangible Assets	1,499,424	0	0	1,499,424	0	0	1,499,424
Total Costs	\$21,966,724	\$2,229,495	\$8,704	\$24,204,923	\$2,335,487	\$7,547	\$24,309,758
General Fund	210,039	68,174	0	278,213	69,400	0	279,439
State/Other Special	21,756,685	2,161,321	8,704	23,926,710	2,266,087	7,547	24,030,319
Total Funds	\$21,966,724	\$2,229,495	\$8,704	\$24,204,923	\$2,335,487	\$7,547	\$24,309,758

**DEPARTMENT OF JUSTICE-4110
HIGHWAY PATROL DIVISION-13**

-----**Present Law Adjustments**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$80,000	\$80,000
FY 2011	\$80,000	\$80,000

PL- 1304 - Executive Protection Overtime -

This request for the Montana Highway Patrol is to fund overtime in the Executive Protection Program. This is a zero-based item and the executive requests \$80,000 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$250,000	\$0
FY 2011	\$250,000	\$0

PL- 1308 - Increase in base budget for rent. -

Lease rates, stipulated in contracts the Montana Highway Patrol (MHP) is party to, will increase in FY 2009 and throughout the 2011 biennium above the rent payments incurred during the base year. Additional funding of \$500,000 will be needed in the next biennium to support the increased contract rates.

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$0	\$0

NP- 1310 - State Special Revenue Funding Switch -

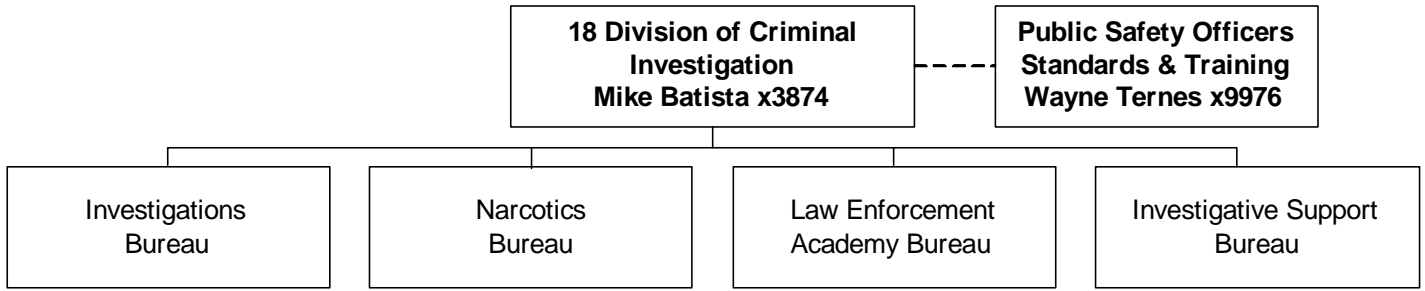
A report presented to the Legislative Finance Committee by Legislative Fiscal Division staff recommended that funds be appropriated directly from the non-restricted highway revenue fund rather than being transferred to and spent from the restricted fund. In accordance with the LFD report, this request switches funding of \$3,908,199 in FY 2010 and \$3,976,237 in FY 2011 from the restricted to the non-restricted highway state special revenue fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$8,704	\$0
FY 2011	\$7,547	\$0

NP- 6101 - Fixed Cost Workers Comp Mgmt Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$8,704 in FY 2010 and \$7,547 in FY 2011 of state special revenue authority for the Highway Patrol Division's allocation of the fixed cost.

**DEPARTMENT OF JUSTICE-4110
DIV. OF CRIMINAL INVESTIGATION-18**



Program Description - The Division of Criminal Investigation 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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	97.00	3.00	0.00	100.00	3.00	0.00	100.00
Personal Services	4,908,495	915,902	0	5,824,397	937,201	0	5,845,696
Operating Expenses	3,629,752	302,543	503,177	4,435,472	309,633	2,755	3,942,140
Equipment & Intangible Assets	331,101	90,000	0	421,101	90,000	0	421,101
Total Costs	\$8,869,348	\$1,308,445	\$503,177	\$10,680,970	\$1,336,834	\$2,755	\$10,208,937
General Fund	4,754,893	669,070	501,920	5,925,883	698,832	1,664	5,455,389
State/Other Special	3,200,414	372,260	926	3,573,600	367,606	804	3,568,824
Federal Special	914,041	267,115	331	1,181,487	270,396	287	1,184,724
Total Funds	\$8,869,348	\$1,308,445	\$503,177	\$10,680,970	\$1,336,834	\$2,755	\$10,208,937

**DEPARTMENT OF JUSTICE-4110
DIV. OF CRIMINAL INVESTIGATION-18**

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$56,001	\$56,001
FY 2011	\$53,323	\$53,323

PL- 1802 - SVOR Program - FTE for Program -

The Division of Criminal Investigation requests \$109,324 in general fund for the 2011 biennium for 1.00 FTE data control specialist and operating expenses for the sexual and violent offender registry (SVOR) program. Currently the program is supported by 1.00 FTE. An additional 1.00 FTE is needed to support a growing program resulting from legislation changes and additional program responsibilities due to an increasing number of sexual and violent offenders in the state.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$60,000	\$60,000
FY 2011	\$60,000	\$60,000

PL- 1805 - Vehicle Replacement Program -

DCI requests an increase in the amount of money available for replacement of vehicles. Many of the division's vehicles exceed 30,000 miles annually. As a result, the vehicles normally have an active life of only 5 years. DCI currently has numerous vehicles in its fleet with 100,000 or more miles, that are due to be replaced. In order to meet the state requirements for fuel efficient motor vehicles and to maintain a safe vehicle fleet, it is necessary to begin replacing vehicles. The vehicle replacement cost will be \$120,000 general fund for the 2011 biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$171,076	\$118,152
FY 2011	\$188,584	\$134,400

PL- 1806 - DCI - Base Adjustments -

DCI requests \$359,660 for the 2011 biennium for base budget adjustments to allow the division to continue meeting its ongoing responsibilities. DCI funding supports narcotics investigations, general investigations, intelligence sections and background checks functions throughout the state. The adjustments in this proposal are due to increased costs of operating in critical areas where DCI has little or no control over the costs and to annualize costs for positions held vacant during the base year. The major increases occur in overtime, ammunition, gasoline, travel, and rent.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$40,000	\$0
FY 2011	\$50,000	\$0

PL- 1807 - MLEA - Base Adjustments -

The Division of Criminal Investigation (DCI) requests base adjustments for the Montana Law Enforcement Academy (MLEA) in the amount of \$90,000 in state special revenue appropriation for the 2011 biennium. These base budget adjustments are necessary to allow MLEA to continue to meet its ongoing responsibilities. The Montana Law Enforcement Academy is funded with criminal conviction surcharge revenue and class fees. MLEA provides training statewide to law enforcement agencies. The adjustments in this proposal are due to increased costs of operating in critical areas where MLEA has little or no control over the costs. The major increases occur in ammunition, communications, utilities and food service.

**DEPARTMENT OF JUSTICE-4110
DIV. OF CRIMINAL INVESTIGATION-18**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$65,286	\$0
FY 2011	\$42,573	\$0

PL- 1808 - MLEA - Records Management Assistant -

The Division of Criminal Investigation requests \$107,859 for the 2011 biennium for a 1.00 FTE records assistant, with operating budget and software. The records management assistant will implement and maintain a records management system to track all MLEA class participation. Currently all records are maintained in paper form. An OTO expense of \$20,000 will be needed in the first year of the biennium for a records management software.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$20,000	\$20,000
FY 2011	\$20,000	\$20,000

PL- 1809 - Computer Crime Unit Equip Replacement - OTO -

The Division of Criminal Investigation requests \$40,000 general fund for the 2011 biennium to purchase new equipment and software for the computer crime unit. This appropriation will allow the computer crime unit to keep current with technology and fund increasing costs of storage and operations.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$42,429	\$42,429
FY 2011	\$39,619	\$39,619

PL- 1811 - Child Sexual Abuse Program - FTE request -

The Division of Criminal Investigations requests 1.00 FTE administrative assistant and funding of \$82,048 general fund for the 2011 biennium to support the Montana Child Sexual Abuse Response Team Program. This FTE will work closely with the MCSART Coordinator completing administrative duties to support the statewide program.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$49,213	\$12,303
FY 2011	\$51,983	\$12,996

PL- 1812 - Medicaid Fraud Control Unit - Base Adjustment -

The budget includes \$25,299 general fund and \$75,897 federal special revenue authority, or a total of \$101,196 for the 2011 biennium, to pay for increases in the present law base of the Medicaid Fraud Control Unit. The Medicaid Fraud Control Unit is funded 25% from the general fund and 75% from federal funds. Each year, the Medicaid Fraud grant allows for a 5% cost-of-living adjustment. During the base year, the Medicaid Fraud unit had vacancies that affected the base expenditures in travel, gasoline, training, and communications. This request includes adjustments to annualize for these vacancies. The request includes \$20,000 in both FY 2010 and FY 2011 for necessary vehicle replacements.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$10,869	\$0
FY 2011	\$10,869	\$0

PL- 1813 - SW Drug Task Force Rent Butte Office -

The Division of Criminal Investigations requests \$10,869 in each year of the 2011 biennium to pay rent for the Southwest Montana Drug Taskforce (SWMDTF) office in Butte. This is the dollar amount of rent expense for this office in the FY 2008 base year. However, the expense was mistakenly recorded in a fixed cost expenditure account which got zeroed out for the 2011 biennium. This amount needs to be added back in for non-DOA building rent expenses for the SWMDTR. Funding is from a federal special revenue account.

**DEPARTMENT OF JUSTICE-4110
DIV. OF CRIMINAL INVESTIGATION-18**

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$500,000	\$500,000
FY 2011	\$0	\$0

NP- 1814 - Continue Meth Watch Program - Rest/Bien/OTO -

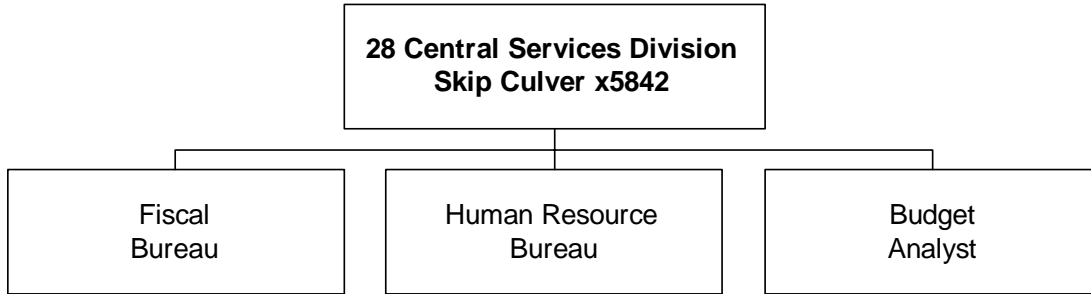
The executive recommends one time only funding of \$500,000 for the biennium for the meth media campaign designed to reduce methamphetamine addiction, especially among young Montanans. The public awareness campaign uses television, newspapers, radio, billboards, and movie screens to focus on the damage meth use causes individuals, families, and communities.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$3,177	\$1,920
FY 2011	\$2,755	\$1,664

NP- 6101 - Fixed Cost Workers Comp Management Program Alloc -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$5,932 in the 2011 biennium, with \$3,584 funding from the general fund, \$618 from federal funds and \$1,730 from a state special revenue fund for DCI.

**DEPARTMENT OF JUSTICE-4110
CENTRAL SERVICES DIVISION-28**



Program Description - The Central Services Division provides the administrative, personnel, budgetary, accounting, and fiscal support for the Department of Justice. The program also administers the County Attorney Payroll.

Program Proposed Budget	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	18.00	0.00	0.00	18.00	0.00	0.00	18.00
Personal Services	937,933	85,119	0	1,023,052	88,442	0	1,026,375
Operating Expenses	215,565	57,882	557	274,004	(13,831)	482	202,216
Total Costs	\$1,153,498	\$143,001	\$557	\$1,297,056	\$74,611	\$482	\$1,228,591
General Fund	418,947	97,953	233	517,133	68,985	201	488,133
State/Other Special	668,119	39,173	318	707,610	(448)	275	667,946
Proprietary	66,432	5,875	6	72,313	6,074	6	72,512
Total Funds	\$1,153,498	\$143,001	\$557	\$1,297,056	\$74,611	\$482	\$1,228,591

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$0	\$0

NP- 2810 - State Special Revenue Funding Switch -

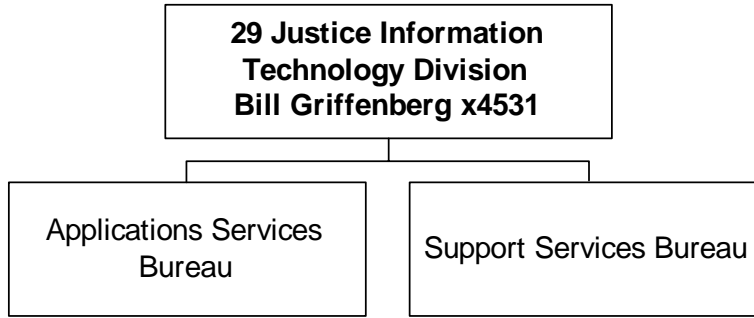
A report presented to the Legislative Finance Committee by Legislative Fiscal Division staff recommended that funds be appropriated directly from the non-restricted highway revenue fund rather than being transferred to and spent from the restricted fund. In accordance with the LFD report, this request switches funding of \$594,769 in FY 2010 and \$561,451 in FY 2011 from the restricted to the non-restricted highway state special revenue fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$557	\$233
FY 2011	\$482	\$201

NP- 6101 - Fixed Cost Workers Comp Management Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The Central Services Division budget includes \$1,039 in the 2011 biennium, with \$434 funding from the general fund, and \$605 from other funds.

**DEPARTMENT OF JUSTICE-4110
INFORMATION TECHNOLOGY SERVICE-29**



Program Description - The Justice Information Technology Services Division 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 and Mainframe development and maintenance of the motor vehicle titling, registration, driver license and history system, etc.; 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 include, but are not limited to, the MHP Integrated Public Safety System (CAD, RMS, Mobile in car, e-citations, crash reporting, etc.), End of Life, Hope Card, Concealed Weapons, and Amber Alert. One of the largest and important 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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	41.00	0.00	0.00	41.00	0.00	0.00	41.00
Personal Services	2,206,495	338,127	0	2,544,622	347,036	0	2,553,531
Operating Expenses	1,039,913	6,780	1,335	1,048,028	7,352	1,158	1,048,423
Equipment & Intangible Assets	87,831	0	0	87,831	0	0	87,831
Total Costs	\$3,334,239	\$344,907	\$1,335	\$3,680,481	\$354,388	\$1,158	\$3,689,785
General Fund	3,196,881	344,096	1,335	3,542,312	353,537	1,158	3,551,576
State/Other Special	121,769	728	0	122,497	764	0	122,533
Federal Special	2,268	0	0	2,268	0	0	2,268
Proprietary	13,321	83	0	13,404	87	0	13,408
Total Funds	\$3,334,239	\$344,907	\$1,335	\$3,680,481	\$354,388	\$1,158	\$3,689,785

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$0	\$0

NP- 2010 - State Special Revenue Funding Switch -

A report presented to the Legislative Finance Committee by Legislative Fiscal Division staff recommended that funds be appropriated directly from the non-restricted highway revenue fund rather than being transferred to and spent from the restricted fund. In accordance with the LFD report, this request switches funding of \$58,345 in FY 2010 and \$58,363 in FY 2011 from the restricted to the non-restricted highway state special revenue fund.

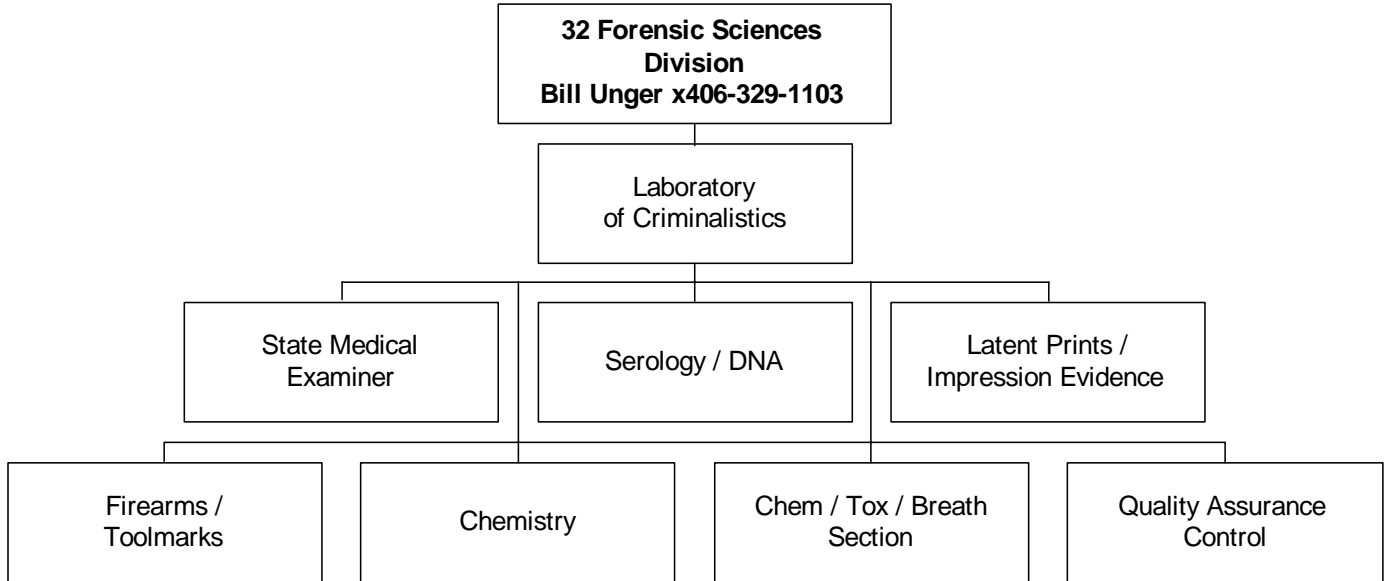
**DEPARTMENT OF JUSTICE-4110
INFORMATION TECHNOLOGY SERVICE-29**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$1,335	\$1,335
FY 2011	\$1,158	\$1,158

NP- 6101 - Fixed Cost Workers Comp Mgmt Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The Information Technology Services Division budget includes \$1,335 general fund in FY 2010 and \$1,158 general fund in FY 2011.

**DEPARTMENT OF JUSTICE-4110
FORENSIC SCIENCE DIVISION-32**



Program Description - The Forensic Science Division 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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	32.75	0.00	0.00	32.75	0.00	0.00	32.75
Personal Services	2,519,340	98,522	0	2,617,862	114,787	0	2,634,127
Operating Expenses	1,221,246	(171,841)	1,207	1,050,612	(171,440)	1,046	1,050,852
Equipment & Intangible Assets	7,827	95,000	0	102,827	128,000	0	135,827
Debt Service	90,207	0	0	90,207	0	0	90,207
Total Costs	\$3,838,620	\$21,681	\$1,207	\$3,861,508	\$71,347	\$1,046	\$3,911,013
General Fund	3,535,416	22,147	1,207	3,558,770	71,901	1,046	3,608,363
State/Other Special	303,204	(466)	0	302,738	(554)	0	302,650
Total Funds	\$3,838,620	\$21,681	\$1,207	\$3,861,508	\$71,347	\$1,046	\$3,911,013

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$95,445	\$95,445
FY 2011	\$95,445	\$95,445

PL- 3201 - Base Year Adjustments for Building Maintenance -

On December 31, 2007, the Forensic Science Division purchased the building where it resides. Upon purchase, the division became responsible for paying utilities and maintenance costs. Only six months of utility and maintenance costs are included in the base year. The division will need \$95,445 in additional general fund each year to provide for another six months of utilities and maintenance in order to complete their full year costs in the 2011 biennium.

**DEPARTMENT OF JUSTICE-4110
FORENSIC SCIENCE DIVISION-32**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	(\$283,073)	(\$283,073)
FY 2011	(\$283,073)	(\$283,073)

PL- 3202 - Remove Rent Expenditures on Building -

On December 31, 2007 the Forensic Science Division purchased the building which it had been renting and will no longer incur rental costs. The base year budget includes \$283,073 for one-half year in rent expenditures that are no longer needed.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$95,000	\$95,000
FY 2011	\$128,000	\$128,000

PL- 3203 - Crime Lab Request for Equipment (Bien) - OTO -

The State Crime Lab relies on highly sophisticated and expensive instrumentation for much of the analysis it does. The lab has more than 44 different instruments, which range in cost up to \$200,000. The Forensic Science Division requests a 2011 biennial appropriation of \$223,000 for equipment replacements and purchases. A biennial appropriation would allow for the instruments to be acquired early in the biennium and put into use as soon as possible. At this time it is planned that \$95,000 would be spent in FY 2010 and \$128,000 FY 2011.

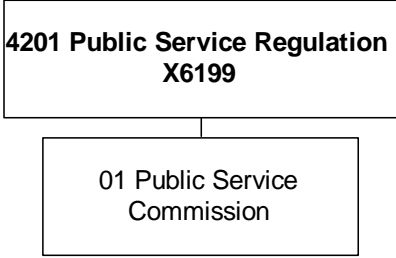
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$1,207	\$1,207
FY 2011	\$1,046	\$1,046

NP- 6101 - Fixed Cost Workers Comp Mgmt Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The Forensic Science Division budget includes \$1,207 general fund in FY 2010 and \$1,046 general fund in FY 2011.

**PUBLIC SERVICE REGULATION-4201
PUBLIC SERVICE REGULATION PROG-01**



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

Statutory Authority - Title 69

Program Description - The Department of Public Service Regulation (PSR) regulates the public utility and transportation industries. Five commissioners elected from districts throughout Montana oversee this program.

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2008	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2010	Fiscal 2010	Fiscal 2010	Fiscal 2011	Fiscal 2011	Fiscal 2011
FTE	39.00	2.00	0.00	41.00	2.00	0.00	41.00
Personal Services	2,629,550	523,776	0	3,153,326	325,066	0	2,954,616
Operating Expenses	550,637	127,552	1,274	679,463	46,671	1,104	598,412
Equipment & Intangible Assets	0	5,000	0	5,000	0	0	0
Total Costs	\$3,180,187	\$656,328	\$1,274	\$3,837,789	\$371,737	\$1,104	\$3,553,028
State/Other Special	3,159,782	651,328	1,274	3,812,384	366,737	1,104	3,527,623
Federal Special	20,405	5,000	0	25,405	5,000	0	25,405
Total Funds	\$3,180,187	\$656,328	\$1,274	\$3,837,789	\$371,737	\$1,104	\$3,553,028

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$205,883	\$0
FY 2011	\$0	\$0

PL- 1 - Pay Retirement Benefits – Bien -

The Public Service Commission (PSC) is requesting \$205,883 of state special revenue authority in the 2011 biennium to fund anticipated staff retirement payouts. The PSC estimates that up to 21% of its staff will retire in the upcoming biennium resulting in leave payouts above what the commission can absorb.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$170,322	\$0
FY 2011	\$170,353	\$0

PL- 4 - Request for Two FTE -

The Public Service Commission is requesting 1.00 FTE attorney and 1.00 FTE utility rate analyst. Due to increased regulatory issues, statutory deadlines, and increased need for expert advice the need for these two positions has become necessary. The request is for \$170,322 in FY 2010 and \$170,353 in FY 2011 of state special revenue spending authority.

**PUBLIC SERVICE REGULATION-4201
PUBLIC SERVICE REGULATION PROG-01**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$12,500	\$0
FY 2011	\$12,500	\$0

PL- 5 - Match Pipeline Safety Federal Award -

The Pipeline Safety federal grant award is expected to increase \$5,000 each fiscal year over previous awards due to recent law changes requiring the Public Service Commission to conduct additional inspections. A 60% match of state funds is required. The Public Service Commission is requesting an additional \$7,500 in each year of the biennium to meet this matching requirement.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$13,714	\$0
FY 2011	\$19,776	\$0

PL- 6 - Building Rent/Maintain NRRI Membership -

The PSC is requesting an increase in authority to cover a 3% annual increase for rent expenses and authority to cover a 20% increase for the biennium for membership dues. These dues are to the National Regulatory Research Institute (NRRI) which serves as the National Association of Regulatory Utility Commissioner's research resource.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$31,955	\$0
FY 2011	\$0	\$0

PL- 7 - Computer Replacement -

The Public Service Commission is requesting to replace 22 desktop computers, 7 notebook computers and 1 server in FY 2010. Computer replacement request is based on a four-year replacement cycle recommended by Information Technology Services Division, Department of Administration.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$9,465	\$0
FY 2011	\$9,465	\$0

PL- 9 - Travel -

The budget includes funding for additional travel of \$9,465 in each year of the biennium. This request is for new commissioner training and increased in-state travel to coordinate and attend statewide PSC hearings.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$35,000	\$0
FY 2011	\$0	\$0

PL- 10 - Broadcast PSC hearings - OTO -

The Public Service Commission (PSC) is requesting \$35,000 in state special revenue authority to purchase the infrastructure required to incorporate PSC weekly work sessions and other public PSC meetings into the Television Montana (TVMT) system. The PSC is dedicated to providing opportunities for the public to participate in its deliberative processes. TVMT currently broadcasts the legislature and other state government activities on cable TV stations in Billings, Bozeman, Helena, and Missoula. They are working to expand coverage to reach about 30 Montana cities by January 2009. In addition, TVMT programming is made available to elementary and secondary schools throughout the state through the Office of Public Instruction.

**PUBLIC SERVICE REGULATION-4201
PUBLIC SERVICE REGULATION PROG-01**

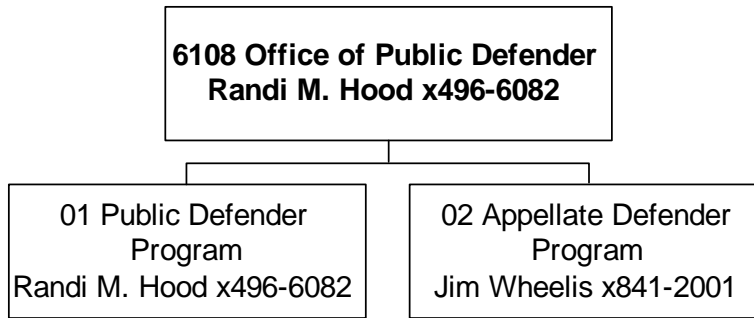
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$1,274	\$0
FY 2011	\$1,104	\$0

NP- 6101 - Fixed Cost Workers Comp Mgmt Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$1,274 in FY 2010 and \$1,104 in FY 2011 state special revenue authority for the Public Service Commission's allocation of the fixed cost.

OFFICE OF PUBLIC DEFENDER-6108



Mission Statement - The mission of the Office of the State Public Defender is to ensure equal access to justice for the state's indigent. The statewide public defender system, created by passage of the Montana Public Defender Act contained in Title 47, Montana Code Annotated, requires the new system to be operational by July 1, 2006.

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

Statutory Authority - Title 47

Agency Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	192.50	8.00	0.00	200.50	8.00	0.00	200.50
Personal Services	11,077,564	908,791	141,114	12,127,469	827,423	235,372	12,140,359
Operating Expenses	8,068,574	430,631	66,737	8,565,942	362,711	125,841	8,557,126
Equipment & Intangible Assets	123,370	0	0	123,370	0	0	123,370
Total Costs	\$19,269,508	\$1,339,422	\$207,851	\$20,816,781	\$1,190,134	\$361,213	\$20,820,855
General Fund	19,226,052	1,339,422	207,851	20,773,325	1,190,134	361,213	20,777,399
State/Other Special	43,456	0	0	43,456	0	0	43,456
Total Funds	\$19,269,508	\$1,339,422	\$207,851	\$20,816,781	\$1,190,134	\$361,213	\$20,820,855

OFFICE OF PUBLIC DEFENDER-6108
OFFICE OF PUBLIC DEFENDER-01

01 Public Defender Program
 Randi M. Hood x496-6082

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 new system. The Commission appoints the chief public defender, approves the strategic plan for the delivery of services, approves statewide standards for qualifications and training of public defenders and approves the overall design of the new statewide system. The Act provides for a one-year transition period for these tasks to be completed.

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2008	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2010	Fiscal 2010	Fiscal 2010	Fiscal 2011	Fiscal 2011	Fiscal 2011
FTE	184.50	7.00	0.00	191.50	7.00	0.00	191.50
Personal Services	10,575,678	827,082	141,114	11,543,874	749,591	235,372	11,560,641
Operating Expenses	7,762,333	430,525	66,737	8,259,595	362,602	125,841	8,250,776
Equipment & Intangible Assets	123,370	0	0	123,370	0	0	123,370
Total Costs	\$18,461,381	\$1,257,607	\$207,851	\$19,926,839	\$1,112,193	\$361,213	\$19,934,787
General Fund	18,417,925	1,257,607	207,851	19,883,383	1,112,193	361,213	19,891,331
State/Other Special	43,456	0	0	43,456	0	0	43,456
Total Funds	\$18,461,381	\$1,257,607	\$207,851	\$19,926,839	\$1,112,193	\$361,213	\$19,934,787

-----**Present Law Adjustments**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$707,290	\$707,290
FY 2011	\$703,230	\$703,230

PL- 1 - Support of Increased Caseload -

The Public Defender Program is requesting 7.00 FTE attorney positions. The total personal services funding request is \$507,290 for FY 2010 and \$503,230 for FY 2011. Also included in the total increase is the amount of \$200,000 in each fiscal year of the biennium to pay contract attorneys that are expected to cover part of the increased caseload.

OFFICE OF PUBLIC DEFENDER-6108
OFFICE OF PUBLIC DEFENDER-01

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$32,972	\$32,972
FY 2011	\$32,972	\$32,972

PL- 9 - ITSD Fixed Cost PL Adjust -

The executive is requesting \$32,972 general fund each year of the biennium for the Office of the Pulic Defender's operations to fund the agency's portion of ITSD fixed cost allocation that falls outside the adjusted base. The adjustment includes funding for local server replacements, Justware Database and Fileshare disks, and Collaboration SLA Sharepoint.

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$60,000	\$60,000
FY 2011	\$120,000	\$120,000

NP- 3 - Increase in Contract Rates-Restricted -

This executive request of \$60,000 in FY 2010 and \$120,000 in FY 2011 general fund is to fund a contract attorney rate increase of 1% per year. The base rate the Office of the Public Defender is currently paying is \$60 per hour. This increase is consistent with other executive provider rate increase proposals.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$141,114	\$141,114
FY 2011	\$235,372	\$235,372

NP- 5 - Union Career Ladder Pay Increases -

The Office of Public Defender is requesting funding to implement a progression pay increase for unionized attorneys. The amount requested is \$141,114 in FY 2010 and \$235,372 in FY 2011 of general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$6,737	\$6,737
FY 2011	\$5,841	\$5,841

NP- 6101 - Fixed Cost Workers Comp Management Program Allocation -

The Workers' Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget includes \$6,737 in FY 2010 and \$5,841 in FY 2011 general fund authority for the Office of the Public Defender's allocation of the fixed cost.

**OFFICE OF PUBLIC DEFENDER-6108
OFFICE OF APPELLATE DEFENDER-02**

02 Appellate Defender Program Jim Wheelis x841-2001
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Program Description - The Appellate Defender Program provides appeal services for indigent citizens.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	8.00	1.00	0.00	9.00	1.00	0.00	9.00
Personal Services	501,886	81,709	0	583,595	77,832	0	579,718
Operating Expenses	306,241	106	0	306,347	109	0	306,350
Total Costs	\$808,127	\$81,815	\$0	\$889,942	\$77,941	\$0	\$886,068
General Fund	808,127	81,815	0	889,942	77,941	0	886,068
Total Funds	\$808,127	\$81,815	\$0	\$889,942	\$77,941	\$0	\$886,068

-----Present Law Adjustments-----

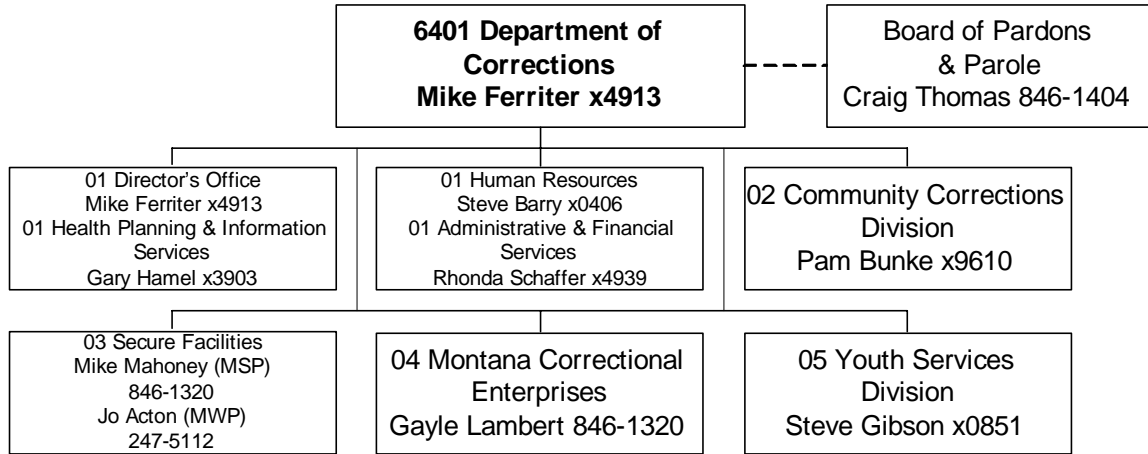
	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$72,658	\$72,658
FY 2011	\$71,910	\$71,910

PL- 2 - Support Increase in Caseload-Appellate -

The Office of the Public Defender is requesting 1.00 FTE in the Appellate Program. This amounts to approximately \$72,000 per fiscal year of general fund. As base caseloads increase so does the need for additional staff.

DEPARTMENT OF CORRECTIONS-6401

Please note that this agency also contains proprietary funding (see Section P).

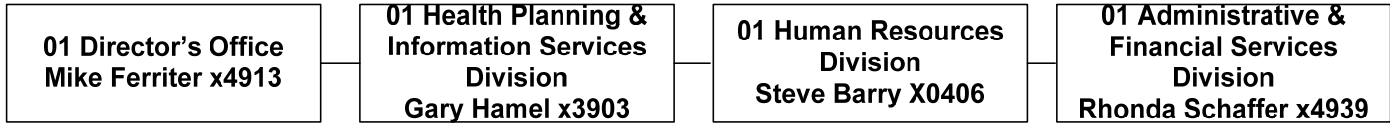


Mission Statement - The Montana Department of Corrections enhances public safety, promotes positive change in offender behavior, reintegrates offenders into the community, and supports victims of crime.

Statutory Authority - Provided for in 2-15-2301, 53-1-201 and 53-1-202, MCA.

Agency Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	1,255.64	75.00	3.00	1,333.64	81.00	3.00	1,339.64
Personal Services	65,035,582	7,888,341	157,533	73,081,456	8,425,048	157,700	73,618,330
Operating Expenses	85,728,107	20,948,515	3,102,717	109,779,339	24,210,212	2,817,379	112,755,698
Equipment & Intangible Assets	207,507	0	100,000	307,507	0	0	207,507
Benefits & Claims	4,175,855	0	0	4,175,855	0	0	4,175,855
Transfers	2,124,917	0	0	2,124,917	0	0	2,124,917
Total Costs	\$157,271,968	\$28,836,856	\$3,360,250	\$189,469,074	\$32,635,260	\$2,975,079	\$192,882,307
General Fund	153,515,661	27,751,384	2,833,146	184,100,191	31,549,688	2,876,331	187,941,680
State/Other Special	3,106,783	942,485	524,715	4,573,983	945,551	96,677	4,149,011
Federal Special	134,148	0	0	134,148	0	0	134,148
Proprietary	515,376	142,987	2,389	660,752	140,021	2,071	657,468
Total Funds	\$157,271,968	\$28,836,856	\$3,360,250	\$189,469,074	\$32,635,260	\$2,975,079	\$192,882,307

**DEPARTMENT OF CORRECTIONS-6401
ADMIN AND SUPPORT SERVICES-01**



Program Description - The Administration and Support Services Program includes the Director's Office, Health Planning and Information Services Division, Human Resources 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 Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2008	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2010	Fiscal 2010	Fiscal 2010	Fiscal 2011	Fiscal 2011	Fiscal 2011
FTE	110.00	2.00	0.00	112.00	2.00	0.00	112.00
Personal Services	6,192,508	779,887	0	6,972,395	799,560	0	6,992,068
Operating Expenses	9,003,302	1,385,064	546,835	10,935,201	1,234,931	91,273	10,329,506
Total Costs	\$15,195,810	\$2,164,951	\$546,835	\$17,907,596	\$2,034,491	\$91,273	\$17,321,574
General Fund	14,800,031	2,099,852	89,159	16,989,042	1,972,526	33,953	16,806,510
State/Other Special	320,198	56,082	455,287	831,567	55,914	55,249	431,361
Proprietary	75,581	9,017	2,389	86,987	6,051	2,071	83,703
Total Funds	\$15,195,810	\$2,164,951	\$546,835	\$17,907,596	\$2,034,491	\$91,273	\$17,321,574

-----**Present Law Adjustments**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$7,433	\$7,433
FY 2011	\$7,433	\$7,433

PL- 101 - Powell County Contract Increase -

The Legal Bureau is requesting a funding increase for the Powell County Attorney's contract in the amount of \$7,433 general fund for each year of the biennium. This increase would allow the Powell County Attorney to request to hire a Deputy County Attorney in Powell County to assist in prosecute all the cases the prison investigators bring to him, and not be forced to pick and choose because of time constraints.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$11,087	\$11,087
FY 2011	\$11,087	\$11,087

PL- 102 - Leased Vehicles for Investigations -

The Investigation Bureau is requesting a funding increase for new leased vehicle in the amount of \$11,087 general fund for each year of the biennium. The investigators are responsible for providing assistance when requested to local jurisdictions, community corrections and institutions related to criminal and administrative investigations for the maintenance of security.

**DEPARTMENT OF CORRECTIONS-6401
ADMIN AND SUPPORT SERVICES-01**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$649,138	\$649,138
FY 2011	\$651,511	\$651,511

PL- 601 - Outside Medical Additional Authority -

The Health Services Bureau is requesting a funding increase in operating costs to account for inflationary increases associated with outside inmate medical expenses. The number of offenders needing outside medical care continually increases and cost of services is estimated to increase. The Health Services Bureau requests general fund of \$649,138 in FY 2010 and \$651,511 in FY 2011 for these expenses.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$67,439	\$67,439
FY 2011	\$67,917	\$67,917

PL- 602 - Software Maintenance -

The Information Technology Bureau is requesting funding for systems which were put into place in FY08-09 that require ongoing maintenance. These costs were not captured in the base budget. The request is for general fund in the amount of \$67,439 in FY 2010 and \$ 67,917 in FY 2011.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$52,199	\$52,199
FY 2011	\$50,099	\$50,099

PL- 701 - HR Training Support -

The Human Resources Bureau is requesting funding in the amount of \$52,199 in FY 2010 and \$50,099 in FY 2011. This request would provide 1.00 FTE in Billings to handle training and human resources issues for eastern Montana which would serve over 120 staff.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$2,500	\$0
FY 2011	\$2,500	\$0

PL- 702 - Training Manuals -

The Training Bureau is requesting state special authority in the amount of \$2,500 for each year of the biennium to offset the cost of printing and preparing training manuals for Department of Corrections employees and law enforcement employees. This authority will allow the department to continue to recoup costs of printing manuals by collecting fees for manuals.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$20,000	\$0
FY 2011	\$20,000	\$0

PL- 703 - Early Return to Work -

The Human Resources Bureau is requesting funding in the amount of \$20,000 for each year of the biennium. This request is for state special funding for the early return to work program which is currently not funded in the base budget.

**DEPARTMENT OF CORRECTIONS-6401
ADMIN AND SUPPORT SERVICES-01**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$36,585	\$36,585
FY 2011	\$33,997	\$33,997

PL- 801 - BOPP Secretary FTE -

The Board of Pardons and Parole is requesting funding in the amount of \$36,585 for FY 2010 and \$33,997 for FY 2011. This request is for 1.00 FTE for a secretary at the Board of Pardons and Parole. This position will provide direct support to the records manager in Deer Lodge and answer the phone, distribute the mail, receive visitors, and file all offender documents received.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$40,425	\$40,425
FY 2011	\$40,425	\$40,425

PL- 802 - Board Member Per Diem -

The Board of Pardons and Parole is requesting funding in the amount of \$40,425 for each year of the biennium for the Montana Board of Pardons and Parole member's compensation. The board conducts monthly hearings throughout the State of Montana. Board members are entitled to be paid per diem for every day in which the member is engaged in the performance of board duties. This is a zero-based budgeted item.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$48,785	\$48,785
FY 2011	\$49,866	\$49,866

PL- 806 - Annualization for BOPP Office Space -

The Board of Pardons and Parole is requesting funding in the amount of \$48,785 for FY 2010 and \$49,866 for FY 2011 of general fund authority. The Board of Pardons and Parole board re-located to a new office in August of 2008. This request is for the rent cost which is not in the department's base budget.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$392,784	\$392,784
FY 2011	\$396,597	\$396,597

PL- 901 - Annualization for Central Office Rent -

The Accounting and Financial Services Division is requesting funding in the amount of \$392,784 for FY 2010 and \$396,597 for FY 2011 general fund for the new rent expenditures in a new building proposed at South Pointe. This request is based on a square foot cost of \$23.13 with a 1% increase in the second year. The Department of Corrections central office building is over 100 years old.

**DEPARTMENT OF CORRECTIONS-6401
ADMIN AND SUPPORT SERVICES-01**

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$15,000	\$15,000
FY 2011	\$0	\$0

NP- 601 - PREA Supplies – (Bien/OTO) -

The department is requesting \$15,000 general fund for the 2011 biennium for one time only supplies and training to support the department’s PREA Coordinator.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$10,000	\$10,000
FY 2011	\$0	\$0

NP- 604 - Research Electronic Records - OTO -

The department is requesting \$10,000 in FY 2010 for the Health Planning and Information Services Division. This funding will be used to contract with a company to evaluate the need for electronic medical records.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$25,000	\$25,000
FY 2011	\$0	\$0

NP- 802 - BOPP Portable Equip/Computers - OTO -

The department is requesting \$25,000 in FY 2010 for Board of Pardons and Parole needed supplies. The BOPP is beginning to implement a paperless system. In order to accomplish this goal the Board members must have the ability to access information on felony offenders remotely and staff must have the ability to send information and access information electronically. This request provides each Board member with a wireless laptop computer and the staff in Deer Lodge, Great Falls, and Billings with laptop computers. Portable printers are necessary to print Board disposition at an offenders hearing. Printers will be located in Billings, Great Falls, and Deer Lodge.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$455,000	\$0
FY 2011	\$55,000	\$0

NP- 902 - Collections Unit System - OTO -

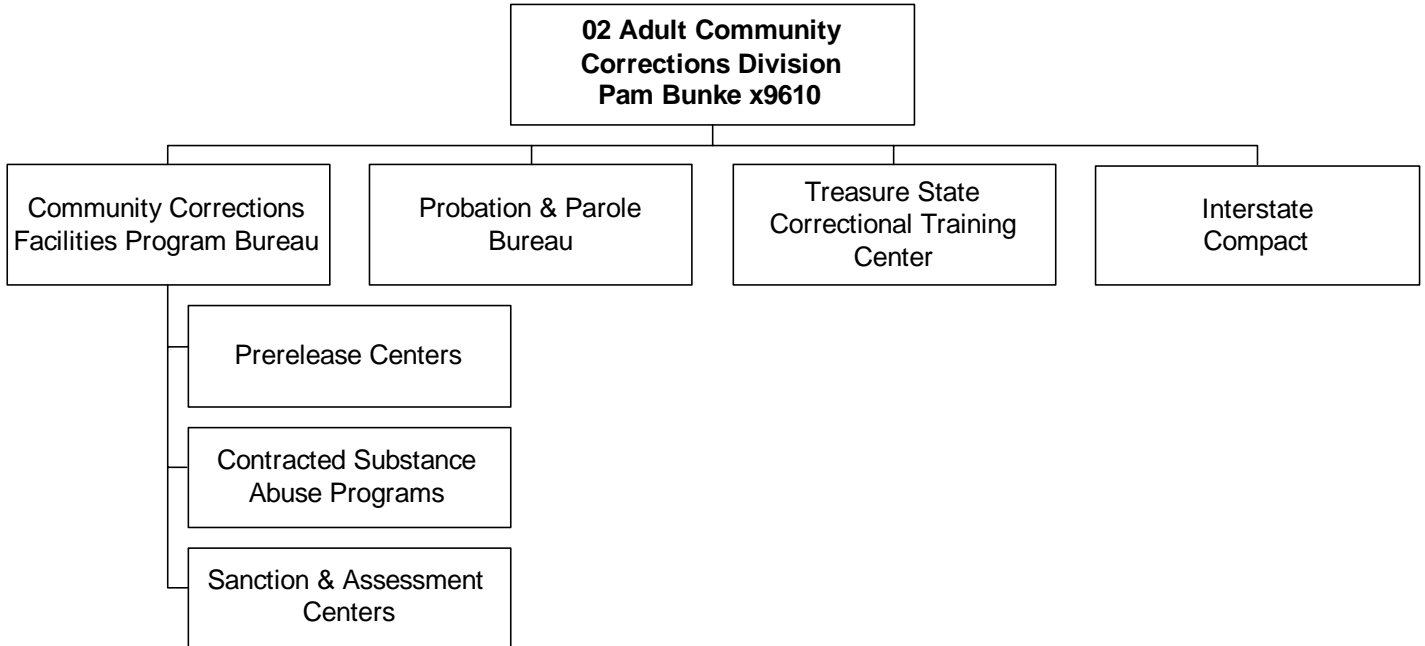
The department is requesting state special revenue authority of \$455,000 in FY2010 and \$55,000 in FY2011. The current software program to collect and distribute felony restitution was obtained from Cascade County 5 years ago. The current system is not able to be upgraded to be fully functional with department requirements and it cannot be interfaced with the department’s current Offender Management Information System.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$41,835	\$39,159
FY 2011	\$36,273	\$33,953

NP- 6101 - Fixed Cost Workers Comp Management -

The Workers’ Compensation Management program at the Department of Administration was funded by the 2007 Legislature with a one-time-only general fund appropriation. For the 2011 biennium and beyond, the program will be funded via a fixed cost allocation. Because the program was approved as an OTO for the current biennium, it must be presented as a new proposal for the next biennium. The budget request includes \$41,835 in FY 2010 and \$36,273 in FY 2011.

DEPARTMENT OF CORRECTIONS-6401 ADULT COMMUNITY CORRECTIONS-02



Program Description - The Adult Community Corrections Division includes probation and parole, intensive and enhanced supervision programs, 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 diversion from prison programs. The department contracts with nonprofit corporations in Great Falls, Missoula, Billings, Bozeman, Butte, and Helena for prerelease services.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	263.00	15.00	0.00	278.00	21.00	0.00	284.00
Personal Services	13,479,826	2,078,614	0	15,558,440	2,419,800	0	15,899,626
Operating Expenses	39,504,412	10,999,748	932,118	51,436,278	15,162,805	1,214,742	55,881,959
Total Costs	\$52,984,238	\$13,078,362	\$932,118	\$66,994,718	\$17,582,605	\$1,214,742	\$71,781,585
General Fund	52,457,345	12,892,459	932,118	66,281,922	17,393,468	1,214,742	71,065,555
State/Other Special	526,893	185,903	0	712,796	189,137	0	716,030
Total Funds	\$52,984,238	\$13,078,362	\$932,118	\$66,994,718	\$17,582,605	\$1,214,742	\$71,781,585

DEPARTMENT OF CORRECTIONS-6401 ADULT COMMUNITY CORRECTIONS-02

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$843,107	\$843,107
FY 2011	\$1,073,692	\$1,073,692

PL- 201 - Probation and Parole Population Growth -

Adult Community Corrections is requesting \$843,107 in FY 2010 and \$1,073,692 in FY 2011 general fund authority to assist the department with the population growth in Probation and Parole by adding 10.00 FTE probation and parole officers, 1.00 FTE intensive supervision program officer and 3.00 FTE administrative support positions in FY 2010 and 15.00 FTE probation and parole officers, 2.00 FTE intensive supervision program officers and 3.00 FTE administrative support positions in FY 2011. The department is also requesting funding to provide additional office space for new Probation and Parole staff in Livingston, Polson, Belgrade, Missoula, Kalispell and Billings.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$59,397	\$59,397
FY 2011	\$57,367	\$57,367

PL- 202 - TSCTC Full Time Registered Nurse -

Adult Community Corrections is requesting \$59,397 in FY 2010 and \$57,367 in FY2011 of general fund authority for 1.00 FTE institutional nurse for Treasure State Correctional Training Center to meet the medical needs of the facility. This FTE in addition to an existing 0.50 FTE will provide medical coverage seven days per week and improve the ability to pass medications by qualified medical staff. Both requests were recommended by the 2005 Audit of TSCTC.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$854,038	\$854,038
FY 2011	\$854,038	\$854,038

PL- 203 - Annualize Treatment Beds -

Adult Community Corrections is requesting \$854,038 in FY 2010 and \$854,038 in FY 2011 of general fund authority to annualize the cost of existing contracted methamphetamine treatment, felony DUI, and alcohol and drug treatment beds. This reflects the difference between the contracted cost of all treatment beds in FY 2010 and FY 2011 and what was captured in the base budget.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$2,085,995	\$2,085,995
FY 2011	\$2,085,995	\$2,085,995

PL- 204 - Annualize Prerelease Beds -

Adult Community Corrections is requesting \$2,085,995 in FY 2010 and \$2,085,995 in FY 2011 of general fund authority to annualize the cost of existing contracted prerelease beds. This reflects the difference between the contracted costs for prerelease beds in FY 2010 and FY 2011 and what was captured in the base budget.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$5,292,500	\$5,292,500
FY 2011	\$5,292,500	\$5,292,500

PL- 205 - Annualize Sex Offender Facility -

Adult Community Corrections is requesting \$5,292,500 in FY 2010 and \$5,292,500 in FY 2011 of general fund authority to annualize the cost of 116 sex offender treatment beds estimated to be available by late FY 2009 and authorized by the 2007 Legislature. The projected cost of these beds for FY 2010 and FY 2011 is not captured in the base budget.

DEPARTMENT OF CORRECTIONS-6401 ADULT COMMUNITY CORRECTIONS-02

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$978,200	\$978,200
FY 2011	\$978,200	\$978,200

PL- 206 - Annualize Northwest Prerelease -

Adult Community Corrections is requesting general fund authority in the amounts of \$978,200 in FY 2010 and \$978,200 in FY 2011 to annualize the cost of 40 prerelease beds in northwest Montana projected to be available in FY 2009. The projected costs for FY 2010 and FY 2011 are not captured in the base budget.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$489,100	\$489,100

PL- 207 - Annualize Additional Prerelease Beds -

Adult Community Corrections is requesting \$489,100 general fund in FY 2011 to fund 20 additional prerelease beds in a yet to be determined location. This request completes the department's projected bed needs in community corrections for the 2011 biennium. It is the goal of the department that these beds assist Native American offenders in community re-entry.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$34,008	\$34,008
FY 2011	\$34,008	\$34,008

PL- 210 - TSCTC Overtime -

Adult Community Corrections is requesting \$34,008 in FY 2010 and \$34,008 in FY 2011 for overtime expenses, which are zero based, for the Treasure State Correctional Training Center to cover all shifts and posts.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$35,573	\$0
FY 2011	\$38,807	\$0

PL- 211 - Spending Authority for GPS Monitoring -

Adult Community Corrections is requesting \$35,573 in FY 2010 and \$38,807 in FY 2011 in state special spending authority for money collected for GPS monitoring services. Section 46-23-1010, MCA, requires Level III sexual offenders to pay for required GPS monitoring services. This proposal will enable the department to collect fees from offenders to offset the costs of contracted GPS Monitoring of Level III sexual offenders in Montana.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$150,000	\$0
FY 2011	\$150,000	\$0

PL- 212 - Spending Authority for Supervision Fees -

Adult Community Corrections is requesting an additional \$150,000 in FY 2010 and \$150,000 in FY 2011 in state special spending authority for supervision fees to enable the community corrections division to offset the costs related to safety and training for probation and parole staff.

**DEPARTMENT OF CORRECTIONS-6401
ADULT COMMUNITY CORRECTIONS-02**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$963,600	\$963,600

PL- 214 - Great Falls PRC Additional Beds -

Adult Community Corrections is requesting \$963,600 in FY 2011 for 33 beds that would serve mentally ill offenders and aging/disabled offenders as they transition from secure custody to community placements. These beds also will be utilized as an alternative placement from prison for DOC committed offenders with these special needs.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$1,169,460	\$1,169,460

PL- 215 - Additional WATCH Beds -

Adult Community Corrections is requesting \$1,169,460 in FY 2011 for the expansion of WATCH West by 40 beds in FY 2011 to a capacity of 148 beds. This request also expands WATCH East by 10 beds in FY 2011 to a capacity of 50 beds. The WATCH program provides the department with an additional bed placement and treatment options as an alternative to prison.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$930,750	\$930,750
FY 2011	\$930,750	\$930,750

PL- 216 - Additional START Beds -

Adult Community Corrections is requesting \$930,750 in FY 2010 and \$930,750 in FY 2011 to increase START beds by 30 in FY 2010 and FY 2011. This facility provides sanction, treatment, assessment, revocation, and transition services to offenders who have been in community placement and have either been revoked for technical violations or sanctioned by a probation and parole hearings officer and would otherwise go to prison.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$1,569,500	\$1,569,500

PL- 218 - Additional Connections Corrections Beds -

Adult Community Corrections is requesting \$1,569,500 in FY 2011 to expand the Connections Corrections alcohol and drug treatment program by 50 beds in FY 2011. These beds will accommodate the projected population growth for the number of offenders required to complete the program.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$273,340	\$273,340
FY 2011	\$273,340	\$273,340

PL- 220 - Annualize MASC -

Adult Community Corrections is requesting \$273,340 general fund each fiscal year of the biennium to annualize the cost of existing contracted beds at the Missoula Assessment and Sanction Center. This reflects the difference between the estimated contracted cost for beds in the upcoming biennium and what was captured in the base budget.

**DEPARTMENT OF CORRECTIONS-6401
ADULT COMMUNITY CORRECTIONS-02**

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$429,493	\$429,493
FY 2011	\$429,493	\$429,493

NP- 208 - Annualize Mental Health Meds and Services -

Adult Community Corrections is requesting \$429,493 in FY 2010 and FY \$429,493 in FY 2011 to annualize the projected cost of mental health medications and services in FY 2010 and FY 2011 for offenders released from prison to a community corrections facility or to probation or parole. In FY 2008, this funding was a budget transfer from DPHHS and all of the budget was not captured in the base budget.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$110,000	\$110,000
FY 2011	\$0	\$0

NP- 209 - Watch East Repairs – (Bien/OTO) -

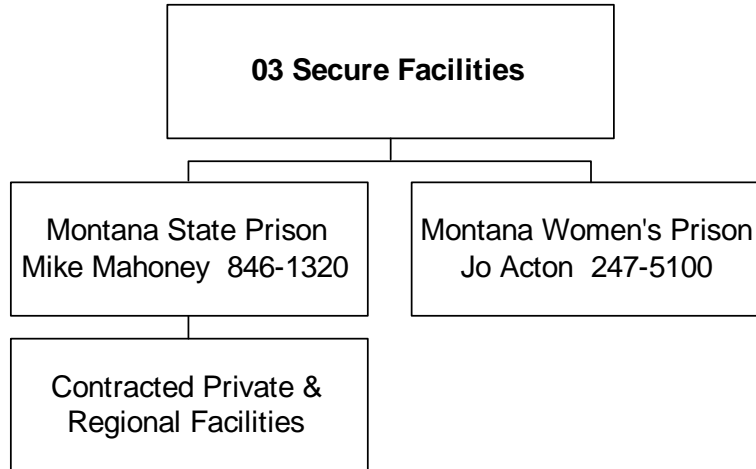
The department is requesting \$110,000 one time only biennial appropriation in order to make needed repairs to the Watch East facility in Glendive, MT. The building is a state owned building and the state is contractually obligated to maintain and repair the building.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$392,625	\$392,625
FY 2011	\$785,249	\$785,249

NP- 219 - Pre-Release/Treatment Prog Per Diem Rate Increase -

Adult Community Corrections is requesting \$392,625 in FY 2010 and \$785,249 in FY 2011 to fund a provider rate increase of 1% in the first year and 2% in the second year over base year rates.

**DEPARTMENT OF CORRECTIONS-6401
SECURE CUSTODY FACILITIES-03**



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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	652.54	58.00	0.00	710.54	58.00	0.00	710.54
Personal Services	33,621,907	4,236,116	0	37,858,023	4,370,831	0	37,992,738
Operating Expenses	32,269,566	5,000,875	693,621	37,964,062	7,071,246	763,421	40,104,233
Equipment & Intangible Assets	207,507	0	0	207,507	0	0	207,507
Total Costs	\$66,098,980	\$9,236,991	\$693,621	\$76,029,592	\$11,442,077	\$763,421	\$78,304,478
General Fund	65,960,172	9,116,991	652,193	75,729,356	11,322,077	721,993	78,004,242
State/Other Special	100,000	120,000	41,428	261,428	120,000	41,428	261,428
Federal Special	38,808	0	0	38,808	0	0	38,808
Total Funds	\$66,098,980	\$9,236,991	\$693,621	\$76,029,592	\$11,442,077	\$763,421	\$78,304,478

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$34,771	\$34,771
FY 2011	\$23,243	\$23,243

PL- 302 - MSP Shift Relief Additional FTE -

Montana State Prison is a 24 x 7 facility that requires the department to maintain a shift relief factor in order to fill all posts on 3 shifts. The department has also offset some of the costs with reducing overtime. A portion of the overtime costs should be made up with the additional 12.00 FTE. The estimated actual increased costs to the department will be \$34,771 for FY 2010 and \$23,243 for FY 2011.

**DEPARTMENT OF CORRECTIONS-6401
SECURE CUSTODY FACILITIES-03**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$98,533	\$98,533
FY 2011	\$93,546	\$93,546

PL- 303 - Mental Health Contract Conversion -

Montana State Prison has contracted for mental health services with Western Montana Mental Health Center. The contractor has since canceled their contract and left the facility without the mental health services. DOC is requesting 6.00 FTE to replace the contract. DOC is offsetting its mental health positions with the base budget of the terminated contract. The estimated actual increased cost is \$98,533 for FY 2010 is \$93,546 for FY 2011.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$1,771,993	\$1,771,993
FY 2011	\$1,771,993	\$1,771,993

PL- 306 - MSP - Overtime Zero Based -

This request is for staff overtime which is a zero based category. This general fund request includes overtime and holidays worked. The cost of this request is \$1,771,993 for FY 2010 and \$1,771,993 for FY 2011.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$302,400	\$202,400
FY 2011	\$302,400	\$202,400

PL- 308 - MSP Inmate Pay Zero Based -

Inmate work and education assignments are a major part of facility security and rehabilitation. MSP provides inmate work assignments in maintenance, food service, infirmary, recreation, housing unit, school, and education to approximately 660 inmates. Inmate pay is a zero-based budgeted item. The cost of this request is \$302,400 for FY 2010 and \$302,400 for FY 2011.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$20,000	\$0
FY 2011	\$20,000	\$0

PL- 309 - MSP - Fines and Fees - Added Spending Authority -

This request is for spending authority for the fines and fees that are collected from inmate disciplinary sanctions. This is state special authority only. The department uses the funds to cover the costs of damaged items and replacement items. The authority request is \$20,000 for FY 2010 and \$20,000 for FY 2011.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$4,115,370	\$4,115,370
FY 2011	\$5,328,630	\$5,328,630

PL- 311 - Contract Beds - Annualization -

This request is to annualize the cost of existing contracted secure beds. This reflects the difference between the estimated contracted costs for secure facility beds in FY 2010 and FY 2011 and what was captured in the base budget. The department estimates a cost of \$4,115,370 for FY 2010 and \$5,328,630 for FY 2011 general fund.

**DEPARTMENT OF CORRECTIONS-6401
SECURE CUSTODY FACILITIES-03**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$0	\$0
FY 2011	\$838,255	\$838,255

PL- 312 - Contract Beds - Population Growth -

The executive is recommending additional funding needed to cover the anticipated growth in secure care population. There will be no increase for FY 2010 and \$838,255 for FY 2011.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$2,416,488	\$2,416,488
FY 2011	\$2,418,195	\$2,418,195

PL- 314 - Work Dorm Expansion -

In November of 2008, the expansion of the MSP Work Dorm will be completed for the housing of up to an additional 108 inmates. The operating costs and FTE associated with this expansion are not in the FY 2008 base budget as the construction was ongoing during the base year. This request is for a full fiscal year of operating costs and for the required 34.00 FTE. The cost for this request is \$2,416,488 for FY 2010 and \$2,418,195 for FY 2011.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$218,427	\$218,427
FY 2011	\$218,720	\$218,720

PL- 315 - MWP Correctional Counselors -

Montana Women's Prison is requesting 6.00 FTE correctional counselors in the amount of \$218,427 for FY 2010 and \$218,720 for FY 2011. This is to provide the appropriate shift relief factor in running a 24x7x365 facility. For safety and security purposes, Montana Women's Prison must have a proper relief factor. This request is partially offset by a decrease in the amount of overtime budget that would otherwise be required.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$270,688	\$270,688
FY 2011	\$270,688	\$270,688

PL- 316 - MWP Overtime - Zero Based -

Montana Women's Prison is requesting funding for overtime and holiday work time in the amount of \$270,688 for each year of the biennium. This request is necessary because overtime is zero based and coverage is required 24x7x365 for each post.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$47,090	\$47,090
FY 2011	\$47,090	\$47,090

PL- 317 - MWP Inmate Pay - Zero Based -

Montana Women's Prison is requesting funding for inmate pay in the amount of \$47,090 for each year of the biennium. Inmate work and education assignments are a major part of facility security and rehabilitation. This request is necessary because inmate pay is a zero-based budgeted item.

**DEPARTMENT OF CORRECTIONS-6401
SECURE CUSTODY FACILITIES-03**

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$243,821	\$202,393
FY 2011	\$243,821	\$202,393

NP- 301 - MSP Staff Transportation -

This general fund request of \$202,393 per year will continue funding for MSP staff transportation. This was one time only funded in the 2007 session.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$50,000	\$50,000
FY 2011	\$0	\$0

NP- 304 - MSP Equipment - OTO -

The department is requesting \$50,000 one time only general fund authority in FY 2010 for Montana State Prison equipment needs. This funding will be used to upgrade the food ports at Montana State Prison.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$65,000	\$65,000
FY 2011	\$0	\$0

NP- 305 - MSP Video Equipment – (Bien/OTO) -

The department is requesting a one time only biennial general fund appropriation of \$65,000 for MSP security equipment. This request is for 6 video cameras for the high side staff and inmate traffic areas at MSP, with recording capabilities and corresponding monitors for each. Also, this request would fund the installation of the Morse Watchman rounds system in 7 housing units.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$259,800	\$259,800
FY 2011	\$519,600	\$519,600

NP- 313 - Contract Beds Per Diem Increase -

Contract Beds is requesting to provide a general fund increase of 1% in FY 2010 and 2% in FY 2011 for per diem rate increases for inmate beds in the contract facilities. The department is required by law to reimburse regional prison per diem based on actual costs, this rate is estimated to increase 2% per year and is reflected in this budget request. The estimated cost for this request is \$259,800 for FY 2010 and \$519,600 for FY 2011.

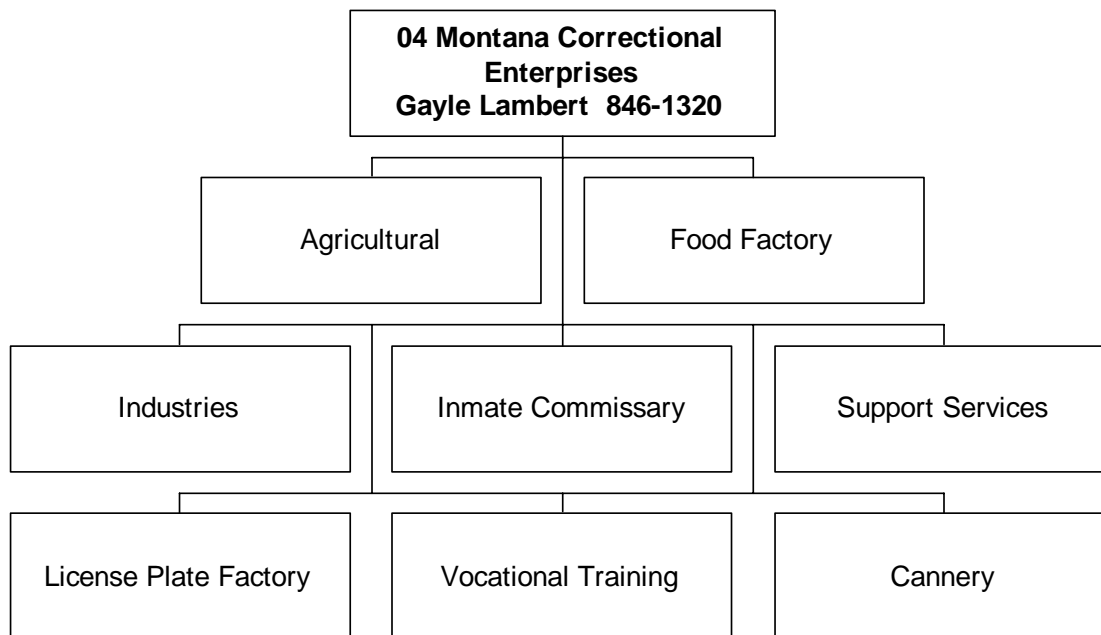
	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$75,000	\$75,000
FY 2011	\$0	\$0

NP- 318 - MWP Maintenance and Supplies - OTO -

The department is requesting biennial authority of \$75,000 for Montana Women's Prison building maintenance. Montana Women's Prison has an obligation to the offenders, the public, staff and victims to maintain a secure safe environment in which to house the offenders. This will require repairing, and maintaining the current facility equipment, materials & supplies to provide the most effective method to manage areas in the facility.

DEPARTMENT OF CORRECTIONS-6401 MONT CORRECTIONAL ENTERPRISES-04

Please note that this program also contains proprietary funding (see Section P).



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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	19.25	0.00	1.00	20.25	0.00	1.00	20.25
Personal Services	1,003,101	155,613	44,242	1,202,956	157,939	44,282	1,205,322
Operating Expenses	2,839,075	3,502,158	82,200	6,423,433	672,100	50,000	3,561,175
Equipment & Intangible Assets	0	0	100,000	100,000	0	0	0
Total Costs	\$3,842,176	\$3,657,771	\$226,442	\$7,726,389	\$830,039	\$94,282	\$4,766,497
General Fund	2,000,669	2,943,301	198,442	5,142,412	115,569	94,282	2,210,520
State/Other Special	1,313,327	580,500	28,000	1,921,827	580,500	0	1,893,827
Federal Special	88,385	0	0	88,385	0	0	88,385
Proprietary	439,795	133,970	0	573,765	133,970	0	573,765
Total Funds	\$3,842,176	\$3,657,771	\$226,442	\$7,726,389	\$830,039	\$94,282	\$4,766,497

**DEPARTMENT OF CORRECTIONS-6401
MONT CORRECTIONAL ENTERPRISES-04**

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$2,858,599	\$2,858,599
FY 2011	\$27,709	\$27,709

PL- 402 - License Plate Renewal - HB 2 - OTO -

Section 61-3-332, MCA, states that new license plates will be issued January 1, 2010 and every four years thereafter. This request of \$2,886,308 general fund for the biennium is to comply with the statute. The request is based on the production of 1.6 million plates over the biennium. This figure represents only the number of plates to be produced for the reissue. The base budget covers all other plate production for general issue, organizational, permanent, college and university, and small plates. The expenditures are offset by the general fund revenue generated by the sale of the plates to the public.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$155,500	\$69,000
FY 2011	\$155,500	\$69,000

PL- 404 - Overtime and Inmate Payroll - HB 2 -

Overtime and Inmate Payroll are both zero based expenditures. This request is for inmate pay associated with the Vocational Education program, License Plate Factory and the Canteen operations. The request is for \$155,500 per fiscal year with \$69,000 of that being general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$650,000	\$0
FY 2011	\$650,000	\$0

PL- 406 - Added Authority-Canteen-SSR, Voc Ed-ISF - HB 2 -

This request is for additional appropriation authority for the Vocational Education Program and the Canteen operations. The Vocational Education Internal Service Fund operation has seen an increased cost of parts purchased for the repair on customer vehicles. Additional authority in the amount of \$100,000 is being requested in each fiscal year. The Canteen State Special Revenue Fund will be providing canteen products for the Shelby Private Prison and the two regional prisons in addition to the facilities that are already being serviced. Additional authority in the amount of \$550,000 each year of the biennium will be needed to increase the inventory in the canteen and to cover additional operating costs of the expanded building and larger customer base. For both operations, expenditures will be made only as economically feasible and cash flow and customer revenue permits.

-----New Proposals-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$28,000	\$0
FY 2011	\$0	\$0

NP- 406 - Canteen - OTO -

The Montana Correctional Enterprises program is requesting one time only state special revenue funds for equipment, including a used forklift (\$20,000), and upgrade of the current gator/utility vehicle for deliveries (\$8,000) for the MCE Canteen warehouse.

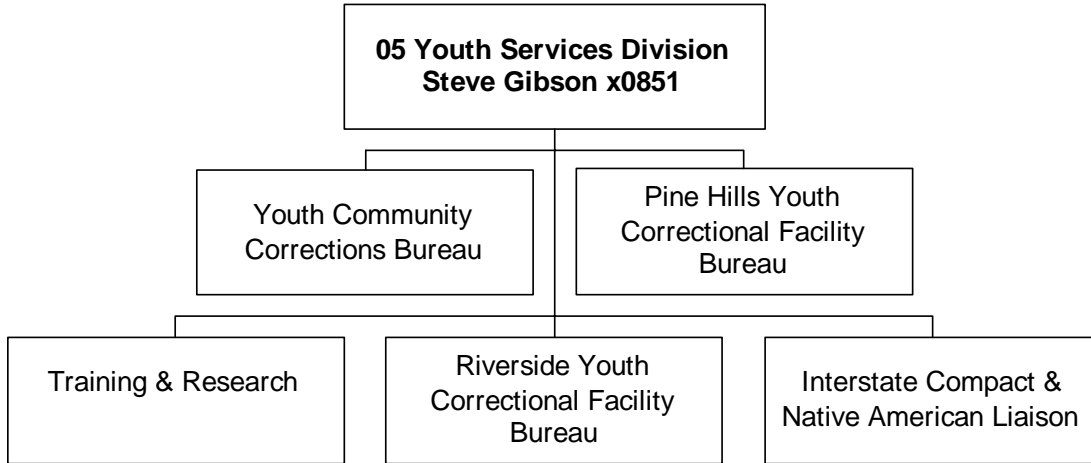
**DEPARTMENT OF CORRECTIONS-6401
MONT CORRECTIONAL ENTERPRISES-04**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$198,442	\$198,442
FY 2011	\$94,282	\$94,282

NP- 409 - Produce Farming Program - HB 2 -

This request is for funding needed to start a produce farming operation on the Montana Correctional Enterprise (MCE) Ranch land. MCE will utilize approximately 10 acres of farm cropland to begin the produce farming operation, and will increase acreage as feasible. Operations will involve produce planted in existing crop land, potential use of small scale greenhouses, and processing of the food products through the Food Bank canning program run by MCE. This funding request will allow for purchase of needed farming equipment for the produce operation, supplies and seed plants, and 1.00 FTE to oversee operations.

**DEPARTMENT OF CORRECTIONS-6401
YOUTH SERVICES-05**



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 Proposed Budget							
Budget Item	Base Budget Fiscal 2008	PL Base Adjustment Fiscal 2010	New Proposals Fiscal 2010	Total Exec. Budget Fiscal 2010	PL Base Adjustment Fiscal 2011	New Proposals Fiscal 2011	Total Exec. Budget Fiscal 2011
FTE	210.85	0.00	2.00	212.85	0.00	2.00	212.85
Personal Services	10,738,240	638,111	113,291	11,489,642	676,918	113,418	11,528,576
Operating Expenses	2,111,752	60,670	847,943	3,020,365	69,130	697,943	2,878,825
Benefits & Claims	4,175,855	0	0	4,175,855	0	0	4,175,855
Transfers	2,124,917	0	0	2,124,917	0	0	2,124,917
Total Costs	\$19,150,764	\$698,781	\$961,234	\$20,810,779	\$746,048	\$811,361	\$20,708,173
General Fund	18,297,444	698,781	961,234	19,957,459	746,048	811,361	19,854,853
State/Other Special	846,365	0	0	846,365	0	0	846,365
Federal Special	6,955	0	0	6,955	0	0	6,955
Total Funds	\$19,150,764	\$698,781	\$961,234	\$20,810,779	\$746,048	\$811,361	\$20,708,173

-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$326,835	\$326,835
FY 2011	\$326,835	\$326,835

PL- 502 - Youth Services Division Overtime - Zero Based -

Pine Hills Youth Correctional Facility, Riverside Correctional Facility and Youth Transition Center operate around the clock and must have correctional officers on duty at the required staffing level every day of the year. This request is for \$326,835 general fund each year of the biennium. Overtime funding is required to cover vacations, holidays and mandatory training absences. Overtime is a zero-based budget item.

**DEPARTMENT OF CORRECTIONS-6401
YOUTH SERVICES-05**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$38,554	\$38,554
FY 2011	\$38,554	\$38,554

PL- 503 - Youth Services Division Inmate Pay - Zero Based -

Youth Services Division is requesting funding for inmate pay which is a zero based item. The funds are used to pay victims restitution for acts committed by youth. Youth are given an opportunity to learn about the consequences of their actions and given the ability to repay victims for some of the damages through their labor and monies earned. This request is for \$38,554 general fund for each year of the biennium.

-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$811,234	\$811,234
FY 2011	\$811,361	\$811,361

NP- 501 - Juvenile Re-Entry -

Youth Services Division is requesting funding to continue the Juvenile Re-Entry program which is a community based program for youth released from secure facilities. Components include housing, mentoring services, faith based, and health related services. This program was federally funded from 2003 to 2007. This program was inadvertently funded as OTO general funding during the last session. Re-Entry programs provide a reduction in secure care by reducing recidivism rates. This results in an overall saving to the department. This request includes 2.00 FTE and funding of approximately \$811,000 general fund for each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2010	\$150,000	\$150,000
FY 2011	\$0	\$0

NP- 506 - Riverside Repairs – (Bien/OTO) -

The department is requesting \$150,000 in one time only biennial general fund authority to make repairs to Riverside Youth Correctional Facility in Boulder, MT. This funding will be used to replace windows for energy efficiency, update and relocate offices and make needed repairs to the bathrooms to make facility ADA compliant.