



GOVERNOR  
STEVE BULLOCK

STATE OF MONTANA

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## SECTION D: JUDICIAL BRANCH, LAW ENFORCEMENT, & JUSTICE

Judicial Branch  
Department of Justice

Public Service Regulation  
Office of Public Defender  
Department of Corrections

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OBPP Staff:

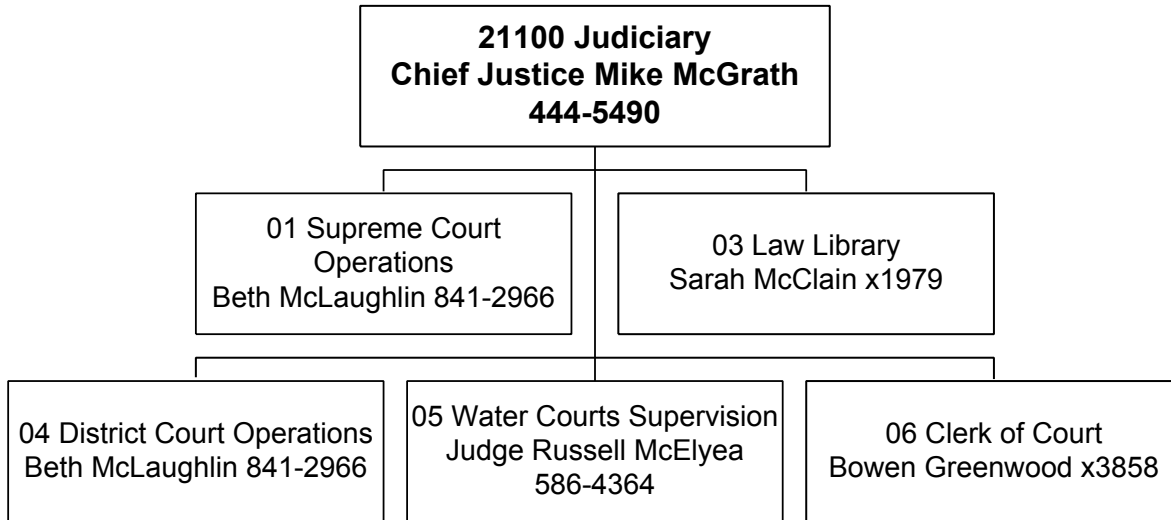
Christine Hultin

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GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Judicial Branch - 21100



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

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

Agency Proposed Budget	Total Exec. Budget Fiscal 2022	Total Exec. Budget Fiscal 2023	Total Exec. Budget 2023 Biennium
<b>Budget Item</b>			
FTE	463.19	474.44	
Personal Services	40,922,232	41,607,439	82,529,671
Operating Expenses	9,224,981	9,287,642	18,512,623
Equipment & Intangible Assets	183,116	183,116	366,232
Grants	690,000	690,000	1,380,000
Benefits & Claims	6,013,625	6,146,605	12,160,230
Transfers	0	0	0
Debt Service	0	0	0
<b>Total Costs</b>	<b>\$57,033,954</b>	<b>\$57,914,802</b>	<b>\$114,948,756</b>
General Fund	53,865,302	54,744,517	108,609,819
State/Other Special	3,066,701	3,068,130	6,134,831
Federal Spec. Rev. Funds	101,951	102,155	204,106
<b>Total Funds</b>	<b>\$57,033,954</b>	<b>\$57,914,802</b>	<b>\$114,948,756</b>

Agency Appropriated Biennium to Biennium Comparison								
Program	2021 Biennium Appropriated Budget		2023 Biennium Requested Budget		Biennium to Biennium Difference (dollars)		Biennium to Biennium Difference (percent)	
	General Fund	Total Funds	General Fund	Total Funds	General Fund	Total Funds	General Fund	Total Funds
01 - Supreme Court Operations	34,879,005	37,952,572	39,436,123	41,283,749	4,557,118	3,331,177	13.07 %	8.78 %
03 - Law Library	1,722,854	1,722,854	1,780,882	1,780,882	58,028	58,028	3.37 %	3.37 %
04 - District Court Operations	61,142,180	62,634,604	64,253,521	65,756,399	3,111,341	3,121,795	5.09 %	4.98 %
05 - Water Court	1,931,856	4,707,784	1,965,310	4,953,743	33,454	245,959	1.73 %	5.22 %
06 - Clerk of Court	1,160,671	1,160,671	1,173,983	1,173,983	13,312	13,312	1.15 %	1.15 %
<b>Agency Total</b>	<b>\$100,836,566</b>	<b>\$108,178,485</b>	<b>\$108,609,819</b>	<b>\$114,948,756</b>	<b>\$7,773,253</b>	<b>\$6,770,271</b>	<b>7.71 %</b>	<b>6.26 %</b>

## Judicial Branch - 21100

### Supreme Court Operations - 01

**01 Supreme Court Operations**  
**Beth McLaughlin 841-2966**

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

Program Proposed Budget	Starting Point Fiscal 2021	Budget Adjustments Fiscal 2022	Total Exec. Budget Fiscal 2022	Budget Adjustments Fiscal 2023	Total Exec. Budget Fiscal 2023	Executive Budget Request 2023 Biennium
FTE	90.25	4.50	100.00	9.75	94.75	
Personal Services	7,657,220	375,040	8,032,260	595,225	8,252,445	16,284,705
Operating Expenses	4,572,814	1,175,991	5,748,805	1,189,425	5,762,239	11,511,044
Equipment & Intangible Assets	8,885	0	8,885	0	8,885	17,770
Grants	100,000	590,000	690,000	590,000	690,000	1,380,000
Benefits & Claims	5,899,130	79,495	5,978,625	212,475	6,111,605	12,090,230
Transfers	0	0	0	0	0	0
Debt Service	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$18,238,049</b>	<b>\$2,220,526</b>	<b>\$20,458,575</b>	<b>\$2,587,125</b>	<b>\$20,825,174</b>	<b>\$41,283,749</b>
General Fund	17,374,618	2,160,246	19,534,864	2,526,641	19,901,259	39,436,123
State/Other Special	761,504	60,256	821,760	60,256	821,760	1,643,520
Federal Spec. Rev. Funds	101,927	24	101,951	228	102,155	204,106
<b>Total Funds</b>	<b>\$18,238,049</b>	<b>\$2,220,526</b>	<b>\$20,458,575</b>	<b>\$2,587,125</b>	<b>\$20,825,174</b>	<b>\$41,283,749</b>

# Judicial Branch - 21100

## Supreme Court Operations - 01

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	73,893	74,097	95,380	95,721
SWPL - 2 - Fixed Costs	1,100,379	1,100,635	1,091,452	1,091,708
SWPL - 3 - Inflation Deflation	(4,351)	(4,531)	(2,727)	(2,840)
<i>Total Statewide Present Law Adjustments</i>	<i>\$1,169,921</i>	<i>\$1,170,201</i>	<i>\$1,184,105</i>	<i>\$1,184,589</i>
<b>Present Law Adjustments</b>				
PL - 9 - Rent Increase	20,854	20,854	20,854	20,854
<i>Total Present Law Adjustments</i>	<i>\$20,854</i>	<i>\$20,854</i>	<i>\$20,854</i>	<i>\$20,854</i>
<b>New Proposals</b>				
NP - 5 - Funding for Expiring Grant Funded Drug Courts	79,794	139,794	434,695	494,695
NP - 6 - Pretrial Program OTO	829,402	829,402	829,511	829,511
NP - 8 - Asbestos Court, Law Clerk	60,275	60,275	57,476	57,476
<i>Total New Proposals</i>	<i>\$969,471</i>	<i>\$1,029,471</i>	<i>\$1,321,682</i>	<i>\$1,381,682</i>
<b>Total Budget Adjustments</b>	<b>\$2,160,246</b>	<b>\$2,220,526</b>	<b>\$2,526,641</b>	<b>\$2,587,125</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$73,893	\$74,097
FY 2023	\$95,380	\$95,721

**SWPL - 1 - Personal Services -**

The budget includes \$74,097 in FY 2022 and \$95,721 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$1,100,379	\$1,100,635
FY 2023	\$1,091,452	\$1,091,708

**SWPL - 2 - Fixed Costs -**

This request includes \$1,100,635 in FY 2022 and \$1,091,708 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within the state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant, writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$4,351)	(\$4,531)
FY 2023	(\$2,727)	(\$2,840)

**SWPL - 3 - Inflation Deflation -**

This change package includes reductions of \$4,531 in FY 2022 and \$2,840 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operating by the Department of Transportation.

## Judicial Branch - 21100

### Supreme Court Operations - 01

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$20,854	\$20,854
FY 2023	\$20,854	\$20,854

**PL - 9 - Rent Increase -**

This request is for \$41,708 additional general fund over the biennium, \$20,854 in FY 2022 and \$20,854 in FY 2023 to cover an increase in lease payments for office space at the Park Avenue Building. The increase in rent became effective in December 2020 therefore all of FY 2020 was at old rate. The previous lease was in effect from 2002 and expired November 2019. The next increase will not be until December 2025.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$79,794	\$139,794
FY 2023	\$434,695	\$494,695

**NP - 5 - Funding for Expiring Grant Funded Drug Courts -**

The proposal requests \$514,488 in general fund authority, \$120,000 in state special revenue fund authority and 6.00 FTE (9 months of funding for one full-time position in FY 2022 and 12 months funding for one position, 9 months funding for three positions and 6 months funding for two positions in FY 2023). The 11th Family Treatment Court (Flathead County) was funded with a OJJDP implementation grant that will expire 9/30/21, the 4th Adult (Missoula County), 6th Adult (Park and Sweet Grass Counties), and the 19th Adult (Lincoln County) drug courts were funded with a BJA implementation grant that will expire 9/30/22, and the 4th Veterans Treatment Court (Missoula County) and 13th Pre-plea Drug Court (Yellowstone County) were funded with BJA implementation grants that will expire 12/31/22. Without the funding, the courts will be unable to continue to provide services necessitating closure of the court dockets. \$60,000 of state special revenue fund authority in each fiscal year is needed to allow drug courts the ability to pay for drug court related expenditures with participant fees.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$829,402	\$829,402
FY 2023	\$829,511	\$829,511

**NP - 6 - Pretrial Program OTO -**

This proposal is requests 2.75 FTE and \$1,658,913 general fund authority. Funding and resources were allocated to the Judicial Branch during the 2017 regular session and 2019 session as OTO. The 2.75 FTE requested each year includes a .75 FTE pretrial program supervisor, 1.00 FTE and two 0.50 FTE public safety assessment coordinators. This program is to assist all parts of the criminal justice system with the handling of persons arrested and held in jail in seven pilot counties (Yellowstone, Missoula, Butte Silver Bow, Lewis & Clark, Lake, Kalispell, and Great Falls). The goals are to maximize public safety by reserving detention for those offenders who pose the greatest risk to reoffend or fail to appear in court, maximize court appearance, and maximize the appropriate use of release and detention by use of service designed to fulfill the two goals stated above.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$60,275	\$60,275
FY 2023	\$57,476	\$57,476

**NP - 8 - Asbestos Court, Law Clerk -**

This proposal requests \$117,752 in general fund authority and 1.00 FTE. Section 3-20-102, MCA provides for staff required to carry out duties related to asbestos claims. FTE and related startup costs are being requested for an Asbestos Court law clerk.

# Judicial Branch - 21100

## Law Library - 03

**03 Law Library**  
**Sarah McClain x1979**

**Program Description** - The State Law Library of Montana (22-1-501, MCA, 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 hard copies. This allows the library to get the information more quickly to the customer and to conserve its available shelf space for books and other printed material. The library's space, equipment, and technology are maintained in a manner that will ensure operational efficiency, improve collection preservation, and respond to requirements for accessibility of users and staff.

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

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments	Exec. Budget	Adjustments	Exec. Budget	Budget Request
		Fiscal 2022	Fiscal 2022	Fiscal 2023	Fiscal 2023	2023 Biennium
FTE	6.75	0.00	6.75	0.00	6.75	
Personal Services	409,995	24,113	434,108	24,718	434,713	868,821
Operating Expenses	367,841	(39)	367,802	(24)	367,817	735,619
Equipment & Intangible Assets	88,221	0	88,221	0	88,221	176,442
Debt Service	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$866,057</b>	<b>\$24,074</b>	<b>\$890,131</b>	<b>\$24,694</b>	<b>\$890,751</b>	<b>\$1,780,882</b>
General Fund	866,057	24,074	890,131	24,694	890,751	1,780,882
<b>Total Funds</b>	<b>\$866,057</b>	<b>\$24,074</b>	<b>\$890,131</b>	<b>\$24,694</b>	<b>\$890,751</b>	<b>\$1,780,882</b>

Program Proposed Budget Adjustments	Budget Adjustments		Budget Adjustments	
	Fiscal 2022		Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	24,113	24,113	24,718	24,718
SWPL - 3 - Inflation Deflation	(39)	(39)	(24)	(24)
<i>Total Statewide Present Law Adjustments</i>	<i>\$24,074</i>	<i>\$24,074</i>	<i>\$24,694</i>	<i>\$24,694</i>
<b>Total Budget Adjustments</b>	<b>\$24,074</b>	<b>\$24,074</b>	<b>\$24,694</b>	<b>\$24,694</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$24,113	\$24,113
FY 2023	\$24,718	\$24,718

**SWPL - 1 - Personal Services -**

The budget includes \$24,113 in FY 2022 and \$24,718 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

## Judicial Branch - 21100

### Law Library - 03

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$39)	(\$39)
FY 2023	(\$24)	(\$24)

#### **SWPL - 3 - Inflation Deflation -**

This change package includes reductions of \$39 in FY 2022 and \$24 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operating by the Department of Transportation.

# Judicial Branch - 21100

## District Court Operations - 04

**04 District Court Operations**  
**Beth McLaughlin 841-2966**

**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 49 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	Starting Point Fiscal 2021	Budget Adjustments Fiscal 2022	Total Exec. Budget Fiscal 2022	Budget Adjustments Fiscal 2023	Total Exec. Budget Fiscal 2023	Executive Budget Request 2023 Biennium
FTE	327.69	4.00	337.69	10.00	331.69	
Personal Services	28,855,475	887,521	29,742,996	1,347,522	30,202,997	59,945,993
Operating Expenses	2,725,867	42,012	2,767,879	91,214	2,817,081	5,584,960
Equipment & Intangible Assets	67,723	10,000	77,723	10,000	77,723	155,446
Benefits & Claims	35,000	0	35,000	0	35,000	70,000
Debt Service	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$31,684,065</b>	<b>\$939,533</b>	<b>\$32,623,598</b>	<b>\$1,448,736</b>	<b>\$33,132,801</b>	<b>\$65,756,399</b>
General Fund	30,932,317	939,842	31,872,159	1,449,045	32,381,362	64,253,521
State/Other Special	751,748	(309)	751,439	(309)	751,439	1,502,878
<b>Total Funds</b>	<b>\$31,684,065</b>	<b>\$939,533</b>	<b>\$32,623,598</b>	<b>\$1,448,736</b>	<b>\$33,132,801</b>	<b>\$65,756,399</b>

Program Proposed Budget Adjustments				
	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	531,594	531,594	603,157	603,157
SWPL - 3 - Inflation Deflation	(3,523)	(3,523)	(2,209)	(2,209)
<i>Total Statewide Present Law Adjustments</i>	<i>\$528,071</i>	<i>\$528,071</i>	<i>\$600,948</i>	<i>\$600,948</i>
<b>New Proposals</b>				
NP - 4 - New Judge & Staff in the 18th and 11th Judicial Districts	269,898	269,898	711,824	711,824
NP - 7 - Law Clerks in the 14th & 15th Judicial Districts	141,873	141,873	136,273	136,273
<i>Total New Proposals</i>	<i>\$411,771</i>	<i>\$411,771</i>	<i>\$848,097</i>	<i>\$848,097</i>
<b>Total Budget Adjustments</b>	<b>\$939,842</b>	<b>\$939,842</b>	<b>\$1,449,045</b>	<b>\$1,449,045</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$531,594	\$531,594
FY 2023	\$603,157	\$603,157

**SWPL - 1 - Personal Services -**

The budget includes \$531,594 in FY 2022 and \$603,157 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.



## Judicial Branch - 21100

### District Court Operations - 04

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$3,523)	(\$3,523)
FY 2023	(\$2,209)	(\$2,209)

**SWPL - 3 - Inflation Deflation -**

This change package includes reductions of \$3,523 in FY 2022 and \$2,209 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operating by the Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$269,898	\$269,898
FY 2023	\$711,824	\$711,824

**NP - 4 - New Judge & Staff in the 18th and 11th Judicial Districts -**

This proposal requests general fund authority of \$981,722 for the biennium (\$269,898 for 2.00 FTE in FY 2022 and \$711,824 for 8.00 FTE in FY 2023) for new judges and accompanying staff. The proposal addresses the judicial case load growth which has resulted in significant workloads in the 18th Judicial District (Gallatin County) and the 11th Judicial District (Flathead County). The increasing need for additional judges is well documented. The proposal seeks to add a new judge and related staff in the 18th Judicial District by January 2022 and a new judge and related staff in the 11th Judicial District by January 2023. The FTE in FY 2022 includes a judge, judicial assistant, law clerk and court reporter in the 18th Judicial District for 6 months of the year. The FTE in FY 2023 includes the four positions for the 18th for a full year and a judge, judicial assistant, law clerk and court reporter in the 11th Judicial District for 6 months.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$141,873	\$141,873
FY 2023	\$136,273	\$136,273

**NP - 7 - Law Clerks in the 14th & 15th Judicial Districts -**

This proposal requests \$278,145 in general fund and 2.00 FTE. Minimum staffing for every judge includes a judicial assistant, a court reporter, and a law clerk. Currently, the 14th Judicial District (Golden Valley, Meagher, Musselshell, and Wheatland counties) and the 15th Judicial District (Daniels, Roosevelt, and Sheridan counties), both single judge districts, do not have a law clerk. Lack of support staff forces judges to do all of their own scheduling, research, and administrative tasks, which reduces the efficiency of the judicial process. The request includes a 1.00 FTE law clerk for each Judicial District. A law clerk is essential for legal research and writing and can provide some relief to judges by managing and scheduling conferences with attorneys.

# Judicial Branch - 21100

## Water Court - 05

**05 Water Courts Supervision  
Judge Russell McElyea  
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	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	24.50	0.00	24.50	0.00	24.50	
Personal Services	2,062,138	107,748	2,169,886	111,291	2,173,429	4,343,315
Operating Expenses	298,212	(1,285)	296,927	(1,285)	296,927	593,854
Equipment & Intangible Assets	8,287	0	8,287	0	8,287	16,574
<b>Total Costs</b>	<b>\$2,368,637</b>	<b>\$106,463</b>	<b>\$2,475,100</b>	<b>\$110,006</b>	<b>\$2,478,643</b>	<b>\$4,953,743</b>
General Fund	972,916	8,682	981,598	10,796	983,712	1,965,310
State/Other Special	1,395,721	97,781	1,493,502	99,210	1,494,931	2,988,433
<b>Total Funds</b>	<b>\$2,368,637</b>	<b>\$106,463</b>	<b>\$2,475,100</b>	<b>\$110,006</b>	<b>\$2,478,643</b>	<b>\$4,953,743</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	8,682	107,748	10,796	111,291
<i>Total Statewide Present Law Adjustments</i>	<i>\$8,682</i>	<i>\$107,748</i>	<i>\$10,796</i>	<i>\$111,291</i>
<b>Total Budget Adjustments</b>	<b>\$8,682</b>	<b>\$107,748</b>	<b>\$10,796</b>	<b>\$111,291</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$8,682	\$107,748
FY 2023	\$10,796	\$111,291

**SWPL - 1 - Personal Services -**

The budget includes \$107,748 in FY 2022 and \$111,291 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

# Judicial Branch - 21100

## Clerk of Court - 06

**06 Clerk of Court  
Bowen Greenwood x3858**

**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	Starting Point Fiscal 2021	Budget Adjustments Fiscal 2022	Total Exec. Budget Fiscal 2022	Budget Adjustments Fiscal 2023	Total Exec. Budget Fiscal 2023	Executive Budget Request 2023 Biennium
Budget Item						
FTE	5.50	0.00	5.50	0.00	5.50	
Personal Services	539,679	3,303	542,982	4,176	543,855	1,086,837
Operating Expenses	43,594	(26)	43,568	(16)	43,578	87,146
Debt Service	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$583,273</b>	<b>\$3,277</b>	<b>\$586,550</b>	<b>\$4,160</b>	<b>\$587,433</b>	<b>\$1,173,983</b>
General Fund	583,273	3,277	586,550	4,160	587,433	1,173,983
<b>Total Funds</b>	<b>\$583,273</b>	<b>\$3,277</b>	<b>\$586,550</b>	<b>\$4,160</b>	<b>\$587,433</b>	<b>\$1,173,983</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	3,303	3,303	4,176	4,176
SWPL - 3 - Inflation Deflation	(26)	(26)	(16)	(16)
<i>Total Statewide Present Law Adjustments</i>	<i>\$3,277</i>	<i>\$3,277</i>	<i>\$4,160</i>	<i>\$4,160</i>
<b>Total Budget Adjustments</b>	<b>\$3,277</b>	<b>\$3,277</b>	<b>\$4,160</b>	<b>\$4,160</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$3,303	\$3,303
FY 2023	\$4,176	\$4,176

**SWPL - 1 - Personal Services -**

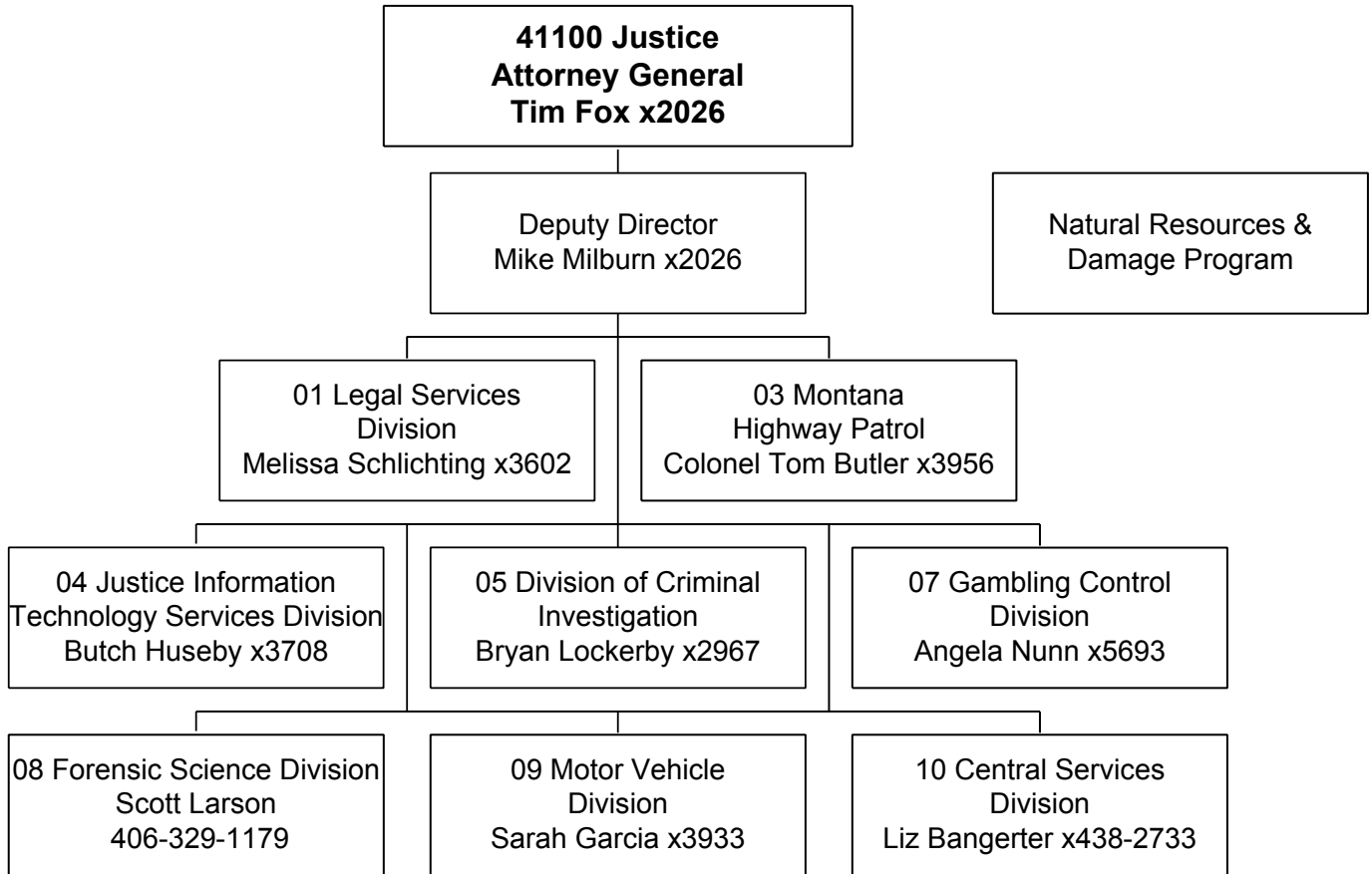
The budget includes \$3,303 in FY 2022 and \$4,176 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$26)	(\$26)
FY 2023	(\$16)	(\$16)

**SWPL - 3 - Inflation Deflation -**

This change package includes reductions of \$26 in FY 2022 and \$16 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operating by the Department of Transportation.

## Department of Justice - 41100



**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, 2-15-2001-2021, MCA, and Titles 44 & 61.

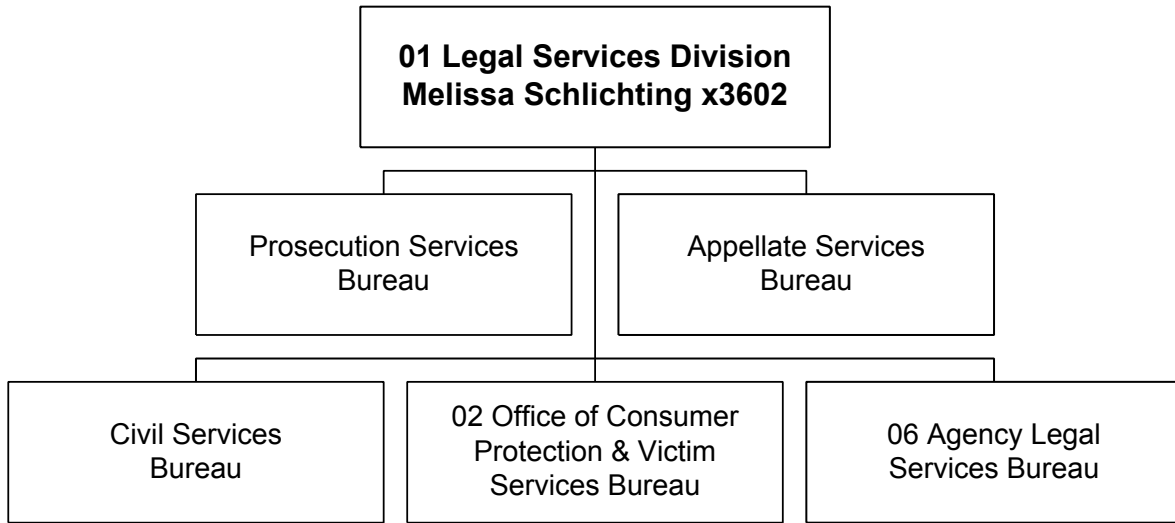
Agency Proposed Budget	Total Exec. Budget Fiscal 2022	Total Exec. Budget Fiscal 2023	Total Exec. Budget 2023 Biennium
Budget Item			
FTE	793.16	793.16	
Personal Services	69,985,888	70,204,524	140,190,412
Operating Expenses	38,080,529	37,952,289	76,032,818
Equipment & Intangible Assets	4,555,325	4,575,325	9,130,650
Capital Outlay	0	0	0
Local Assistance	25,000	25,000	50,000
Grants	120,000	120,000	240,000
Benefits & Claims	1,121,191	1,121,191	2,242,382
Transfers	321,319	321,319	642,638
Debt Service	316,287	316,287	632,574
<b>Total Costs</b>	<b>\$114,525,539</b>	<b>\$114,635,935</b>	<b>\$229,161,474</b>
General Fund	39,115,416	39,079,331	78,194,747
State/Other Special	71,966,938	72,107,541	144,074,479
Proprietary Funds	2,001,578	2,007,456	4,009,034
Federal Spec. Rev. Funds	1,441,607	1,441,607	2,883,214
<b>Total Funds</b>	<b>\$114,525,539</b>	<b>\$114,635,935</b>	<b>\$229,161,474</b>

## Department of Justice - 41100

Agency Appropriated Biennium to Biennium Comparison								
Program	2021 Biennium Appropriated Budget		2023 Biennium Requested Budget		Biennium to Biennium Difference (dollars)		Biennium to Biennium Difference (percent)	
	General Fund	Total Funds	General Fund	Total Funds	General Fund	Total Funds	General Fund	Total Funds
01 - Legal Services Division	14,097,952	18,502,906	15,925,156	20,359,304	1,827,204	1,856,398	12.96 %	10.03 %
03 - Montana Highway Patrol	0	86,732,354	0	91,180,291	0	4,447,937	0.00 %	5.13 %
04 - Justice Information Technology Services Division	9,846,115	11,357,434	9,944,257	11,214,084	98,142	(143,350)	1.00 %	(1.26)%
05 - Division of Criminal Investigation	16,157,434	31,538,489	16,160,561	30,724,183	3,127	(814,306)	0.02 %	(2.58)%
07 - Gambling Control Division	0	9,400,249	0	9,428,350	0	28,101	0.00 %	0.30 %
08 - Forensic Science Division	10,463,189	13,909,891	11,058,712	14,226,424	595,523	316,533	5.69 %	2.28 %
09 - Motor Vehicle Division	17,846,301	48,264,739	21,204,448	46,655,991	3,358,147	(1,608,748)	18.82 %	(3.33)%
10 - Central Services Division	3,833,006	5,833,321	3,901,613	5,372,847	68,607	(460,474)	1.79 %	(7.89)%
<b>Agency Total</b>	<b>\$72,243,997</b>	<b>\$225,539,383</b>	<b>\$78,194,747</b>	<b>\$229,161,474</b>	<b>\$5,950,750</b>	<b>\$3,622,091</b>	<b>8.24 %</b>	<b>1.61 %</b>

# Department of Justice - 41100

## Legal Services Division - 01



**Program Description** - The Legal Services Division (LSD) provides:

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

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

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

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

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

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

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

# Department of Justice - 41100

## Legal Services Division - 01

Program Proposed Budget	Starting Point	Budget Adjustments	Total	Budget Adjustments	Total	Executive
Budget Item	Fiscal 2021	Fiscal 2022	Exec. Budget Fiscal 2022	Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	63.50	0.00	63.50	0.00	63.50	
Personal Services	6,399,718	230,702	6,630,420	253,814	6,653,532	13,283,952
Operating Expenses	2,395,116	21,129	2,416,245	21,609	2,416,725	4,832,970
Equipment & Intangible Assets	0	0	0	0	0	0
Capital Outlay	0	0	0	0	0	0
Benefits & Claims	1,121,191	0	1,121,191	0	1,121,191	2,242,382
Transfers	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$9,916,025</b>	<b>\$251,831</b>	<b>\$10,167,856</b>	<b>\$275,423</b>	<b>\$10,191,448</b>	<b>\$20,359,304</b>
General Fund	7,699,955	250,827	7,950,782	274,419	7,974,374	15,925,156
State/Other Special	1,448,523	1,004	1,449,527	1,004	1,449,527	2,899,054
Federal Spec. Rev. Funds	767,547	0	767,547	0	767,547	1,535,094
<b>Total Funds</b>	<b>\$9,916,025</b>	<b>\$251,831</b>	<b>\$10,167,856</b>	<b>\$275,423</b>	<b>\$10,191,448</b>	<b>\$20,359,304</b>

Program Proposed Budget Adjustments				
	Budget Adjustments		Budget Adjustments	
	Fiscal 2022		Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	230,702	230,702	253,814	253,814
SWPL - 2 - Fixed Costs	27,067	28,071	24,959	25,963
SWPL - 3 - Inflation Deflation	(6,942)	(6,942)	(4,354)	(4,354)
<i>Total Statewide Present Law Adjustments</i>	<i>\$250,827</i>	<i>\$251,831</i>	<i>\$274,419</i>	<i>\$275,423</i>
<b>Total Budget Adjustments</b>	<b>\$250,827</b>	<b>\$251,831</b>	<b>\$274,419</b>	<b>\$275,423</b>

### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$230,702	\$230,702
FY 2023	\$253,814	\$253,814

#### SWPL - 1 - Personal Services -

The budget includes \$230,702 in FY 2022 and \$253,814 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$27,067	\$28,071
FY 2023	\$24,959	\$25,963

#### SWPL - 2 - Fixed Costs -

The request includes \$28,071 in FY 2022 and \$25,963 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

## Department of Justice - 41100

### Legal Services Division - 01

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$6,942)	(\$6,942)
FY 2023	(\$4,354)	(\$4,354)

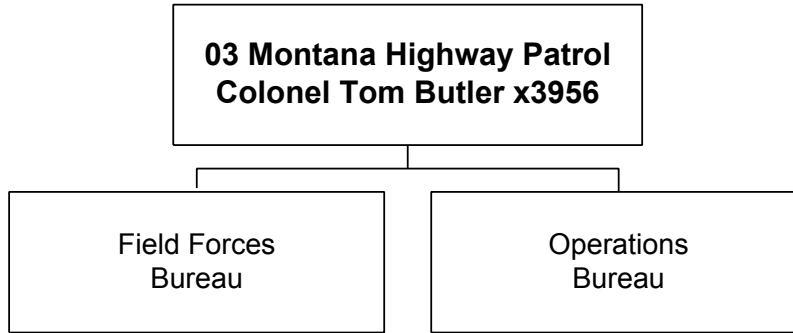
#### **SWPL - 3 - Inflation Deflation -**

This change package includes a reduction of \$6,942 in FY 2022 and \$4,354 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.



# Department of Justice - 41100

## Montana Highway Patrol - 03



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

Program Proposed Budget	Starting Point Fiscal 2021	Budget Adjustments Fiscal 2022	Total Exec. Budget Fiscal 2022	Budget Adjustments Fiscal 2023	Total Exec. Budget Fiscal 2023	Executive Budget Request 2023 Biennium
Budget Item						
FTE	314.09	0.00	314.09	0.00	314.09	
Personal Services	28,644,482	1,730,254	30,374,736	1,818,753	30,463,235	60,837,971
Operating Expenses	10,987,091	68,644	11,055,735	65,164	11,052,255	22,107,990
Equipment & Intangible Assets	4,042,165	0	4,042,165	0	4,042,165	8,084,330
Transfers	75,000	0	75,000	0	75,000	150,000
Debt Service	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$43,748,738</b>	<b>\$1,798,898</b>	<b>\$45,547,636</b>	<b>\$1,883,917</b>	<b>\$45,632,655</b>	<b>\$91,180,291</b>
State/Other Special	43,748,738	1,798,898	45,547,636	1,883,917	45,632,655	91,180,291
<b>Total Funds</b>	<b>\$43,748,738</b>	<b>\$1,798,898</b>	<b>\$45,547,636</b>	<b>\$1,883,917</b>	<b>\$45,632,655</b>	<b>\$91,180,291</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	0	713,539	0	802,038
SWPL - 2 - Fixed Costs	0	68,868	0	65,304
SWPL - 3 - Inflation Deflation	0	(224)	0	(140)
<i>Total Statewide Present Law Adjustments</i>	<i>\$0</i>	<i>\$782,183</i>	<i>\$0</i>	<i>\$867,202</i>
<b>Present Law Adjustments</b>				
PL - 301 - MHP Salary Survey	0	1,016,715	0	1,016,715
<i>Total Present Law Adjustments</i>	<i>\$0</i>	<i>\$1,016,715</i>	<i>\$0</i>	<i>\$1,016,715</i>
<b>Total Budget Adjustments</b>	<b>\$0</b>	<b>\$1,798,898</b>	<b>\$0</b>	<b>\$1,883,917</b>

# Department of Justice - 41100

## Montana Highway Patrol - 03

### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$713,539
FY 2023	\$0	\$802,038

#### **SWPL - 1 - Personal Services -**

The budget includes \$713,539 in FY 2022 and \$802,038 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$68,868
FY 2023	\$0	\$65,304

#### **SWPL - 2 - Fixed Costs -**

The request includes \$68,868 in FY 2022 and \$65,304 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	(\$224)
FY 2023	\$0	(\$140)

#### **SWPL - 3 - Inflation Deflation -**

This change package includes a reduction of \$224 in FY 2022 and \$140 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.

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

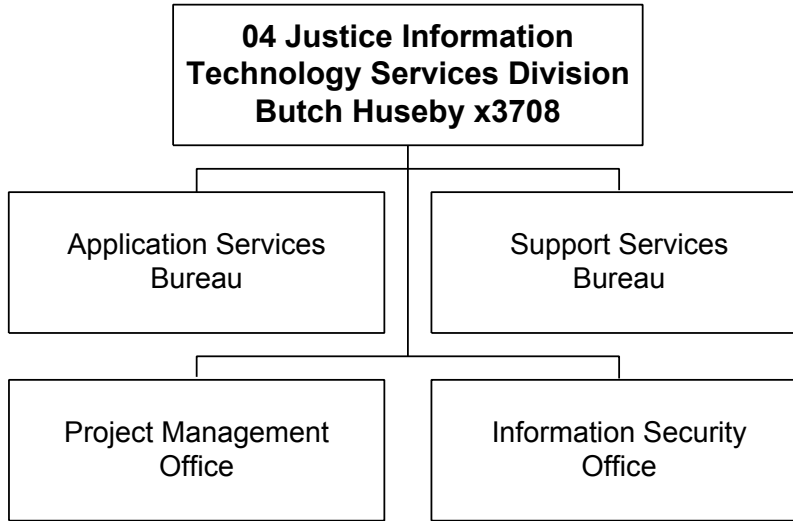
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$1,016,715
FY 2023	\$0	\$1,016,715

#### **PL - 301 - MHP Salary Survey -**

This change package for the Montana Highway Patrol requests a 4.6% salary increase, as a result of the salary survey conducted by Department of Administration per 2-18-303, MCA. The survey averaged the starting wage in eight Montana county sheriff's offices. The amount of this change package is \$1,016,715 each year of the biennium in state special revenue. The amount requested ensures that MHP would be able to sufficiently fund the salary increase in July of 2021.

## Department of Justice - 41100

### Justice Information Technology Services Division - 04



**Program Description** - The Justice Information Technology Services Division (JITSD) engineers, designs, plans, implements, directs, evaluates, operates, and manages all information technologies systems and services within the Department of Justice (DOJ).

These systems include the Montana Enhanced Registration Licensing Network (MERLIN) (MVD), driver testing, and license/identification production (MVD), IJIS Broker, SmartCop (MHP), CJIN (DCI), Computerized Criminal History (DCI), Automated Biometric Identification System (DCI), Sexual or Violent Offender (SVOR) repository and web site, Laboratory Management Information System (FSD), GENTAX (GCD), and many other technology solutions deployed within the department.

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

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments	Exec. Budget	Adjustments	Exec. Budget	Budget Request
	Fiscal 2021	Fiscal 2022	Fiscal 2022	Fiscal 2023	Fiscal 2023	2023 Biennium
FTE	39.50	0.00	39.50	0.00	39.50	
Personal Services	3,640,721	(51,062)	3,589,659	(39,179)	3,601,542	7,191,201
Operating Expenses	1,949,236	26,342	1,975,578	24,429	1,973,665	3,949,243
Equipment & Intangible Assets	36,820	0	36,820	0	36,820	73,640
<b>Total Costs</b>	<b>\$5,626,777</b>	<b>(\$24,720)</b>	<b>\$5,602,057</b>	<b>(\$14,750)</b>	<b>\$5,612,027</b>	<b>\$11,214,084</b>
General Fund	4,946,938	26,147	4,973,085	24,234	4,971,172	9,944,257
State/Other Special	662,436	(50,867)	611,569	(38,984)	623,452	1,235,021
Proprietary Funds	14,768	0	14,768	0	14,768	29,536
Federal Spec. Rev. Funds	2,635	0	2,635	0	2,635	5,270
<b>Total Funds</b>	<b>\$5,626,777</b>	<b>(\$24,720)</b>	<b>\$5,602,057</b>	<b>(\$14,750)</b>	<b>\$5,612,027</b>	<b>\$11,214,084</b>

## Department of Justice - 41100

### Justice Information Technology Services Division - 04

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
	<b>Statewide Present Law Adjustments</b>			
SWPL - 1 - Personal Services	0	(51,062)	0	(39,179)
SWPL - 2 - Fixed Costs	27,603	27,798	25,147	25,342
SWPL - 3 - Inflation Deflation	(1,456)	(1,456)	(913)	(913)
<i>Total Statewide Present Law Adjustments</i>	<i>\$26,147</i>	<i>(\$24,720)</i>	<i>\$24,234</i>	<i>(\$14,750)</i>
<b>Total Budget Adjustments</b>	<b>\$26,147</b>	<b>(\$24,720)</b>	<b>\$24,234</b>	<b>(\$14,750)</b>

#### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	(\$51,062)
FY 2023	\$0	(\$39,179)

#### **SWPL - 1 - Personal Services -**

The budget includes a reduction of \$51,062 in FY 2022 and \$39,179 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$27,603	\$27,798
FY 2023	\$25,147	\$25,342

#### **SWPL - 2 - Fixed Costs -**

The request includes \$27,798 in FY 2022 and \$25,342 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

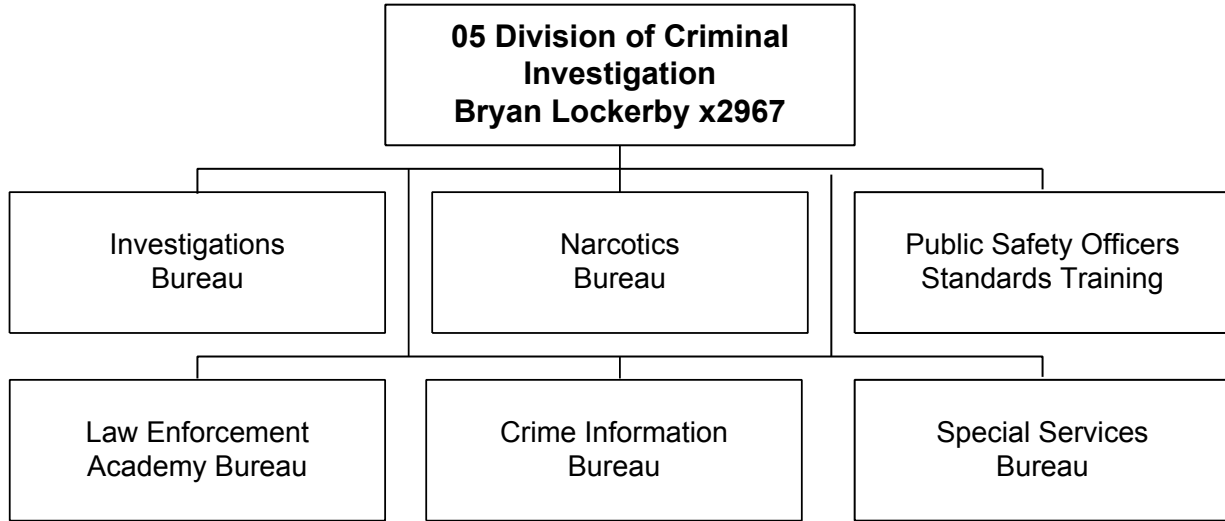
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$1,456)	(\$1,456)
FY 2023	(\$913)	(\$913)

#### **SWPL - 3 - Inflation Deflation -**

This change package includes a reduction of \$1,456 in FY 2022 and \$913 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.

# Department of Justice - 41100

## Division of Criminal Investigation - 05



**Program Description** - The Division of Criminal Investigation (DCI) includes the administration, management, and coordination of criminal investigative services and training performed by the Investigations Bureau, the Narcotics Bureau, the Crime Information Bureau, the Law Enforcement Academy Bureau, and the Children's Justice 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 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 Montana Analysis and Technical Information Center (MATIC) a statewide criminal intelligence center and addressing homeland security issues.

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 Crime Information Bureau is responsible for the repository all Montana criminal records, maintains and operates the Criminal Justice Information Network that supports public safety and administers the Amber Alert Program. The bureau also manages the Computer Internet Crime Unit focused on digital forensics support for criminal investigations, online sexual predator cases, and maintains the Sexual and Violent Offender Registry.

The Law Enforcement Academy Bureau provides criminal justice officers and other qualified individuals with basic and specialized training in the field of law enforcement, as well as advanced training opportunities for law enforcement officials statewide.

The Children's Justice Bureau supports safety and justice for Montana children and other underserved and vulnerable citizens through training, technical support and assistance to Montana professionals who respond to children and other citizens victimized by crime and abuse. The bureau's programs include facilitation of Montana Child Sexual Abuse Response Teams; the Child and Family Ombudsman; Drug Endangered Children awareness training; the Montana Developmental Center facility investigator; and the state Sexual Assault Kit Initiative program.

# Department of Justice - 41100

## Division of Criminal Investigation - 05

Program Proposed Budget	Starting Point	Budget Adjustments	Total	Budget Adjustments	Total	Executive
Budget Item	Fiscal 2021	Fiscal 2022	Exec. Budget Fiscal 2022	Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	115.24	0.00	115.24	0.00	115.24	
Personal Services	9,562,541	314,458	9,876,999	341,269	9,903,810	19,780,809
Operating Expenses	4,927,189	260,099	5,187,288	257,479	5,184,668	10,371,956
Equipment & Intangible Assets	123,452	0	123,452	0	123,452	246,904
Capital Outlay	0	0	0	0	0	0
Grants	120,000	0	120,000	0	120,000	240,000
Transfers	42,257	0	42,257	0	42,257	84,514
Debt Service	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$14,775,439</b>	<b>\$574,557</b>	<b>\$15,349,996</b>	<b>\$598,748</b>	<b>\$15,374,187</b>	<b>\$30,724,183</b>
General Fund	7,727,239	341,112	8,068,351	364,971	8,092,210	16,160,561
State/Other Special	6,376,775	233,445	6,610,220	233,777	6,610,552	13,220,772
Federal Spec. Rev. Funds	671,425	0	671,425	0	671,425	1,342,850
<b>Total Funds</b>	<b>\$14,775,439</b>	<b>\$574,557</b>	<b>\$15,349,996</b>	<b>\$598,748</b>	<b>\$15,374,187</b>	<b>\$30,724,183</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	314,458	314,458	341,269	341,269
SWPL - 2 - Fixed Costs	35,448	38,758	29,218	32,860
SWPL - 3 - Inflation Deflation	(8,794)	(8,794)	(5,516)	(5,516)
<i>Total Statewide Present Law Adjustments</i>	<i>\$341,112</i>	<i>\$344,422</i>	<i>\$364,971</i>	<i>\$368,613</i>
<b>Present Law Adjustments</b>				
PL - 503 - CRISS fees	0	230,135	0	230,135
<i>Total Present Law Adjustments</i>	<i>\$0</i>	<i>\$230,135</i>	<i>\$0</i>	<i>\$230,135</i>
<b>Total Budget Adjustments</b>	<b>\$341,112</b>	<b>\$574,557</b>	<b>\$364,971</b>	<b>\$598,748</b>

### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$314,458	\$314,458
FY 2023	\$341,269	\$341,269

#### SWPL - 1 - Personal Services -

The budget includes \$314,458 in FY 2022 and \$341,269 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$35,448	\$38,758
FY 2023	\$29,218	\$32,860

#### SWPL - 2 - Fixed Costs -

The request includes \$38,758 in FY 2022 and \$32,860 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

# Department of Justice - 41100

## Division of Criminal Investigation - 05

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$8,794)	(\$8,794)
FY 2023	(\$5,516)	(\$5,516)

### SWPL - 3 - Inflation Deflation -

This change package includes a reduction of \$8,794 in FY 2022 and \$5,516 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.

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

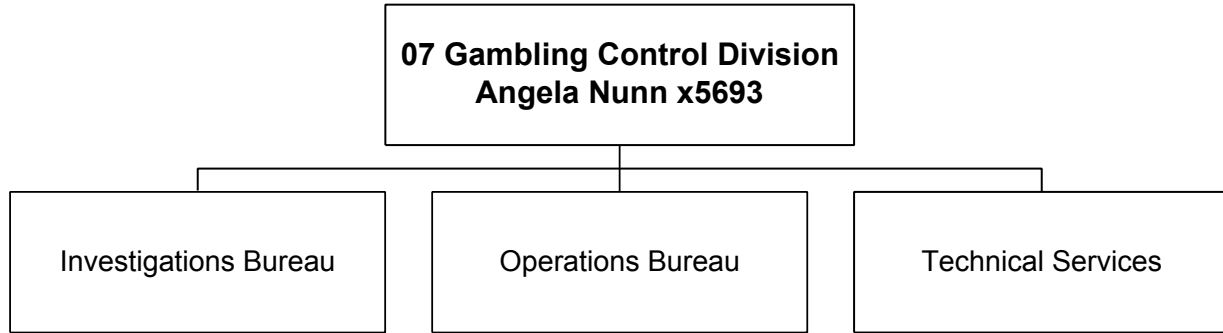
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$230,135
FY 2023	\$0	\$230,135

### PL - 503 - CRISS fees -

This request increases authority \$230,135 per year for the Criminal Records Identification Services Section (CRISS) in the Division of Criminal Investigations of Department of Justice. The increase is necessary to align authority with needs for existing livescan, CJIN Switch, NLETS, and LMS fees within the program.

# Department of Justice - 41100

## Gambling Control Division - 07



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

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	45.99	0.00	45.99	0.00	45.99	
Personal Services	3,817,232	(32,626)	3,784,606	(13,477)	3,803,755	7,588,361
Operating Expenses	826,364	11,158	837,522	10,383	836,747	1,674,269
Equipment & Intangible Assets	82,860	0	82,860	0	82,860	165,720
Debt Service	0	0	0	0	0	0
<b>Total Costs</b>	<b>\$4,726,456</b>	<b>(\$21,468)</b>	<b>\$4,704,988</b>	<b>(\$3,094)</b>	<b>\$4,723,362</b>	<b>\$9,428,350</b>
State/Other Special	3,355,801	(13,287)	3,342,514	(791)	3,355,010	6,697,524
Proprietary Funds	1,370,655	(8,181)	1,362,474	(2,303)	1,368,352	2,730,826
<b>Total Funds</b>	<b>\$4,726,456</b>	<b>(\$21,468)</b>	<b>\$4,704,988</b>	<b>(\$3,094)</b>	<b>\$4,723,362</b>	<b>\$9,428,350</b>

Program Proposed Budget Adjustments				
	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	0	(32,626)	0	(13,477)
SWPL - 2 - Fixed Costs	0	11,166	0	10,388
SWPL - 3 - Inflation Deflation	0	(8)	0	(5)
<i>Total Statewide Present Law Adjustments</i>	<i>\$0</i>	<i>(\$21,468)</i>	<i>\$0</i>	<i>(\$3,094)</i>
<b>Total Budget Adjustments</b>	<b>\$0</b>	<b>(\$21,468)</b>	<b>\$0</b>	<b>(\$3,094)</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	(\$32,626)
FY 2023	\$0	(\$13,477)

**SWPL - 1 - Personal Services -**

The budget includes a reduction of \$32,626 in FY 2022 and \$13,477 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.



## Department of Justice - 41100

### Gambling Control Division - 07

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$11,166
FY 2023	\$0	\$10,388

#### **SWPL - 2 - Fixed Costs -**

The request includes \$11,166 in FY 2022 and \$10,388 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

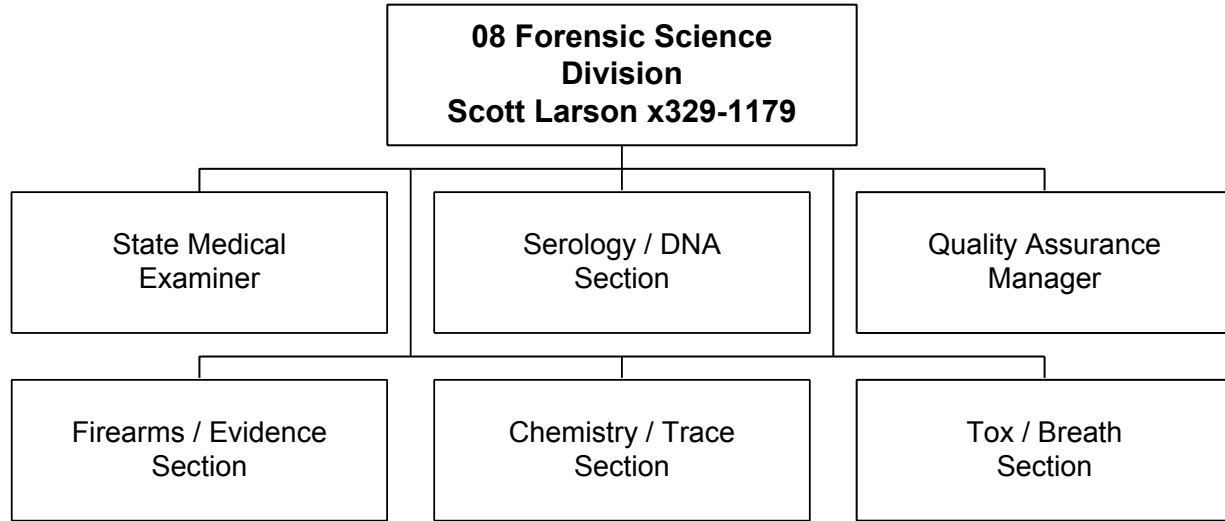
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	(\$8)
FY 2023	\$0	(\$5)

#### **SWPL - 3 - Inflation Deflation -**

This change package includes a reduction of \$8 in FY 2022 and \$5 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.

# Department of Justice - 41100

## Forensic Science Division - 08



**Program Description** - The Forensic Science Division (FSD), better known as the State Crime Lab, is one of eight divisions within the Department of Justice. It was established in Montana Code in 1977. The division has facilities in both Missoula and Billings. The Missoula facility houses the Medical Examiners, DNA/Serology, Toxicology, Chemical Analysis, Latent Prints, Firearms/Toolmarks, Quality Assurance, and Evidence sections. The Billings facility contains Medical Examiner, Chemical Analysis, and Evidence sections.

Program Proposed Budget	Starting Point Fiscal 2021	Budget Adjustments Fiscal 2022	Total Exec. Budget Fiscal 2022	Budget Adjustments Fiscal 2023	Total Exec. Budget Fiscal 2023	Executive Budget Request 2023 Biennium
FTE	41.30	1.00	42.30	1.00	42.30	
Personal Services	4,180,260	398,415	4,578,675	415,462	4,595,722	9,174,397
Operating Expenses	2,023,188	71,038	2,094,226	70,039	2,093,227	4,187,453
Equipment & Intangible Assets	6,000	100,000	106,000	120,000	126,000	232,000
Debt Service	316,287	0	316,287	0	316,287	632,574
<b>Total Costs</b>	<b>\$6,525,735</b>	<b>\$569,453</b>	<b>\$7,095,188</b>	<b>\$605,501</b>	<b>\$7,131,236</b>	<b>\$14,226,424</b>
General Fund	5,052,828	468,504	5,521,332	484,552	5,537,380	11,058,712
State/Other Special	1,472,907	100,949	1,573,856	120,949	1,593,856	3,167,712
<b>Total Funds</b>	<b>\$6,525,735</b>	<b>\$569,453</b>	<b>\$7,095,188</b>	<b>\$605,501</b>	<b>\$7,131,236</b>	<b>\$14,226,424</b>

Program Proposed Budget Adjustments				
	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	141,336	141,336	156,280	156,280
SWPL - 2 - Fixed Costs	7,908	8,857	6,790	7,739
SWPL - 3 - Inflation Deflation	(319)	(319)	(200)	(200)
<i>Total Statewide Present Law Adjustments</i>	<i>\$148,925</i>	<i>\$149,874</i>	<i>\$162,870</i>	<i>\$163,819</i>
<b>Present Law Adjustments</b>				
PL - 802 - FSD Sexual Assault Kit outsourcing	62,500	62,500	62,500	62,500
PL - 803 - Medical Examiner	257,079	257,079	259,182	259,182
<i>Total Present Law Adjustments</i>	<i>\$319,579</i>	<i>\$319,579</i>	<i>\$321,682</i>	<i>\$321,682</i>
<b>New Proposals</b>				
NP - 801 - FSD Instrument Replacement Plan	0	100,000	0	120,000
<i>Total New Proposals</i>	<i>\$0</i>	<i>\$100,000</i>	<i>\$0</i>	<i>\$120,000</i>
<b>Total Budget Adjustments</b>	<b>\$468,504</b>	<b>\$569,453</b>	<b>\$484,552</b>	<b>\$605,501</b>

## Department of Justice - 41100

### Forensic Science Division - 08

#### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$141,336	\$141,336
FY 2023	\$156,280	\$156,280

#### **SWPL - 1 - Personal Services -**

The budget includes \$141,336 in FY 2022 and \$156,280 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$7,908	\$8,857
FY 2023	\$6,790	\$7,739

#### **SWPL - 2 - Fixed Costs -**

The request includes \$8,857 in FY 2022 and \$7,739 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$319)	(\$319)
FY 2023	(\$200)	(\$200)

#### **SWPL - 3 - Inflation Deflation -**

This change package includes a reduction of \$319 in FY 2022 and \$200 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$62,500	\$62,500
FY 2023	\$62,500	\$62,500

#### **PL - 802 - FSD Sexual Assault Kit outsourcing -**

This request increases authority by \$62,500 in the Forensic Science Division to outsource sexual assault kit testing. The request will allow the department to increase the amount of tests processed each year in response to legislative requirements.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$257,079	\$257,079
FY 2023	\$259,182	\$259,182

#### **PL - 803 - Medical Examiner -**

The 2019 Legislature provided funding for a medical examiner at the Eastern Montana Crime Lab with one-time-only funding. This request for general fund is \$257,079 in FY 2022 and \$259,182 in FY 2023 to fund the Medical Examiner. This position is a critical component of a functional crime lab.

**Department of Justice - 41100**

**Forensic Science Division - 08**

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

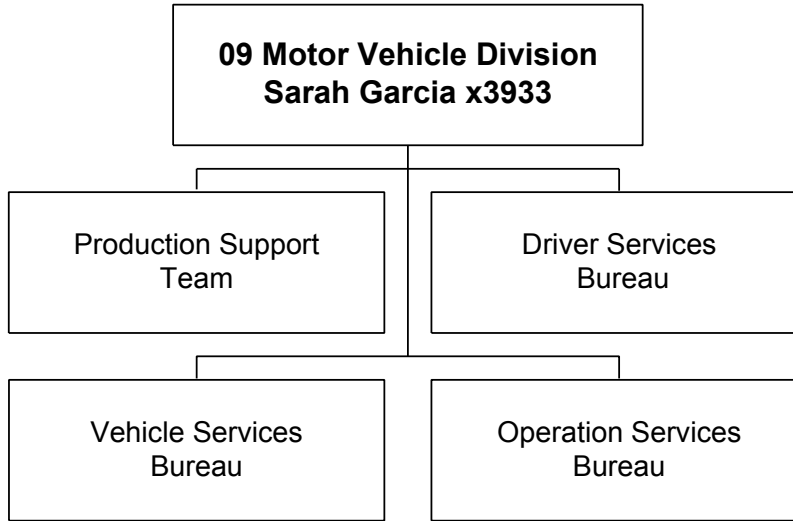
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$100,000
FY 2023	\$0	\$120,000

**NP - 801 - FSD Instrument Replacement Plan -**

This request for \$100,000 in FY 2022 and \$120,000 in FY 2023 is in support of the long term instrument replacement plan replacing aging GCMS instruments and allowing the division to continue existing lease agreements. It is funded with state special revenue.

# Department of Justice - 41100

## Motor Vehicle Division - 09



**Program Description** - The Motor Vehicle Division (MVD) under provision of Title 61 and Title 23, MCA and federal statutes (such as the Commercial Motor Vehicle Safety Act of 1986, child support regulations, Anti Car Theft Act of 1992, and Odometer Disclosure Act)) is responsible for:

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

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	152.05	0.00	152.05	0.00	152.05	
Personal Services	10,325,743	(1,040,219)	9,285,524	(1,013,976)	9,311,767	18,597,291
Operating Expenses	13,512,712	133,318	13,646,030	113,778	13,626,490	27,272,520
Equipment & Intangible Assets	164,028	0	164,028	0	164,028	328,056
Capital Outlay	0	0	0	0	0	0
Local Assistance	25,000	0	25,000	0	25,000	50,000
Transfers	204,062	0	204,062	0	204,062	408,124
<b>Total Costs</b>	<b>\$24,231,545</b>	<b>(\$906,901)</b>	<b>\$23,324,644</b>	<b>(\$900,198)</b>	<b>\$23,331,347</b>	<b>\$46,655,991</b>
General Fund	8,999,159	1,605,150	10,604,309	1,600,980	10,600,139	21,204,448
State/Other Special	14,640,731	(2,512,051)	12,128,680	(2,501,178)	12,139,553	24,268,233
Proprietary Funds	591,655	0	591,655	0	591,655	1,183,310
<b>Total Funds</b>	<b>\$24,231,545</b>	<b>(\$906,901)</b>	<b>\$23,324,644</b>	<b>(\$900,198)</b>	<b>\$23,331,347</b>	<b>\$46,655,991</b>

Program Proposed Budget Adjustments				
	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	1,482,577	(1,040,219)	1,497,947	(1,013,976)
SWPL - 2 - Fixed Costs	129,426	140,171	107,330	118,075
SWPL - 3 - Inflation Deflation	(6,853)	(6,853)	(4,297)	(4,297)
<i>Total Statewide Present Law Adjustments</i>	<i>\$1,605,150</i>	<i>(\$906,901)</i>	<i>\$1,600,980</i>	<i>(\$900,198)</i>
<b>Total Budget Adjustments</b>	<b>\$1,605,150</b>	<b>(\$906,901)</b>	<b>\$1,600,980</b>	<b>(\$900,198)</b>

# Department of Justice - 41100

## Motor Vehicle Division - 09

### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$1,482,577	(\$1,040,219)
FY 2023	\$1,497,947	(\$1,013,976)

#### **SWPL - 1 - Personal Services -**

The budget includes reduction of \$1,040,217 in FY 2022 and \$1,013,976 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$129,426	\$140,171
FY 2023	\$107,330	\$118,075

#### **SWPL - 2 - Fixed Costs -**

The request includes \$140,171 in FY 2022 and \$118,075 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

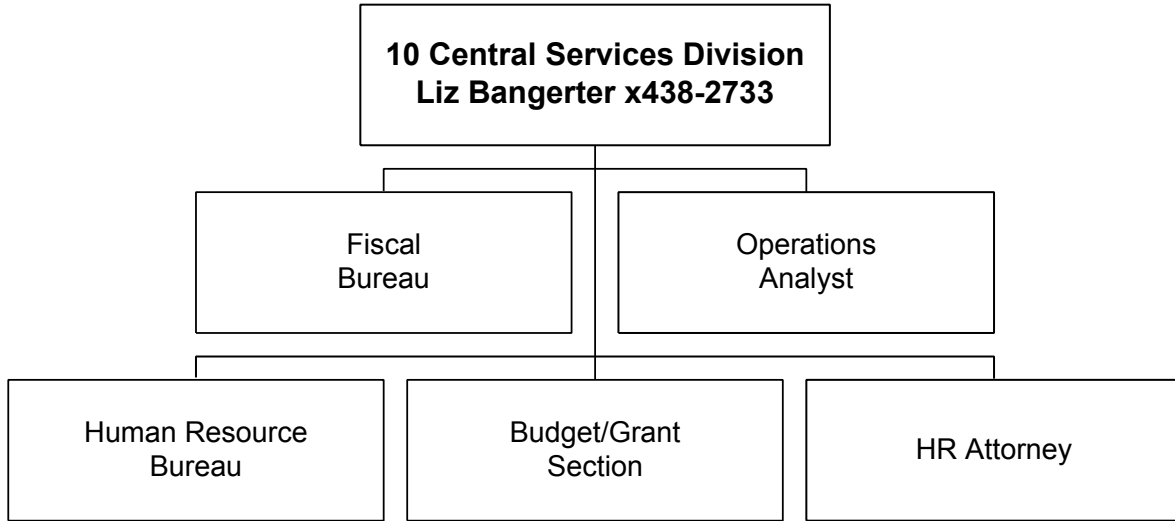
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$6,853)	(\$6,853)
FY 2023	(\$4,297)	(\$4,297)

#### **SWPL - 3 - Inflation Deflation -**

This change package includes a reduction of \$6,853 in FY 2022 and \$4,297 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.

# Department of Justice - 41100

## Central Services Division - 10



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

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments	Exec. Budget	Adjustments	Exec. Budget	Budget Request
		Fiscal 2022	Fiscal 2022	Fiscal 2023	Fiscal 2023	2023 Biennium
FTE	20.49	0.00	20.49	0.00	20.49	
Personal Services	1,786,227	79,042	1,865,269	84,934	1,871,161	3,736,430
Operating Expenses	889,021	(21,116)	867,905	(120,509)	768,512	1,636,417
<b>Total Costs</b>	<b>\$2,675,248</b>	<b>\$57,926</b>	<b>\$2,733,174</b>	<b>(\$35,575)</b>	<b>\$2,639,673</b>	<b>\$5,372,847</b>
General Fund	1,846,736	150,821	1,997,557	57,320	1,904,056	3,901,613
State/Other Special	791,688	(88,752)	702,936	(88,752)	702,936	1,405,872
Proprietary Funds	36,824	(4,143)	32,681	(4,143)	32,681	65,362
<b>Total Funds</b>	<b>\$2,675,248</b>	<b>\$57,926</b>	<b>\$2,733,174</b>	<b>(\$35,575)</b>	<b>\$2,639,673</b>	<b>\$5,372,847</b>

Program Proposed Budget Adjustments	Budget Adjustments		Budget Adjustments	
	Fiscal 2022		Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	79,042	79,042	84,934	84,934
SWPL - 2 - Fixed Costs	102,488	103,579	3,039	4,130
SWPL - 3 - Inflation Deflation	(149)	(149)	(93)	(93)
<i>Total Statewide Present Law Adjustments</i>	<i>\$181,381</i>	<i>\$182,472</i>	<i>\$87,880</i>	<i>\$88,971</i>
<b>Present Law Adjustments</b>				
PL - 4 - Service Now Reduction	(50,460)	(144,933)	(50,460)	(144,933)
<i>Total Present Law Adjustments</i>	<i>(\$50,460)</i>	<i>(\$144,933)</i>	<i>(\$50,460)</i>	<i>(\$144,933)</i>
<b>New Proposals</b>				
NP - 1002 - NRIS/GIS Fixed Costs	19,900	20,387	19,900	20,387
<i>Total New Proposals</i>	<i>\$19,900</i>	<i>\$20,387</i>	<i>\$19,900</i>	<i>\$20,387</i>
<b>Total Budget Adjustments</b>	<b>\$150,821</b>	<b>\$57,926</b>	<b>\$57,320</b>	<b>(\$35,575)</b>

## Department of Justice - 41100

### Central Services Division - 10

#### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$79,042	\$79,042
FY 2023	\$84,934	\$84,934

**SWPL - 1 - Personal Services -**

The budget includes \$79,040 in FY 2022 and \$84,934 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$102,488	\$103,579
FY 2023	\$3,039	\$4,130

**SWPL - 2 - Fixed Costs -**

The request includes \$103,579 in FY 2022 and \$4,130 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$149)	(\$149)
FY 2023	(\$93)	(\$93)

**SWPL - 3 - Inflation Deflation -**

This change package includes a reduction of \$149 in FY 2022 and \$93 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$50,460)	(\$144,933)
FY 2023	(\$50,460)	(\$144,933)

**PL - 4 - Service Now Reduction -**

Reduction of operating budget by \$144,933 in each fiscal year of the biennium due to projected operating efficiencies by implementing Service Now.

#### -----New Proposals-----

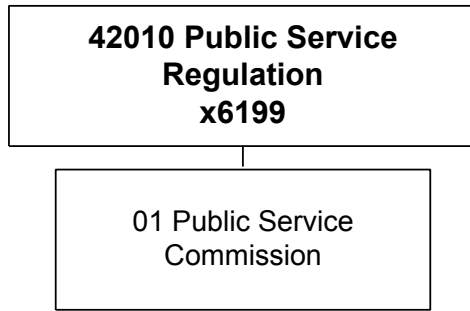
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$19,900	\$20,387
FY 2023	\$19,900	\$20,387

**NP - 1002 - NRIS/GIS Fixed Costs -**

This request is for \$20,387 each year of the 2023 biennium for a new proposed NRIS/GIS usage fixed cost to be paid to the Montana State Library. This action is in line with the Legislative Finance Committee proposal to include these costs in the statewide fixed cost adjustments.



## Public Service Commission - 42010



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

**Statutory Authority** - Title 69

# Public Service Commission - 42010

## Public Service Commission - 01

**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	Starting Point	Budget Adjustments	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	35.00	2.50	37.50	2.50	37.50	
Personal Services	3,777,888	(29,183)	3,748,705	(19,507)	3,758,381	7,507,086
Operating Expenses	753,202	942,928	1,696,130	909,192	1,662,394	3,358,524
Debt Service	6,080	0	6,080	0	6,080	12,160
<b>Total Costs</b>	<b>\$4,537,170</b>	<b>\$913,745</b>	<b>\$5,450,915</b>	<b>\$889,685</b>	<b>\$5,426,855</b>	<b>\$10,877,770</b>
State/Other Special	4,263,479	913,745	5,177,224	889,685	5,153,164	10,330,388
Federal Spec. Rev. Funds	273,691	0	273,691	0	273,691	547,382
<b>Total Funds</b>	<b>\$4,537,170</b>	<b>\$913,745</b>	<b>\$5,450,915</b>	<b>\$889,685</b>	<b>\$5,426,855</b>	<b>\$10,877,770</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	0	(291,803)	0	(282,319)
SWPL - 2 - Fixed Costs	0	948,731	0	914,339
SWPL - 3 - Inflation Deflation	0	(1,760)	0	(1,104)
<i>Total Statewide Present Law Adjustments</i>	<i>\$0</i>	<i>\$655,168</i>	<i>\$0</i>	<i>\$630,916</i>
<b>Present Law Adjustments</b>				
PL - 4 - Service Now reduction	0	(4,250)	0	(4,250)
<i>Total Present Law Adjustments</i>	<i>\$0</i>	<i>(\$4,250)</i>	<i>\$0</i>	<i>(\$4,250)</i>
<b>New Proposals</b>				
NP - 1 - HB 597 Hearings Examiner FTE	0	262,620	0	262,812
NP - 5 - NRIS/GIS Fixed Costs	0	207	0	207
<i>Total New Proposals</i>	<i>\$0</i>	<i>\$262,827</i>	<i>\$0</i>	<i>\$263,019</i>
<b>Total Budget Adjustments</b>	<b>\$0</b>	<b>\$913,745</b>	<b>\$0</b>	<b>\$889,685</b>

### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	(\$291,803)
FY 2023	\$0	(\$282,319)

#### SWPL - 1 - Personal Services -

The budget includes a reduction of \$291,803 in FY 2022 and \$282,319 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$948,731
FY 2023	\$0	\$914,339

#### SWPL - 2 - Fixed Costs -

The request includes \$948,731 in FY 2022 and \$914,339 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

## Public Service Commission - 42010

### Public Service Commission - 01

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	(\$1,760)
FY 2023	\$0	(\$1,104)

**SWPL - 3 - Inflation Deflation -**

This change package includes a reduction of \$1,760 in FY 2022 and \$1,104 in FY 2023 to reflect budgetary changes generated from the application of inflation to specific expenditure accounts. Affected accounts include those associated with the statewide Motor Pool operated by the Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	(\$4,250)
FY 2023	\$0	(\$4,250)

**PL - 4 - Service Now reduction -**

This proposal reduces the operating budget by \$4,250 in FY 2022 and \$4,250 in FY 2023 due to the projected operating efficiencies and other savings achieved using ServiceNow.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$262,620
FY 2023	\$0	\$262,812

**NP - 1 - HB 597 Hearings Examiner FTE -**

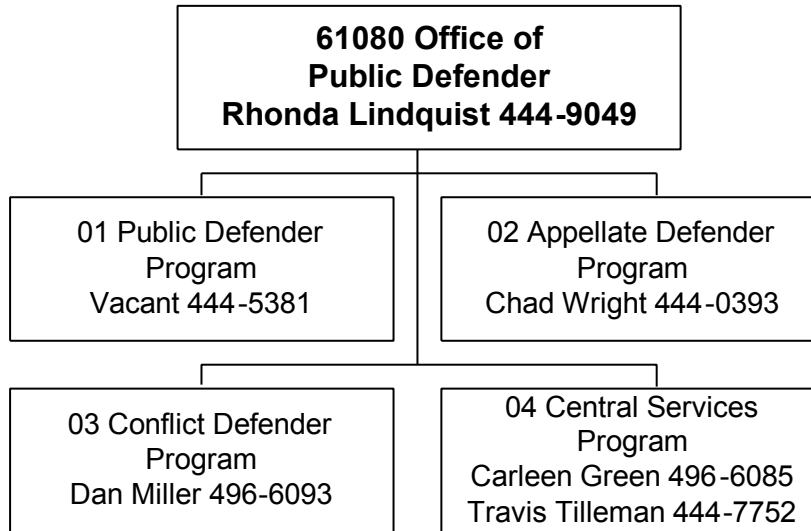
The 2019 Legislature provided funding but no permanent FTE to help with the roughly 80 contested cases per year that will require hearings examiner processes relating to HB 597 passed by the 2019 Legislature. Staff participation as a party could be substantial in most cases and for most issues. Because the FTE were not permanently authorized, SWPL 1 removes the funding for the positions, and this change package restores the funding along with 2.50 FTE.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$207
FY 2023	\$0	\$207

**NP - 5 - NRIS/GIS Fixed Costs -**

This request is for \$207 each year of the 2023 biennium for a new proposed NRIS/GIS usage fixed cost to be paid to the Montana State Library. This action is in line with the Legislative Finance Committee proposal to include these costs in the statewide fixed cost adjustments.

## Office of State Public Defender - 61080



**Mission Statement** - The mission of the Office of the State Public Defender is to provide effective professional legal services with equal access to quality client-centered representation.

**Statutory Authority** - MCA Title 47

Agency Proposed Budget			
Budget Item	Total Exec. Budget Fiscal 2022	Total Exec. Budget Fiscal 2023	Total Exec. Budget 2023 Biennium
FTE	302.44	302.44	
Personal Services	28,421,137	28,514,552	56,935,689
Operating Expenses	12,283,050	12,275,689	24,558,739
<b>Total Costs</b>	<b>\$40,704,187</b>	<b>\$40,790,241</b>	<b>\$81,494,428</b>
General Fund	40,704,187	40,790,241	81,494,428
<b>Total Funds</b>	<b>\$40,704,187</b>	<b>\$40,790,241</b>	<b>\$81,494,428</b>

Agency Appropriated Biennium to Biennium Comparison								
Program	2021 Biennium Appropriated Budget		2023 Biennium Requested Budget		Biennium to Biennium Difference (dollars)		Biennium to Biennium Difference (percent)	
	General Fund	Total Funds	General Fund	Total Funds	General Fund	Total Funds	General Fund	Total Funds
01 - Public Defender Division	47,044,721	47,044,721	50,329,077	50,329,077	3,284,356	3,284,356	6.98 %	6.98 %
02 - Appellate Defender Division	4,831,050	4,831,050	5,117,427	5,117,427	286,377	286,377	5.93 %	5.93 %
03 - Conflict Defender Division	17,338,007	17,338,007	18,821,187	18,821,187	1,483,180	1,483,180	8.55 %	8.55 %
04 - Central Services Division	6,508,719	6,508,719	7,226,737	7,226,737	718,018	718,018	11.03 %	11.03 %
<b>Agency Total</b>	<b>\$75,722,497</b>	<b>\$75,722,497</b>	<b>\$81,494,428</b>	<b>\$81,494,428</b>	<b>\$5,771,931</b>	<b>\$5,771,931</b>	<b>7.62 %</b>	<b>7.62 %</b>

# Office of State Public Defender - 61080

## Public Defender Division - 01

**01 Public Defender Program  
Vacant 444-5381**

**Program Description** - The Public Defender Division oversees services to qualifying clients by providing effective assistance of counsel to indigent criminal defendants and other persons in certain civil cases who are entitled by law to assistance of counsel.

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments	Exec. Budget	Adjustments	Exec. Budget	Budget Request
		Fiscal 2022	Fiscal 2022	Fiscal 2023	Fiscal 2023	2023 Biennium
FTE	230.94	0.00	230.94	0.00	230.94	
Personal Services	20,705,222	783,645	21,488,867	851,652	21,556,874	43,045,741
Operating Expenses	2,710,235	910,489	3,620,724	952,377	3,662,612	7,283,336
<b>Total Costs</b>	<b>\$23,415,457</b>	<b>\$1,694,134</b>	<b>\$25,109,591</b>	<b>\$1,804,029</b>	<b>\$25,219,486</b>	<b>\$50,329,077</b>
General Fund	23,415,457	1,694,134	25,109,591	1,804,029	25,219,486	50,329,077
<b>Total Funds</b>	<b>\$23,415,457</b>	<b>\$1,694,134</b>	<b>\$25,109,591</b>	<b>\$1,804,029</b>	<b>\$25,219,486</b>	<b>\$50,329,077</b>

Program Proposed Budget Adjustments				
	Budget Adjustments		Budget Adjustments	
	Fiscal 2022		Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	783,645	783,645	851,652	851,652
<i>Total Statewide Present Law Adjustments</i>	<i>\$783,645</i>	<i>\$783,645</i>	<i>\$851,652</i>	<i>\$851,652</i>
<b>Present Law Adjustments</b>				
PL - 1 - Lease Increases	104,181	104,181	124,010	124,010
PL - 5 - Caseload Growth	806,308	806,308	828,367	828,367
<i>Total Present Law Adjustments</i>	<i>\$910,489</i>	<i>\$910,489</i>	<i>\$952,377</i>	<i>\$952,377</i>
<b>Total Budget Adjustments</b>	<b>\$1,694,134</b>	<b>\$1,694,134</b>	<b>\$1,804,029</b>	<b>\$1,804,029</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$783,645	\$783,645
FY 2023	\$851,652	\$851,652

**SWPL - 1 - Personal Services -**

The budget includes \$783,645 in FY 2020 and \$851,652 in FY 2021 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot and vacancy savings.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$104,181	\$104,181
FY 2023	\$124,010	\$124,010

**PL - 1 - Lease Increases -**

The agency requests \$104,181 in FY 2022 and \$124,010 in FY 2023 for office lease increases in the Public Defender Division due to contractual 1.5% inflation factors.

# Office of State Public Defender - 61080

## Public Defender Division - 01

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$806,308	\$806,308
FY 2023	\$828,367	\$828,367

### **PL - 5 - Caseload Growth -**

The Public Defender Division is requesting \$806,308 in FY 2022 and \$828,367 in FY 2023 due to a historical 3% caseload growth, an additional \$37,000 in each fiscal year as a result of increased costs due to changes in 45-5-220, MCA, (Stalking), and an additional \$34,000 in each fiscal year as a result of increased costs due to changes in 45-8-213, MCA, (Privacy in Communications). This request will fund contract attorney services, holistic defense services, mental health evaluations, and chemical dependency evaluations.

**Office of State Public Defender - 61080**

**Appellate Defender Division - 02**

<p><b>02 Appellate Defender Program</b>  <b>Chad Wright 444-0393</b></p>
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**Program Description** - The Appellate Defender Division provides appellate services to qualifying clients and practices almost exclusively before the Montana Supreme Court and the United States Supreme Court. Most of the workforce is comprised of attorneys providing legal services. Legal assistants comprise the remaining portion of the workforce.

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments	Exec. Budget	Adjustments	Exec. Budget	Budget Request
		Fiscal 2022	Fiscal 2022	Fiscal 2023	Fiscal 2023	2023 Biennium
FTE	17.50	0.00	17.50	0.00	17.50	
Personal Services	1,751,148	1,774	1,752,922	6,124	1,757,272	3,510,194
Operating Expenses	687,064	114,915	801,979	118,190	805,254	1,607,233
<b>Total Costs</b>	<b>\$2,438,212</b>	<b>\$116,689</b>	<b>\$2,554,901</b>	<b>\$124,314</b>	<b>\$2,562,526</b>	<b>\$5,117,427</b>
General Fund	2,438,212	116,689	2,554,901	124,314	2,562,526	5,117,427
<b>Total Funds</b>	<b>\$2,438,212</b>	<b>\$116,689</b>	<b>\$2,554,901</b>	<b>\$124,314</b>	<b>\$2,562,526</b>	<b>\$5,117,427</b>

Program Proposed Budget Adjustments	Budget Adjustments		Budget Adjustments	
	Fiscal 2022		Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	1,774	1,774	6,124	6,124
<i>Total Statewide Present Law Adjustments</i>	<i>\$1,774</i>	<i>\$1,774</i>	<i>\$6,124</i>	<i>\$6,124</i>
<b>Present Law Adjustments</b>				
PL - 1 - Lease Increases	35,116	35,116	35,997	35,997
PL - 5 - Caseload Growth	79,799	79,799	82,193	82,193
<i>Total Present Law Adjustments</i>	<i>\$114,915</i>	<i>\$114,915</i>	<i>\$118,190</i>	<i>\$118,190</i>
<b>Total Budget Adjustments</b>	<b>\$116,689</b>	<b>\$116,689</b>	<b>\$124,314</b>	<b>\$124,314</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$1,774	\$1,774
FY 2023	\$6,124	\$6,124

**SWPL - 1 - Personal Services -**

The budget includes \$1,774 in FY 2020 and \$6,124 in FY 2021 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot and vacancy savings.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$35,116	\$35,116
FY 2023	\$35,997	\$35,997

**PL - 1 - Lease Increases -**

The agency requests \$35,116 in FY 2022 and \$35,997 in FY 2023 for office lease increases in the appellate defender division due to contractual 1.5% inflation factors.

# Office of State Public Defender - 61080

## Appellate Defender Division - 02

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$79,799	\$79,799
FY 2023	\$82,193	\$82,193

### **PL - 5 - Caseload Growth -**

The Appellate Defender Division is requesting \$79,799 in FY 2022 and \$82,193 in FY 2023 due to a historical 3% caseload growth. This request will fund transcript services and contract attorney services.



# Office of State Public Defender - 61080

## Conflict Defender Division - 03

**03 Conflict Defender  
Program  
Dan Miller 496-6093**

**Program Description** - The Conflict Defender Division oversees services to qualifying clients by providing effective assistance of counsel to indigent criminal defendants and other persons in certain civil cases. This division represents only those clients, in circumstances where, because of a conflict of interest the public defender division is unable to provide representation.

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	31.00	0.00	31.00	0.00	31.00	
Personal Services	3,174,162	(38,515)	3,135,647	(26,682)	3,147,480	6,283,127
Operating Expenses	5,845,694	416,084	6,261,778	430,588	6,276,282	12,538,060
<b>Total Costs</b>	<b>\$9,019,856</b>	<b>\$377,569</b>	<b>\$9,397,425</b>	<b>\$403,906</b>	<b>\$9,423,762</b>	<b>\$18,821,187</b>
General Fund	9,019,856	377,569	9,397,425	403,906	9,423,762	18,821,187
<b>Total Funds</b>	<b>\$9,019,856</b>	<b>\$377,569</b>	<b>\$9,397,425</b>	<b>\$403,906</b>	<b>\$9,423,762</b>	<b>\$18,821,187</b>

Program Proposed Budget Adjustments				
	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	(38,515)	(38,515)	(26,682)	(26,682)
<i>Total Statewide Present Law Adjustments</i>	<i>(\$38,515)</i>	<i>(\$38,515)</i>	<i>(\$26,682)</i>	<i>(\$26,682)</i>
<b>Present Law Adjustments</b>				
PL - 1 - Lease Increases	118,242	118,242	123,810	123,810
PL - 5 - Caseload Growth	297,842	297,842	306,778	306,778
<i>Total Present Law Adjustments</i>	<i>\$416,084</i>	<i>\$416,084</i>	<i>\$430,588</i>	<i>\$430,588</i>
<b>Total Budget Adjustments</b>	<b>\$377,569</b>	<b>\$377,569</b>	<b>\$403,906</b>	<b>\$403,906</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$38,515)	(\$38,515)
FY 2023	(\$26,682)	(\$26,682)

**SWPL - 1 - Personal Services -**

The budget includes a reduction of \$38,515 in FY 2022 and a reduction of \$26,682 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

# Office of State Public Defender - 61080

## Conflict Defender Division - 03

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$118,242	\$118,242
FY 2023	\$123,810	\$123,810

#### **PL - 1 - Lease Increases -**

The agency requests \$118,242 in FY 2022 and \$123,810 in FY 2023 for office lease increases in the conflict defender division due to contractual 1.5% inflationary adjustors.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$297,842	\$297,842
FY 2023	\$306,778	\$306,778

#### **PL - 5 - Caseload Growth -**

The Conflict Defender Division is requesting \$297,842 in FY 2022 and \$306,778 in FY 2023 due to a historical 3% caseload growth. This request will fund contract attorney services, mental health evaluations, and chemical dependency evaluations.

**Office of State Public Defender - 61080**

**Central Services Division - 04**

**04 Central Services  
Program  
Carleen Green 496-6085  
Travis Tilleman 444-7752**

**Program Description** - Central Services Division - Provides management of non-legal services, i.e., accounting, budgeting, IT, payroll, contracting, quality and performance controls to all programs. The oversight of the eligibility determination process, including verification of all hardship cases, is also a responsibility of this division.

Program Proposed Budget Budget Item	Starting Point Fiscal 2021	Budget Adjustments Fiscal 2022	Total Exec. Budget Fiscal 2022	Budget Adjustments Fiscal 2023	Total Exec. Budget Fiscal 2023	Executive Budget Request 2023 Biennium
FTE	23.00	0.00	23.00	0.00	23.00	
Personal Services	1,901,957	141,744	2,043,701	150,969	2,052,926	4,096,627
Operating Expenses	1,339,999	258,570	1,598,569	191,542	1,531,541	3,130,110
<b>Total Costs</b>	<b>\$3,241,956</b>	<b>\$400,314</b>	<b>\$3,642,270</b>	<b>\$342,511</b>	<b>\$3,584,467</b>	<b>\$7,226,737</b>
General Fund	3,241,956	400,314	3,642,270	342,511	3,584,467	7,226,737
<b>Total Funds</b>	<b>\$3,241,956</b>	<b>\$400,314</b>	<b>\$3,642,270</b>	<b>\$342,511</b>	<b>\$3,584,467</b>	<b>\$7,226,737</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	141,744	141,744	150,969	150,969
SWPL - 2 - Fixed Costs	103,749	103,749	35,372	35,372
<i>Total Statewide Present Law Adjustments</i>	<i>\$245,493</i>	<i>\$245,493</i>	<i>\$186,341</i>	<i>\$186,341</i>
<b>Present Law Adjustments</b>				
PL - 1 - Lease Increases	35,067	35,067	36,416	36,416
PL - 3 - Case Management System	150,000	150,000	150,000	150,000
PL - 6 - Equipment Replacement	20,000	20,000	20,000	20,000
PL - 7 - Service Now Reduction	(50,246)	(50,246)	(50,246)	(50,246)
<i>Total Present Law Adjustments</i>	<i>\$154,821</i>	<i>\$154,821</i>	<i>\$156,170</i>	<i>\$156,170</i>
<b>Total Budget Adjustments</b>	<b>\$400,314</b>	<b>\$400,314</b>	<b>\$342,511</b>	<b>\$342,511</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$141,744	\$141,744
FY 2023	\$150,969	\$150,969

**SWPL - 1 - Personal Services -**

The budget includes an increase of \$141,744 in FY 2022 and \$150,969 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

# Office of State Public Defender - 61080

## Central Services Division - 04

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$103,749	\$103,749
FY 2023	\$35,372	\$35,372

**SWPL - 2 - Fixed Costs -**

This request includes \$103,749 in FY 2022 and \$35,372 in FY 2023 to provide funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing and others. The rates charged for these services are approved in a separate portion of the budget.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$35,067	\$35,067
FY 2023	\$36,416	\$36,416

**PL - 1 - Lease Increases -**

The agency requests \$35,067 in FY 2022 and \$36,416 in FY 2023 for office lease increases in the Central Services Division due to contractual 1.5% escalators and anticipated increases in leases due to renewal during the next biennium.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$150,000	\$150,000
FY 2023	\$150,000	\$150,000

**PL - 3 - Case Management System -**

The agency's current case management system is terminating support, requiring the agency to undertake a request for proposal process. The agency is requesting \$150,000 for FY 2022 and \$150,000 for FY 2023 for the anticipated increase in the annual licensing and maintenance cost for a new case management system.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$20,000	\$20,000
FY 2023	\$20,000	\$20,000

**PL - 6 - Equipment Replacement -**

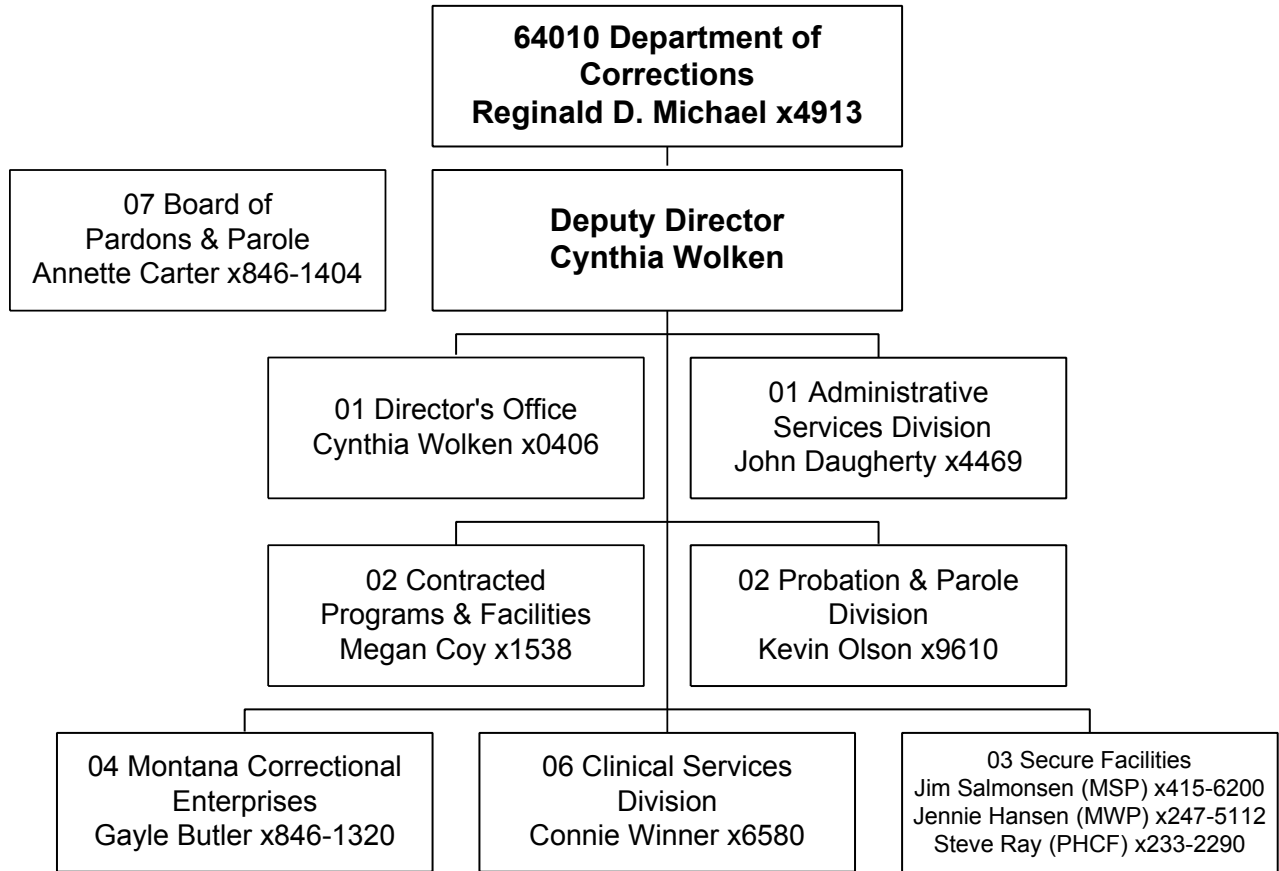
The agency is requesting \$20,000 in FY 2022 and \$20,000 in FY 2023 to replace the agency's computers nearing the end of their life cycle with laptops to enable a more mobile workforce in response to the pandemic or other potential crisis situations. This request represents the difference between laptop and desktop computer replacement funding already in the base.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$50,246)	(\$50,246)
FY 2023	(\$50,246)	(\$50,246)

**PL - 7 - Service Now Reduction -**

This request reflects a reduction in the operating budget of \$50,246 in each fiscal year due to projected operating efficiencies by implementing Service Now.

## Department of Corrections - 64010



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

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

**Language** - The following language is requested in HB 2:

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

Agency Proposed Budget	Total Exec. Budget Fiscal 2022	Total Exec. Budget Fiscal 2023	Total Exec. Budget 2023 Biennium
Budget Item			
FTE	1,313.17	1,313.17	
Personal Services	100,106,306	100,349,713	200,456,019
Operating Expenses	125,849,523	125,700,878	251,550,401
Equipment & Intangible Assets	495,761	165,761	661,522
Capital Outlay	20,773	20,773	41,546
Grants	9,985,395	9,985,395	19,970,790
Benefits & Claims	489,573	489,573	979,146
Transfers	3,231,284	3,231,284	6,462,568
Debt Service	461,286	461,286	922,572
<b>Total Costs</b>	<b>\$240,639,901</b>	<b>\$240,404,663</b>	<b>\$481,044,564</b>
General Fund	220,585,425	220,352,940	440,938,365
State/Other Special	6,897,238	6,897,238	13,794,476
Proprietary Funds	113,403	113,403	226,806
Federal Spec. Rev. Funds	13,043,835	13,041,082	26,084,917
<b>Total Funds</b>	<b>\$240,639,901</b>	<b>\$240,404,663</b>	<b>\$481,044,564</b>

## Department of Corrections - 64010

Agency Appropriated Biennium to Biennium Comparison								
Program	2021 Biennium Appropriated Budget		2023 Biennium Requested Budget		Biennium to Biennium Difference (dollars)		Biennium to Biennium Difference (percent)	
	General Fund	Total Funds	General Fund	Total Funds	General Fund	Total Funds	General Fund	Total Funds
01 - Director's Office	34,172,891	66,866,535	37,902,875	65,412,714	3,729,984	(1,453,821)	10.91 %	(2.17)%
02 - Probation and Parole Admin	150,038,136	152,284,709	160,688,971	162,935,563	10,650,835	10,650,854	7.10 %	6.99 %
03 - Secure Facilities Division	177,169,322	178,457,482	178,066,413	180,546,697	897,091	2,089,215	0.51 %	1.17 %
04 - Montana Correctional Enterprises	4,132,435	10,884,119	4,564,244	12,015,928	431,809	1,131,809	10.45 %	10.40 %
06 - Clinical Services Division	49,913,165	50,330,965	57,441,181	57,858,981	7,528,016	7,528,016	15.08 %	14.96 %
07 - Board of Pardons and Parole	2,001,151	2,001,151	2,274,681	2,274,681	273,530	273,530	13.67 %	13.67 %
<b>Agency Total</b>	<b>\$417,427,100</b>	<b>\$460,824,961</b>	<b>\$440,938,365</b>	<b>\$481,044,564</b>	<b>\$23,511,265</b>	<b>\$20,219,603</b>	<b>5.63 %</b>	<b>4.39 %</b>

# Department of Corrections - 64010

## Director's Office - 01

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

Program Proposed Budget	Starting Point Fiscal 2021	Budget Adjustments Fiscal 2022	Total Exec. Budget Fiscal 2022	Budget Adjustments Fiscal 2023	Total Exec. Budget Fiscal 2023	Executive Budget Request 2023 Biennium
FTE	123.81	1.00	124.81	1.00	124.81	
Personal Services	10,515,025	557,796	11,072,821	587,094	11,102,119	22,174,940
Operating Expenses	7,160,190	1,541,152	8,701,342	1,408,000	8,568,190	17,269,532
Equipment & Intangible Assets	12,909	0	12,909	0	12,909	25,818
Grants	9,653,395	332,000	9,985,395	332,000	9,985,395	19,970,790
Transfers	2,760,817	225,000	2,985,817	225,000	2,985,817	5,971,634
<b>Total Costs</b>	<b>\$30,102,336</b>	<b>\$2,655,948</b>	<b>\$32,758,284</b>	<b>\$2,552,094</b>	<b>\$32,654,430</b>	<b>\$65,412,714</b>
General Fund	16,939,741	2,062,247	19,001,988	1,961,146	18,900,887	37,902,875
State/Other Special	599,058	0	599,058	0	599,058	1,198,116
Proprietary Funds	113,403	0	113,403	0	113,403	226,806
Federal Spec. Rev. Funds	12,450,134	593,701	13,043,835	590,948	13,041,082	26,084,917
<b>Total Funds</b>	<b>\$30,102,336</b>	<b>\$2,655,948</b>	<b>\$32,758,284</b>	<b>\$2,552,094</b>	<b>\$32,654,430</b>	<b>\$65,412,714</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	625,395	296,497	654,646	325,748
SWPL - 2 - Fixed Costs	1,397,941	1,397,941	1,264,242	1,264,242
SWPL - 3 - Inflation Deflation	(8,979)	(8,979)	(5,632)	(5,632)
<i>Total Statewide Present Law Adjustments</i>	<i>\$2,014,357</i>	<i>\$1,685,459</i>	<i>\$1,913,256</i>	<i>\$1,584,358</i>
<b>Present Law Adjustments</b>				
PL - 4 - Service Now Reduction	(27,110)	(27,110)	(27,110)	(27,110)
PL - 6411002 - Increase Federal Special Revenue Authority	0	853,000	0	853,000
PL - 6411003 - Evidence Based Practices Training (SB59)	75,000	75,000	75,000	75,000
<i>Total Present Law Adjustments</i>	<i>\$47,890</i>	<i>\$900,890</i>	<i>\$47,890</i>	<i>\$900,890</i>
<b>New Proposals</b>				
NP - 6411001 - Federal Grants Accountant	0	69,599	0	66,846
<i>Total New Proposals</i>	<i>\$0</i>	<i>\$69,599</i>	<i>\$0</i>	<i>\$66,846</i>
<b>Total Budget Adjustments</b>	<b>\$2,062,247</b>	<b>\$2,655,948</b>	<b>\$1,961,146</b>	<b>\$2,552,094</b>

### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$625,395	\$296,497
FY 2023	\$654,646	\$325,748

#### SWPL - 1 - Personal Services -

The budget includes \$296,497 in FY 2022 and \$325,748 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

# Department of Corrections - 64010

## Director's Office - 01

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$1,397,941	\$1,397,941
FY 2023	\$1,264,242	\$1,264,242

**SWPL - 2 - Fixed Costs -**

The request includes \$1,397,941 in FY 2022 and \$1,264,242 in FY 2023 to provide the funding required in the budget to pay fixed costs assessed by other agencies within state government for the services they provide. Examples of fixed costs include liability and property insurance, legislative audit, warrant writer, payroll processing, and others. The rates charged for these services are approved in a separate portion of the budget.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$8,979)	(\$8,979)
FY 2023	(\$5,632)	(\$5,632)

**SWPL - 3 - Inflation Deflation -**

This change package includes decreases of \$8,979 in FY 2022 and \$5,632 in FY 2023 to reflect budgetary changes generated from the application of deflation to specific expenditures accounts. Affected accounts include those associated with the statewide Motor Pool operating by Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$27,110)	(\$27,110)
FY 2023	(\$27,110)	(\$27,110)

**PL - 4 - Service Now Reduction -**

OBPP has approved the purchase of ServiceNow licenses and programs for the 2023 biennium. Due to the projected operating efficiencies and other savings achieved using ServiceNow, the operating budget has been decreased by \$27,110 for FY 2022 and \$27,110 for FY 2023.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$853,000
FY 2023	\$0	\$853,000

**PL - 6411002 - Increase Federal Special Revenue Authority -**

The Montana Board of Crime Control is requesting an increase of \$1.706 million in biennial federal special revenue authority to bring current authority levels more in line with the grant award levels received by the Montana Board of Crime Control (MBCC) annually. MBCC receives, on average, \$11.5 million to \$19 million in annual federal grant award funds to distribute to agencies and organizations within the State of Montana. Federal Special Revenue Authority is the tool used within the state system of record (SABHRS) to help manage these funds on an annual basis.



# Department of Corrections - 64010

## Director's Office - 01

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$75,000	\$75,000
FY 2023	\$75,000	\$75,000

### **PL - 6411003 - Evidence Based Practices Training (SB59) -**

The department needs to continue to work with UCCI and other professional entities to ensure it has ongoing Core Correctional Practices (CCP) training and continued training for staff in the Correctional Program Checklist (CPC) and the CPC Group Assessment (CPCGA). These needs may extend into training and quality assurance over the assessments MORRA, WRNA and OYAS, as well as other modern correctional treatment curricula and services. The department's training needs are continual and ongoing to ensure that all staff hired obtain the necessary skills to facilitate programming that follows the core correctional practices and fidelity with evidence based practices that have been shown to reduce recidivism and effectively make changes in the way offenders behave. Lower recidivism rates mean less cost overall in the treatment for offenders and ensures a safer community by providing the principles that will change criminal behaviors and make offenders pro social and non-criminal residents. Funding in this change package would allow the department to accomplish these goals.

### -----New Proposals-----

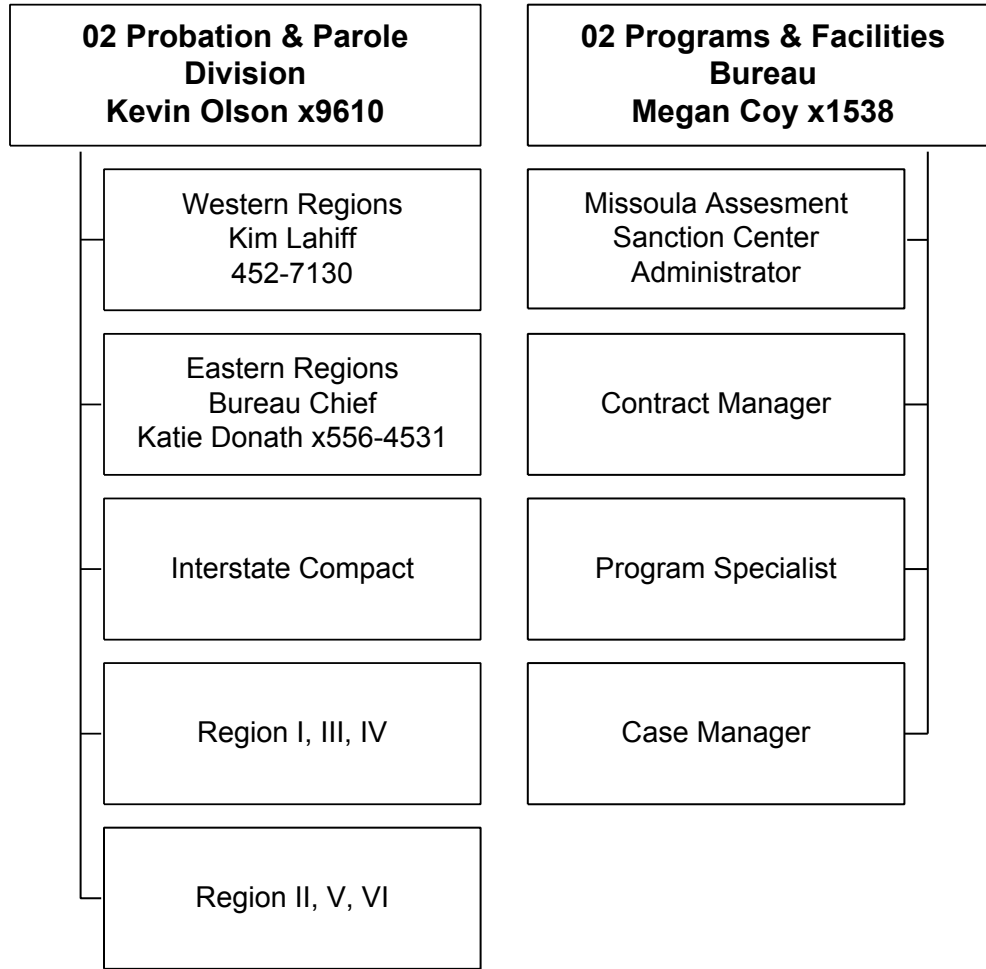
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$69,599
FY 2023	\$0	\$66,846

### **NP - 6411001 - Federal Grants Accountant -**

The Bureau of Crime Control requests 1.00 FTE federal grant accountant to examine, analyze, and interpret accounting records to prepare financial statements in accordance with federal, state, and state special revenue grant programs from funding administered by the Montana Board of Crime Control. The biennial cost of \$136,400.00 will come from federal special revenue. The amount includes the salary, benefits, new employee office package, and computer equipment.

## Department of Corrections - 64010

### Probation and Parole Admin - 02



**Program Description** - The Probation and Parole Division (PPD) includes probation and parole, intensive and enhanced supervision programs, male and female community corrections programs that include: Chemical dependency treatment programs, DUI treatment facilities, Methamphetamine treatment facilities, assessment, sanction and revocation centers, and various other prison diversion programs. The department contracts with nonprofit corporations in Great Falls, Missoula, Billings, Bozeman, Butte, and Helena for prerelease services.

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	251.50	27.00	278.50	27.00	278.50	
Personal Services	18,384,512	1,451,299	19,835,811	1,502,056	19,886,568	39,722,379
Operating Expenses	61,552,522	22,412	61,574,934	(23,242)	61,529,280	123,104,214
Transfers	6,250	0	6,250	0	6,250	12,500
Debt Service	48,235	0	48,235	0	48,235	96,470
<b>Total Costs</b>	<b>\$79,991,519</b>	<b>\$1,473,711</b>	<b>\$81,465,230</b>	<b>\$1,478,814</b>	<b>\$81,470,333</b>	<b>\$162,935,563</b>
General Fund	78,868,223	1,473,711	80,341,934	1,478,814	80,347,037	160,688,971
State/Other Special	1,123,296	0	1,123,296	0	1,123,296	2,246,592
<b>Total Funds</b>	<b>\$79,991,519</b>	<b>\$1,473,711</b>	<b>\$81,465,230</b>	<b>\$1,478,814</b>	<b>\$81,470,333</b>	<b>\$162,935,563</b>

# Department of Corrections - 64010

## Probation and Parole Admin - 02

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	(213,491)	(213,491)	(163,851)	(163,851)
SWPL - 3 - Inflation Deflation	(32,044)	(32,044)	(20,098)	(20,098)
<i>Total Statewide Present Law Adjustments</i>	<i>(\$245,535)</i>	<i>(\$245,535)</i>	<i>(\$183,949)</i>	<i>(\$183,949)</i>
<b>Present Law Adjustments</b>				
PL - 4 - Service Now Reduction	(47,400)	(47,400)	(47,400)	(47,400)
PL - 6412005 - Program 02 - Overtime	17,233	17,233	17,233	17,233
<i>Total Present Law Adjustments</i>	<i>(\$30,167)</i>	<i>(\$30,167)</i>	<i>(\$30,167)</i>	<i>(\$30,167)</i>
<b>New Proposals</b>				
NP - 6412001 - 5.0 FTE - Contract Managers - PFB	402,451	402,451	402,740	402,740
NP - 6412002 - 7.0 FTE - PSI Writers - HB 2 Caseload Study	406,358	406,358	387,013	387,013
NP - 6412003 - 15.0 FTE - P&P Officers - HB 2 Caseload Study	940,604	940,604	903,177	903,177
<i>Total New Proposals</i>	<i>\$1,749,413</i>	<i>\$1,749,413</i>	<i>\$1,692,930</i>	<i>\$1,692,930</i>
<b>Total Budget Adjustments</b>	<b>\$1,473,711</b>	<b>\$1,473,711</b>	<b>\$1,478,814</b>	<b>\$1,478,814</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$213,491)	(\$213,491)
FY 2023	(\$163,851)	(\$163,851)

**SWPL - 1 - Personal Services -**

The budget includes reductions of \$213,491 in FY 2022 and \$163,851 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$32,044)	(\$32,044)
FY 2023	(\$20,098)	(\$20,098)

**SWPL - 3 - Inflation Deflation -**

This change package includes decreases of \$32,044 in FY 2022 and \$20,098 in FY 2023 to reflect budgetary changes generated from the application of deflation to specific expenditures accounts. Affected accounts include those associated with the statewide Motor Pool operating by Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$47,400)	(\$47,400)
FY 2023	(\$47,400)	(\$47,400)

**PL - 4 - Service Now Reduction -**

OBPP has approved the purchase of ServiceNow licenses and programs for the 2023 biennium. Due to the projected operating efficiencies and other savings achieved using ServiceNow, the operating budget has been decreased by \$47,400 for FY 2022 and \$47,400 for FY 2023.

## Department of Corrections - 64010

### Probation and Parole Admin - 02

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$17,233	\$17,233
FY 2023	\$17,233	\$17,233

**PL - 6412005 - Program 02 - Overtime -**

This request is for additional general funds to cover the overtime deficit for program 2 which encompasses the Probation and Parole Division and Programs and Facilities Bureau.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$402,451	\$402,451
FY 2023	\$402,740	\$402,740

**NP - 6412001 - 5.0 FTE - Contract Managers - PFB -**

The Programs and Facilities Bureau (PFB) oversees over \$50 million annually in contracted services. These services include program operation of assessment/sanction, treatment, and prerelease centers and provision of Enhanced/Transitional Supervision Services (ETSS) throughout Montana. Currently, there are 5.00 FTE responsible for contract management and oversight and population and case management for offenders in community corrections facilities. An ongoing performance audit, conducted by the Legislative Audit Division, has identified needed improvements in contract management processes related to community corrections facility contracts. Due to the current workload and the needed improvements, an additional 5.00 FTE are requested.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$406,358	\$406,358
FY 2023	\$387,013	\$387,013

**NP - 6412002 - 7.0 FTE - PSI Writers - HB 2 Caseload Study -**

In FY2019, MDOC completed 3,277 Pre-Sentence Investigations (PSIs) for the courts. On average, one full-time staff member dedicated only to PSIs can complete approximately 16 PSIs per month. MDOC completes enough PSIs per year to dedicate 18 staff members to the task on a full-time basis. Currently, MDOC has 11 staff dedicated to completing PSIs on a full-time basis. The remaining 1,165 PSIs are pushed to other probation and parole officers, (officer) who carry an active caseload. During the Justice Reinvestment process, CSG Justice Center staff estimated that MDOC would need 20 staff in the dedicated PSI unit. MDOC was allocated six PSI positions during the 2017 legislative session and was converting 14 existing staff into PSI writers based on Commission on Sentencing recommendations. However, due to the rising supervision population, MDOC has only able to move five staff into PSI positions for a total of 11. Funding an additional seven PSI writers will allow officers who carry a caseload to be fully dedicated to managing that caseload. Funding for the 7.00 FTE PSI writers would cost \$397,705 per year. Reference: page 17-18, Montana Caseload Study Report, December 2019

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$940,604	\$940,604
FY 2023	\$903,177	\$903,177

**NP - 6412003 - 15.0 FTE - P&P Officers - HB 2 Caseload Study -**

The Council of State Governments authored a Case Load Study that was released in December of 2019. Part of this study was an examination of caseloads of offenders to Probation and Parole Officers' (officer) ratios. The report draws contrast with 3 other states that are comparable to Montana. As the data from North Dakota was incomplete, but there was sufficient data from Vermont and Wyoming to show a sharp contrast to caseload numbers. Wyoming shows an offender to officer ratios of 63/1 whereas Vermont has a 42/1 ratio. Montana has a 71/1 ratio. \* 15 additional officers would get Montana to comparable ratios, (65/1) thereby improving the officer's ability to have meaningful interaction with offenders which would improve offender success of completing community supervision without other interventions or further involvement in the criminal justice system. This request funds personal services and related operating expenses for 15.00 FTE officers. Reference: page 14, Montana Caseload Study Report, December 2019.

## Department of Corrections - 64010

### Secure Facilities Division - 03

03 Montana State Prison Jim Salmonsén x415-6200	03 Montana Women's Prison Jennie Hansen x247-5112
03 Pine Hills Correctional Facility Steve Ray x233-2290	03 Contract Beds Pat Smith x415-6556

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

Program Proposed Budget	Starting Point	Budget Adjustments	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	728.36	4.00	732.36	4.00	732.36	
Personal Services	50,223,110	3,153,300	53,376,410	3,275,382	53,498,492	106,874,902
Operating Expenses	34,430,309	1,156,554	35,586,863	1,205,679	35,635,988	71,222,851
Equipment & Intangible Assets	152,852	330,000	482,852	0	152,852	635,704
Capital Outlay	20,773	0	20,773	0	20,773	41,546
Benefits & Claims	489,573	0	489,573	0	489,573	979,146
Transfers	4,100	0	4,100	0	4,100	8,200
Debt Service	392,174	0	392,174	0	392,174	784,348
<b>Total Costs</b>	<b>\$85,712,891</b>	<b>\$4,639,854</b>	<b>\$90,352,745</b>	<b>\$4,481,061</b>	<b>\$90,193,952</b>	<b>\$180,546,697</b>
General Fund	85,072,749	4,039,854	89,112,603	3,881,061	88,953,810	178,066,413
State/Other Special	640,142	600,000	1,240,142	600,000	1,240,142	2,480,284
<b>Total Funds</b>	<b>\$85,712,891</b>	<b>\$4,639,854</b>	<b>\$90,352,745</b>	<b>\$4,481,061</b>	<b>\$90,193,952</b>	<b>\$180,546,697</b>

# Department of Corrections - 64010

## Secure Facilities Division - 03

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	876,337	876,337	998,241	998,241
SWPL - 3 - Inflation Deflation	(14,207)	(14,207)	(8,909)	(8,909)
<i>Total Statewide Present Law Adjustments</i>	<i>\$862,130</i>	<i>\$862,130</i>	<i>\$989,332</i>	<i>\$989,332</i>
<b>Present Law Adjustments</b>				
PL - 4 - Service Now Reduction	(129,498)	(129,498)	(129,498)	(129,498)
PL - 6413001 - Increase Laundry, Meal, and MVM Repair Costs	243,636	243,636	243,636	243,636
PL - 6413003 - Regional Prison Per Diem Increase	269,923	269,923	525,450	525,450
PL - 6413004 - CSRT Training, Supplies & Equipment	75,500	75,500	55,000	55,000
PL - 6413005 - Facility Maintenance Equipment Replacement	330,000	330,000	0	0
PL - 6413008 - Increase Inmate Workers Maintenance Positions	0	100,000	0	100,000
PL - 6413009 - Increased Spending Authority IWF	0	400,000	0	400,000
PL - 6413011 - Increased Authority to Vocational Farm Program	0	100,000	0	100,000
PL - 6413012 - Program 03 - Overtime	1,918,538	1,918,538	1,918,538	1,918,538
<i>Total Present Law Adjustments</i>	<i>\$2,708,099</i>	<i>\$3,308,099</i>	<i>\$2,613,126</i>	<i>\$3,213,126</i>
<b>New Proposals</b>				
NP - 6413006 - 4.0 FTE - Contract Facility Disciplinary Officers	269,625	269,625	258,603	258,603
NP - 6413010 - Warehouse Management System	200,000	200,000	20,000	20,000
<i>Total New Proposals</i>	<i>\$469,625</i>	<i>\$469,625</i>	<i>\$278,603</i>	<i>\$278,603</i>
<b>Total Budget Adjustments</b>	<b>\$4,039,854</b>	<b>\$4,639,854</b>	<b>\$3,881,061</b>	<b>\$4,481,061</b>

### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$876,337	\$876,337
FY 2023	\$998,241	\$998,241

#### SWPL - 1 - Personal Services -

The budget includes \$876,337 in FY 2022 and \$998,241 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$14,207)	(\$14,207)
FY 2023	(\$8,909)	(\$8,909)

#### SWPL - 3 - Inflation Deflation -

This change package includes decreases of \$14,207 in FY 2022 and \$8,909 in FY 2023 to reflect budgetary changes generated from the application of deflation to specific expenditures accounts. Affected accounts include those associated with the statewide Motor Pool operating by Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$129,498)	(\$129,498)
FY 2023	(\$129,498)	(\$129,498)

#### PL - 4 - Service Now Reduction -

OBPP has approved the purchase of ServiceNow licenses and programs for the 2023 biennium. Due to the projected operating efficiencies and other savings achieved using ServiceNow, the operating budget has been decreased by \$129,498 for FY 2022 and \$129,498 for FY 2023.

## Department of Corrections - 64010

### Secure Facilities Division - 03

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$243,636	\$243,636
FY 2023	\$243,636	\$243,636

#### **PL - 6413001 - Increase Laundry, Meal, and MVM Repair Costs -**

This request funds a \$0.10 per meal increase in FY 2022 and FY 2023 for the Montana State Prison, the WATCh program, and the Riverside Infirmary. This increase will assist the MCE Food Factory with increased operating costs that impact daily operations. This request also includes a 2% supply fee increase in FY 2022 and FY 2023 for the Motor Vehicle Maintenance (MVM) program. This increase will assist the MCE MVM with increased operating costs that impact daily operations.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$269,923	\$269,923
FY 2023	\$525,450	\$525,450

#### **PL - 6413003 - Regional Prison Per Diem Increase -**

This request would fund a 3% increase for the two regional prisons, Dawson Regional Prison and Cascade Regional Prison for FY 2022 and a 3% increase in FY 2023. The department is required by statute to provide these increases, although no other provider is proposed to receive a rate increase in the 2023 biennium.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$75,500	\$75,500
FY 2023	\$55,000	\$55,000

#### **PL - 6413004 - CSRT Training, Supplies & Equipment -**

This request provides funding for required equipment and supplies for MSP's Correctional Special Response Team (CSRT). The CSRT is trained to respond to security threats and emergency situations at the facility. The request includes funding for purchase of items necessary for the team to respond safely and efficiently. The request includes OTO expenses of \$20,500 and ongoing expenses of \$55,000 for safety equipment, training on lethal and non-lethal security tactics, and supplies.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$330,000	\$330,000
FY 2023	\$0	\$0

#### **PL - 6413005 - Facility Maintenance Equipment Replacement -**

This request is to purchase replacement dump truck and road grader for the MSP facility. MSP purchased two used dump trucks, one in 1995 and the other in 2008. Both dump trucks had high mileage and have had numerous repairs over the years. MSP hauls all facility garbage to the Deer Lodge city dump (12 mile round trip) and neither dump truck is reliable for travel off DOC property. MSP also has two road graders. Both graders were purchased used, one in 1976 and the other in 2001. Both road graders have had extensive repairs and are no longer reliable to operate. The MSP road crew is responsible for all DOC property road maintenance for the facility.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$100,000
FY 2023	\$0	\$100,000

#### **PL - 6413008 - Increase Inmate Workers Maintenance Positions -**

This request will allow MSP to increase the number of inmate worker positions. Increased inmate population requires additional workers to work in facility positions, including food service, maintenance, infirmary and unit maintenance. In addition, there are more extensive cleaning requirements due to COVID-19 and the need to keep common areas clean and sanitized to ensure COVID and other viruses are not transmitted between inmates.

## Department of Corrections - 64010

### Secure Facilities Division - 03

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$400,000
FY 2023	\$0	\$400,000

**PL - 6413009 - Increased Spending Authority IWF -**

Requesting additional spending authority for the Inmate Welfare Fund. The additional authority will be used for additional inmate worker positions, additional recreational equipment, increase in release assistance due to a higher prison population and other items that benefit the inmate population.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$100,000
FY 2023	\$0	\$100,000

**PL - 6413011 - Increased Authority to Vocational Farm Program -**

This request provides increase spending authority for the newly established Vocational Farm Program at Pine Hills. The spending authority will be utilized for the farm to cover the additional cost of farm supplies.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$1,918,538	\$1,918,538
FY 2023	\$1,918,538	\$1,918,538

**PL - 6413012 - Program 03 - Overtime -**

This request includes funding for additional overtime costs experienced at secure facilities. Montana State Prison is requesting for \$1,392,637. Montana Woman's Prison is requesting for \$69,763. Pine Hills Facility is requesting for \$49,213

### -----New Proposals-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$269,625	\$269,625
FY 2023	\$258,603	\$258,603

**NP - 6413006 - 4.0 FTE - Contract Facility Disciplinary Officers -**

This proposal would allow the department to hire 4.00 FTE to provide consistent grievance and disciplinary processes at DOC contracted facilities. CCC in Shelby requires 2.00 FTE; 1.00 FTE in the Hearing's Officer position, and 1.00 FTE in the Grievance Coordinator position. Dawson County and Cascade County Correctional Facilities are smaller facilities and duties of grievance and hearing's officers can be combined, therefore, requiring only 1.00 FTE per facility. These positions will ensure that DOC is supervising these vital parts of the correctional system consistently.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$200,000	\$200,000
FY 2023	\$20,000	\$20,000

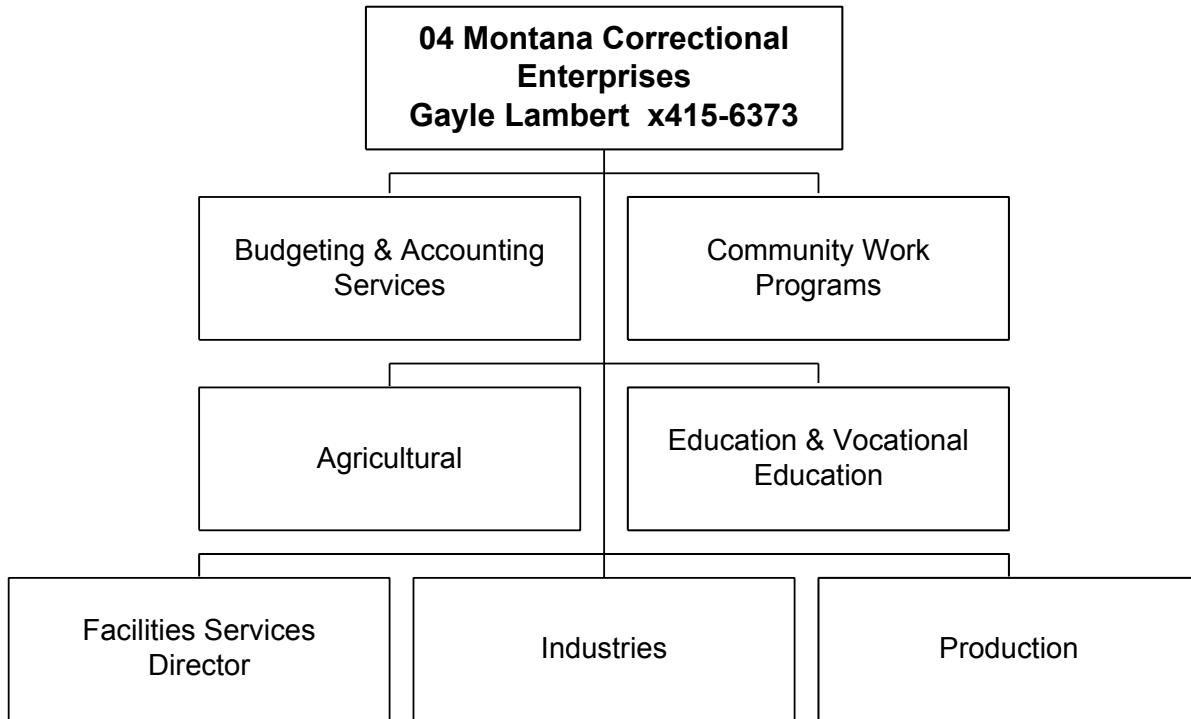
**NP - 6413010 - Warehouse Management System -**

Using the RFP process, the department will procure an updated and supported Warehouse Management System. The current Warehouse Database is a Microsoft Access database. It was developed by an inmate many years ago. There is no support for Microsoft Access any longer. This database tracks all Purchasing functions and inventory function for the MSP Warehouse.



**Department of Corrections - 64010**

**Montana Correctional Enterprises - 04**



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

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

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

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

The MCE License Plate program manufactures vehicle license plates at the Montana State Prison facility.

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

The MCE Education program provides vocational training, library services and education at the Montana State Prison facility.

## Department of Corrections - 64010

### Montana Correctional Enterprises - 04

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	27.50	0.00	27.50	0.00	27.50	
Personal Services	1,969,496	169,462	2,138,958	173,914	2,143,410	4,282,368
Operating Expenses	3,281,663	350,000	3,631,663	350,000	3,631,663	7,263,326
Equipment & Intangible Assets	0	0	0	0	0	0
Transfers	235,117	0	235,117	0	235,117	470,234
<b>Total Costs</b>	<b>\$5,486,276</b>	<b>\$519,462</b>	<b>\$6,005,738</b>	<b>\$523,914</b>	<b>\$6,010,190</b>	<b>\$12,015,928</b>
General Fund	2,110,434	169,462	2,279,896	173,914	2,284,348	4,564,244
State/Other Special	3,375,842	350,000	3,725,842	350,000	3,725,842	7,451,684
<b>Total Funds</b>	<b>\$5,486,276</b>	<b>\$519,462</b>	<b>\$6,005,738</b>	<b>\$523,914</b>	<b>\$6,010,190</b>	<b>\$12,015,928</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	159,062	159,062	163,514	163,514
<i>Total Statewide Present Law Adjustments</i>	<i>\$159,062</i>	<i>\$159,062</i>	<i>\$163,514</i>	<i>\$163,514</i>
<b>New Proposals</b>				
NP - 6414001 - Increased Spending Authority in Canteen	0	350,000	0	350,000
NP - 6414003 - Program 04 - Overtime	10,400	10,400	10,400	10,400
<i>Total New Proposals</i>	<i>\$10,400</i>	<i>\$360,400</i>	<i>\$10,400</i>	<i>\$360,400</i>
<b>Total Budget Adjustments</b>	<b>\$169,462</b>	<b>\$519,462</b>	<b>\$173,914</b>	<b>\$523,914</b>

#### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$159,062	\$159,062
FY 2023	\$163,514	\$163,514

#### SWPL - 1 - Personal Services -

The budget includes adjustments to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

#### -----New Proposals-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$0	\$350,000
FY 2023	\$0	\$350,000

#### NP - 6414001 - Increased Spending Authority in Canteen -

The request is for spending authority to cover the costs of commissary items purchased by inmates. Authority will only be used if there is adequate cash flow and if it is needed to purchase additional commissary items ordered by inmates in Montana owned and contracted correctional facilities.

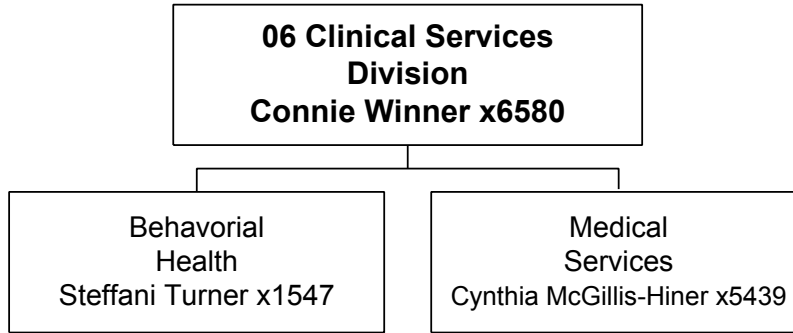
	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$10,400	\$10,400
FY 2023	\$10,400	\$10,400

#### NP - 6414003 - Program 04 - Overtime -

This change package request \$10,400 each year to cover overtime costs in the HB 2 portion of the division.

# Department of Corrections - 64010

## Clinical Services Division - 06



**Program Description** - The Clinical Services Division (CSD) provides medical, dental, and mental health staff at the Montana State Prison (MSP), Boulder Infirmary, Montana Women's Prison (MWP), and Pine Hills Correctional Facility. In addition, CSD oversees medical, dental, and mental health services at contracted facilities as specified in the facilities' contracts with DOC. CSD also works with a third-party administrator to oversee all claims submitted by outside medical providers. CSD oversees the health services pre-authorization process and provides education to contracted facilities with regard to medical issues. CSD tracks and ensures Medicaid reimbursement for DOC's Medicaid-eligible inmates.

Program Proposed Budget	Starting Point Fiscal 2021	Budget Adjustments Fiscal 2022	Total Exec. Budget Fiscal 2022	Budget Adjustments Fiscal 2023	Total Exec. Budget Fiscal 2023	Executive Budget Request 2023 Biennium
Budget Item						
FTE	134.00	6.00	140.00	6.00	140.00	
Personal Services	12,392,605	338,070	12,730,675	369,224	12,761,829	25,492,504
Operating Expenses	13,625,197	2,545,327	16,170,524	2,529,002	16,154,199	32,324,723
Equipment & Intangible Assets	0	0	0	0	0	0
Debt Service	20,877	0	20,877	0	20,877	41,754
<b>Total Costs</b>	<b>\$26,038,679</b>	<b>\$2,883,397</b>	<b>\$28,922,076</b>	<b>\$2,898,226</b>	<b>\$28,936,905</b>	<b>\$57,858,981</b>
General Fund	25,829,779	2,883,397	28,713,176	2,898,226	28,728,005	57,441,181
State/Other Special	208,900	0	208,900	0	208,900	417,800
<b>Total Funds</b>	<b>\$26,038,679</b>	<b>\$2,883,397</b>	<b>\$28,922,076</b>	<b>\$2,898,226</b>	<b>\$28,936,905</b>	<b>\$57,858,981</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	(184,390)	(184,390)	(153,563)	(153,563)
SWPL - 3 - Inflation Deflation	(1,274)	(1,274)	(799)	(799)
<i>Total Statewide Present Law Adjustments</i>	<i>(\$185,664)</i>	<i>(\$185,664)</i>	<i>(\$154,362)</i>	<i>(\$154,362)</i>
<b>Present Law Adjustments</b>				
PL - 4 - Service Now Reduction	(29,248)	(29,248)	(29,248)	(29,248)
PL - 6416003 - Program 06 - Overtime	63,563	63,563	63,563	63,563
<i>Total Present Law Adjustments</i>	<i>\$34,315</i>	<i>\$34,315</i>	<i>\$34,315</i>	<i>\$34,315</i>
<b>New Proposals</b>				
NP - 6416001 - HepC Treatment Requirements	2,559,048	2,559,048	2,559,048	2,559,048
NP - 6416002 - Additional Medical & Mental Health Services	475,698	475,698	459,225	459,225
<i>Total New Proposals</i>	<i>\$3,034,746</i>	<i>\$3,034,746</i>	<i>\$3,018,273</i>	<i>\$3,018,273</i>
<b>Total Budget Adjustments</b>	<b>\$2,883,397</b>	<b>\$2,883,397</b>	<b>\$2,898,226</b>	<b>\$2,898,226</b>

## Department of Corrections - 64010

### Clinical Services Division - 06

#### -----Statewide Present Law Adjustments-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$184,390)	(\$184,390)
FY 2023	(\$153,563)	(\$153,563)

**SWPL - 1 - Personal Services -**

The budget includes a reduction of \$184,390 in FY 2022 and \$153,563 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$1,274)	(\$1,274)
FY 2023	(\$799)	(\$799)

**SWPL - 3 - Inflation Deflation -**

This change package includes decreases of \$1,274 in FY 2022 and \$799 in FY 2023 to reflect budgetary changes generated from the application of deflation to specific expenditures accounts. Affected accounts include those associated with the statewide Motor Pool operating by Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$29,248)	(\$29,248)
FY 2023	(\$29,248)	(\$29,248)

**PL - 4 - Service Now Reduction -**

OBPP has approved the purchase of ServiceNow licenses and programs for the 2023 biennium. Due to the projected operating efficiencies and other savings achieved using ServiceNow, the operating budget has been decreased by \$29,248 for FY 2022 and \$29,248 for FY 2023.

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$63,563	\$63,563
FY 2023	\$63,563	\$63,563

**PL - 6416003 - Program 06 - Overtime -**

Clinical Services Division is funded \$158,100 for overtime in the base and requires an additional \$63,563 per fiscal year to meet overtime costs..

#### -----New Proposals-----

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$2,559,048	\$2,559,048
FY 2023	\$2,559,048	\$2,559,048

**NP - 6416001 - HepC Treatment Requirements -**

The Department of Corrections is required to provide HCV treatment to all HCV+ offenders located in secure facilities. The change package includes funding to cover the costs of this required treatment protocol.

## Department of Corrections - 64010

### Clinical Services Division - 06

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$475,698	\$475,698
FY 2023	\$459,225	\$459,225

#### **NP - 6416002 - Additional Medical & Mental Health Services -**

Clinical Service Division (CSD) is requesting 6.00 FTE to assist with medical, mental health and addiction counseling at Montana State Prison (MSP).

The Clinical Services Division requests additional medical and mental health services staff in the following areas:

- 2.00 FTE for nursing positions - CSD is currently double filling nursing positions at MSP to maintain provisions of standard of care with increased in population, an aging population, and those with chronic care issues.
- 1.00 FTE for medical records - CSD is paying overtime to manage the volume of medical records filing, responding to medical records requests, and responding to request for production.
- 1.00 FTE for a Licensed Addiction Counselor - Department of Corrections (DOC) is implementing Medically Assisted Treatment at all DOC facilities and needs assistance with implementation and evaluations.
- 1.00 FTE for a Mental Health Therapist - To run additional groups, ensure compliance with the restrictive housing bill, and increase one-on-ones at the facility.
- 1.00FTE Administrative Assistant - To help with medical records and provide administrative support to medical and mental health staff at Pine Hills.

# Department of Corrections - 64010

## Board of Pardons and Parole - 07

**07 Board of  
Pardons & Parole  
Annette Carter x846-1404**

**Program Description** - The Board of Pardons and Parole, as an essential part of the criminal justice process, serves all Montana citizens by administering a parole system that is balanced with public safety, offender accountability and rehabilitation, as well as protecting the interests of victims and communities, with the goal of successfully reintegrating merited offenders back into society through a reentry process.

Program Proposed Budget	Starting Point	Budget	Total	Budget	Total	Executive
Budget Item	Fiscal 2021	Adjustments Fiscal 2022	Exec. Budget Fiscal 2022	Adjustments Fiscal 2023	Exec. Budget Fiscal 2023	Budget Request 2023 Biennium
FTE	9.00	1.00	10.00	1.00	10.00	
Personal Services	903,868	47,763	951,631	53,427	957,295	1,908,926
Operating Expenses	184,153	44	184,197	(2,595)	181,558	365,755
<b>Total Costs</b>	<b>\$1,088,021</b>	<b>\$47,807</b>	<b>\$1,135,828</b>	<b>\$50,832</b>	<b>\$1,138,853</b>	<b>\$2,274,681</b>
General Fund	1,088,021	47,807	1,135,828	50,832	1,138,853	2,274,681
<b>Total Funds</b>	<b>\$1,088,021</b>	<b>\$47,807</b>	<b>\$1,135,828</b>	<b>\$50,832</b>	<b>\$1,138,853</b>	<b>\$2,274,681</b>

Program Proposed Budget Adjustments	Budget Adjustments Fiscal 2022		Budget Adjustments Fiscal 2023	
	General Fund	Total Funds	General Fund	Total Funds
<b>Statewide Present Law Adjustments</b>				
SWPL - 1 - Personal Services	(63,957)	(63,957)	(58,376)	(58,376)
SWPL - 3 - Inflation Deflation	(424)	(424)	(266)	(266)
<i>Total Statewide Present Law Adjustments</i>	<i>(\$64,381)</i>	<i>(\$64,381)</i>	<i>(\$58,642)</i>	<i>(\$58,642)</i>
<b>Present Law Adjustments</b>				
PL - 4 - Service Now Reduction	(2,331)	(2,331)	(2,331)	(2,331)
<i>Total Present Law Adjustments</i>	<i>(\$2,331)</i>	<i>(\$2,331)</i>	<i>(\$2,331)</i>	<i>(\$2,331)</i>
<b>New Proposals</b>				
NP - 6417001 - 1.0 FTE - Program Manager	114,519	114,519	111,805	111,805
<i>Total New Proposals</i>	<i>\$114,519</i>	<i>\$114,519</i>	<i>\$111,805</i>	<i>\$111,805</i>
<b>Total Budget Adjustments</b>	<b>\$47,807</b>	<b>\$47,807</b>	<b>\$50,832</b>	<b>\$50,832</b>

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$63,957)	(\$63,957)
FY 2023	(\$58,376)	(\$58,376)

**SWPL - 1 - Personal Services -**

The budget includes a reduction of \$63,957 in FY 2022 and \$58,376 in FY 2023 to annualize various personal services costs including FY 2021 statewide pay plan, benefit rate adjustments, longevity adjustments related to incumbents in each position at the time of the snapshot, and vacancy savings.

## Department of Corrections - 64010

### Board of Pardons and Parole - 07

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$424)	(\$424)
FY 2023	(\$266)	(\$266)

**SWPL - 3 - Inflation Deflation -**

This change package includes decreases of \$424 in FY 2022 and \$266 in FY 2023 to reflect budgetary changes generated from the application of deflation to specific expenditures accounts. Affected accounts include those associated with the statewide Motor Pool operating by Department of Transportation.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	(\$2,331)	(\$2,331)
FY 2023	(\$2,331)	(\$2,331)

**PL - 4 - Service Now Reduction -**

OBPP has approved the purchase of ServiceNow licenses and programs for the 2023 biennium. Due to the projected operating efficiencies and other savings achieved using ServiceNow, the operating budget has been decreased by \$2,330 for FY 2022 and \$2,330 for FY 2023.

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

	<u>General Fund Total</u>	<u>Total Funds</u>
FY 2022	\$114,519	\$114,519
FY 2023	\$111,805	\$111,805

**NP - 6417001 - 1.0 FTE - Program Manager -**

This change package requests 1.00 FTE Program Manager to handle day to day operations of the board and office and supervise staff for Board of Pardons and Parole.