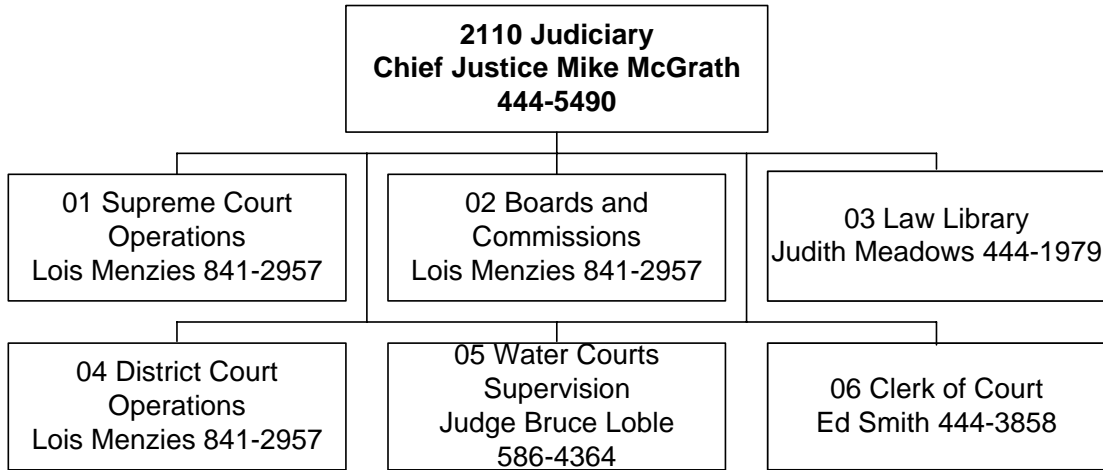


JUDICIAL BRANCH-2110

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



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							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	410.08	6.50	3.00	419.58	9.16	3.00	422.24
Personal Services	27,508,677	3,157,180	168,228	30,834,085	3,430,099	167,819	31,106,595
Operating Expenses	8,319,831	(86,260)	112,789	8,346,360	(96,983)	112,789	8,335,637
Equipment & Intangible Assets	142,165	0	0	142,165	0	0	142,165
Debt Service	11,651	0	0	11,651	0	0	11,651
Total Costs	\$35,982,324	\$3,070,920	\$281,017	\$39,334,261	\$3,333,116	\$280,608	\$39,596,048
General Fund	33,937,675	2,733,502	281,017	36,952,194	2,802,493	280,608	37,020,776
State/Other Special	1,922,472	336,663	0	2,259,135	529,811	0	2,452,283
Federal Special	122,177	755	0	122,932	812	0	122,989
Total Funds	\$35,982,324	\$3,070,920	\$281,017	\$39,334,261	\$3,333,116	\$280,608	\$39,596,048

JUDICIAL BRANCH-2110

Table D-1

Judicial Branch Budget Request Compared to Executive Recommended Budget

Branch Wide	BIENNIAL AMOUNTS FY 2012 & FY 2013		
	Branch	OBPP	OBPP Over/(Under)
	Submission	Recommended	Submission
FTE	423.24	422.24	(1.00)
Personal Services	62,026,654	61,940,680	(85,974)
Operating Costs	17,105,717	17,061,591	(44,126)
Equipment	284,330	284,330	-
Grants	-	-	-
Debt Service	<u>23,302</u>	<u>23,302</u>	<u>-</u>
TOTAL	<u>\$ 79,440,003</u>	<u>\$ 79,309,903</u>	<u>\$ (130,100)</u>
Funding			
General Fund	74,103,070	73,972,970	(130,100)
State/Other Special	4,711,418	4,711,418	-
Federal	245,921	245,921	-
Proprietary	<u>379,594</u>	<u>379,594</u>	<u>-</u>
TOTAL	<u>\$ 79,440,003</u>	<u>\$ 79,309,903</u>	<u>\$ (130,100)</u>

ITEMS NOT RECOMMENDED

AMOUNTS NOT RECOMMENDED TO BE FUNDED

	FTE	FY 2012	FY 2013	TOTAL REDUCTION
Family Evaluator Pilot Program	1.00	50,837	47,637	98,474
	-	-	-	-

Per 17-7-122 (3), MCA, the Executive is including this table to show the Legislative Branch's budget proposals not included in the Executive's recommended budget.

The difference between the unincluded item and funding difference is the continuation of the 2% reduction and adjustments to fixed costs.

JUDICIAL BRANCH-2110 SUPREME COURT OPERATIONS-01

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

Program Description - The Supreme Court has appellate jurisdiction for the State of Montana. The court has original jurisdiction to issue, hear, and determine writs of habeas corpus and other writs provided by law. It also has general supervisory control over all other courts in the state. The Supreme Court is charged with establishing rules governing appellate procedure, the practice and procedure for all other courts, and admission to the bar and conduct of its members. Within the Supreme Court Operations program, the Office of Court Administrator provides centralized services to the Judicial Branch including information technology, budget and finance, payroll and human resource management, policy and technical support for the Youth Courts, judicial education, and services provided through the federal Court Assessment Program related to child abuse and neglect cases.

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2010	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2012	Fiscal 2012	Fiscal 2012	Fiscal 2013	Fiscal 2013	Fiscal 2013
FTE	65.75	0.00	3.00	68.75	0.00	3.00	68.75
Personal Services	4,630,756	497,274	168,228	5,296,258	494,922	167,819	5,293,497
Operating Expenses	4,602,133	(264,514)	127,699	4,465,318	(267,271)	127,699	4,462,561
Total Costs	\$9,232,889	\$232,760	\$295,927	\$9,761,576	\$227,651	\$295,518	\$9,756,058
General Fund	8,959,376	185,105	295,927	9,440,408	179,939	295,518	9,434,833
State/Other Special	151,336	46,900	0	198,236	46,900	0	198,236
Federal Special	122,177	755	0	122,932	812	0	122,989
Total Funds	\$9,232,889	\$232,760	\$295,927	\$9,761,576	\$227,651	\$295,518	\$9,756,058

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$4,862	\$4,862
FY 2013	\$7,351	\$7,351

PL- 1002 - Rent North Park Building -

This request is for an additional general fund appropriation of \$4,862 in FY 2012 and \$7,351 in FY 2013 to cover the increase in lease payments for space rented at the North Park Building in Helena. The increase is required per the lease agreement.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$46,900	\$0
FY 2013	\$46,900	\$0

PL- 1003 - Drug Court Fees -

The Judicial Branch is requesting \$46,900 in each FY 2012 and FY 2013 in state special revenue authority for fees collected from drug court participants. The total amount of fees collected in FY 2010 was \$3,100. The total amount requested plus the base will bring state special authority to \$100,000 for the 2013 biennium. Drug courts have indicated that fee collections will significantly increase in the 2013 biennium. Fees collected will be used for drug court operating costs.

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$295,927	\$295,927
FY 2013	\$295,518	\$295,518

NP- 1001 - Court Help Program - OTO -

This proposal requests \$591,445 in general fund for the biennium to continue the Court Help Program, which provides assistance to litigants representing themselves in civil cases. The funding continues a program created by the 2007 Legislature and funded again by the 2009 Legislature. The program consists of full-time staffed court help law centers in Kalispell and Billings, a program coordinator, and a legal resources developer charged with increasing the number of attorneys willing to provide free legal services. Part-time law centers also are funded in Missoula and Bozeman. The law centers provide information and resources to assist people in navigating the civil court system. The program does not provide legal advice or legal representation.

JUDICIAL BRANCH-2110 BOARDS & COMMISSIONS-02

02 Boards & Commissions
Lois Menzies 841-2957

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

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2010	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2012	Fiscal 2012	Fiscal 2012	Fiscal 2013	Fiscal 2013	Fiscal 2013
FTE	3.00	0.00	0.00	3.00	0.00	0.00	3.00
Personal Services	173,145	22,350	0	195,495	22,748	0	195,893
Operating Expenses	188,096	13,335	(5,472)	195,959	100	(5,472)	182,724
Total Costs	\$361,241	\$35,685	(\$5,472)	\$391,454	\$22,848	(\$5,472)	\$378,617
General Fund	281,138	35,849	(5,472)	311,515	22,779	(5,472)	298,445
State/Other Special	80,103	(164)	0	79,939	69	0	80,172
Total Funds	\$361,241	\$35,685	(\$5,472)	\$391,454	\$22,848	(\$5,472)	\$378,617

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$13,286	\$13,286
FY 2013	\$0	\$0

PL- 2001 - Judicial Standards Rest/Bien -

This proposal requests \$13,286 in general fund appropriation for the constitutionally mandated Judicial Standards Commission. The Judicial Branch received a \$25,000 restricted, biennial, general fund appropriation to be used to pay for the investigations of complaints against judges for each of the 2007, 2009 and 2011 biennia. Base funding for the commission is \$5,857. This request will restore the appropriation to \$25,000 for the 2013 biennium. If approved, this funding will only be used for the costs of the Judicial Standards Commission in performing its duties to investigate complaints against judges. If the costs are not incurred, the funds will revert to the general fund.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$5,472)	(\$5,472)
FY 2013	(\$5,472)	(\$5,472)

NP- 2002 - Continuation of 2% reduction - 2009 Session -

This decision package continues the 2% reduction from the 2009 session that was taken out of personal services. This reduction is in accordance with 17-7-102(10)(b), MCA.

JUDICIAL BRANCH-2110 LAW LIBRARY-03

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

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

Program Description - The State Law Library of Montana (MCA 22-1-501 et seq) provides access to legal information consistent with the present and anticipated needs, responsibilities, and concerns of Montana's courts, legislature, state officers and employees, members of the bar of the Supreme Court of Montana, and members of the general public. The library selects, acquires, and maintains resources consistent with this mission. More electronic licenses are acquired each year, which frequently replace the hard copies. This allows the library to get the information more quickly to the customer and to conserve its available shelf space for books and other printed material. The library's space, equipment, and technology are maintained in a manner that will ensure operational efficiency, improve collection preservation, and respond to requirements for accessibility of users and staff.

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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	6.75	0.00	0.00	6.75	0.00	0.00	6.75
Personal Services	395,695	9,670	0	405,365	9,592	0	405,287
Operating Expenses	372,701	25	0	372,726	32	0	372,733
Equipment & Intangible Assets	108,479	0	0	108,479	0	0	108,479
Debt Service	7,901	0	0	7,901	0	0	7,901
Total Costs	\$884,776	\$9,695	\$0	\$894,471	\$9,624	\$0	\$894,400
General Fund	884,776	9,695	0	894,471	9,624	0	894,400
Total Funds	\$884,776	\$9,695	\$0	\$894,471	\$9,624	\$0	\$894,400

JUDICIAL BRANCH-2110 DISTRICT COURT OPERATIONS-04

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

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

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2010	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2012	Fiscal 2012	Fiscal 2012	Fiscal 2013	Fiscal 2013	Fiscal 2013
FTE	311.08	5.00	0.00	316.08	5.00	0.00	316.08
Personal Services	20,614,284	2,387,627	0	23,001,911	2,475,016	0	23,089,300
Operating Expenses	2,880,010	145,453	0	3,025,463	146,488	0	3,026,498
Equipment & Intangible Assets	25,399	0	0	25,399	0	0	25,399
Debt Service	3,750	0	0	3,750	0	0	3,750
Total Costs	\$23,523,443	\$2,533,080	\$0	\$26,056,523	\$2,621,504	\$0	\$26,144,947
General Fund	23,363,992	2,458,975	0	25,822,967	2,547,212	0	25,911,204
State/Other Special	159,451	74,105	0	233,556	74,292	0	233,743
Total Funds	\$23,523,443	\$2,533,080	\$0	\$26,056,523	\$2,621,504	\$0	\$26,144,947

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$497,081	\$497,081
FY 2013	\$494,730	\$494,730

PL- 4001 - New Judges and Staff Base Adjustment -

This proposal provides \$991,811 in general fund and 5.00 FTE for new judges and support staff approved by the 2009 Legislature through passage of SB 158. This bill added a District Court Judge in each the 1st, 11th and 13th Judicial Districts to address judicial caseload growth. These Judges will be elected in November 2010 and take office in January 2011. The Judicial Branch received 5.00 FTE (10.0 FTE for 6 months of the year) and associated personal services and operating costs in FY 2011. This request is necessary because the Judicial Branch base budget (FY 2010) does not include any costs related to the additional Judges and staff.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$73,926	\$0
FY 2013	\$73,926	\$0

PL- 4004 - State Special for Accrued Leave Payouts -

This proposal requests \$147,852 state special revenue fund spending authority for the biennium to fund projected retirement payouts for employees who became state employees at the time of district court assumption. When a Judicial Branch employee (who was a county employee at the time of district court assumption) retires, the Judicial Branch pays his or her accrued sick and annual leave from this state special revenue fund. The amount requested brings the spending authority for FY 2012 and FY 2013 to the FY 2010 budgeted amount.

JUDICIAL BRANCH-2110 WATER COURTS SUPERVISION-05

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

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

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2010	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2012	Fiscal 2012	Fiscal 2012	Fiscal 2013	Fiscal 2013	Fiscal 2013
FTE	18.00	1.50	0.00	19.50	4.16	0.00	22.16
Personal Services	1,300,692	196,771	0	1,497,463	385,274	0	1,685,966
Operating Expenses	222,603	19,051	0	241,654	23,276	0	245,879
Equipment & Intangible Assets	8,287	0	0	8,287	0	0	8,287
Total Costs	\$1,531,582	\$215,822	\$0	\$1,747,404	\$408,550	\$0	\$1,940,132
State/Other Special	1,531,582	215,822	0	1,747,404	408,550	0	1,940,132
Total Funds	\$1,531,582	\$215,822	\$0	\$1,747,404	\$408,550	\$0	\$1,940,132

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$5,782	\$0
FY 2013	\$8,802	\$0

PL- 5001 - Water Court Rent Increase -

The Water Court requests an increase of \$5,782 in FY 2012 and \$8,802 in FY 2013 of state special revenue authority to cover a 3% annual increase in rent payments. The 3% increase is required every May per the lease agreement.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$116,965	\$0
FY 2013	\$306,980	\$0

PL- 5002 - Water Court Additional FTE -

The Water Court is requesting \$116,965 state special spending authority in FY 2012 and \$306,980 state special spending authority in FY 2013 to help facilitate the state's accelerated water rights adjudication effort as direct by HB 22 passed by the 2005 Legislature. This request includes 1.50 FTE in FY 2012 and 4.16 FTE in FY 2013 and the corresponding operating costs. There is a reduction of 2.00 FTE each fiscal year in the DNRC that corresponds to this request.

JUDICIAL BRANCH-2110 CLERK OF COURT-06

06 Clerk of Court Ed Smith 444-3858
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Program Description - The Office of Clerk of the Supreme Court Program, pursuant to Title 3, Chapter 2, part 4, conducts the business of the court, and serves as the liaison between the public, attorneys and the Supreme Court. By statutory authority, the clerk controls the docket and filings, manages the appellate process, and is the custodian of all legal records for the public and the court. Additionally, the clerk administers appellate mediation, maintains the official roll of Montana attorneys, and is responsible for licensing Montana's attorneys.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	5.50	0.00	0.00	5.50	0.00	0.00	5.50
Personal Services	394,105	43,488	0	437,593	42,547	0	436,652
Operating Expenses	54,288	390	(9,438)	45,240	392	(9,438)	45,242
Total Costs	\$448,393	\$43,878	(\$9,438)	\$482,833	\$42,939	(\$9,438)	\$481,894
General Fund	448,393	43,878	(9,438)	482,833	42,939	(9,438)	481,894
Total Funds	\$448,393	\$43,878	(\$9,438)	\$482,833	\$42,939	(\$9,438)	\$481,894

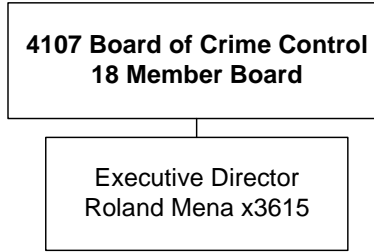
-----New Proposals-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$9,438)	(\$9,438)
FY 2013	(\$9,438)	(\$9,438)

NP- 601 - Continuation of 2% reduction - 2009 Session -

This decision package continues the 2% reduction from the 2009 session that was taken out of personal services. This reduction is in accordance with 17-7-102(10)(b), MCA.

CRIME CONTROL DIVISION - 4107 JUSTICE SYSTEM SUPPORT SERVICES - 01



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

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

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

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

Program Proposed Budget	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	19.50	0.50	0.00	20.00	0.50	0.00	20.00
Personal Services	1,209,250	92,208	0	1,301,458	92,685	0	1,301,935
Operating Expenses	711,072	120,804	0	831,876	96,184	0	807,256
Equipment & Intangible Assets	13,042	0	0	13,042	0	0	13,042
Grants	3,548,184	2,400,808	0	5,948,992	2,356,485	0	5,904,669
Transfers	531,723	672,916	0	1,204,639	672,916	0	1,204,639
Total Costs	\$6,013,271	\$3,286,736	\$0	\$9,300,007	\$3,218,270	\$0	\$9,231,541
General Fund	2,351,300	105,450	0	2,456,750	33,334	0	2,384,634
State/Other Special	37,595	115,141	0	152,736	115,141	0	152,736
Federal Special	3,624,376	3,066,145	0	6,690,521	3,069,795	0	6,694,171
Total Funds	\$6,013,271	\$3,286,736	\$0	\$9,300,007	\$3,218,270	\$0	\$9,231,541

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$20,251	\$0
FY 2013	\$20,219	\$0

PL- 101 - Administrative Support 0.50 FTE -

This request is for a 0.50 FTE and associated federal funding for an administrative support position that has been a modified 0.50 FTE for the past two biennia. This is an administrative assistant support staff and the workload keeps this position extremely busy. During the 2009 legislative session 1.50 FTE were transferred with the Peace Officer Standards and Training Program to the Department of Justice. This occurred at the same time that additional grants and program services were added to MBCC to administer. The position is currently staffed with a 0.50 permanent FTE and a 0.50 modified FTE and the Board of Crime Control would like to combine it in to 1.00 FTE. The division receives federal administrative funds that are used to support this request.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$36,975	\$15,600
FY 2013	\$36,975	\$15,600

PL- 102 – Database Software Maintenance Contracts -

The executive request of \$36,975 per year is to fund a database maintenance contract. MBCC is required to collect and submit statistics to its federal grantors in order to receive grant funds. Additionally the data is used by Montana policy and decision makers extensively. There are several custom databases that have been purchased from vendors that are utilized to fulfill this requirement. In order to maintain the database software packages and keep them functioning properly and from going obsolete it is customary to enter into a maintenance agreement with the vendor. For an annual fee, the vendor agrees to fix programming problems that are incurred during the normal system operations, make agreed changes, and keep the system updated with current technology. These maintenance agreements are beneficial and the most cost effective means for maintaining database information systems.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$2,903,824	\$0
FY 2013	\$2,903,824	\$0

PL- 103 - Adjust Pass Through Grant Authority / Admin -

This executive request is to adjust the spending authority for pass through grants in the base to more accurately reflect the amounts estimated that will be received and awarded. There are grants that have discontinued and grants that have increased. The stimulus funds and other one-time-only authority impacted the base year expenditures. There were also some accounting changes during the base year as a result of GASB 34. MBCC now records the expense of its sub awards at the time of disbursement rather than the time of award. Sub awards to state agencies are now recorded as grant transfers rather than grants. This is a biennial request of \$5,807,648 of state and federal special spending authority.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$160,000	\$0
FY 2013	\$160,000	\$0

PL- 104 - Sexual Assault Services Formula Grant -

The Montana Board of Crime Control (MBCC) administers the Sexual Assault Services Grant Program (SASP). The grant is funded through the Office on Violence against Women (OVW) under the Violence against Women Act (VAWA) and first became available to Montana in September of 2009. The purpose of the program is to promote sexual assault services through advocacy, referral, outreach, crisis lines, and accompaniment. MBCC awards sub-grants to nonprofit victim service programs to assist them with providing these services. The first grant MBCC received was for \$220,446 and the agency anticipates an annual grant of around \$160,000. MBCC is eligible to use five percent of the grant to help cover the administrative costs of the program.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$80,000	\$0
FY 2013	\$80,000	\$0

PL- 105 - Project Safe Neighborhood Grant -

Project Safe Neighborhoods (PSN) is a federal initiative through the US Department of Justice, Bureau of Justice Assistance. The grant is made available to the US Attorney and the US Attorney has requested The Board of Crime Control to be the fiscal agent and administer the grant. The grant allows up to 10% for administrative costs. Approximately \$80,000 is available to Montana each year to pursue the PSN Initiative.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$93,315)	(\$75,860)
FY 2013	(\$93,315)	(\$75,860)

PL- 106 - Office Relocation -

This executive request is for a reduction of \$93,315 per year for non state building rent costs that will no longer be needed due to the move from the North Gate Plaza to the old State Fund building. General Services procured the space and negotiated the lease agreement. The reduction is \$75,860 per year general fund with the balance being a mix of state special and federal special authority. The funding for the new building rent is included in the agency fixed costs.

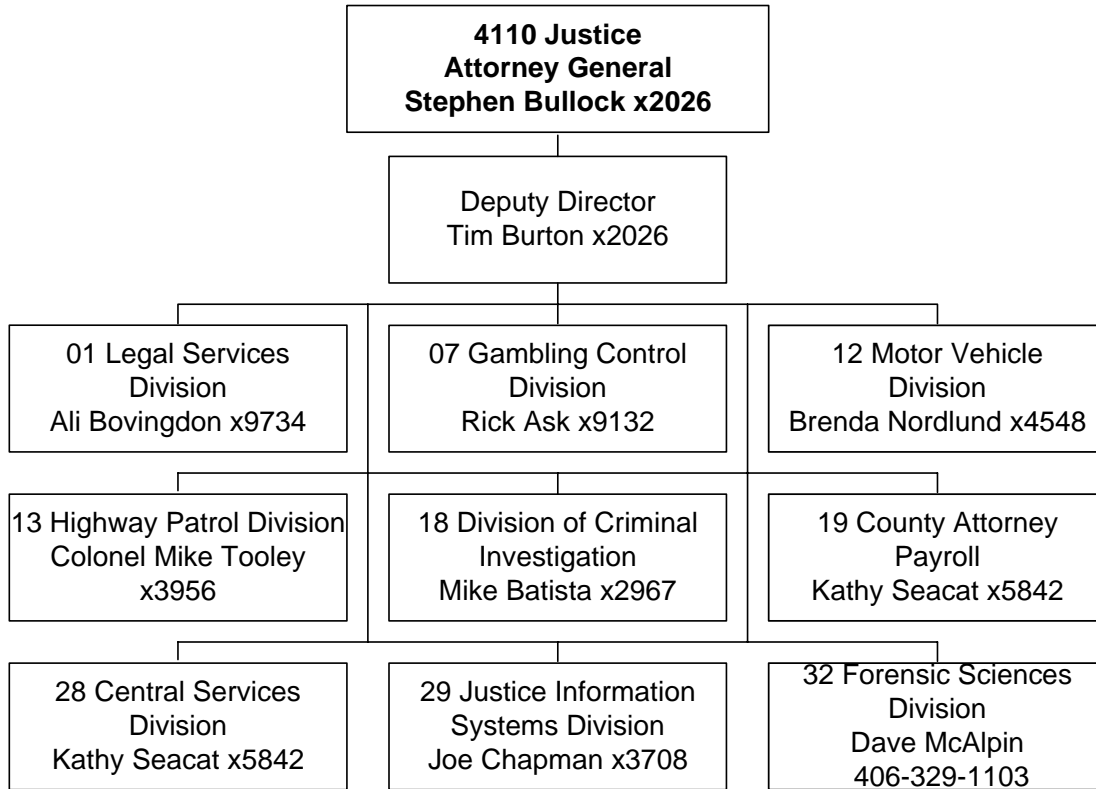
	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$0	\$0
FY 2013	(\$70,020)	(\$70,020)

PL- 55140 - Other Reductions made for MCA 17-7-140 -

This budget request makes permanent the 17-7-140, MCA, reductions for the 2013 biennium. The reductions are: Juvenile Detention Centers (\$44,323) - Juvenile Detention grant funding is mandated by law and the appropriation level is approved by the legislature; operating and travel (\$25,697) - the reductions in the general fund administration will come from reduced travel and operating expenditures.

DEPARTMENT OF JUSTICE-4110

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

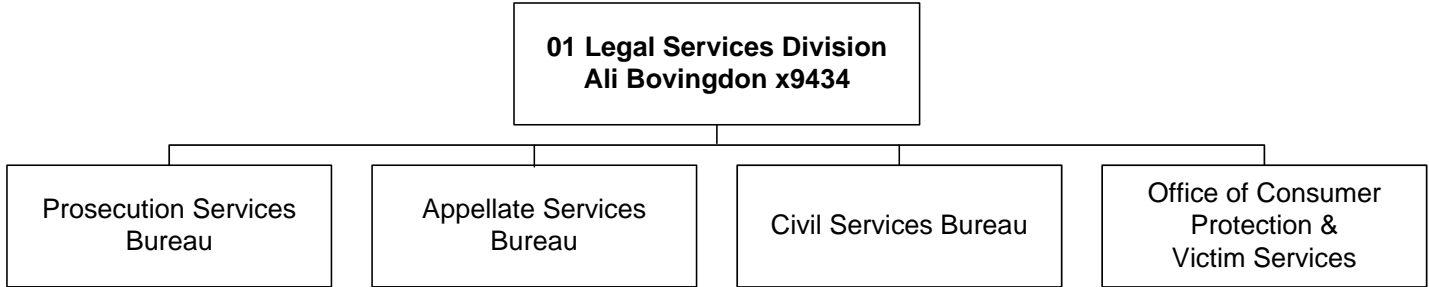


Mission Statement - The mission of the Department of Justice is to pursue activities and programs that seek to ensure and promote the public interest, safety, and well-being through leadership, advocacy, education, regulation, and enforcement.

Statutory Authority - Statutory authority is provided in 2-15-501, 2-15-2001 through 2021, and Titles 44 & 61, MCA.

Agency Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	752.05	11.75	(10.91)	752.89	11.75	(10.95)	752.85
Personal Services	45,224,471	5,129,891	(710,581)	49,643,781	5,172,256	(713,099)	49,683,628
Operating Expenses	20,867,277	7,771,647	0	28,638,924	7,122,365	0	27,989,642
Equipment & Intangible Assets	1,995,547	270,000	0	2,265,547	270,000	0	2,265,547
Benefits & Claims	1,011,704	250,000	0	1,261,704	250,000	0	1,261,704
Debt Service	674,549	1,850,000	0	2,524,549	1,850,000	0	2,524,549
Total Costs	\$69,773,548	\$15,271,538	(\$710,581)	\$84,334,505	\$14,664,621	(\$713,099)	\$83,725,070
General Fund	24,957,152	3,145,369	(710,581)	27,391,940	3,147,060	(713,099)	27,391,113
State/Other Special	41,651,649	9,335,079	0	50,986,728	9,078,088	0	50,729,737
Federal Special	1,405,530	86,538	0	1,492,068	87,965	0	1,493,495
Capital Projects	0	2,250,000	0	2,250,000	2,250,000	0	2,250,000
Proprietary	1,759,217	454,552	0	2,213,769	101,508	0	1,860,725
Total Funds	\$69,773,548	\$15,271,538	(\$710,581)	\$84,334,505	\$14,664,621	(\$713,099)	\$83,725,070

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



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

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

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

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

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

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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	53.50	0.00	(1.50)	52.00	0.00	(1.50)	52.00
Personal Services	3,789,288	445,001	(148,762)	4,085,527	442,331	(148,612)	4,083,007
Operating Expenses	1,209,458	337,973	0	1,547,431	335,060	0	1,544,518
Benefits & Claims	934,654	0	0	934,654	0	0	934,654
Total Costs	\$5,933,400	\$782,974	(\$148,762)	\$6,567,612	\$777,391	(\$148,612)	\$6,562,179
General Fund	5,160,413	722,788	(148,762)	5,734,439	717,750	(148,612)	5,729,551
State/Other Special	190,815	19,038	0	209,853	18,772	0	209,587
Federal Special	582,172	41,148	0	623,320	40,869	0	623,041
Total Funds	\$5,933,400	\$782,974	(\$148,762)	\$6,567,612	\$777,391	(\$148,612)	\$6,562,179

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$300,000	\$300,000
FY 2013	\$300,000	\$300,000

PL- 55012 - Major Litigation (Biennial) -

The Department of Justice requests a \$600,000 biennial appropriation from the general fund for expenditures related to major litigation in the 2013 biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$148,762)	(\$148,762)
FY 2013	(\$148,612)	(\$148,612)

NP- 55400 - 4% Personal Services Reduction LSD -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Legal Services Division by \$297,374 general fund in the 2013 biennium to implement the budget reduction. The reduction includes the elimination of approximately 1.50 FTE.

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

**02 Office of
Consumer Protection
Jim Molloy x2026**

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

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

Program Proposed Budget	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	9.00	0.00	0.00	9.00	0.00	0.00	9.00
Personal Services	553,540	(2,114)	0	551,426	(2,687)	0	550,853
Operating Expenses	215,490	17,260	0	232,750	16,416	0	231,906
Benefits & Claims	77,050	250,000	0	327,050	250,000	0	327,050
Total Costs	\$846,080	\$265,146	\$0	\$1,111,226	\$263,729	\$0	\$1,109,809
State/Other Special	846,080	265,146	0	1,111,226	263,729	0	1,109,809
Total Funds	\$846,080	\$265,146	\$0	\$1,111,226	\$263,729	\$0	\$1,109,809

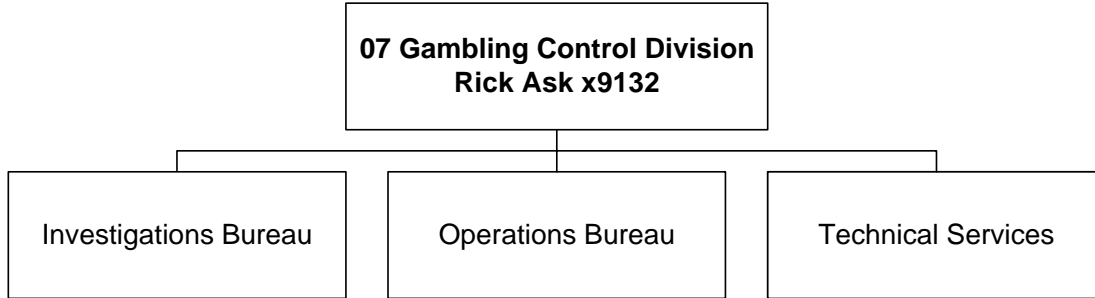
-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$250,000	\$0
FY 2013	\$250,000	\$0

PL- 201 - Consumer Protection Settlement Funds -

The Office of Consumer Protection is requesting \$500,000 in state special authority for the 2013 biennium for consumer settlement funds. Settlement funds are benefits distributed to consumers for negotiated agreements with offending companies. Benefits paid in FY 2010 were \$77,050. This request will provide budget authority at the level anticipated by the agency for the 2013 biennium.

**DEPARTMENT OF JUSTICE-4110
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 and investigations related to gambling activities. In addition to collecting and distributing licensing fees for gambling machines and activities, the division collects the gambling tax assessed on the net proceeds of gambling activities. It conducts investigations related to alcoholic beverage licensing and tobacco enforcement. An appointed Gaming Advisory Council of nine members advises the Attorney General to ensure uniform statewide regulation of gambling activities. The Gambling Control Program is mandated by state law.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	51.50	0.00	0.00	51.50	0.00	0.00	51.50
Personal Services	3,023,961	253,913	0	3,277,874	256,377	0	3,280,338
Operating Expenses	754,355	116,366	0	870,721	69,078	0	823,433
Equipment & Intangible Assets	79,900	0	0	79,900	0	0	79,900
Debt Service	960	0	0	960	0	0	960
Total Costs	\$3,859,176	\$370,279	\$0	\$4,229,455	\$325,455	\$0	\$4,184,631
State/Other Special	2,795,632	281,477	0	3,077,109	235,148	0	3,030,780
Proprietary	1,063,544	88,802	0	1,152,346	90,307	0	1,153,851
Total Funds	\$3,859,176	\$370,279	\$0	\$4,229,455	\$325,455	\$0	\$4,184,631

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$50,000	\$0
FY 2013	\$0	\$0

PL- 701 - IT Web-Entry System Enhancements (OTO, Bien) -

The budget includes \$50,000 in state special revenue funding as a one-time-only 2013 biennial appropriation to enhance the web entry system. The system is being used for online reporting of 99% of video gambling machines. Because the new system was only rolled out in 2006, there are still issues that need to be addressed as users become more familiar with the system. The division will work with its customers to identify ways to improve the functionality and convenience of the system. The improvements may require changes to the database (GenTax) or web interface (MII).

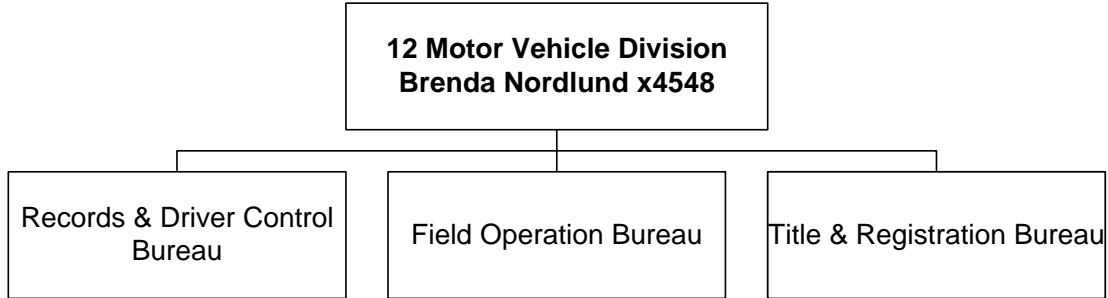
**DEPARTMENT OF JUSTICE-4110
GAMBLING CONTROL DIVISION-07**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$22,095	\$0
FY 2013	\$25,286	\$0

PL- 702 - GCD Base Adjustments -

The Gambling Control Division (GCD) requests \$47,381 for the 2013 biennium in present law base adjustments for non-DOA rent and overtime. Funding for the request is \$33,167 in state special revenue and \$14,214 in liquor proprietary funding to cover these additional expenses.

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



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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	155.00	0.75	(3.86)	151.89	0.75	(3.90)	151.85
Personal Services	6,144,044	474,964	(155,001)	6,464,007	477,709	(156,827)	6,464,926
Operating Expenses	7,197,410	5,478,986	0	12,676,396	5,130,051	0	12,327,461
Equipment & Intangible Assets	37,269	20,000	0	57,269	20,000	0	57,269
Debt Service	523,010	1,850,000	0	2,373,010	1,850,000	0	2,373,010
Total Costs	\$13,901,733	\$7,823,950	(\$155,001)	\$21,570,682	\$7,477,760	(\$156,827)	\$21,222,666
General Fund	7,066,503	706,121	(155,001)	7,617,623	709,154	(156,827)	7,618,830
State/Other Special	6,224,978	4,512,910	0	10,737,888	4,514,143	0	10,739,121
Capital Projects	0	2,250,000	0	2,250,000	2,250,000	0	2,250,000
Proprietary	610,252	354,919	0	965,171	4,463	0	614,715
Total Funds	\$13,901,733	\$7,823,950	(\$155,001)	\$21,570,682	\$7,477,760	(\$156,827)	\$21,222,666

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$2,250,000	\$0
FY 2013	\$2,250,000	\$0

PL- 1201 - IT MERLIN -

The Motor Vehicle Division (MVD) is requesting \$4.5 million over the 2013 biennium in state special revenue authority to fund the completion of the Montana Enhanced Registration and Licensing Information System (MERLIN). The Archon Driver Solution (ADS) phase which automates the drivers stations across the state is estimated to be complete in FY 2013.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$350,000	\$0
FY 2013	\$0	\$0

PL- 1202 - IT Electronic Commerce -

The Motor Vehicle Division (MVD) is requesting a 2013 biennial appropriation of \$350,000 for costs associated with the development, operation and enhancement of electronic commerce applications related to motor vehicle titling, registration and records and driver licensing and records. The legislature previously approved state special fund expenditures, however, implementation was delayed in FY 2010. Therefore, the operating costs for those services, in addition to the development of new electronic commerce applications, are not reflected in the base budget.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$486,170	\$0
FY 2013	\$486,170	\$0

PL- 1203 - IT VIVS Online Motor Vehicle Liability Insurance -

The Motor Vehicle Division (MVD) requests a base increase of \$972,340 in the 2013 biennium of state special revenue spending authority to annualize expenditures associated with the implementation of the online Motor Vehicle Liability Insurance Verification System (VIVS). 61-6-157(3)(i), MCA, requires that VIVS be installed and operational no later than July 1, 2011. Until system and business requirements are established and a vendor is selected, the actual cost for the maintenance of VIVS is unknown. Using the assumptions from the fiscal note for SB 508 during the 2009 session, the estimated annual state special revenue costs will be \$539,734 (1,079,467 vehicles * \$0.50/vehicle/year = \$539,734). The projected annual maintenance cost increase would be reduced by applying FY 2010 operating expenditures of \$53,564 resulting in a total annual increase of \$486,170.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$1,672,140	\$0
FY 2013	\$1,672,140	\$0

PL- 1204 - IT Just in Time License Plate Production Contract -

This decision package includes an increase of state special revenue authority in the amount of \$3,344,280 for the 2013 biennium to annualize operating expenditures associated with the implementation of the contract for license plate production.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$1,850,000	\$0
FY 2013	\$1,850,000	\$0

PL- 1205 - MVD Debt Payments Due to BOI - BIEN -

This decision package requests \$3.7 million, state special revenue as a biennial appropriation for the 2013 biennium to fund debt payments associated with the new motor vehicle systems MVS1, MVS2, and enhancements for the MERLIN systems.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$412,276	\$247,365
FY 2013	\$436,631	\$261,979

PL- 1206 - MVD Base Adjustments -

The Motor Vehicle Division (MVD) requests base budget adjustments of \$848,907. The request is for \$247,365 general fund in FY 2012 and \$261,979 in 2013 and \$164,911 and \$174,652 of state special revenue respectively.

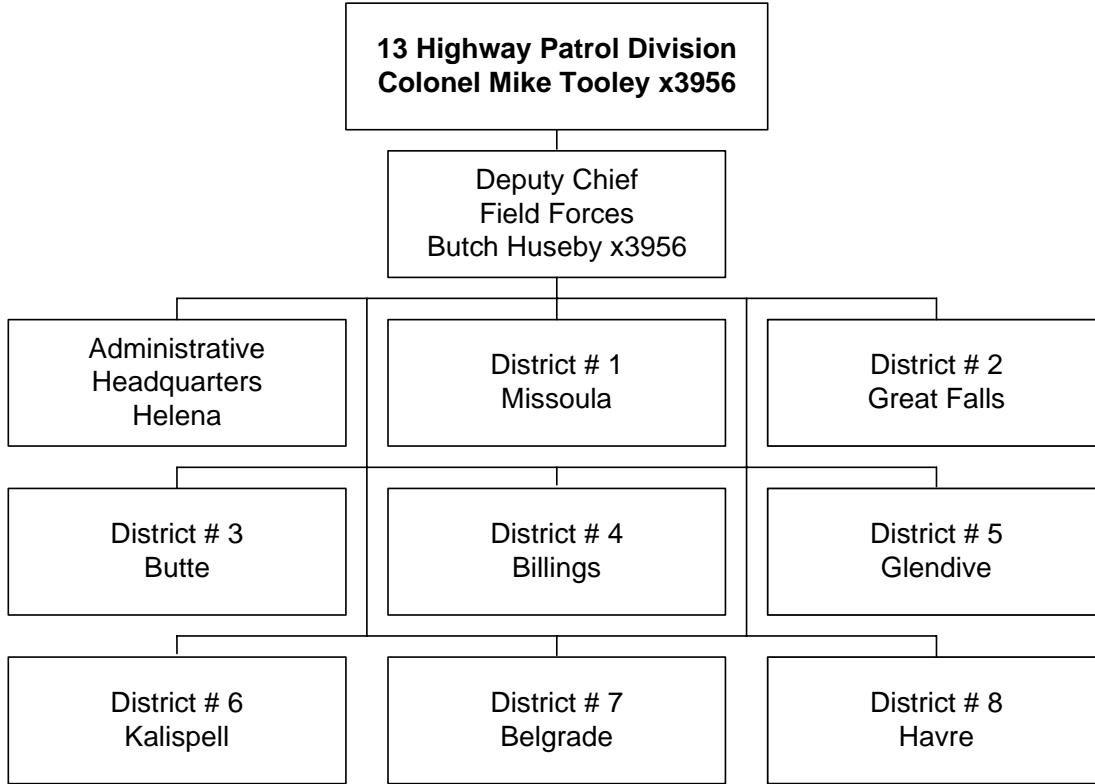
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$155,001)	(\$155,001)
FY 2013	(\$156,827)	(\$156,827)

NP- 55400 - 4% Personal Services Reduction MVD -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Motor Vehicle Division by \$311,828 general fund in the 2013 biennium. The reduction includes the elimination of approximately 3.86 FTE.

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



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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	289.00	10.00	(0.25)	298.75	10.00	(0.25)	298.75
Personal Services	20,329,636	2,620,096	(12,425)	22,937,307	2,655,959	(12,434)	22,973,161
Operating Expenses	5,923,460	1,041,356	0	6,964,816	837,398	0	6,760,858
Equipment & Intangible Assets	1,608,530	0	0	1,608,530	0	0	1,608,530
Total Costs	\$27,861,626	\$3,661,452	(\$12,425)	\$31,510,653	\$3,493,357	(\$12,434)	\$31,342,549
General Fund	194,236	431,671	(12,425)	613,482	433,451	(12,434)	615,253
State/Other Special	27,667,390	3,229,781	0	30,897,171	3,059,906	0	30,727,296
Total Funds	\$27,861,626	\$3,661,452	(\$12,425)	\$31,510,653	\$3,493,357	(\$12,434)	\$31,342,549

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$685,867	\$0
FY 2013	\$684,415	\$0

PL- 1301 - Troopers on the Road -

The Montana Highway Patrol Division (MHP) is requesting 9.00 FTE and \$1,370,282 state special revenue for the 2013 biennium for personal services and operating costs. The 2005 Legislature passed HB35, which established and provided funding for a new recruitment and retention plan for uniformed Highway Patrol personnel. The MHP is seeking the FTE to get more troopers on the highways.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$103,830	\$103,830
FY 2013	\$103,632	\$103,632

PL- 1302 - Executive Protection -

The Montana Highway Patrol requests an additional 1.00 FTE and \$270,462 general fund for the 2013 biennium for the Executive Protection program. This request will allow a modified position to become permanent, funding for anticipated overtime as that is a zero-based expenditure, and for increased operating costs.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$567,000	\$0
FY 2013	\$317,000	\$0

PL- 1303 - IT Smart COP -

The Montana Highway Patrol Division (MHP) requests state special revenue authority of \$567,000 in FY 2012 and \$317,000 in FY 2013 for a total request of \$884,000 over the 2013 biennium for information technology enhancements and equipment replacement for the Smart COP Computer Aided Dispatch/Records Management System. Smart COP provides an integrated information system for the MHP dispatch and patrol.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$779,572	\$52,808
FY 2013	\$802,844	\$54,277

PL- 1304 - MHP Base Adjustments -

The Montana Highway Patrol (MHP) Division is requesting \$52,808 for FY 2012 and \$54,277 for FY 2013 of general fund and \$726,764 for FY 2012 and \$748,567 for FY 2013 of state special revenue for base adjustments. The funding is necessary to allow the MHP to continue to meet its ongoing responsibilities. Operating costs include overtime for troopers, civilian, communications operators, contractual rent increases and increased travel expenses.

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

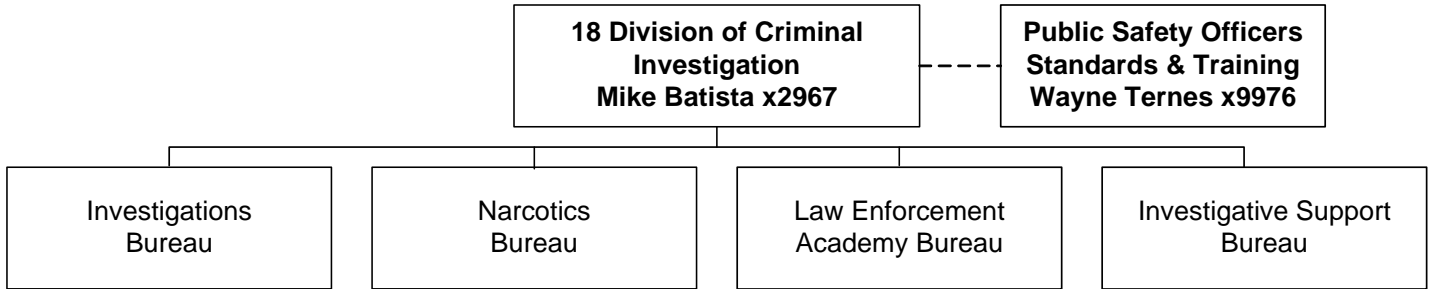
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$12,425)	(\$12,425)
FY 2013	(\$12,434)	(\$12,434)

NP- 55400 - 4% personal services reduction MHP -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Montana Highway Patrol Division by \$12,425 in FY 2012 and \$12,434 in FY 2013 to implement the budget reduction. The reduction includes the elimination of approximately 0.25 FTE.

**DEPARTMENT OF JUSTICE-4110
DIVISION OF CRIMINAL INVESTIGATION-18**



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

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

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

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

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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	100.00	1.00	(2.25)	98.75	1.00	(2.25)	98.75
Personal Services	5,516,849	675,320	(161,956)	6,030,213	681,886	(162,899)	6,035,836
Operating Expenses	3,246,841	661,944	0	3,908,785	671,141	0	3,917,982
Equipment & Intangible Assets	170,162	100,000	0	270,162	100,000	0	270,162
Total Costs	\$8,933,852	\$1,437,264	(\$161,956)	\$10,209,160	\$1,453,027	(\$162,899)	\$10,223,980
General Fund	5,339,655	491,166	(161,956)	5,668,865	506,003	(162,899)	5,682,759
State/Other Special	2,773,107	900,945	0	3,674,052	900,162	0	3,673,269
Federal Special	821,090	45,153	0	866,243	46,862	0	867,952
Total Funds	\$8,933,852	\$1,437,264	(\$161,956)	\$10,209,160	\$1,453,027	(\$162,899)	\$10,223,980

**DEPARTMENT OF JUSTICE-4110
DIVISION OF CRIMINAL INVESTIGATION-18**

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$51,697	\$51,697
FY 2013	\$61,898	\$61,898

PL- 1803 - DCI Base Adjustments -

Division of Criminal Investigation (DCI) is requesting \$113,595 in general fund for the 2013 biennium for base adjustments. This request includes \$30,000 in each fiscal year for overtime expense for criminal investigators. This request also includes contractual rent increases in the amount of \$21,697 in FY 2012 and \$31,898 in FY 2013 for all DCI offices throughout the state.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$575,000	\$0
FY 2013	\$575,000	\$0

PL- 1804 - IT Criminal Justice Info Network (CJIN) BIEN/OTO -

The budget includes a request for a \$1,150,000, biennial, one-time only, state special revenue appropriation for the 2013 biennium to cover the costs of the Criminal Justice Information Network (CJIN) upgrade. The CJIN upgrade is completed every four years to keep technology up to date. The upgrade was not completed in FY 2010, therefore the appropriation is not included in the base year budget for the CJIN Section.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$9,120)	\$0
FY 2013	(\$9,120)	\$0

PL- 1805 - MLEA Motor Pool Leased Vehicle Return -

The Montana Law Enforcement Academy is returning one leased vehicle to the state motor pool which reduces the base state special revenue budget by \$9,120 each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$121,636	\$0
FY 2013	\$118,105	\$0

PL- 1806 - Criminal Records Identification Section - FTE -

The Division of Criminal Investigation (DCI) requests 1.00 FTE and \$239,741 for the 2013 biennium in state special revenue. DCI is requesting the additional spending authority pursuant to 44-5-307, MCA, which allows for staffing and operational cost increases based on criminal history record information requests completed. Also requested is additional pass through spending authority to transfer monies owed to the Federal Bureau of Investigations (FBI) when fingerprint background checks are conducted by the FBI on behalf of the Department of Justice, Criminal Justice Information Services Bureau. These costs are recovered as services are provided.

**DEPARTMENT OF JUSTICE-4110
DIVISION OF CRIMINAL INVESTIGATION-18**

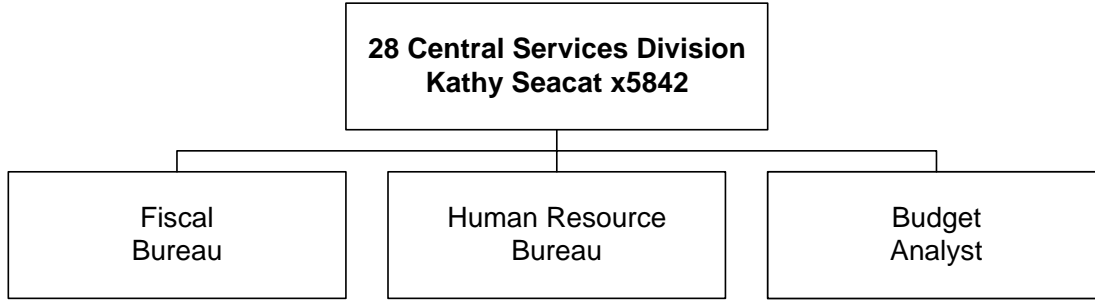
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$161,956)	(\$161,956)
FY 2013	(\$162,899)	(\$162,899)

NP- 55400 - 4% Personal Services Reduction DCI -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Division of Criminal Investigation by \$161,956 in FY 2012 and \$162,899 in FY 2013 to implement the budget reduction. The reduction includes the elimination of approximately 2.25 FTE.

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



Program Description - The Central Services Division (CSD) provides accounting, asset management, budgeting, fiscal management, human resources, internal controls, payroll and benefits, purchasing, training, and assistance with the implementation of policies rules and regulations for the Department of Justice. The program also administers the County Attorney Payroll.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	19.00	0.00	(0.30)	18.70	0.00	(0.30)	18.70
Personal Services	1,034,470	131,704	(19,173)	1,147,001	131,053	(19,165)	1,146,358
Operating Expenses	255,049	36,662	0	291,711	(35,724)	0	219,325
Total Costs	\$1,289,519	\$168,366	(\$19,173)	\$1,438,712	\$95,329	(\$19,165)	\$1,365,683
General Fund	492,526	64,300	(19,173)	537,653	36,406	(19,165)	509,767
State/Other Special	724,976	94,655	0	819,631	53,592	0	778,568
Proprietary	72,017	9,411	0	81,428	5,331	0	77,348
Total Funds	\$1,289,519	\$168,366	(\$19,173)	\$1,438,712	\$95,329	(\$19,165)	\$1,365,683

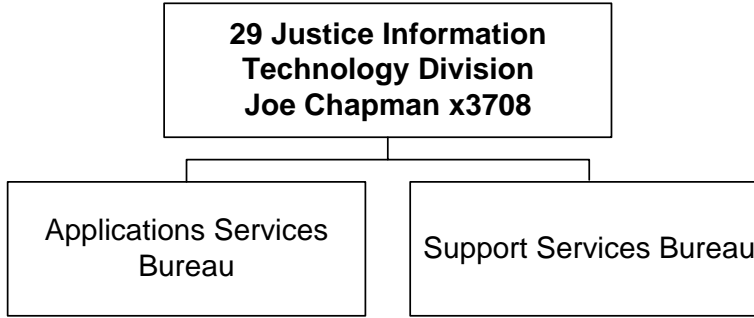
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$19,173)	(\$19,173)
FY 2013	(\$19,165)	(\$19,165)

NP- 55400 - 4% Personal Services Reduction CSD -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Centralized Services Division by \$19,173 in FY 2012 and \$19,165 in FY 2013 to implement the budget reduction. The reduction includes the elimination of approximately 0.30 FTE.

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



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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	41.00	0.00	(1.50)	39.50	0.00	(1.50)	39.50
Personal Services	2,292,833	332,696	(103,738)	2,521,791	332,240	(103,671)	2,521,402
Operating Expenses	1,033,084	61,071	0	1,094,155	58,391	0	1,091,475
Equipment & Intangible Assets	90,135	0	0	90,135	0	0	90,135
Total Costs	\$3,416,052	\$393,767	(\$103,738)	\$3,706,081	\$390,631	(\$103,671)	\$3,703,012
General Fund	3,279,451	379,309	(103,738)	3,555,022	376,299	(103,671)	3,552,079
State/Other Special	120,929	12,801	0	133,730	12,691	0	133,620
Federal Special	2,268	237	0	2,505	234	0	2,502
Proprietary	13,404	1,420	0	14,824	1,407	0	14,811
Total Funds	\$3,416,052	\$393,767	(\$103,738)	\$3,706,081	\$390,631	(\$103,671)	\$3,703,012

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$32,000	\$32,000
FY 2013	\$32,000	\$32,000

PL- 2906 - ITSD Base Adjustments -

The Information Systems Division (JITSD) is requesting \$32,000 general fund each fiscal year of the biennium for overtime, on-call and call-out costs in the division.

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

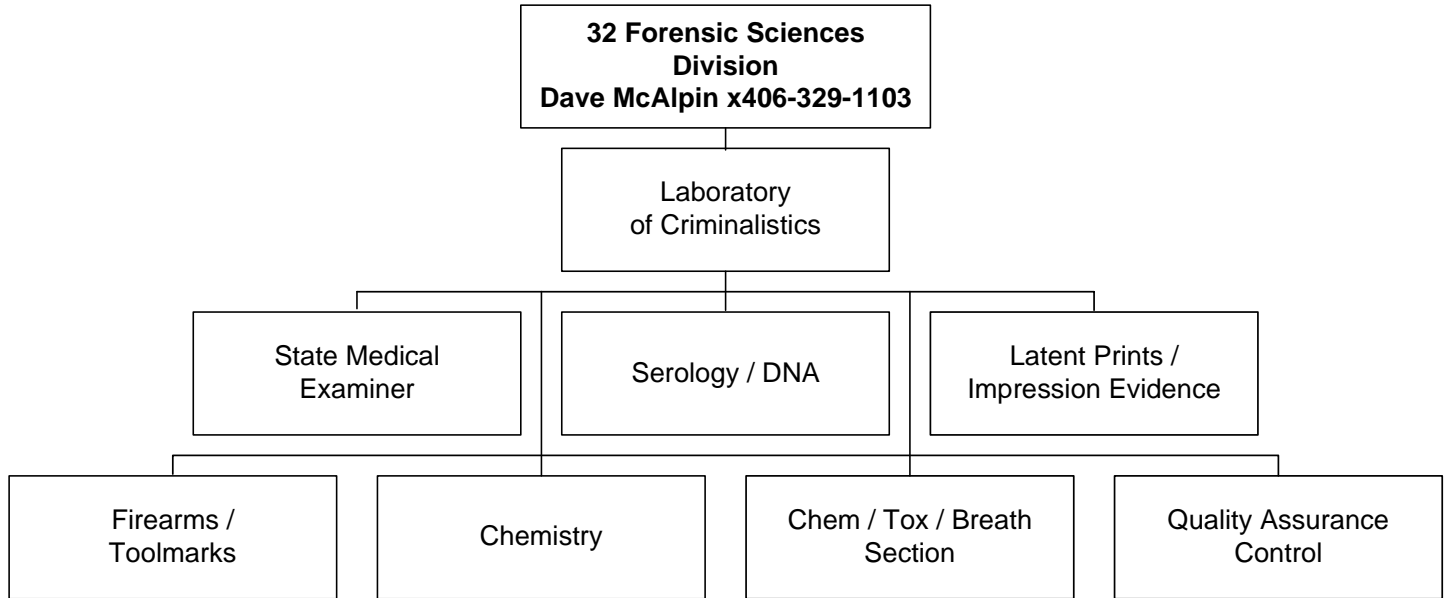
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$103,738)	(\$103,738)
FY 2013	(\$103,671)	(\$103,671)

NP- 55400 - 4% Personal Services Reduction ITSD -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Information Technology Systems Division by \$103,738 in FY 2012 and \$103,671 in FY 2013 to implement the budget reduction. The reduction includes the elimination of approximately 1.50 FTE.

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



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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	34.05	0.00	(1.25)	32.80	0.00	(1.25)	32.80
Personal Services	2,539,850	198,311	(109,526)	2,628,635	197,388	(109,491)	2,627,747
Operating Expenses	1,032,130	20,029	0	1,052,159	40,554	0	1,072,684
Equipment & Intangible Assets	9,551	150,000	0	159,551	150,000	0	159,551
Debt Service	150,579	0	0	150,579	0	0	150,579
Total Costs	\$3,732,110	\$368,340	(\$109,526)	\$3,990,924	\$387,942	(\$109,491)	\$4,010,561
General Fund	3,424,368	350,014	(109,526)	3,664,856	367,997	(109,491)	3,682,874
State/Other Special	307,742	18,326	0	326,068	19,945	0	327,687
Total Funds	\$3,732,110	\$368,340	(\$109,526)	\$3,990,924	\$387,942	(\$109,491)	\$4,010,561

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$150,000	\$150,000
FY 2013	\$150,000	\$150,000

PL- 3201 - FSD Equipment (OTO/BIEN) -

The Forensic Science Division (FSD) is requesting a \$300,000 biennial general fund appropriation for purchasing new and/or replacing scientific equipment. The State Crime Lab relies on highly sophisticated and expensive instrumentation for analysis. A biennial appropriation would allow for instruments to be acquired early in the biennium or as needed and put into use as soon as possible. Some of the things being considered for purchase are a liquid gas chromatograph with mass spectrometer and a Agilent 6400 series triple quad LC/MS/MS bundle. This new chromatographic technique is recognized for its ability to provide Picogram (10^{-12}) levels of sensitivity.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$12,190	\$12,190
FY 2013	\$12,190	\$12,190

PL- 3202 - FSD Base Adjustment -

The Forensic Sciences Division (FSD) is requesting \$24,380 general fund authority for the 2013 biennium for scheduled increased building lease costs, increased travel costs, and additional training costs. It is critical that Forensic Scientists have the proper training in order to perform their duties effectively on an everyday basis, or when testifying in court cases. Specialized training areas include Breath Alcohol, Drug Chemistry, Firearms and Toolmarks, Latent prints and Impressions, Pathology, Serology/DNA, Toxicology or Trace Evidence.

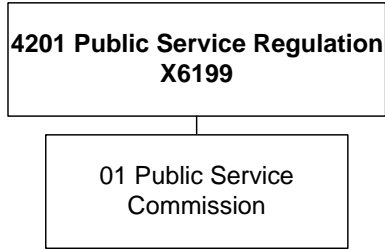
-----New Proposals-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$109,526)	(\$109,526)
FY 2013	(\$109,491)	(\$109,491)

NP- 55400 - 4% Personal Services Reduction FSD -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Forensic Science Division by \$109,526 in FY 2012 and \$109,491 in FY 2013 to implement the budget reduction. The reduction includes the elimination of approximately 1.25 FTE.

**PUBLIC SERVICE REGULATION-4201
PUBLIC SERVICE REGULATION PROGRAM-01**



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

Statutory Authority - Title 69

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

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2010	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2012	Fiscal 2012	Fiscal 2012	Fiscal 2013	Fiscal 2013	Fiscal 2013
FTE	39.00	1.00	0.00	40.00	1.00	0.00	40.00
Personal Services	2,866,511	179,021	0	3,045,532	141,274	0	3,007,785
Operating Expenses	573,095	79,236	0	652,331	66,134	0	639,229
Debt Service	6,080	0	0	6,080	0	0	6,080
Total Costs	\$3,445,686	\$258,257	\$0	\$3,703,943	\$207,408	\$0	\$3,653,094
State/Other Special	3,420,213	177,219	0	3,597,432	127,447	0	3,547,660
Federal Special	25,473	81,038	0	106,511	79,961	0	105,434
Total Funds	\$3,445,686	\$258,257	\$0	\$3,703,943	\$207,408	\$0	\$3,653,094

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$38,534	\$0
FY 2013	\$0	\$0

PL- 2 - Pay Retirement Benefits -

This executive request is for additional state special revenue personal services authority to pay for staff retirement payouts. The PSC anticipates staff retirements in the next biennium resulting in leave payouts above normal personal services costs of \$38,534 during the biennium. There is no general fund impact.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$16,488	\$0
FY 2013	\$16,488	\$0

PL- 3 - Pipeline Safety Federal Award and Match -

This budget request is for an additional \$14,595 federal spending authority and an additional \$1,893 state special revenue authority match in each year of the biennium. The Pipeline Safety federal grant award has been increasing in recent years based on additional federal criteria being met as well as an increase in the federal percentage share from 40% to approximately 50%. There is no general fund impact.

**PUBLIC SERVICE REGULATION-4201
PUBLIC SERVICE REGULATION PROGRAM-01**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$0	\$0
FY 2013	\$6,955	\$0

PL- 5 - Computer Replacement -

The Public Service Commission (PSC) will replace 5 desktop computers and 1 server in FY 2013 . Computer replacement request is based on five-year replacement cycle recommended by Information Technology Services Division, Department of Administration. This request is for \$6,955 in FY 2013 and is the difference in the base amount of \$5,545 and the total cost of \$12,500. There is no general fund impact.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$12,305	\$0
FY 2013	\$18,736	\$0

PL- 6 - Building Rent -

The Public Service Commission (PSC) rent increases 3% each fiscal year per the contract negotiated by the General Services Division, Department of Administration. The increase for FY 2012 is \$12,305 and for FY 2013 the increase is \$18,736.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$25,000	\$0
FY 2013	\$25,000	\$0

PL- 7 - One Call -

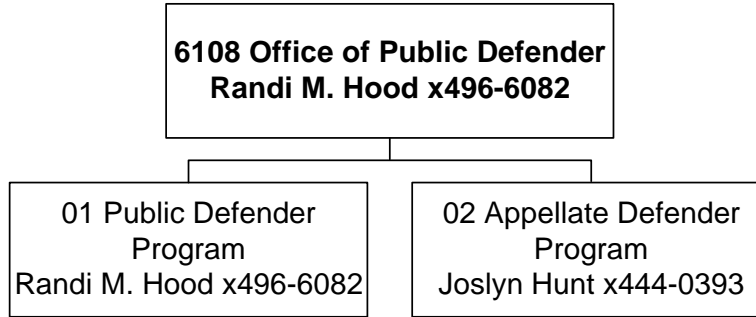
The U.S. Department of Transportation, Pipeline and Hazardous Materials Safety Administration, makes grants available annually to state pipeline safety programs under the One Call Grant program. One Call grants support the efforts of state pipeline safety offices to reduce the incidence of damage to underground facilities during excavation. Approval of this item will provide \$25,000 federal special revenue spending authority, in each year of the biennium, to the PSC, if the agency is awarded a One Call grant in upcoming biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$82,886	\$0
FY 2013	\$80,732	\$0

PL- 8 - Pipeline Safety Engineer -

This budget request is for 1.00 FTE pipeline safety engineer and associated operating expenses. Given new federal regulations the Public Service Commission anticipates an additional pipeline safety engineer will be needed for the commission to continue to fulfill its responsibility to effectively audit and monitor pipeline operators to ensure the pipeline safety regulations are followed. This request is for \$82,886 in FY 2012 and \$80,732 in FY 2013 and will be funded 50/50 state special and federal special revenue funding.

OFFICE OF PUBLIC DEFENDER-6108



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

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

Statutory Authority - Title 46

Agency Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	200.50	11.00	5.00	216.50	11.00	5.00	216.50
Personal Services	11,912,040	1,271,377	316,362	13,499,779	1,257,668	315,629	13,485,337
Operating Expenses	7,959,536	290,019	15,500	8,265,055	253,277	0	8,212,813
Equipment & Intangible Assets	21,118	59,278	0	80,396	51,777	0	72,895
Total Costs	\$19,892,694	\$1,620,674	\$331,862	\$21,845,230	\$1,562,722	\$315,629	\$21,771,045
General Fund	19,849,276	1,526,207	331,862	21,707,345	1,496,428	315,629	21,661,333
State/Other Special	43,418	94,467	0	137,885	66,294	0	109,712
Total Funds	\$19,892,694	\$1,620,674	\$331,862	\$21,845,230	\$1,562,722	\$315,629	\$21,771,045

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

01 Public Defender Program Randi M. Hood x496-6082

Program Description - The Office of State Public Defender administers the statewide public defender system that delivers public defender services in all courts in Montana for criminal and certain civil cases for an individual who is determined to be financially unable to retain private counsel and who is accused of an offense that could result in the person's loss of life or liberty if convicted. The office administers the statewide public defender system that is supervised by the Public Defender Commission. The office is administratively attached to the Department of Administration but has authority in law to provide administrative functions as determined by the commission.

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

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2010	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2012	Fiscal 2012	Fiscal 2012	Fiscal 2013	Fiscal 2013	Fiscal 2013
FTE	191.50	9.00	5.00	205.50	9.00	5.00	205.50
Personal Services	11,399,342	1,052,394	316,362	12,768,098	1,039,513	315,629	12,754,484
Operating Expenses	7,595,524	283,571	15,500	7,894,595	253,020	0	7,848,544
Equipment & Intangible Assets	21,118	59,278	0	80,396	51,777	0	72,895
Total Costs	\$19,015,984	\$1,395,243	\$331,862	\$20,743,089	\$1,344,310	\$315,629	\$20,675,923
General Fund	18,972,566	1,300,776	331,862	20,605,204	1,278,016	315,629	20,566,211
State/Other Special	43,418	94,467	0	137,885	66,294	0	109,712
Total Funds	\$19,015,984	\$1,395,243	\$331,862	\$20,743,089	\$1,344,310	\$315,629	\$20,675,923

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$509,521	\$509,521
FY 2013	\$483,601	\$483,601

PL- 4 - Additional FTE to Support Caseload - Public Defend -

The Public Defender Program is requesting 8.00 FTE positions to support its current workload. The total personal services funding request is \$509,521 for FY 2012 and \$483,601 for FY 2013 general fund. The first fiscal year includes office set up costs. The positions include: 3.00 FTE attorney positions, 1.00 FTE investigator position, and 4.00 FTE administrative support positions.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$37,885	\$0
FY 2013	\$34,712	\$0

PL- 9 - Accounts Receivable Technician -

The executive requests 1.00 FTE position which will be used to account for the assessment and receipt of the transactions associated with the passage of SB 263 during the 2009 legislative session. This senate bill required that clients convicted of crimes pay the agency certain fees. The agency must appropriately account for and report on these transactions in a timely manner. The agency is requesting that this position be funded by state special revenue authority. Funding is in the amount of \$37,885 in FY 2012 and \$34,712 in FY 2013. The first fiscal year has office set up costs.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$153,473	\$153,473
FY 2013	\$196,808	\$196,808

PL- 10 - Computers/Servers/Printers -

This request is to fund the replacement of aging printers, servers, and computers. Funding in the amount of \$153,473 in FY 2012 and \$196,808 in FY 2013 is being requested. The agency did not have the funding to follow a 4 or 5 year replacement cycle and instead has been replacing equipment as it fails or is severely outdated.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$46,229	\$46,229
FY 2013	\$43,031	\$43,031

NP- 3 - Records Management Function -

This decision package is for 1.00 FTE for a records management function for the agency and funding in the amount of \$46,229 in FY 2012 and \$43,031 in FY 2013. The first fiscal year has office set up costs. Personnel from the Secretary of State's office have directed that the agency continually inventory all records and file the results with that office and provide and maintain a records retention schedule. The agency inherited tens of thousands of legal files from various counties when it began operations in FY 2007. The agency did receive one-time federal funds to do the initial inventory and file setup but needs funds to accomplish this function on an on-going basis. The agency continues to produce thousands of legal files per year as a normal part of its business. The agency must store these files in a safe environment as they contain attorney-client notes and confidential communications.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$285,633	\$285,633
FY 2013	\$272,598	\$272,598

NP- 6 - Reduce Caseload for Managers -

This decision package is for 4.00 FTE attorney positions for each fiscal year and funding in the amount of \$285,633 in FY 2012 and \$272,598 in FY 2013. The first fiscal year has office set up costs. This funding will allow a reduction in caseloads for attorneys that manage the work of other attorneys. This request implements a recommendation made by the American University Study submitted to the Montana Public Defender Commission in July 2009.

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

02 Appellate Defender Program Joslyn Hunt x444-0393
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Program Description - The Appellate Defender Program provides appeal services for indigent citizens.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	9.00	2.00	0.00	11.00	2.00	0.00	11.00
Personal Services	512,698	218,983	0	731,681	218,155	0	730,853
Operating Expenses	364,012	6,448	0	370,460	257	0	364,269
Total Costs	\$876,710	\$225,431	\$0	\$1,102,141	\$218,412	\$0	\$1,095,122
General Fund	876,710	225,431	0	1,102,141	218,412	0	1,095,122
Total Funds	\$876,710	\$225,431	\$0	\$1,102,141	\$218,412	\$0	\$1,095,122

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

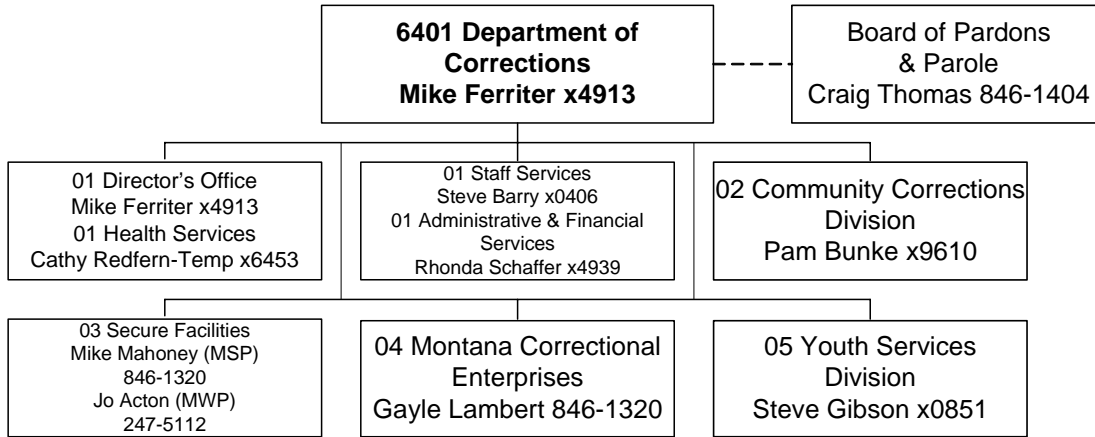
	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$137,500	\$137,500
FY 2013	\$130,982	\$130,982

PL- 11 - Additional FTE to Support Caseload - Appellate -

The Appellate Defender Program is requesting 2.00 FTE positions to support its current workload. The total personal services funding request is \$137,500 for FY 2012 and \$130,982 for FY 2013 general fund. The first fiscal year includes office set up costs. The positions include: 1.00 FTE attorney position and 1.00 FTE administrative support position.

DEPARTMENT OF CORRECTIONS-6401

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



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

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

Agency Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	1,303.64	6.00	(20.50)	1,289.14	6.00	(20.50)	1,289.14
Personal Services	69,610,880	2,868,093	(1,203,829)	71,275,144	2,894,409	(1,206,647)	71,298,642
Operating Expenses	93,944,707	7,640,928	246,617	101,832,252	13,304,338	27,290	107,276,335
Equipment & Intangible Assets	201,078	161,000	325,000	687,078	44,000	0	245,078
Benefits & Claims	3,343,082	0	0	3,343,082	0	0	3,343,082
Transfers	2,848,950	0	0	2,848,950	0	0	2,848,950
Total Costs	\$169,948,697	\$10,670,021	(\$632,212)	\$179,986,506	\$16,242,747	(\$1,179,357)	\$185,012,087
General Fund	165,758,162	10,191,072	(632,212)	175,317,022	15,772,668	(1,179,357)	180,351,473
State/Other Special	3,561,540	397,613	0	3,959,153	389,048	0	3,950,588
Federal Special	20,872	0	0	20,872	0	0	20,872
Proprietary	608,123	81,336	0	689,459	81,031	0	689,154
Total Funds	\$169,948,697	\$10,670,021	(\$632,212)	\$179,986,506	\$16,242,747	(\$1,179,357)	\$185,012,087

**DEPARTMENT OF CORRECTIONS-6401
ADMINISTRATION & SUPPORT SERVICES-01**

**01 Director's Office
Mike Ferriter x4913**

**01 Information
Technology
John Daugherty x4469**

**01 Health Services
Administrator
Cathy Redfern-Temp
x6453**

**01 Staff Services
Steve Barry X0406**

**01 Administrative &
Financial Services
Division
Rhonda Schaffer x4939**

Program Description - The Administration and Support Services Program includes the Director's Office, Health Services, Information Services Division, Staff Services Division, Administrative and Financial Services Division and the administratively attached Board of Pardons and Parole. This program provides services to the department, governmental entities, and the public in the areas of: public and victim information, human resource management, staff development & training, American Indian liaison services, policy management, information technology, legal information, technical correctional services, research and statistics, medical services management, project management, payroll, budgeting and program planning, contract development, federal grants management, victim restitution, supervision fee collection, accounting, and various administrative and management support functions.

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2010	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
	Fiscal 2010	Fiscal 2012	Fiscal 2012	Fiscal 2012	Fiscal 2013	Fiscal 2013	Fiscal 2013
FTE	113.50	0.00	(5.00)	108.50	0.00	(5.00)	108.50
Personal Services	6,838,385	331,576	(306,569)	6,863,392	336,212	(308,408)	6,866,189
Operating Expenses	10,478,739	1,042,405	34,790	11,555,934	953,820	19,790	11,452,349
Total Costs	\$17,317,124	\$1,373,981	(\$271,779)	\$18,419,326	\$1,290,032	(\$288,618)	\$18,318,538
General Fund	16,879,299	1,273,648	(271,779)	17,881,168	1,197,281	(288,618)	17,787,962
State/Other Special	350,838	89,298	0	440,136	82,942	0	433,780
Proprietary	86,987	11,035	0	98,022	9,809	0	96,796
Total Funds	\$17,317,124	\$1,373,981	(\$271,779)	\$18,419,326	\$1,290,032	(\$288,618)	\$18,318,538

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$35,880	\$0
FY 2013	\$35,880	\$0

PL- 101 - Software maintenance collection management system -

This request is for software support required to maintain the integrity of the collections management system approved in the last session. The executive requests state special funding of \$35,880 in FY 2012 and \$35,880 in FY 2013 for a biennium total of \$71,760.

**DEPARTMENT OF CORRECTIONS-6401
ADMINISTRATION & SUPPORT SERVICES-01**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$27,314	\$27,314
FY 2013	\$27,572	\$27,572

PL- 103 - New Building Rent -

This request is necessary to fully fund new rent expenditures primarily related to parking costs at the downtown facility. The executive request is for general funding of \$27,314 in FY 2012 and \$27,572 in FY 2013 for a biennium total \$54,886.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$10,000	\$10,000
FY 2013	\$10,000	\$10,000

PL- 601 - Legal Prosecution Services -

The Powell County Attorney is responsible for prosecuting all escapes and absconders from department facilities. This increase will maintain the continuity of prosecutions not only in Powell County but in Yellowstone and Lewis and Clark where County Attorneys have accepted assistance from Powell County with local cases that have occurred when offenders have made venue changes through the court system. The executive request is for general funding of \$10,000 in FY 2012 and \$10,000 in FY 2013 for a biennium total \$20,000.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$6,742	\$6,742
FY 2013	\$6,742	\$6,742

PL- 602 - Investigator Overtime -

The investigators in the Investigation Bureau can be called out 24x7 to conduct investigations at department facilities throughout the state. They incur overtime based on the critical need to preserve evidence at crime scenes. There has never been an overtime budget for this bureau and funding from other areas of the department has been necessary to support the overtime needs. The request is for general funding of \$6,742 in FY 2012 and \$6,742 in FY 2013.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$829,097	\$829,097
FY 2013	\$832,399	\$832,399

PL- 701 - Outside Medical -

The purpose of this proposal is to increase operating costs to account for inflationary and population increases associated with outside inmate medical expenses. The executive request is for general funding of \$829,097 in FY 2012 and \$832,399 in FY 2013.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$31,000	\$0
FY 2013	\$31,000	\$0

PL- 801 - Increase Spending Authority for training manuals -

This increase in state special revenue funding authority will allow the Professional Development Bureau to provide training manuals to participants from outside the Department and bill those agencies for these materials.

**DEPARTMENT OF CORRECTIONS-6401
ADMINISTRATION & SUPPORT SERVICES-01**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$6,700	\$6,700
FY 2013	\$6,700	\$6,700

PL- 901 - Board member per diem -

This request is to continue the board members compensation as outlined in 2-25-124 (7), MCA. Total base budget amounts are \$33,725, however, the BOPP projected expenses are \$40,425. The executive requests the difference of \$6,700 in FY 2012 and \$6,700 in FY 2013 for a total general fund request of \$13,400 for the biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$34,790	\$34,790
FY 2013	\$19,790	\$19,790

NP- 602 - Victim information and notification -

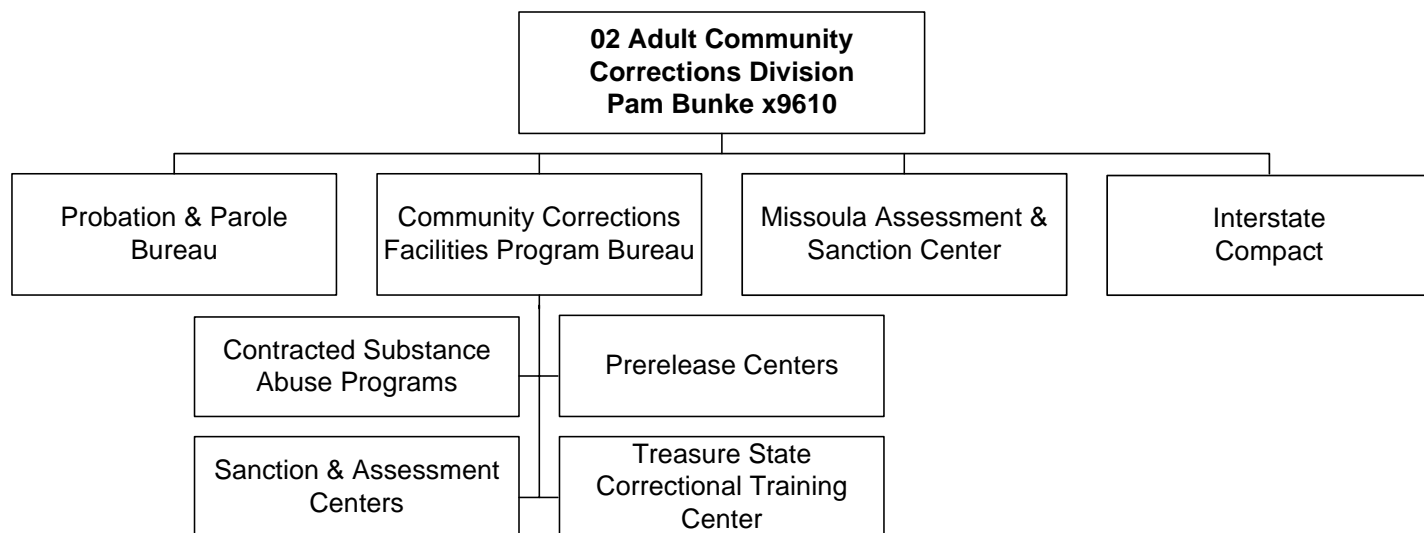
This request is to maintain the existing victim notification system, and to expand notification to registered victims when an offender's custody status changes. Both of these steps are necessary to comply with victim notification statutory obligation (46-24-212, MCA). The request is for OTO general funding of \$32,500 in FY 2012 and \$17,500 FY 2013 for the OTO biennium total \$50,000 and \$2,290 ongoing funding in FY 2012 and FY 2013.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$306,569)	(\$306,569)
FY 2013	(\$308,408)	(\$308,408)

NP- 55400 - Admin and Support Services FTE Reduction -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Administration and Support Services program by \$306,569 in FY 2012 and \$308,408 in FY 2013 to implement the budget reduction. The reduction includes the elimination of 5.00 FTE.

DEPARTMENT OF CORRECTIONS-6401 ADULT COMMUNITY CORRECTIONS-02



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

Program Proposed Budget	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	263.00	0.00	(4.00)	259.00	0.00	(4.00)	259.00
Personal Services	14,502,612	534,378	(189,181)	14,847,809	537,449	(189,181)	14,850,880
Operating Expenses	43,020,504	4,435,503	0	47,456,007	5,668,421	0	48,688,925
Total Costs	\$57,523,116	\$4,969,881	(\$189,181)	\$62,303,816	\$6,205,870	(\$189,181)	\$63,539,805
General Fund	57,064,428	4,967,614	(189,181)	61,842,861	6,206,391	(189,181)	63,081,638
State/Other Special	458,688	2,267	0	460,955	(521)	0	458,167
Federal Special	0	0	0	0	0	0	0
Total Funds	\$57,523,116	\$4,969,881	(\$189,181)	\$62,303,816	\$6,205,870	(\$189,181)	\$63,539,805

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$677,431	\$677,431
FY 2013	\$677,431	\$677,431

PL- 201 - Annualize Treatment Beds -

To provide funding for the number of actual contracted treatment beds versus the base budget expenditures, the executive requests \$677,431 each year for a biennial general fund total of \$1,354,862.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$2,537,126	\$2,537,126
FY 2013	\$2,537,126	\$2,537,126

PL- 202 - Annualize Prerelease Beds -

To provide funding for the number of actual contracted prerelease beds versus the base budget expenditures, the executive requests \$2,537,126 each year for a biennial general fund total of \$5,074,252.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$0	\$0
FY 2013	\$1,226,984	\$1,226,984

PL- 203 - Requesting NW Prerelease Beds -

The executive requests funding of \$1,226,984 in FY 2013 for 40 pre-release beds in a pre-release center which will be located in northwestern Montana.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$128,737	\$128,737
FY 2013	\$128,737	\$128,737

PL- 204 - Annualize MASC Beds -

The executive requests funding to provide for the number of actual contracted Missoula Assessment & Sanction Center beds versus the base budget expenditures. The executive requests \$128,737 each year for a biennial general fund total of \$257,474.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$37,304	\$37,304
FY 2013	\$37,304	\$37,304

PL- 206 - TSCTC Overtime -

To account for drill instructor overtime and holidays worked which is zero based, the executive requests \$37,304 each year for a biennial general fund total of \$74,608.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$1,054,850	\$1,054,850
FY 2013	\$1,054,850	\$1,054,850

PL- 207 - Population Bed Expansion -

The executive requests \$1,054,850 each year for a biennial general fund total of \$2,109,700 to properly fund offender population increases according to the department's population management plan. The agency is requesting funding for system growth of 0.41% in FY 2012 and 1.38% in FY 2013. This includes both adult community placements and secure beds.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$100,000	\$100,000
FY 2013	\$100,000	\$100,000

PL- 208 - Increase in Special Needs Funding -

Special needs funding for the 6 prerelease centers is currently capped at \$50,000. The PRCs service approximately 1,600 offenders per year. Special needs funds are utilized by the centers to assist offenders who are unable to work, either full time or not at all, due to medical issues, mental health diagnoses, or physical restrictions or are working but unable to pay the high cost of medication or treatment/therapy. The executive requests to increase these funds by \$100,000 in FY 2012 and \$100,000 in FY 2013 for a biennial total of \$200,000.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$109,500	\$109,500
FY 2013	\$109,500	\$109,500

PL- 209 - Increase SCRAM Units by 20 -

The department is requesting additional Secure Continuous Remote Alcohol Monitor units for around the clock, 24-7 electronic monitoring of DUI offenders' blood alcohol who are in the community under P&P supervision. The executive requests an increase of 20 units for a general fund request of \$109,500 each year for a biennial general fund total of \$219,000.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$21,820	\$21,820
FY 2013	\$21,820	\$21,820

PL- 210 - ACCD MCE Rate Increases -

The executive requests funding to cover the Montana Correctional Enterprises requested rate increases for food/laundry services.

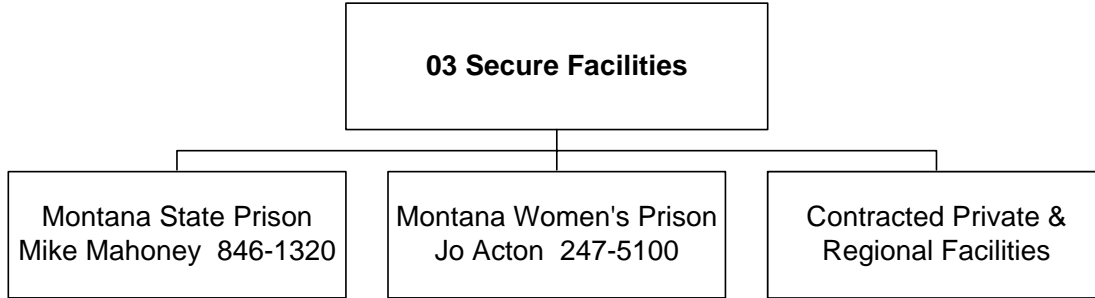
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$189,181)	(\$189,181)
FY 2013	(\$189,181)	(\$189,181)

NP- 55400 - ACCD FTE Reductions -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Adult Community Corrections program by \$189,181 each year of the biennium to implement the budget reduction. The reduction includes the elimination of 4.00 FTE.

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



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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	702.04	5.00	(8.00)	699.04	5.00	(8.00)	699.04
Personal Services	36,734,843	1,285,816	(498,190)	37,522,469	1,297,492	(498,190)	37,534,145
Operating Expenses	35,718,683	1,836,277	0	37,554,960	6,345,839	0	42,064,522
Equipment & Intangible Assets	201,078	161,000	325,000	687,078	44,000	0	245,078
Transfers	719	0	0	719	0	0	719
Total Costs	\$72,655,323	\$3,283,093	(\$173,190)	\$75,765,226	\$7,687,331	(\$498,190)	\$79,844,464
General Fund	72,516,318	3,283,093	(173,190)	75,626,221	7,687,331	(498,190)	79,705,459
State/Other Special	129,832	0	0	129,832	0	0	129,832
Federal Special	9,173	0	0	9,173	0	0	9,173
Total Funds	\$72,655,323	\$3,283,093	(\$173,190)	\$75,765,226	\$7,687,331	(\$498,190)	\$79,844,464

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$315,320	\$315,320
FY 2013	\$315,320	\$315,320

PL- 301 - MWP Overtime -

The executive requests funding of \$315,320 each year in FY 2013 for a biennial general fund total of \$630,640 for overtime and holidays worked at Montana Women's Prison. Overtime is zero based.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$36,383	\$36,383
FY 2013	\$36,383	\$36,383

PL- 302 - MWP Inmate Pay -

The executive requests funding of \$36,383 each year for a biennial general fund total of \$72,766 for Montana Women's Prison inmate pay which is zero based.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$0	\$0
FY 2013	\$0	\$0

PL- 303 - MWP Correctional Officers with overtime offset -

This decision package is for two correctional officers for Montana Women's Prison to assist with CO relief factors. The funding will mitigated with the overtime budget at MWP.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$20,000	\$20,000
FY 2013	\$20,000	\$20,000

PL- 304 - Increased contract services -

The executive requests funding of \$10,000 general fund each year for contract services. This funding will be used to continue to fund full year GED school services previously supplemented with the Billings School District and to fund additional chaplain hours.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$151,279	\$151,279
FY 2013	\$151,279	\$151,279

PL- 305 - MSP MCE Rate Increase -

The executive requests funding of \$151,279 in FY 2012 and \$151,279 in FY 2013 for a biennial total of \$302,558 to cover MCE requested rate increases for food/laundry services.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$1,297,717	\$1,297,717
FY 2013	\$1,297,717	\$1,297,717

PL- 307 - MSP Overtime -

The budget includes funding of \$1,297,717 each year for a biennial general fund total of \$2,595,434 for overtime and holidays worked at Montana State Prison. Overtime is zero based.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$294,434	\$194,434
FY 2013	\$294,434	\$194,434

PL- 308 - MSP Inmate Pay -

The executive requests funding of \$194,434 general fund and \$100,000 state special revenue each year for Montana State Prison inmate pay which is zero based.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$161,000	\$161,000
FY 2013	\$44,000	\$44,000

PL- 311 - Equipment – Security - OTO -

The executive requests OTO general funding of \$161,000 in FY 2012 and \$44,000 in FY 2013 for a biennial total of \$205,000 to purchase one-time-only equipment at Montana State Prison. This funding will be used for facility purchases such as food service items, a metal detector, recreation yard upgrades, and inmate transportation vehicles.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$18,000	\$18,000
FY 2013	\$10,000	\$10,000

PL- 313 - NCCHC Accreditation -

The budget includes funding of \$18,000 in FY 2012 and \$10,000 in FY 2013 for a biennial general fund total of \$28,000 for funding required in receiving training and retaining the National Commission on Correctional Health Care (NCCHC) accreditation at the MSP infirmary.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$1,227,570	\$1,227,570
FY 2013	\$1,227,570	\$1,227,570

PL- 315 - Annualizing Beds for Contract Beds -

This decision package requests funding to provide for the number of actual contracted secure beds versus the base budget expenditures. The executive requests \$1,227,570 in FY 2012 and \$1,227,570 general fund each year for these beds.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$620,500	\$620,500
FY 2013	\$5,088,100	\$5,088,100

PL- 316 - Population Growth -

The executive requests \$620,500 in FY 2012 and \$5,088,100 in FY 2013 for a biennial general fund total of \$5,708,600 to properly fund inmate/offender population increases according to the department's population management plan. The agency is requesting funding for system growth of 0.41% in FY 2012 and 1.38% in FY 2013. This includes both adult community placements and secure beds.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$151,690	\$151,690
FY 2013	\$151,387	\$151,387

PL- 317 - Mental Health Technicians -

The executive requests funding for 3.00 FTE mental health technicians for the Montana State Prison. The general fund cost of the FTE is approximately \$150,000 per year. The FTE were approved as modified FTE in FY 2011 and will assist the department with mental health treatment in the male secure care populations.

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$325,000	\$325,000
FY 2013	\$0	\$0

NP- 302 - Security Control System OTO/Bien -

The executive requests OTO/biennial funding of \$325,000 general fund in FY 2012 to upgrade a security system at Montana Women's Prison.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$36,333)	(\$36,333)
FY 2013	(\$36,333)	(\$36,333)

NP- 55400 - MWP FTE Reductions -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Montana Women's Prison by \$36,333 in each year of the biennium to implement the budget reduction. The reduction includes the elimination of 1.00 FTE.

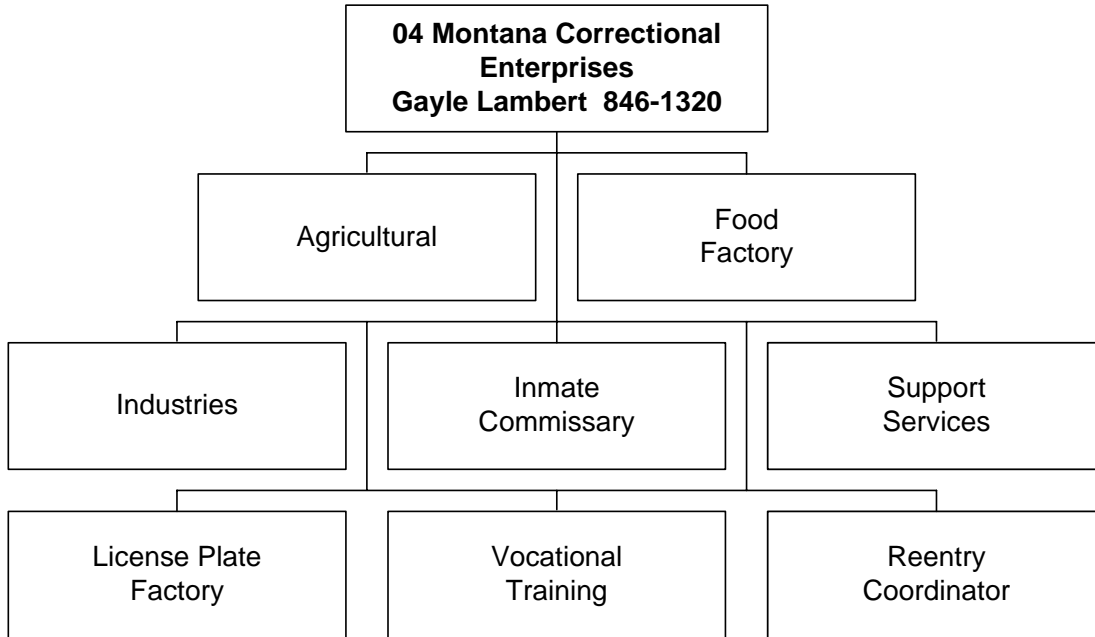
	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$461,857)	(\$461,857)
FY 2013	(\$461,857)	(\$461,857)

NP- 55401 - FTE Reductions MSP - Contract Beds -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Montana State Prison program by \$461,857 in each year of the biennium to implement the budget reduction. The reduction includes the elimination of 7.00 FTE.

DEPARTMENT OF CORRECTIONS-6401 MONTANA CORRECTIONAL ENTERPRISES-04

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



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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	16.25	1.00	(0.50)	16.75	1.00	(0.50)	16.75
Personal Services	964,541	(1,772)	(23,187)	939,582	(2,271)	(23,187)	939,083
Operating Expenses	2,226,501	399,917	7,500	2,633,918	400,455	7,500	2,634,456
Equipment & Intangible Assets	0	0	0	0	0	0	0
Total Costs	\$3,191,042	\$398,145	(\$15,687)	\$3,573,500	\$398,184	(\$15,687)	\$3,573,539
General Fund	892,921	20,951	(15,687)	898,185	20,276	(15,687)	897,510
State/Other Special	1,776,985	306,893	0	2,083,878	306,686	0	2,083,671
Federal Special	0	0	0	0	0	0	0
Proprietary	521,136	70,301	0	591,437	71,222	0	592,358
Total Funds	\$3,191,042	\$398,145	(\$15,687)	\$3,573,500	\$398,184	(\$15,687)	\$3,573,539

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$71,900	\$47,400
FY 2013	\$71,900	\$47,400

PL- 401 - HB2 Overtime and Inmate Payroll -

The executive requests funding for overtime, holidays worked, and inmate pay at Montana Correctional Enterprises. Overtime is zero based. This request is for \$94,800 general fund and \$49,000 state special revenue funding for the biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$44,506	\$44,506
FY 2013	\$44,412	\$44,412

PL- 402 - HB2 Additional Inmate Canteen FTE -

The budget includes funding of \$44,506 and 1.00 FTE in FY 2012 and funding of \$44,412 and 1.00 FTE in FY 2013 for a biennial total of \$88,918. The inmate canteen is now serving the entire population of Montana inmates, including inmates in the regional prisons in Glendive and Great Falls, the private prison in Shelby and the Montana Women's Prison in Billings. The two most recent additions were the Great Falls and Shelby prisons. Additional staffing is needed to keep up with the demand. There are currently only three employees that work in the Canteen servicing approximately 2,460 inmates on a weekly basis.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$300,000	\$0
FY 2013	\$300,000	\$0

PL- 405 - HB2 Increased Spending Authority for Canteen -

This decision package requests to increase authority in the State Special Revenue Fund for the MCE Canteen. The Canteen has begun to service all correctional facilities in Montana and additional authority is needed for the merchandise purchases. This request is for \$300,000 state special revenue funding each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$100,000	\$0
FY 2013	\$100,000	\$0

PL- 409 - HB2 Increase Spending Authority for MVM -

This decision package requests to increase authority internal service fund for the Motor Vehicle Maintenance (MVM) program. MVM is looking for additional customers. If additional customers are found, supplies will need to be purchased to accommodate. This request is for \$100,000 proprietary funding each year of the biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$7,500	\$7,500
FY 2013	\$7,500	\$7,500

NP- 403 - Voc Ed Video Conferencing Maintenance Costs -

The executive requests \$7,500 in FY 2012 and \$7,500 in FY 2013 for a biennial total of \$15,000 for the vocational education program. The voc-ed program previously received a Carl Perkins Grant to purchase two video conferencing systems to assist with training costs. The grant is no longer available and the equipment maintenance fees are ongoing. This equipment will assist both Montana State Prison and Montana Correctional Enterprises in the ability to provide training at reduced costs due to the ability to have multiple areas viewing training at one time without on-site trainers and travel.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$23,187)	(\$23,187)

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

FY 2013

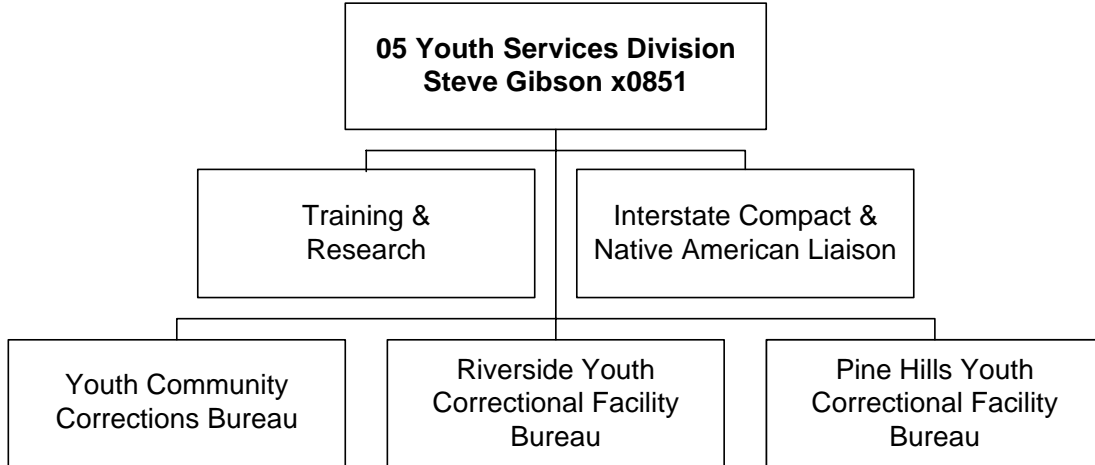
(\$23,187)

(\$23,187)

NP- 55400 - MCE FTE Reduction -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Montana Correctional Enterprises program by \$23,187 a year to implement the budget reduction. The reduction includes the elimination of 0.50 FTE.

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



Program Description - The Youth Services Division is responsible for all state operated youth programs including Pine Hills Youth Correctional Facility for males located in Miles City, Riverside Youth Correctional Facility for females in Boulder, Youth Community Corrections including Juvenile Parole, interstate compact services for probation and parole, reentry services, transition centers, detention licensing, and transportation. Additional responsibilities include research, training, and administrative support services.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2010	PL Base Adjustment Fiscal 2012	New Proposals Fiscal 2012	Total Exec. Budget Fiscal 2012	PL Base Adjustment Fiscal 2013	New Proposals Fiscal 2013	Total Exec. Budget Fiscal 2013
FTE	208.85	0.00	(3.00)	205.85	0.00	(3.00)	205.85
Personal Services	10,570,499	718,095	(186,702)	11,101,892	725,527	(187,681)	11,108,345
Operating Expenses	2,500,280	(73,174)	204,327	2,631,433	(64,197)	0	2,436,083
Benefits & Claims	3,343,082	0	0	3,343,082	0	0	3,343,082
Transfers	2,848,231	0	0	2,848,231	0	0	2,848,231
Total Costs	\$19,262,092	\$644,921	\$17,625	\$19,924,638	\$661,330	(\$187,681)	\$19,735,741
General Fund	18,405,196	645,766	17,625	19,068,587	661,389	(187,681)	18,878,904
State/Other Special	845,197	(845)	0	844,352	(59)	0	845,138
Federal Special	11,699	0	0	11,699	0	0	11,699
Total Funds	\$19,262,092	\$644,921	\$17,625	\$19,924,638	\$661,330	(\$187,681)	\$19,735,741

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$172,960	\$172,960
FY 2013	\$172,960	\$172,960

PL- 502 - PHYCF Overtime -

The executive requests funding of \$172,960 each year for a biennial general fund total of \$345,920 for overtime and holidays worked at Pine Hills Youth Correctional Facility. Overtime is zero based.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$26,468	\$26,468
FY 2013	\$26,468	\$26,468

PL- 503 - RYCF Overtime -

The budget includes funding of \$26,468 general fund each year for a biennial total of \$52,936 for overtime and holidays worked at Riverside Youth Correctional Facility. Overtime is zero based.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$34,447	\$34,447
FY 2013	\$34,447	\$34,447

PL- 504 - YTC Overtime -

The executive requests funding of \$34,447 general fund each year for a biennial total of \$68,894 for overtime and holidays worked at the Youth Transition Center. Overtime is zero based.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$32,500	\$32,500
FY 2013	\$32,500	\$32,500

PL- 505 - PHYCF Inmate Pay -

The executive requests funding of \$32,500 general fund each year for a biennial total of \$65,000 for Pine Hills Youth Correctional Facility inmate pay which is zero based.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$1,000	\$1,000
FY 2013	\$1,000	\$1,000

PL- 506 - RYCF Inmate Pay -

This decision package requests funding of \$1,000 general fund each year for Riverside Youth Correctional Facility inmate pay which is zero based.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	\$204,327	\$204,327
FY 2013	\$0	\$0

NP- 502 – RYCF Security Cameras Bien/OTO -

The executive requests OTO/biennial funding of \$204,327 in FY 2012 for a security system at Riverside Youth Correctional Facility. Currently RYCF has two surveillance cameras located in the front entrance and south sally port. Riverside needs to comply with recommendations from PREA and Riverside's own safety/security best practices by installing security cameras throughout the facility. This system includes indoor/outdoor surveillance with recording/save capabilities.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2012	(\$186,702)	(\$186,702)
FY 2013	(\$187,681)	(\$187,681)

NP- 55400 - YSD FTE Reductions -

The Governor has included a 4% reduction in general fund personal services budgets as a part of his budget recommendations. This decision package reduces the Youth Services program by \$186,702 in FY 2012 and \$187,681 in FY 2013 to implement the budget reduction. The reduction includes the elimination of 3.00 FTE.