



GOVERNOR
BRIAN SCHWEITZER
STATE OF MONTANA

SECTION D: JUDICIAL BRANCH, LAW ENFORCEMENT, & JUSTICE

Judicial Branch
Crime Control Division
Department of Justice

Public Service Regulation
Office of Public Defender
Department of Corrections

OBPP Staff:

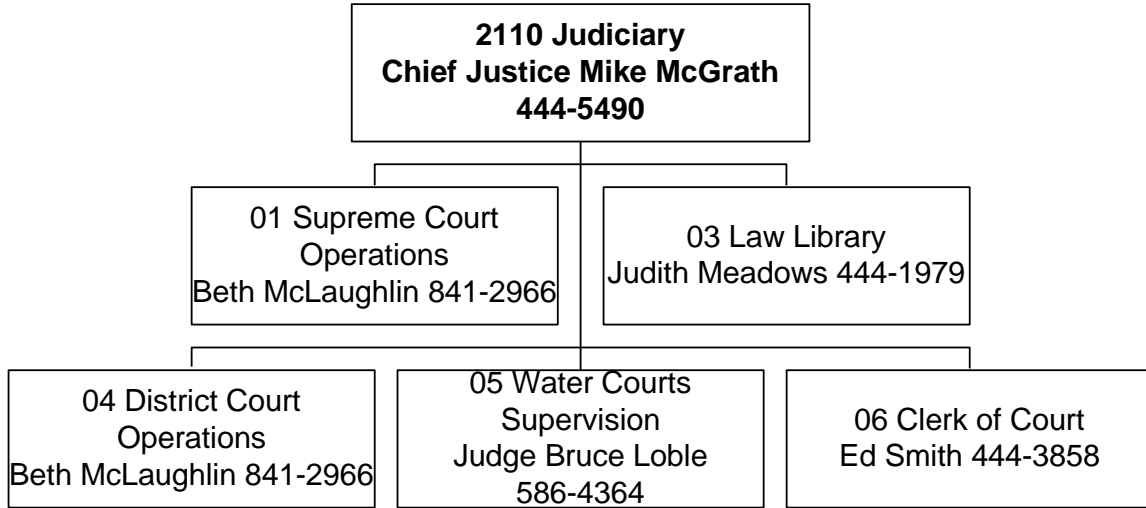
Brent Doig

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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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	412.58	10.00	14.25	436.83	10.00	15.25	437.83
Personal Services	29,439,881	1,668,588	779,690	31,888,159	1,697,369	836,313	31,973,563
Operating Expenses	7,574,185	1,069,066	664,376	9,307,627	968,524	351,457	8,894,166
Equipment & Intangible Assets	121,156	2,477	0	123,633	4,449	0	125,605
Debt Service	8,875	0	0	8,875	0	0	8,875
Total Costs	\$37,144,097	\$2,740,131	\$1,444,066	\$41,328,294	\$2,670,342	\$1,187,770	\$41,002,209
General Fund	35,052,259	2,203,489	1,444,066	38,699,814	2,136,057	1,187,770	38,376,086
State/Other Special	1,969,709	536,835	0	2,506,544	534,520	0	2,504,229
Federal Special	122,129	(193)	0	121,936	(235)	0	121,894
Total Funds	\$37,144,097	\$2,740,131	\$1,444,066	\$41,328,294	\$2,670,342	\$1,187,770	\$41,002,209

JUDICIAL BRANCH-2110 SUPREME COURT OPERATIONS-01

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

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

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2012	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2014	Fiscal 2014	Fiscal 2014	Fiscal 2015	Fiscal 2015	Fiscal 2015
FTE	67.25	0.00	14.25	81.50	0.00	15.25	82.50
Personal Services	4,709,540	375,487	779,690	5,864,717	379,399	836,313	5,925,252
Operating Expenses	4,459,087	546,200	594,376	5,599,663	487,940	281,457	5,228,484
Equipment & Intangible Assets	8,885	0	0	8,885	0	0	8,885
Total Costs	\$9,177,512	\$921,687	\$1,374,066	\$11,473,265	\$867,339	\$1,117,770	\$11,162,621
General Fund	8,843,564	891,880	1,374,066	11,109,510	837,574	1,117,770	10,798,908
State/Other Special	211,819	30,000	0	241,819	30,000	0	241,819
Federal Special	122,129	(193)	0	121,936	(235)	0	121,894
Total Funds	\$9,177,512	\$921,687	\$1,374,066	\$11,473,265	\$867,339	\$1,117,770	\$11,162,621

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$5,998	\$5,998
FY 2015	\$0	\$0

PL - 1001 - Judicial Standards - Restricted/Biennial -

This proposal requests \$5,998 general fund for the constitutionally mandated Judicial Standards Commission. The Judicial Branch received a \$25,000 restricted and biennial general fund appropriation to be used to pay for the investigations of complaints against judges for each of the 2007, 2009, 2011, and 2013 biennia. In FY 2012, actual expenditures in the amount of \$9,501 were incurred. This request is to restore the appropriation to \$25,000 for the 2015 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.

JUDICIAL BRANCH-2110 SUPREME COURT OPERATIONS-01

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$47,555	\$47,555
FY 2015	\$47,555	\$47,555

PL - 1002 - Information Technology System Maintenance Costs -

The purchase of maintenance renewals for ongoing IT Contracts is necessary to maintain current and supported case management software for the Judicial Branch. These maintenance agreements allow the branch to continue to realize the benefits of multiple software updates, continued system maintenance, vendor technical support, and in some agreements programming hours are provided to perform customer requested enhancements. The cost increase is \$95,110 general fund for the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$4,988	\$4,988
FY 2015	\$7,567	\$7,567

PL - 1004 - Rent Old Federal Building -

This request is for an additional general fund appropriation of \$4,988 in FY 2014 and \$7,567 in FY 2015 to cover the increase in lease payments for space rented at the Old Federal Building in Helena. The increase is required per the state negotiated lease agreement.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$100,231	\$70,231
FY 2015	\$100,231	\$70,231

PL - 1006 - Drug Court Increase to Existing Funding -

The increase will provide additional dollars to the existing courts to fund treatment, drug testing, supervision and surveillance and other support services necessary to keep participants sober and free from new criminal offenses. The increase in state special revenue will allow the courts to fund some client services through fee collection. While fees are generally not collected in juvenile and family courts because of the nature of the clients, fee collection is a priority for adult courts. As the courts mature, fee collection should increase and stabilize. The Judicial Branch is requesting \$30,000 in FY 2014 and \$30,000 FY 2015 in state special revenue fund authority to spend fees collected from drug court participants. The request also includes \$70,231 general fund each year.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$466,725	\$466,725
FY 2015	\$446,126	\$446,126

NP - 1003 - Information Technology Increased Staffing - OTO -

This proposal provides \$912,851 in general fund for 7.00 additional FTE for the branch IT Division. The 7.00 FTE would be an expansion of the current IT staffing levels including 1.00 FTE IT data mining engineer/research analyst, 2.00 FTE network technicians, 1.00 FTE Sharepoint administrator, and 3.00 FTE business analysts. The FTE are needed due to the increasing demand for services from within and outside the Judicial Branch as the court systems become more automated. The request is recommended as a one-time-only appropriation.

JUDICIAL BRANCH-2110 SUPREME COURT OPERATIONS-01

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$349,424	\$349,424
FY 2015	\$349,266	\$349,266

NP - 1005 - Court Help Program -

The Court Help Program provides a variety of services to Montanans with unmet legal needs in civil matters. The program has been providing services throughout Montana since it was created and funded by a 2007 pilot project one-time-only appropriation. The program is now in its third biennium of one-time-only funding. Court Help Program funding supports a variety of legal service projects across Montana from self representation to pro bono assistance. The cost for the program is approximately \$350,000 general fund each year.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$185,467	\$185,467
FY 2015	\$272,378	\$272,378

NP - 1007 - Drug Courts Add Funding for Expiring Grants -

This proposal requests a biennial general fund appropriation of \$457,845 and 4.00 FTE for continued funding of 5 additional courts slated to lose federal funding during the 2015 biennium. These drug courts were initiated with federal Department of Justice Drug Court Implementation Funds that will no longer be available. The courts are an adult felony court and youth treatment court in Richland/Dawson Counties, an adult felony court in Glacier/Pondera/Teton/Toole Counties, and two adult felony courts in Yellowstone County, one of which is a veteran's treatment court.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$50,000	\$50,000
FY 2015	\$50,000	\$50,000

NP - 1008 - Drug Court Funding for DUI Courts -

This proposal provides \$100,000 general fund to support some functions of Montana DUI courts. Currently, the sole funding mechanism for DUI Courts in Montana is through federal funding. Funding for the courts comes from the National Highway Traffic Safe Administration (NHTSA), the Bureau of Justice Assistance, US Department of Justice (BJA), the Substance Abuse and Mental Health Services Administration (SAMHSA) and the Bureau of Indian Affairs (BIA).

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$322,450	\$322,450
FY 2015	\$0	\$0

NP - 1009 - Courtroom Technology - OTO -

This proposal requests \$285,000 in one-time-only general fund to continue courtroom technology improvements throughout Montana courts. In addition, this proposal includes funds to add technology to courtrooms that currently have none. Montana's courtrooms must be equipped to enable electronic recording, presentation of evidence, meet the requirements of the Americans with Disabilities Act (ADA), and provide access to and production of electronic documents from the bench. Courtroom technology has been implemented in approximately 27 courtrooms. This funding proposal would continue courtroom technology improvements and upgrades as well as provide the necessary funding to add technology to courtrooms where technology does not currently exist. This proposal also requests \$37,450 in one-time costs to provide a more cost efficient video conferencing solution for courthouses in rural counties.

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 members 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 Court-Help Center in partnership with Carroll College students.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	6.75	0.00	0.00	6.75	0.00	0.00	6.75
Personal Services	377,472	876	0	378,348	2,475	0	379,947
Operating Expenses	404,222	31	0	404,253	83	0	404,305
Equipment & Intangible Assets	84,261	2,477	0	86,738	4,449	0	88,710
Debt Service	8,875	0	0	8,875	0	0	8,875
Total Costs	\$874,830	\$3,384	\$0	\$878,214	\$7,007	\$0	\$881,837
General Fund	874,830	3,384	0	878,214	7,007	0	881,837
Total Funds	\$874,830	\$3,384	\$0	\$878,214	\$7,007	\$0	\$881,837

JUDICIAL BRANCH-2110 DISTRICT COURT OPERATIONS-04

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

Program Description - The District Courts have original jurisdiction in all felony criminal cases, most civil matters and other cases in law, and in equity. These courts may issue all writs appropriate to their jurisdiction and hear appeals from Courts of Limited Jurisdiction pursuant to statutory parameters. The District Courts are also the state's Youth Courts, responsible for managing juvenile probation functions. There are 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 2012	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2014	Fiscal 2014	Fiscal 2014	Fiscal 2015	Fiscal 2015	Fiscal 2015
FTE	311.58	7.00	0.00	318.58	7.00	0.00	318.58
Personal Services	22,496,889	869,487	0	23,366,376	888,924	0	23,385,813
Operating Expenses	2,470,597	458,081	70,000	2,998,678	421,158	70,000	2,961,755
Equipment & Intangible Assets	19,723	0	0	19,723	0	0	19,723
Total Costs	\$24,987,209	\$1,327,568	\$70,000	\$26,384,777	\$1,310,082	\$70,000	\$26,367,291
General Fund	24,862,817	1,302,942	70,000	26,235,759	1,285,456	70,000	26,218,273
State/Other Special	124,392	24,626	0	149,018	24,626	0	149,018
Total Funds	\$24,987,209	\$1,327,568	\$70,000	\$26,384,777	\$1,310,082	\$70,000	\$26,367,291

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$453,991	\$453,991
FY 2015	\$413,226	\$413,226

PL - 4001 - Minimum Standards - Judicial Support Staff -

This proposal provides \$867,217 in general fund for the 2015 biennium for 7.00 FTE. Currently, several judicial districts in the state do not have the minimum level of staffing defined as one judicial assistant, one law clerk, and one court reporter per judge. Lack of support staff forces judges to do all of their own scheduling, research and administrative tasks, which reduces the efficiency of the judicial process. The Judicial Branch has been slowly requesting these minimum staffing positions since the first legislative session (2003) following state assumption of the District Courts. This request reflects the greatest need and includes requests for both rural and urban judicial districts.

The FTE include 1.50 FTE for Law Clerks in Judicial District 4 (Missoula/Mineral Counties) and 1.00 FTE for an additional 0.25 FTE Law Clerk and 0.75 FTE Judicial Assistant in Judicial District 19 (Lincoln County) and 1.00 FTE Law Clerk each for Judicial District 7 (Dawson/Richland/McCone/ Prairie/Wibaux Counties); Judicial District 16 (Carter/Custer/Fallon/Garfield/Powder River/Rosebud/ Treasure Counties); and Judicial District 20 (Lake/Sanders Counties). The proposal also provides for 0.75 FTE for a judicial assistant in both Judicial District 8 (Cascade County) and in Judicial District 18 (Gallatin County).

Increasing direct staffing to a judge will increase the court's ability to manage the caseload in an efficient manner. A law clerk is essential for legal research and writing and can provide some relief to judges by managing and scheduling conferences with attorneys. A judicial assistant is necessary to provide administrative support and to ensure the court is responsive to the public. These positions are essential as the caseloads increase throughout the state.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$28,436	\$0
FY 2015	\$28,436	\$0

PL - 4003 - Accrued Leave Payouts - State Special Revenue -

This proposal provides \$56,872 state special revenue 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) terminates or retires, the Judicial Branch pays his or her accrued sick and annual leave from this state special revenue fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$26,178	\$26,178
FY 2015	\$26,178	\$26,178

PL - 4004 - Increase for District Court Contracts & Transcript -

This proposal provides \$52,356 general fund for the 2015 biennium to increase rates to contractors in several areas for district courts: contracted court reporters (3 judicial Districts), relief court reporters (most judicial districts), CASA programs, and contracted Guardian Ad Litem (GAL). The request also includes a projected increase in the statutory transcript rate.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$361,277	\$361,277
FY 2015	\$361,277	\$361,277

PL - 4005 - District Court Variable Base Adjustment -

This request is for \$361,277 general fund each year to fund anticipated increases in District Court variable costs. The funds cover jury and witness costs, psychiatric evaluations, appointed guardian ad litem, court reporters, travel, and interpreters among other things.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$70,000	\$70,000
FY 2015	\$70,000	\$70,000

NP - 4002 - Continued Guardian Ad Litem Funding -

This proposal provides \$70,000 per year general fund for the 2015 biennium. One-time-only funding was provided by the 2011 Legislature for guardian ad litem services in child abuse and neglect cases in Judicial District 2, Silver Bow County. Approval of this request would allow funding to continue several contracts with attorneys who provide these statutorily mandated services for children.

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 Adjustment	New Proposals	Total Exec. Budget	PL Base Adjustment	New Proposals	Total Exec. Budget
Budget Item	Fiscal 2012	Fiscal 2014	Fiscal 2014	Fiscal 2014	Fiscal 2015	Fiscal 2015	Fiscal 2015
FTE	21.50	3.00	0.00	24.50	3.00	0.00	24.50
Personal Services	1,428,829	417,635	0	1,846,464	420,894	0	1,849,723
Operating Expenses	196,382	64,574	0	260,956	59,000	0	255,382
Equipment & Intangible Assets	8,287	0	0	8,287	0	0	8,287
Total Costs	\$1,633,498	\$482,209	\$0	\$2,115,707	\$479,894	\$0	\$2,113,392
State/Other Special	1,633,498	482,209	0	2,115,707	479,894	0	2,113,392
Total Funds	\$1,633,498	\$482,209	\$0	\$2,115,707	\$479,894	\$0	\$2,113,392

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$5,328	\$0
FY 2015	\$8,130	\$0

PL - 5001 - Water Court Rent Increase -

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$232,196	\$0
FY 2015	\$222,851	\$0

PL - 5002 - Water Court - FTE Transfer -

The Water Court requests the transfer of 3.00 FTE from the DNRC to the Water Court during the 2015 biennium. There is a corresponding decision package in the DNRC budget which shows the reduction for the transfer. The purpose of the transfer is to implement the vision behind the 2005 Legislature's passage of HB 22 to accelerate the state's water right adjudication effort and to apply the guidance of the Legislative Audit Division's June 2010 Performance Audit Report on the Water Rights Adjudication.

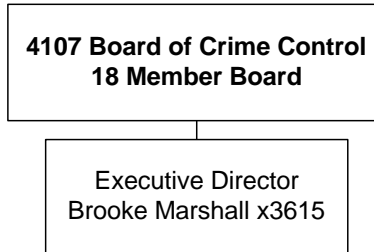
JUDICIAL BRANCH-2110 CLERK OF COURT-06

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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	5.50	0.00	0.00	5.50	0.00	0.00	5.50
Personal Services	427,151	5,103	0	432,254	5,677	0	432,828
Operating Expenses	43,897	180	0	44,077	343	0	44,240
Total Costs	\$471,048	\$5,283	\$0	\$476,331	\$6,020	\$0	\$477,068
General Fund	471,048	5,283	0	476,331	6,020	0	477,068
Total Funds	\$471,048	\$5,283	\$0	\$476,331	\$6,020	\$0	\$477,068

CRIME CONTROL DIVISION-4107 JUSTICE SYSTEM SUPPORT SERVICE-01



Mission Statement - The mission of the Board of Crime Control is to proactively contribute to public safety, crime prevention, and victim assistance through planning, policy development, and coordination of the justice system 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 policy, planning, and program development in the areas of criminal and juvenile justice, victim assistance, resource development, and public safety. 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 for all of its citizens.

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

Language Recommendations - The Executive recommends the following language for HB2: "All pass-through grant authority is biennial. All remaining pass-through grant appropriations , up to \$100,000 in general fund money , \$180,000 in state special revenue, and \$7 million in federal funds, including reversions, for the 2013 biennium are authorized to continue and are appropriated in fiscal year 2014 and fiscal year 2015."

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	17.50	1.00	0.00	18.50	1.00	0.00	18.50
Personal Services	1,057,693	174,847	0	1,232,540	174,745	0	1,232,438
Operating Expenses	790,837	4,846	(264)	795,419	3,441	(264)	794,014
Equipment & Intangible Assets	12,779	0	0	12,779	0	0	12,779
Grants	5,930,638	0	0	5,930,638	0	0	5,930,638
Transfers	637,956	0	0	637,956	0	0	637,956
Total Costs	\$8,429,903	\$179,693	(\$264)	\$8,609,332	\$178,186	(\$264)	\$8,607,825
General Fund	2,261,059	127,864	(264)	2,388,659	126,979	(264)	2,387,774
State/Other Special	151,364	1,253	0	152,617	1,245	0	152,609
Federal Special	6,017,480	50,576	0	6,068,056	49,962	0	6,067,442
Total Funds	\$8,429,903	\$179,693	(\$264)	\$8,609,332	\$178,186	(\$264)	\$8,607,825

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$63,578	\$45,555
FY 2015	\$63,561	\$45,542

PL - 1 - Financial Monitoring of Projects -

The Montana Board of Crime Control (MBCC) is requesting 1.00 FTE financial compliance auditor and a lease vehicle. A full-time auditor working in conjunction with the current 2 full time accountants will enable MBCC staff to increase the projects reviewed on a regular timeline to 50% or greater. This request is based on increased workload and the need to complete important on site financial monitoring for a majority of the sub grantees in a timely fashion.

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

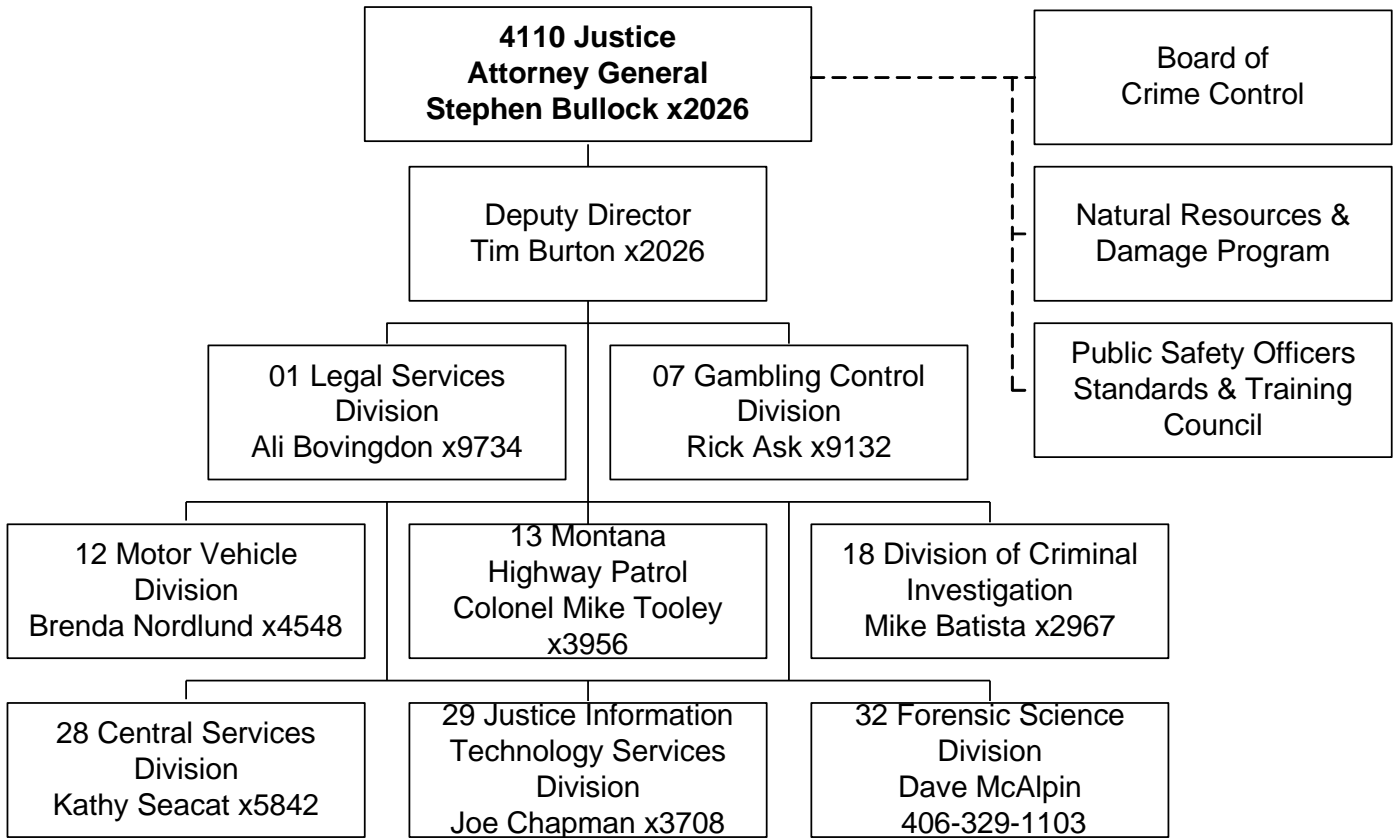
	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	(\$264)	(\$264)
FY 2015	(\$264)	(\$264)

NP - 6101 - Professional Development Center Fee Allocation -

The Professional Development Center at the Department of Administration has been funded for many years by fees assessed for individual training courses. For the 2015 biennium and beyond, the program will be funded via a fixed cost allocation. Because the allocation represents a funding switch, it must be presented as a new proposal for the next biennium. The budget includes \$605 general fund each year for the department's allocation of the fixed cost. This decision package shows a net reduction of \$264 general fund due to the agency's base expenditures being reduced.

DEPARTMENT OF JUSTICE-4110

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

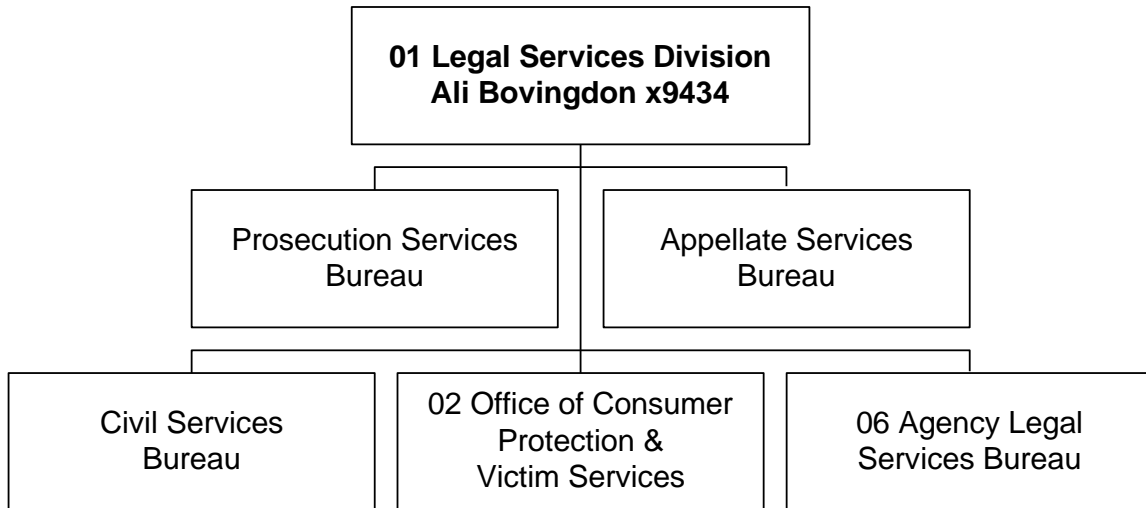


Mission Statement - The mission of the Department of Justice is to pursue activities and programs that seek to ensure and promote the public interest, safety, and well-being through leadership, advocacy, education, regulation, and enforcement.

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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	754.85	1.00	8.00	763.85	1.00	8.00	763.85
Personal Services	46,742,854	4,715,830	561,502	52,020,186	4,782,162	560,673	52,085,689
Operating Expenses	26,076,259	3,239,286	264,311	29,579,856	3,700,004	239,963	30,016,226
Equipment & Intangible Assets	2,284,825	175,500	0	2,460,325	175,500	0	2,460,325
Benefits & Claims	824,712	0	0	824,712	0	0	824,712
Transfers	11,295	0	0	11,295	0	0	11,295
Debt Service	331,089	395,707	0	726,796	395,707	0	726,796
Total Costs	\$76,271,034	\$8,526,323	\$825,813	\$85,623,170	\$9,053,373	\$800,636	\$86,125,043
General Fund	26,416,233	2,542,268	851,808	29,810,309	2,574,112	831,945	29,822,290
State/Other Special	46,978,839	5,982,134	(25,995)	52,934,978	6,475,834	(31,309)	53,423,364
Federal Special	1,119,209	(16,794)	0	1,102,415	(16,801)	0	1,102,408
Proprietary	1,756,753	18,715	0	1,775,468	20,228	0	1,776,981
Total Funds	\$76,271,034	\$8,526,323	\$825,813	\$85,623,170	\$9,053,373	\$800,636	\$86,125,043

**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 Division is made up of three bureaus:

- 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 division also houses the Child Protection Unit, which 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.

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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	53.00	0.00	2.00	55.00	0.00	2.00	55.00
Personal Services	3,938,715	228,880	172,126	4,339,721	236,318	171,860	4,346,893
Operating Expenses	1,737,888	136,579	32,691	1,907,158	134,737	21,390	1,894,015
Benefits & Claims	824,712	0	0	824,712	0	0	824,712
Total Costs	\$6,501,315	\$365,459	\$204,817	\$7,071,591	\$371,055	\$193,250	\$7,065,620
General Fund	5,913,418	350,947	204,817	6,469,182	356,549	193,250	6,463,217
State/Other Special	193,655	(3,657)	0	189,998	(3,657)	0	189,998
Federal Special	394,242	18,169	0	412,411	18,163	0	412,405
Total Funds	\$6,501,315	\$365,459	\$204,817	\$7,071,591	\$371,055	\$193,250	\$7,065,620

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$204,817	\$204,817
FY 2015	\$193,250	\$193,250

NP - 101 - LSD Child Sexual Predator and Drug Diversion -

The Legal Services Division requests to make permanent 2.00 FTE attorney positions currently dedicated to the Child Sexual Predator and Drug Diversion Programs. This request is for \$204,817 in FY 2014 and \$193,250 in FY 2015 of general fund.

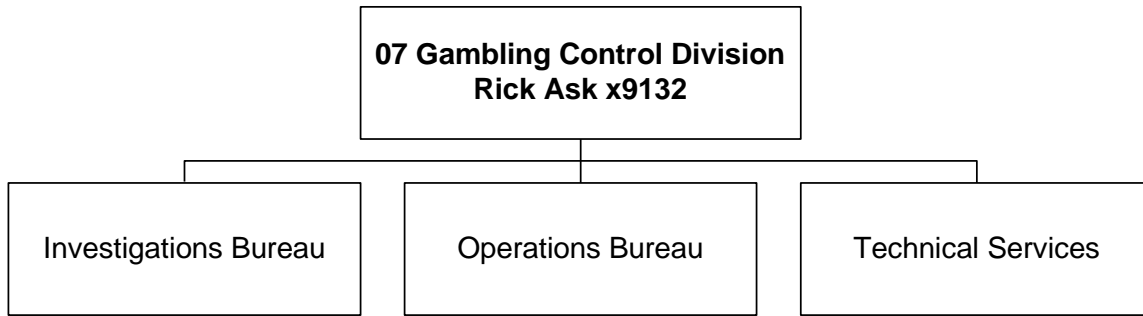
**DEPARTMENT OF JUSTICE-4110
OFFICE OF CONSUMER PROTECTION-02**

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

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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	9.00	0.00	0.00	9.00	0.00	0.00	9.00
Personal Services	616,245	(42,150)	0	574,095	(38,990)	0	577,255
Operating Expenses	284,974	7,812	0	292,786	8,538	0	293,512
Total Costs	\$901,219	(\$34,338)	\$0	\$866,881	(\$30,452)	\$0	\$870,767
State/Other Special	901,219	(34,338)	0	866,881	(30,452)	0	870,767
Total Funds	\$901,219	(\$34,338)	\$0	\$866,881	(\$30,452)	\$0	\$870,767

**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.

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	47.00	0.00	0.00	47.00	0.00	0.00	47.00
Personal Services	2,887,456	229,013	0	3,116,469	232,472	0	3,119,928
Operating Expenses	728,559	14,497	0	743,056	20,441	0	749,000
Equipment & Intangible Assets	82,860	0	0	82,860	0	0	82,860
Total Costs	\$3,698,875	\$243,510	\$0	\$3,942,385	\$252,913	\$0	\$3,951,788
State/Other Special	2,590,037	209,056	0	2,799,093	215,733	0	2,805,770
Proprietary	1,108,838	34,454	0	1,143,292	37,180	0	1,146,018
Total Funds	\$3,698,875	\$243,510	\$0	\$3,942,385	\$252,913	\$0	\$3,951,788

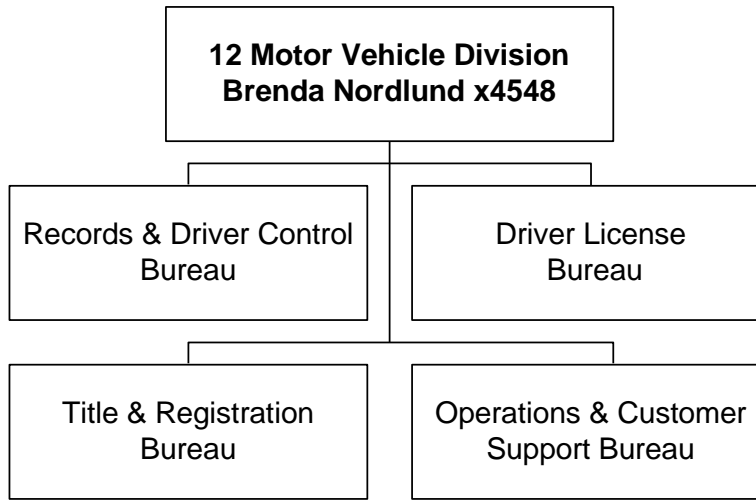
-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$23,561	\$0
FY 2015	\$26,225	\$0

PL - 701 - GCD Base Adjustments -

The Gambling Control Division (GCD) requests \$49,786 for the 2015 biennium for increased office rent and restoring zero-based overtime. Funding for the request is \$34,850 in state special revenue and \$14,936 in liquor proprietary funding.

**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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	153.75	0.00	0.00	157.75	0.00	4.00	157.75
Personal Services	6,175,229	410,792	201,478	6,787,499	415,917	201,203	6,792,349
Operating Expenses	8,858,544	2,572,844	171,036	11,602,424	3,040,518	158,024	12,057,086
Equipment & Intangible Assets	43,528	70,500	0	114,028	70,500	0	114,028
Debt Service	266,700	350,000	0	616,700	350,000	0	616,700
Total Costs	\$15,344,001	\$3,404,136	\$372,514	\$19,120,651	\$3,876,935	\$359,227	\$19,580,163
General Fund	7,507,520	710,352	223,509	8,441,381	733,631	215,536	8,456,687
State/Other Special	7,245,222	2,693,784	149,005	10,088,011	3,143,304	143,691	10,532,217
Proprietary	591,259	0	0	591,259	0	0	591,259
Total Funds	\$15,344,001	\$3,404,136	\$372,514	\$19,120,651	\$3,876,935	\$359,227	\$19,580,163

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$952,392	\$0
FY 2015	\$952,392	\$0

PL - 1202 - MVD Annualize MTIVS Contract -

The Motor Vehicle Division is requesting to annualize the Motor Vehicle Insurance Verification Program (MTIVS) contract which will increase state special revenue operating expenditures \$1,904,784 for the 2015 biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$1,085,000	\$0
FY 2015	\$1,519,000	\$0

PL - 1203 - MVD License Plate Rolling Reissue -

This request is for state special revenue spending authority in the amount of \$2,604,000 for the 2015 biennium to annualize expenditures associated with the issuance of new license plates as required by 61-3-332(3), MCA.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$144,771	\$86,863
FY 2015	\$150,095	\$90,057

PL - 1204 - MVD Annualize Mail Renewal Contract & Office Lease -

Base adjustments are requested by the Motor Vehicle Division to annualize the mail renewal notice contract, the postage increase for driver licenses and motor vehicle registration renewal notices, and to annualize lease contracts for 12 driver licensing offices within the state. The biennial amount is \$294,866, of which \$176,920 is general fund and \$117,946 is state special revenue.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$247,467	\$148,480
FY 2015	\$247,467	\$148,480

PL - 1205 - MVD Base Adjustments -

The Motor Vehicle Division is requesting a base adjustment for the 2015 biennium of \$494,934 (\$296,960 general fund/\$197,974 state special revenue). The base adjustment request is for a 5 year replacement cycle for computers, printers, and servers and to move from a 2 vehicle to a 5 vehicle annual replacement cycle to maintain the 100,000 odometer target for replacement.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$350,000	\$0
FY 2015	\$350,000	\$0

PL - 1207 - MVD Debt Payments to BOI -

The department requests \$350,000 of state special revenue authority each year of the biennium for debt payment associated with MERLIN.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$249,886	\$149,932
FY 2015	\$236,599	\$141,959

NP - 1201 - MVD Commercial Driver License Program -

The Motor Vehicle Division requests to make permanent 4.00 FTE commercial driver licensing positions that currently are modified FTE. This request is for \$291,891 of general fund and \$194,594 of highway state special revenue for the biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$89,333	\$53,600
FY 2015	\$89,333	\$53,600

PL - 1208 - MVD CDL Medical Certification Program -

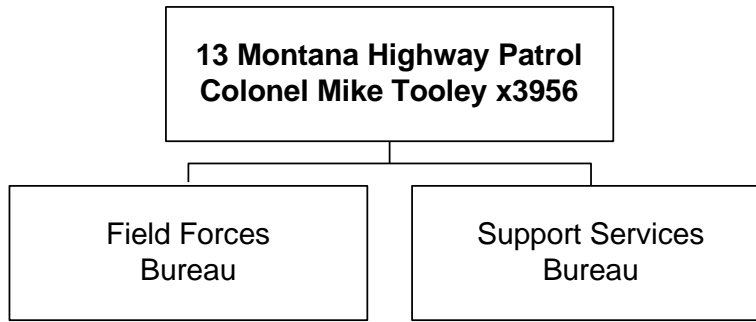
The department is requesting a fund switch from federal funding to gas tax and general fund for ongoing support of the commercial driver licensing medical certification program processes by handling the federally mandated medical examination certificates for CDL operators and facial recognition to prevent identify fraud. This request would be for \$53,600 general fund and \$35,733 state special revenue each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$33,295	\$19,977
FY 2015	\$33,295	\$19,977

PL - 1209 - MVD National Motor Vehicle Title Info System -

The department is requesting an increase in operating expenditures of \$66,590 (\$39,954 general fund/\$26,636 state special revenue) for the biennium for the National Motor Vehicle Title Information System (NMVTIS) contract. The federal funding will expire in October of 2012. The NMVTIS contract allows the state to verify the information on paper titles with the electronic data from the state that issued the title preventing fraudulent titling transactions.

**DEPARTMENT OF JUSTICE-4110
MONTANA HIGHWAY PATROL-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	Base Budget	PL Base Adjustment	New Proposals	Total Exec. Budget	PL Base Adjustment	New Proposals	Total Exec. Budget
Budget Item	Fiscal 2012	Fiscal 2014	Fiscal 2014	Fiscal 2014	Fiscal 2015	Fiscal 2015	Fiscal 2015
FTE	297.00	0.00	0.00	297.00	0.00	0.00	297.00
Personal Services	21,055,923	2,744,128	0	23,800,051	2,780,390	0	23,836,313
Operating Expenses	8,499,915	128,056	0	8,627,971	162,549	0	8,662,464
Equipment & Intangible Assets	1,992,165	0	0	1,992,165	0	0	1,992,165
Total Costs	\$31,548,003	\$2,872,184	\$0	\$34,420,187	\$2,942,939	\$0	\$34,490,942
State/Other Special	31,548,003	2,872,184	0	34,420,187	2,942,939	0	34,490,942
Total Funds	\$31,548,003	\$2,872,184	\$0	\$34,420,187	\$2,942,939	\$0	\$34,490,942

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$548,796	\$0
FY 2015	\$548,796	\$0

PL - 1301 - MHP Salary Increase per Survey -

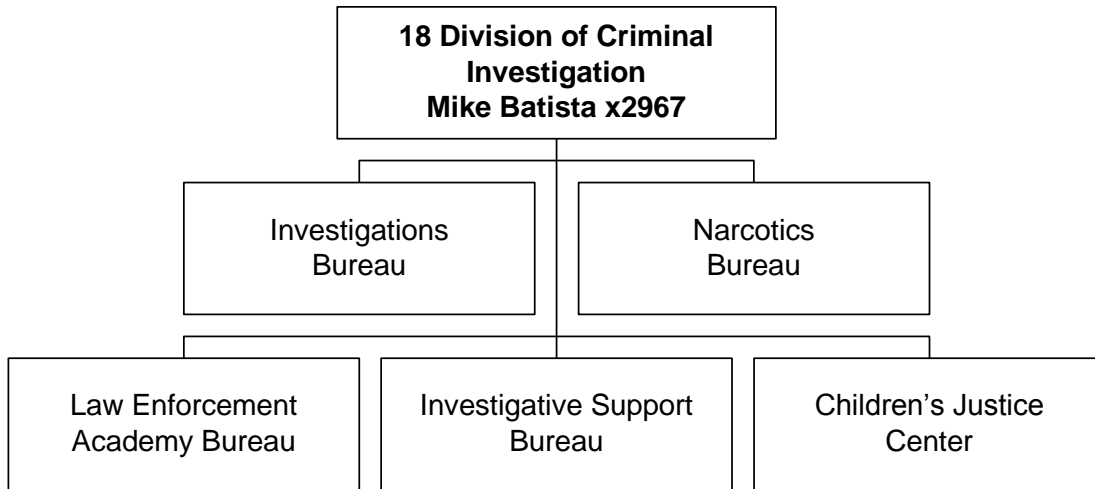
The agency is requesting \$548,796 state special revenue each year of the biennium for Montana Highway Patrol (MHP) uniform personnel salary increases per the recent salary survey as required by 2-18-303, MCA. Due to this survey and the statutory requirements, the MHP is excluded from the proposed pay plan proposal.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$683,060	\$0
FY 2015	\$671,492	\$0

PL - 1302 - MHP Base Adjustments -

The Montana Highway Patrol (MHP) is requesting \$683,060 in FY 2014 and \$671,492 in FY 2015 of state special revenue for base adjustments. The adjustment is necessary to allow the MHP to continue to meet its ongoing responsibilities of regular zero based overtime for uniformed personnel, civilian personnel, and communications operators totaling \$548,490 per year and increased operating costs for rent and tower sites across the state total \$48,911 in FY 2014 and \$65,105 in FY 2015. MHP also needs an additional \$143,556 for the biennium to restore gasoline fuel costs to FY 2012 levels.

**DEPARTMENT OF JUSTICE-4110
DIV. 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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	102.00	1.00	2.00	105.00	1.00	2.00	105.00
Personal Services	5,860,119	751,409	187,898	6,799,426	757,344	187,610	6,805,073
Operating Expenses	3,549,053	283,645	43,048	3,875,746	310,864	43,013	3,902,930
Equipment & Intangible Assets	123,452	0	0	123,452	0	0	123,452
Transfers	11,295	0	0	11,295	0	0	11,295
Total Costs	\$9,543,919	\$1,035,054	\$230,946	\$10,809,919	\$1,068,208	\$230,623	\$10,842,750
General Fund	5,639,292	935,272	405,946	6,980,510	960,427	405,623	7,005,342
State/Other Special	3,182,165	134,892	(175,000)	3,142,057	142,891	(175,000)	3,150,056
Federal Special	722,462	(35,110)	0	687,352	(35,110)	0	687,352
Total Funds	\$9,543,919	\$1,035,054	\$230,946	\$10,809,919	\$1,068,208	\$230,623	\$10,842,750

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$191,498	\$191,498
FY 2015	\$191,498	\$191,498

PL - 1804 - DCI Child Sexual Predator and Drug Diversion -

The Division of Criminal Investigation is requesting \$191,498 in FY 2014 and FY 2015 general fund for the continuation of the Child Sexual Predator and Drug Diversion Programs as approved for FY 2013 by the 2011 Legislature.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$38,183	\$38,183
FY 2015	\$51,913	\$51,913

PL - 1806 - DCI Base Adjustments -

The Division of Criminal Investigation (DCI) is requesting \$90,096 general fund for 2015 biennium base adjustments. This request includes \$38,183 in FY 2014 and \$51,913 in FY 2015 for contractual rent increases for DCI offices across the state.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$61,347	\$61,347
FY 2015	\$61,260	\$61,260

PL - 1808 - MLEA Trainer -

Division of Criminal Investigation (DCI) is requesting 1.00 FTE and continuation of \$61,347 in FY 2014 and \$61,260 in FY 2015 general fund for the Montana Law Enforcement Academy (MLEA). The 2011 Legislature provided general fund dollars for the MLEA to provide training for parole officers but did not provide a FTE.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$230,946	\$230,946
FY 2015	\$230,623	\$230,623

PL - 1801 - DCI Sexual and Violent Offender Registry -

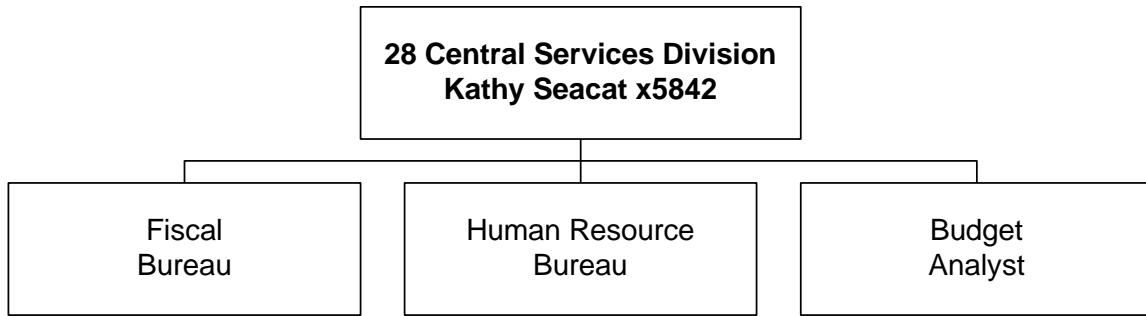
The Division of Criminal Investigation (DCI) requests 2.00 FTE and \$230,946 in FY 2014 and \$230,623 in FY 2015 general fund for the continuation of the Sexual and Violent Offender Registry Program compliance program. The positions are needed to process compliance documents and perform forensic training across Montana for the Children's Justice Center (CJC) and the Sexual and Violent Offender Registry program (SVOR).

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$0	\$175,000
FY 2015	\$0	\$175,000

NP - 1807 - DCI MLEA Maintenance -

The Division of Criminal Investigation is requesting a funding switch from the Montana Law Enforcement Academy (MLEA) state special fund to the general fund for maintenance and utility costs totaling \$350,000 in the 2015 biennium.

**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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	19.00	0.00	0.00	19.00	0.00	0.00	19.00
Personal Services	1,106,876	86,529	0	1,193,405	90,582	0	1,197,458
Operating Expenses	231,883	30,915	17,536	280,334	(44,156)	17,536	205,263
Total Costs	\$1,338,759	\$117,444	\$17,536	\$1,473,739	\$46,426	\$17,536	\$1,402,721
General Fund	437,695	47,271	17,536	502,502	22,851	17,536	478,082
State/Other Special	859,232	85,944	0	945,176	40,558	0	899,790
Proprietary	41,832	(15,771)	0	26,061	(16,983)	0	24,849
Total Funds	\$1,338,759	\$117,444	\$17,536	\$1,473,739	\$46,426	\$17,536	\$1,402,721

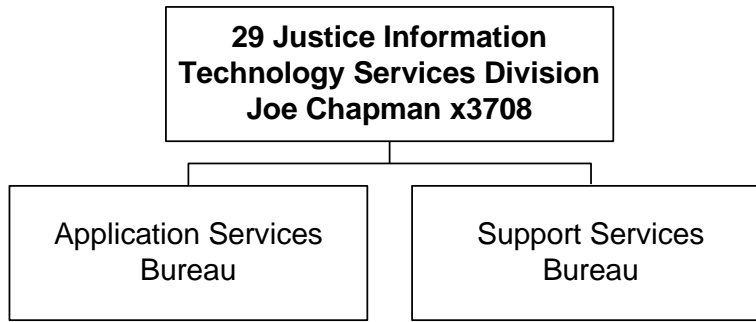
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$17,536	\$17,536
FY 2015	\$17,536	\$17,536

NP - 6101 - Professional Development Center Fee Allocation -

The Professional Development Center at the Department of Administration has been funded for many years by fees assessed for individual training courses. For the 2015 biennium and beyond, the program will be funded via a fixed cost allocation. Because the allocation represents a funding switch, it must be presented as a new proposal for the next biennium. The budget includes \$17,536 general fund each year of the biennium for the department's allocation of the fixed cost.

**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; and 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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	40.80	0.00	0.00	40.80	0.00	0.00	40.80
Personal Services	2,543,238	174,249	0	2,717,487	175,298	0	2,718,536
Operating Expenses	1,062,634	49,640	0	1,112,274	47,974	0	1,110,608
Equipment & Intangible Assets	36,820	0	0	36,820	0	0	36,820
Total Costs	\$3,642,692	\$223,889	\$0	\$3,866,581	\$223,272	\$0	\$3,865,964
General Fund	3,491,704	215,893	0	3,707,597	215,298	0	3,707,002
State/Other Special	133,659	7,817	0	141,476	7,797	0	141,456
Federal Special	2,505	147	0	2,652	146	0	2,651
Proprietary	14,824	32	0	14,856	31	0	14,855
Total Funds	\$3,642,692	\$223,889	\$0	\$3,866,581	\$223,272	\$0	\$3,865,964

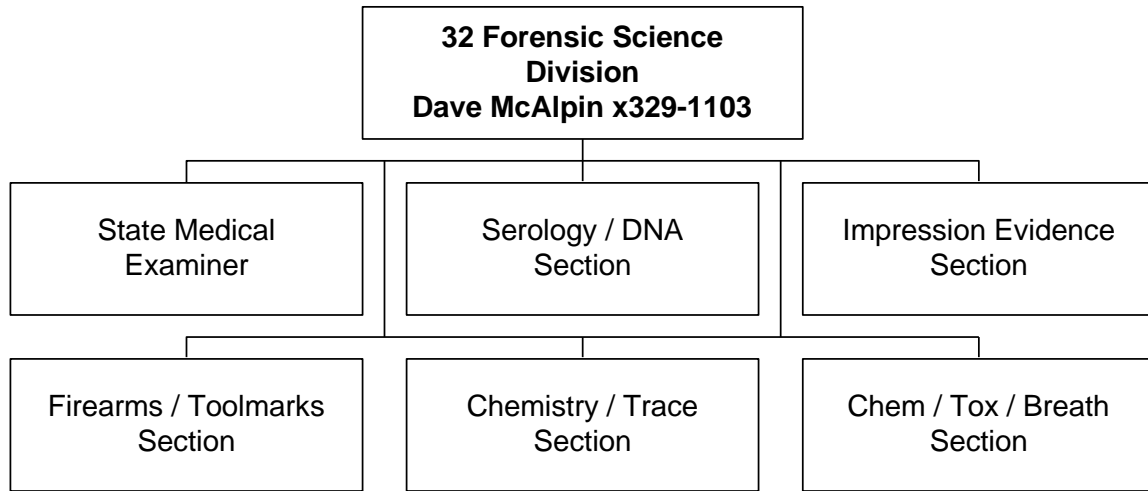
-----Present Law Adjustments-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$10,000	\$10,000
FY 2015	\$10,000	\$10,000

PL - 2901 - JITSD Base Adjustment -

The Information Systems Division (JITSD) is requesting \$10,000 general fund each fiscal year of the biennium for overtime, on-call, and call-out costs in the division.

**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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	33.30	0.00	0.00	33.30	0.00	0.00	33.30
Personal Services	2,559,053	132,980	0	2,692,033	132,831	0	2,691,884
Operating Expenses	1,122,809	15,298	0	1,138,107	18,539	0	1,141,348
Equipment & Intangible Assets	6,000	105,000	0	111,000	105,000	0	111,000
Debt Service	64,389	45,707	0	110,096	45,707	0	110,096
Total Costs	\$3,752,251	\$298,985	\$0	\$4,051,236	\$302,077	\$0	\$4,054,328
General Fund	3,426,604	282,533	0	3,709,137	285,356	0	3,711,960
State/Other Special	325,647	16,452	0	342,099	16,721	0	342,368
Total Funds	\$3,752,251	\$298,985	\$0	\$4,051,236	\$302,077	\$0	\$4,054,328

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$5,000	\$5,000
FY 2015	\$5,000	\$5,000

PL - 3201 - FSD Base Adjustments -

The Forensic Science Division (FSD) is requesting \$5,000 each year of the biennium to annualize the HVAC maintenance contract. The contract protects the recent \$2 million investment in HVAC upgrades at the State Crime Laboratory in Missoula.

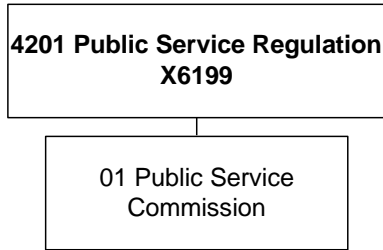
**DEPARTMENT OF JUSTICE-4110
FORENSIC SCIENCE DIVISION-32**

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$105,000	\$105,000
FY 2015	\$105,000	\$105,000

PL - 3202 - FSD Equipment - Bien -

The Forensic Science Division (FSD) is requesting a \$210,000 biennial general fund appropriation for purchasing new and/or replacing scientific equipment. The State Crime Laboratory relies on highly sophisticated and expensive instrumentation for analysis. A biennial appropriation allows for instruments to be acquired as needed.

PUBLIC SERVICE REGULATION-4201 PUBLIC SERVICE REGULATION PROG-01



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

Statutory Authority - Title 69

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

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2012	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2014	Fiscal 2014	Fiscal 2014	Fiscal 2015	Fiscal 2015	Fiscal 2015
FTE	40.00	0.00	0.00	40.00	0.00	0.00	40.00
Personal Services	2,755,472	337,162	0	3,092,634	247,375	0	3,002,847
Operating Expenses	612,409	24,871	(193)	637,087	39,094	(193)	651,310
Debt Service	6,080	0	0	6,080	0	0	6,080
Total Costs	\$3,373,961	\$362,033	(\$193)	\$3,735,801	\$286,469	(\$193)	\$3,660,237
State/Other Special	3,308,354	362,033	(193)	3,670,194	286,469	(193)	3,594,630
Federal Special	65,607	0	0	65,607	0	0	65,607
Total Funds	\$3,373,961	\$362,033	(\$193)	\$3,735,801	\$286,469	(\$193)	\$3,660,237

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$92,800	\$0
FY 2015	\$0	\$0

PL - 1 - Retirement Payouts (Restricted/Biennial) -

The Public Service Commission (PSC) requests additional state special revenue personal services funding to pay for staff retirement payouts. The PSC anticipates up to 20% of staff will retire in the next biennium resulting in leave payouts above normal personal services costs of \$92,800 during the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$8,150	\$0
FY 2015	\$42,750	\$0

PL - 2 - Computer Replacement -

The Public Service Commission will replace 2 servers in FY 2014 and 25 desktop computers, 5 laptop computers with monitors and 1 server in FY 2015. This computer replacement request is based on the five-year replacement cycle recommended by State Information Technology Services Division, Department of Administration. This request is for \$8,150 in FY 2014 and \$42,750 in FY 2015 which is the difference between the base amount and the total cost each year. There is no general fund impact.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$2,715	\$0
FY 2015	\$2,715	\$0

PL - 3 - Building Rent -

The Public Service Commission has a private lease through FY 2016 negotiated by the General Services Division, Department of Administration. This request is for \$2,715 state special revenue in each year of the biennium to fund the scheduled rent increase. There is no general fund impact.

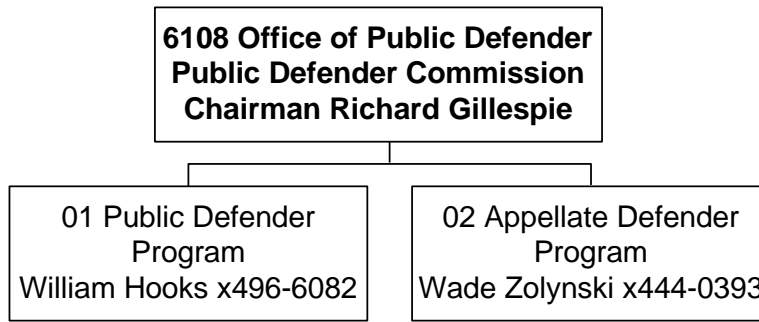
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	(\$193)	\$0
FY 2015	(\$193)	\$0

NP - 6101 - Professional Development Center Fee Allocation -

The Professional Development Center at the Department of Administration has been funded for many years by fees assessed for individual training courses. For the 2015 biennium and beyond, the program will be funded via a fixed cost allocation. Because the allocation represents a funding switch, it must be presented as a new proposal for the next biennium. The budget includes \$1,383 state special revenue funding each year for the department's allocation of the fixed cost. Due to the removal of the base this adjustment is for -\$193 state special revenue each year of the biennium.

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.

Statutory Authority - Title 47

Agency Proposed Budget	Base Budget Fiscal 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	209.50	37.00	0.00	246.50	37.00	0.00	246.50
Personal Services	13,643,678	2,960,880	0	16,604,558	3,214,684	0	16,858,362
Operating Expenses	9,015,625	899,575	120,203	10,035,403	745,229	233,639	9,994,493
Equipment & Intangible Assets	18,554	10,000	0	28,554	0	0	18,554
Total Costs	\$22,677,857	\$3,870,455	\$120,203	\$26,668,515	\$3,959,913	\$233,639	\$26,871,409
General Fund	22,577,899	3,690,679	120,203	26,388,781	3,784,412	233,639	26,595,950
State/Other Special	99,958	179,776	0	279,734	175,501	0	275,459
Total Funds	\$22,677,857	\$3,870,455	\$120,203	\$26,668,515	\$3,959,913	\$233,639	\$26,871,409

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

01 Public Defender Program
William Hooks 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 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 statewide system.

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2012	Adjustment Fiscal 2014	Proposals Fiscal 2014	Exec. Budget Fiscal 2014	Adjustment Fiscal 2015	Proposals Fiscal 2015	Exec. Budget Fiscal 2015
FTE	199.50	33.50	0.00	233.00	33.50	0.00	233.00
Personal Services	12,923,907	2,660,831	0	15,584,738	2,894,343	0	15,818,250
Operating Expenses	8,594,131	884,326	117,880	9,596,337	740,874	228,993	9,563,998
Equipment & Intangible Assets	18,554	10,000	0	28,554	0	0	18,554
Total Costs	\$21,536,592	\$3,555,157	\$117,880	\$25,209,629	\$3,635,217	\$228,993	\$25,400,802
General Fund	21,436,634	3,375,381	117,880	24,929,895	3,459,716	228,993	25,125,343
State/Other Special	99,958	179,776	0	279,734	175,501	0	275,459
Total Funds	\$21,536,592	\$3,555,157	\$117,880	\$25,209,629	\$3,635,217	\$228,993	\$25,400,802

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$1,117,846	\$1,117,846
FY 2015	\$1,061,135	\$1,061,135

PL - 1 - Support Workload - FTE -

The Public Defender Program is requesting 15.00 FTE to support its current workload. The total funding request is \$1,117,846 for FY 2014 and \$1,061,135 for FY 2015 general fund. The first fiscal year includes office set up costs. The positions include: 10.00 FTE attorney positions and 5.00 FTE administrative support positions. The 10.00 FTE attorney positions will handle excess caseloads that currently exist within the program. This was calculated by viewing case weighting system (CWS) reports over several periods during FY 2012. The program strives to limit public defenders' case weights to 150 units to ensure effective assistance of counsel. At any given CWS reporting date, most of the agency's public defenders are over 150 units. The program is also requesting 5.00 administrative positions to support additional and existing attorney positions.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$88,689	\$76,740
FY 2015	\$84,713	\$84,713

PL - 2 - Computers/Servers/Printers (OTO) -

This decision package allows for the replacement of computers, servers, and printers in accordance with replacement standards and agency usage studies. Funding for these items for FY 2014 is \$88,689 and \$84,713 for FY 2015 general fund. The past biennium appropriation was "one-time only."

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$210,826	\$210,826
FY 2015	\$188,227	\$188,227

PL - 4 - Conflict Coordinator -

This decision package is for 2.50 FTE and funding in the amount of \$210,826 in FY 2014 and \$188,227 in FY 2015 general fund. The first fiscal year includes office set up costs. This item will allow the Conflict Coordinator function to move its manager from a half time to full time, add a 1.00 FTE attorney to do post-conviction relief and other conflict cases, and add 1.00 FTE administrative support. The conflict coordinator position reports directly to the Montana Public Defender Commission as of July 1, 2011 to handle cases that present a conflict of interest to existing staff. The conflict coordinator function manages over 300 new cases per month which equates to 3,600 cases per year.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$272,373	\$272,373
FY 2015	\$260,947	\$260,947

PL - 5 - Managers' Caseloads -

This decision package is for 3.00 FTE attorneys for each fiscal year and funding in the amount of \$272,373 in FY 2014 and \$260,947 in FY 2015 general fund. The first fiscal year includes office set up costs. This funding will allow a reduction in caseloads for attorneys that manage the work of other attorneys and support staff, resulting in more time for management activities.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$141,948	\$41,948
FY 2015	\$134,399	\$34,399

PL - 6 - Investigative Staff to Support Workload -

The Public Defender Program is requesting 2.00 FTE investigators to support its current workload. The total funding request is \$141,948 for FY 2014 and \$134,399 for FY 2015 state special revenue and general fund. The first fiscal year includes office set up costs. The agency uses investigators in most felony cases and some misdemeanor cases to support the mission of providing legal services to clients. Given the recent increase in caseloads, the agency is unable to meet its goal of providing this service in some important felony cases. The new FTE will allow the program to address the increased workload.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$42,363	\$0
FY 2015	\$38,138	\$0

PL - 7 - Accounts Receivable Support -

This decision package is for 1.00 FTE and funding in the amount of \$42,363 in FY 2014 and \$38,138 in FY 2015 state special revenue. The first fiscal year includes office set up costs. This position is to provide accounting and reporting for the agency's state special revenue fund. Client fees assessed by various courts go into the state special revenue fund, which would fund this position.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$500,000	\$500,000
FY 2015	\$500,000	\$500,000

PL - 9 - Capital Case Defense – OTO/RST/BIEN

This request of \$500,000 general fund each fiscal year is to fund public defender work on any capital cases that already exist or may arise. Legal standards require greater resources for death penalty cases than other felony cases, so can they are very expensive, and can quickly drain the agency's budget and place it in need of supplemental funding to fulfill its mission. This request is for a restricted/biennial/one-time only appropriation.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$913,848	\$913,848
FY 2015	\$1,153,746	\$1,153,746

PL - 13 - Fund Career Ladder -

This decision package funds the cost of maintaining negotiated pay schedules that provide incremental competency pay adjustments for newer employees as they achieve certain educational and experiential milestones. According to a recent decision from the Montana Board of Personnel Appeals (Unfair Labor Practice Charge No. 14-2012), these automatic pay adjustments are subjects of mandatory bargaining under Montana's collective bargaining act and, as such, cannot be unilaterally discontinued and must be maintained during the time successor agreements are being negotiated. The executive is requesting \$913,848 general fund in FY 2014 and \$1,153,746 general fund in FY 2015 to fund this requirement.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$684,180	\$646,767
FY 2015	\$683,179	\$645,816

PL - 15 - Support Workload - Modified FTE -

The Public Defender Program is requesting that 10.00 FTE modified positions be made permanent to support its current workload. The total funding request is \$684,180 for FY 2014 and \$683,179 for FY 2015 state special revenue and general fund. The positions include: 6.00 FTE attorney positions and 4.00 FTE administrative support positions. The modified positions were established during FY 2012 to handle a double digit caseload increase. This double digit increase is nearly three times the program's average annual increase of 4 percent. These increases are apparent in the majority of the 11 regions and across all case types. One of the administrative positions is to provide accounting and reporting for the agency's state special revenue fund. Client fees assessed by various courts go into the state special revenue fund, which would fund this position.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$111,113	\$111,113
FY 2015	\$222,226	\$222,226

NP - 12 - Increase Contract Attorney Rates -

This decision package requests \$111,113 in FY 2014 and \$222,226 in FY 2015 general fund to support an 2% provider rate increase, each year of the biennium, in the hourly rate paid to contract attorneys for non-capital case work. The rates paid to providers have not increased since the inception of the agency.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$6,767	\$6,767
FY 2015	\$6,767	\$6,767

NP - 6101 - Professional Development Center Fee Allocation -

The Professional Development Center at the Department of Administration has been funded for many years by fees assessed for individual training courses. For the 2015 biennium and beyond, the program will be funded via a fixed cost allocation. Because the allocation represents a funding switch, it must be presented as a new proposal for the next biennium. The budget includes \$6,767 general fund each year of the biennium for the department's allocation of the fixed cost.

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

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

Program Proposed Budget	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2012	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2014	Fiscal 2014	Fiscal 2014	Fiscal 2015	Fiscal 2015	Fiscal 2015
FTE	10.00	3.50	0.00	13.50	3.50	0.00	13.50
Personal Services	719,771	300,049	0	1,019,820	320,341	0	1,040,112
Operating Expenses	421,494	15,249	2,323	439,066	4,355	4,646	430,495
Total Costs	\$1,141,265	\$315,298	\$2,323	\$1,458,886	\$324,696	\$4,646	\$1,470,607
General Fund	1,141,265	315,298	2,323	1,458,886	324,696	4,646	1,470,607
Total Funds	\$1,141,265	\$315,298	\$2,323	\$1,458,886	\$324,696	\$4,646	\$1,470,607

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$132,778	\$132,778
FY 2015	\$125,246	\$125,246

PL - 3 - Support Workload -

The Appellate Defender Program is requesting 2.00 FTE to support its current increased workload. The total funding request is \$132,778 for FY 2014 and \$125,246 for FY 2015 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. The attorney position permits the office to address excess caseloads. The program experienced a 17 percent increase in direct appeals for FY 2012. The program also experienced 44 percent turnover in the attorney workforce during that same period. Currently 2.00 FTE admin positions support 9 internal FTE attorneys and 10 contract attorneys. One additional attorney and one additional administrative support are necessary to provide competent representation in an environment where caseloads are increasing.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$56,005	\$56,005
FY 2015	\$52,197	\$52,197

PL - 11 - Managers' Caseloads -

This decision package is for 0.50 FTE attorney for each fiscal year and funding in the amount of \$56,005 in FY 2014 and \$52,197 in FY 2015 general fund. The first fiscal year includes office set up costs. This funding will allow a reduction in caseloads for the Chief Appellate Defender that manages the work of the program's support staff and FTE and contract attorneys.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$79,198	\$79,198
FY 2015	\$100,268	\$100,268

PL - 17 - Fund Career Ladder -

This decision package is to fund a career pay ladder for the non-union Appellate attorney group. The pay ladder mirrors the one produced for the public defender attorney group. The decision package requests personal services funding in the amount of \$79,198 in FY 2014 and \$100,268 in FY 2015 general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$87,116	\$87,116
FY 2015	\$86,983	\$86,983

PL - 18 - Support Workload - Modified FTE -

The Appellate Defender Program is requesting that 1.00 FTE attorney, currently a modified position, be made permanent to support its current workload. The total funding request is \$87,116 for FY 2014 and \$86,983 for FY 2015 general fund. This modified position was established during FY 2012 to address the unmanageable workload.

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

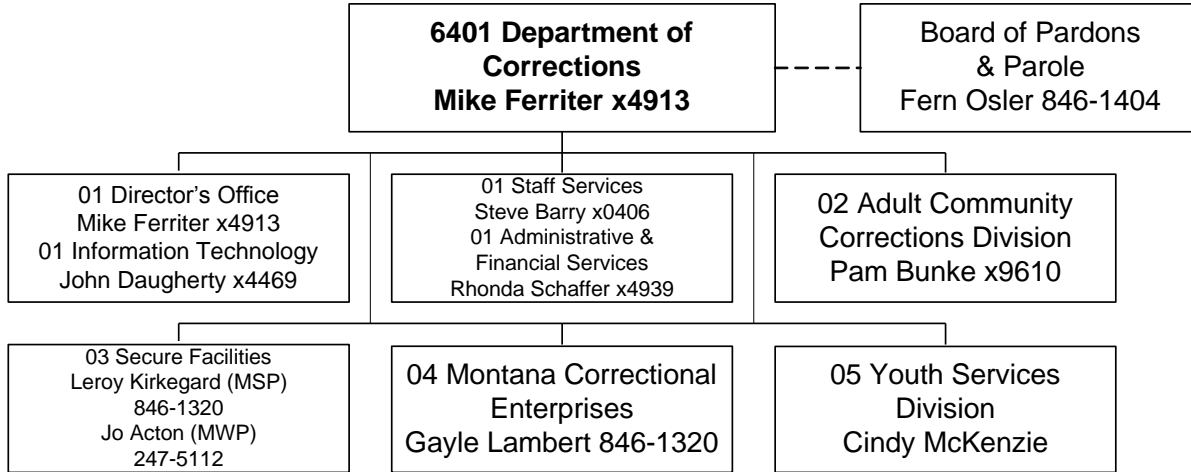
	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$2,323	\$2,323
FY 2015	\$4,646	\$4,646

NP - 10 - Increase Contract Attorney Rates -

This decision package requests \$2,323 in FY 2014 and \$4,646 in FY 2015 general fund to support an increase in the hourly rate paid to contract attorneys by 2% each fiscal year.

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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	1,279.89	10.00	20.00	1,309.89	10.00	20.00	1,309.89
Personal Services	69,859,396	2,496,846	1,081,184	73,437,426	3,355,203	1,079,683	74,294,282
Operating Expenses	99,536,893	6,765,170	3,077,513	109,379,576	8,115,587	4,096,073	111,748,553
Equipment & Intangible Assets	100,851	276,000	0	376,851	40,700	0	141,551
Benefits & Claims	2,330,087	0	0	2,330,087	0	0	2,330,087
Transfers	3,526,709	(7,450)	0	3,519,259	(11,050)	0	3,515,659
Debt Service	86,479	175,850	0	262,329	175,850	0	262,329
Total Costs	\$175,440,415	\$9,706,416	\$4,158,697	\$189,305,528	\$11,676,290	\$5,175,756	\$192,292,461
General Fund	170,077,589	8,801,981	4,155,887	183,035,457	10,771,614	5,172,946	186,022,149
State/Other Special	4,714,007	737,688	381	5,452,076	737,777	381	5,452,165
Federal Special	16,005	0	0	16,005	0	0	16,005
Proprietary	632,814	166,747	2,429	801,990	166,899	2,429	802,142
Total Funds	\$175,440,415	\$9,706,416	\$4,158,697	\$189,305,528	\$11,676,290	\$5,175,756	\$192,292,461

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



Program Description - The Administration and Support Services Program includes the Director's Office, Outside Medical, 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							
Budget Item	Base Budget Fiscal 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	106.50	1.00	2.00	109.50	1.00	2.00	109.50
Personal Services	6,355,494	559,468	128,622	7,043,584	558,225	128,431	7,042,150
Operating Expenses	12,530,975	2,124,553	123,774	14,779,302	2,679,801	99,399	15,310,175
Total Costs	\$18,886,469	\$2,684,021	\$252,396	\$21,822,886	\$3,238,026	\$227,830	\$22,352,325
General Fund	18,302,311	2,483,646	249,586	21,035,543	3,037,162	225,020	21,564,493
State/Other Special	486,136	227,041	381	713,558	227,093	381	713,610
Proprietary	98,022	(26,666)	2,429	73,785	(26,229)	2,429	74,222
Total Funds	\$18,886,469	\$2,684,021	\$252,396	\$21,822,886	\$3,238,026	\$227,830	\$22,352,325

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$1,527,622	\$1,527,622
FY 2015	\$2,432,581	\$2,432,581

PL - 101 - Outside Medical Inflationary Increase (BIEN/RESTR) -

This request accounts for inflationary increases associated with medical care obtained outside of a correctional facility or program. The department continues to be challenged with a very high number of chronic care cases and very high dollar medical cases due to the lack of health care before an inmate is sentenced. This request reflects the increase cost of medical care the department is required to provide. The executive requests \$1,527,622 in FY 2014 and \$2,432,581 in FY 2015 general fund for these costs.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$37,194	\$37,194
FY 2015	\$37,194	\$37,194

PL - 601 - Victim Services -

This request will fund two victim programs for the next biennium, allowing for modest growth as more victims become involved with the programs. This request will reimburse volunteers who participate on 10 new victim impact panels during the biennium and reimburse volunteer facilitators who assist with 15 victim-offender dialogue cases during the biennium. This request also will fund the Victim Information Notification Everyday (VINE) system, which expanded to include notices concerning offenders supervised in the community and to provide text messaging. The executive requests a total of \$37,194 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$48,632	\$48,632
FY 2015	\$0	\$0

PL - 701 - MSP Door Control System (OTO/BIEN) -

This request is to complete security door control system upgrades for the Martz Diagnostic Intake Unit 's at the Montana State Prison. This system has been in place with no significant upgrades since the building opened almost 10 years ago. If this system fails, the security in MDIU would be compromised and emergency repair costs would be much higher. The executive requests one-time-only funding of \$48,632 general fund in FY 2014.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$53,056	\$10,000
FY 2015	\$53,056	\$10,000

PL - 702 - Agile Assets/RevQ Licenses -

This request will fund software system maintenance agreement costs for two systems which were in the base budget. The first system is an automated internet based system used for the collection and disbursement of victim's restitution payments, supervision and PSI fees. The second system is the Agile Assets system used to track vehicle usage information as well as the maintenance costs. The executive requests \$53,056 (\$10,000 general fund and \$43,056 state special funds) each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$50,000	\$50,000
FY 2015	\$0	\$0

PL - 703 - MSP Water Telemetry System (OTO/BIEN) -

This request will fund replacement of the Montana State Prison (MSP) water telemetry system. In order to monitor and maintain the required well pressure a number of wells are monitored via a water telemetry system. The executive requests \$50,000 in FY 2014 general fund as one time only and biennial to replace this system.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$159,618	\$159,618
FY 2015	\$0	\$0

PL - 704 - Vocational Training OTO/Bien -

This request will fund the utilization of computerized and online access for GED testing and digital literacy testing skills for inmates/offenders. Technological advances requiring online access are creating challenges for the department and the offenders/inmates under supervision. The executive is requesting \$159,618 in FY 2014 general fund as a one-time-only and biennial appropriation for this project.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$85,642	\$85,642
FY 2015	\$82,642	\$82,642

PL - 801 - Attorney Services -

This request is for a 1.00 FTE attorney in the Legal Services Bureau. In order to meet the continued legal demands from inmate complaints, habeas corpuses and general legal counsel work it is imperative to have an adequate number of legal staff. The Legal Services Bureau works to ensure that litigation deadlines are met and they also develop lesson plans and provide training to classes at MLEA. Without adequate staff the department must rely on outside resources to assist, which is less efficient and more costly. The executive requests funding of \$85,642 in FY 2014 and \$82,642 in FY 2015 general fund for the 1.00 FTE.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$7,010	\$7,010
FY 2015	\$7,010	\$7,010

PL - 804 - Investigator Overtime -

This request will fund zero based overtime in the Investigations Bureau. The Investigative Bureau conducts investigations at department facilities throughout the state on a 24 hour basis. The bureau incurs overtime based on the critical need to preserve evidence at crime scenes and conclude the investigations, ranging from crimes of violence inside secure facilities to employee misconduct. The executive requests \$7,010 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$7,100	\$7,100
FY 2015	\$7,100	\$7,100

PL - 901 - Parole Board Member Compensation -

This request will fund the Board of Pardons and Parole members' compensation as outlined in 2-25-124 (7), MCA. Board members are entitled to be paid per diem for every day in which the member is engaged in the performance of board duties. The board conducts monthly hearings throughout the State of Montana. Forecasts indicate that the board's case load will approach or exceed 6,000 decisions per year in the upcoming biennium. These cases include parole release hearings, parole revocation hearings, parole rescission hearings, administrative reviews, medical parole, and Executive Clemency. The executive requests \$7,100 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$0	\$0
FY 2015	\$9,900	\$9,900

PL - 902 - BOPP ACA Accreditation -

This request will provide funding to the Board of Pardons and Parole for the American Corrections Association accreditation fee. This fee is paid every three years. The BOPP has been accredited since January 2001. The accreditation process requires the board to comply with 125 national standards. The executive requests \$9,900 in FY 2015 general fund designated as one-time-only.

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

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

	Total Agency Impact	General Fund Total
FY 2014	\$14,500	\$14,500
FY 2015	\$14,500	\$14,500

NP - 602 - Exonerated Person's Education Costs -

This request will fund the exonerated person's post secondary educational expenses. Per 53-1-214, MCA, the Department of Corrections, if funding is available, is required to provide educational reimbursements to persons exonerated using DNA testing. Funding was provided by the previous legislature; however, no funds were expended in the base budget year. The executive requests \$14,500 general fund each year of the biennium.

	Total Agency Impact	General Fund Total
FY 2014	\$140,412	\$140,412
FY 2015	\$131,596	\$131,596

NP - 701 - Re-Entry IT FTE -

The budget includes funding for 2.00 FTE for additional information technology services staff. The department is undertaking a major reentry initiative and these efforts require IT support in the areas of creating functionality in the existing offender management systems to capture and analyze data relating to new and existing programs. This initiative also includes an effort in increasing offender digital literacy to prepare them for reentry into a community where housing and employment searches are moving from the traditional newspaper advertisement to online. In order to provide the necessary equipment, access, and security, information technology staff is needed to support it. The executive requests 2.00 FTE and \$140,412 in FY 2014 and \$131,596 in FY 2015 in general fund.

	Total Agency Impact	General Fund Total
FY 2014	\$20,000	\$20,000
FY 2015	\$20,000	\$20,000

NP - 702 - Inmate Adult Educational Assessment Software -

This request is for educational assessment software for adult education at Montana State Prison. The requested adult basic education module is an actual learning curriculum. The program has the adult learner take a pre-test, and based on the pretest results, the system places the learner at the proper curriculum level. This will allow the educational staff to determine what educational programming is necessary to prepare offenders to test for their GEDs and obtain the skills necessary to successfully reenter their communities. The executive requests \$20,000 general fund each year of the biennium.

	Total Agency Impact	General Fund Total
FY 2014	\$15,750	\$15,750
FY 2015	\$0	\$0

NP - 704 - MSP Employee Training Lab (OTO/BIEN) -

This request will fund the replacement of 15 computers at Montana State Prison training lab that are at the end of their lifespan. These computers are not capable of being upgraded to Windows 7 and Windows XP. These computers are used by the 200+ correctional officers that do not use computers as part of their day-to-day offender supervision activities. Officers and other MSP staff utilize this lab for online training, classroom training, individual training, time entry, and other activities that are required of staff as part of their jobs. The executive requests \$15,750 in FY 2014 general fund.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$25,000	\$25,000
FY 2015	\$25,000	\$25,000

NP - 805 - Radio Systems -

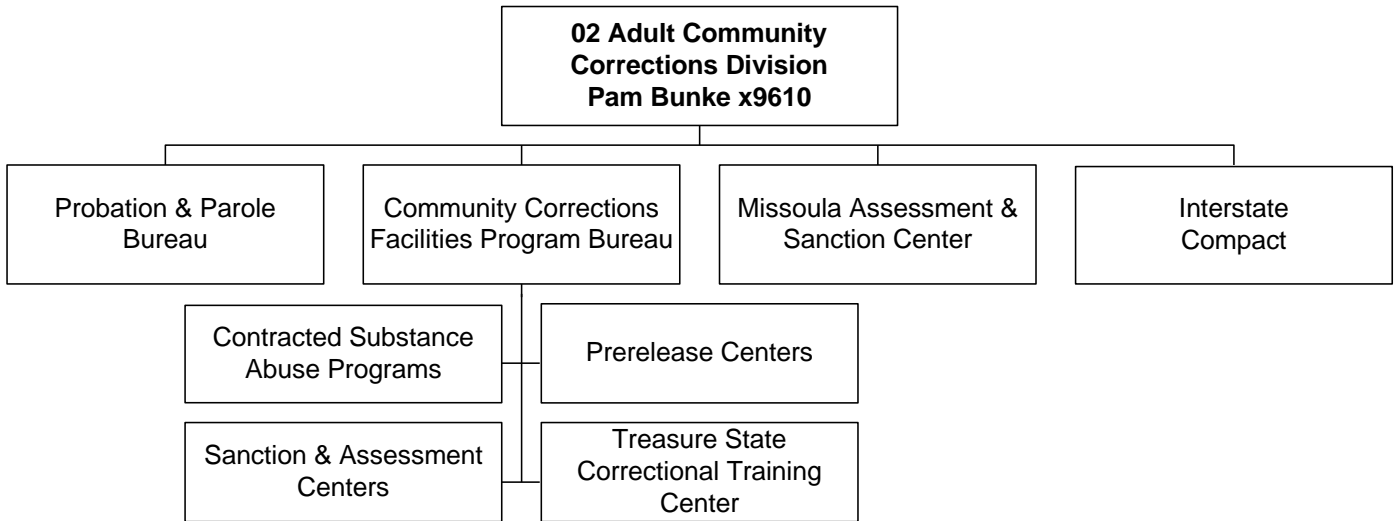
This request will fund a contract with technical vendors to upgrade radio programming to ensure the ability to communicate with other agencies during an emergency. This interoperable communication capability is part of a statewide initiative. Radio communication capabilities allow the department to request emergency support from law enforcement and other agencies as well as communicate among staff at the prison. The executive requests \$25,000 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$36,734	\$33,924
FY 2015	\$36,734	\$33,924

NP - 6101 - Professional Development Center Fee Allocation -

The Professional Development Center at the Department of Administration has been funded for many years by fees assessed for individual training courses. For the 2015 biennium and beyond, the program will be funded via a fixed cost allocation. Because the allocation represents a funding switch, it must be presented as a new proposal for the next biennium. The budget includes \$36,734 each year of general, state special and proprietary funds for the department's allocation of the fixed cost.

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



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

Program Proposed Budget							
Budget Item	Base Budget Fiscal 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	257.50	0.00	1.00	258.50	0.00	1.00	258.50
Personal Services	14,615,426	310,705	53,987	14,980,118	325,213	53,908	14,994,547
Operating Expenses	45,204,759	2,375,126	1,061,242	48,641,127	2,459,997	2,115,677	49,780,433
Equipment & Intangible Assets	15,500	73,000	0	88,500	0	0	15,500
Transfers	12,500	(6,250)	0	6,250	(6,250)	0	6,250
Debt Service	28,742	40,569	0	69,311	40,569	0	69,311
Total Costs	\$59,876,927	\$2,793,150	\$1,115,229	\$63,785,306	\$2,819,529	\$2,169,585	\$64,866,041
General Fund	58,610,791	2,793,150	1,115,229	62,519,170	2,819,529	2,169,585	63,599,905
State/Other Special	1,266,136	0	0	1,266,136	0	0	1,266,136
Total Funds	\$59,876,927	\$2,793,150	\$1,115,229	\$63,785,306	\$2,819,529	\$2,169,585	\$64,866,041

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$298,860	\$298,860
FY 2015	\$298,860	\$298,860

PL - 201 - Annualize Treatment Beds -

This is a request to annualize the funding for Adult Community Corrections treatment beds. The base budget expenditures for population numbers and per diem do not include facilities operating at their maximum capacity as it is based on actual bed days. Based upon population projections, if these facilities operate at the contracted capacity in 2014 and 2015, the division will be underfunded for the per diem and contract amounts needed. The executive requests \$298,860 general fund each year of the biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$1,587,439	\$1,587,439
FY 2015	\$1,587,439	\$1,587,439

PL - 202 - Annualize Prerelease Beds -

This is a request to annualize the funding for Adult Community Corrections prerelease beds. The base budget expenditures for population numbers and per diem do not include those facilities operating at their maximum operating capacity as it is based on actual bed days. Based upon population projections, if these facilities operate at the contracted capacity in 2014 and 2015, DOC will be underfunded for the per diem and contract amounts needed. The executive requests \$1,587,439 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$141,394	\$141,394
FY 2015	\$216,988	\$216,988

PL - 203 - Annualize MASC Beds -

This is a request to annualize per diem rate funding at the Missoula Assessment and Sanction Center (MASC). The base budget expenditures for population numbers and per diem do not include those facilities operating at their maximum operating capacity as it is based on actual bed days. Based upon population projections, if this facility operates at the contracted capacity in 2014 and 2015, DOC will be under funded for the per diem and contract amounts needed. The executive requests \$141,394 in FY 2014 and \$216,988 in FY 2015 general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$33,142	\$33,142
FY 2015	\$33,142	\$33,142

PL - 204 - TSCTC Overtime/Holiday Worked -

This request will fund overtime and holiday pay based on actual expenses in FY 2012. Overtime and holiday pay are zero-based items. TSCTC (the Boot Camp) is a 24/7 operation that will require overtime and holiday pay. The executive requests \$33,142 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$50,000	\$50,000
FY 2015	\$50,000	\$50,000

PL - 205 - Probation and Parole Overtime/Holiday Worked -

This request would fund overtime and holiday pay for probation and parole, which is a zero-based budget item. With the establishment of an on-call system and the legislative mandate (46-23-1010, MCA) of 24/7 coverage of tier 3 sex offenders by adult P&P officers, there is need for an overtime budget. With tier 3 sex offenders on Global Positioning System (GPS) monitoring, offenders in the intensive supervision program on 24/7 GPS tracking, and the need for an officer to be available 24/7 for law enforcement response, an overtime budget is necessary for P&P officers to respond to after-hour incidents. The executive requests \$50,000 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$231,500	\$231,500
FY 2015	\$231,500	\$231,500

PL - 206 - SCRAM GPS Units -

This request would fund 20 additional Global Positioning System (GPS) and 10 secure continuous alcohol monitoring (SCRAM) units. GPS units provide close monitoring of sexual and high-risk offenders that is directly correlated to increased public safety. The executive requests \$231,500 general fund each year of the biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$42,000	\$42,000
FY 2015	\$42,000	\$42,000

PL - 207 - Probation and Parole Mental Health Contract -

This request would fund additional mental health services in the Kalispell probation and parole region. By providing services to the offender in the community, the success rate of that offender increases and the cost of care is lower. The executive requests \$42,000 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$76,650	\$76,650
FY 2015	\$76,650	\$76,650

PL - 209 - Prerelease Transitional Living -

This request would allow the department to add 10 transitional living program (TLP) slots as a means of enhancing reentry efforts. Transitional living is a low-cost option for offenders transitioning out of prerelease and has daily supervision of the offenders by center staff. Without the additional slots, offender movement will become backlogged in the prison and prerelease centers which are higher cost per day placements. The executive requests \$76,650 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$55,000	\$55,000
FY 2015	\$55,000	\$55,000

PL - 210 - Passages Mental Health Contract -

This request would fund expanded female mental health services at the Passages program in Billings. In keeping with department's efforts to stabilize female mental health cases, this request is to provide the same assessment, stabilization and support services to female offenders with mental health needs that are provided at the revocation program for male offenders. The executive requests \$55,000 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$73,000	\$73,000
FY 2015	\$0	\$0

PL - 211 - WATCH West Equipment (OTO/BIEN) -

This request would fund equipment replacement items at the WATCH facility in Warm Springs. Two units to reheat food at WATCH West are at the end of their useful life. In addition, the existing walk-in refrigeration unit is also at the end of its useful life. Without this funding, the facility may not be able to serve meals to nearly 200 offenders in one facility. The executive requests \$73,000 one-time-only general fund funding in FY 2014.

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

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

	Total Agency Impact	General Fund Total
FY 2014	\$57,917	\$57,917
FY 2015	\$54,963	\$54,963

NP - 201 - Reentry Case Manager -

This request would fund a 1.00 FTE reentry case manager in the Adult Community Corrections division, which oversees 17 programs with 1,780 offenders. A reentry case manager will assist with reentry initiative by promoting success among offenders who transition from custody into the community. The reentry case manager will assist offenders with challenges such as locating housing, jobs and transportation. This reentry case manager will also assist with monitoring community corrections' 17 facilities and contractors to ensure contract compliance. The executive requests 1.00 FTE and \$57,917 in FY 2014 and \$54,963 in FY 2015 general fund.

	Total Agency Impact	General Fund Total
FY 2014	\$740,519	\$740,519
FY 2015	\$1,481,037	\$1,481,037

NP - 203 - Per Diem Adult Community Corrections -

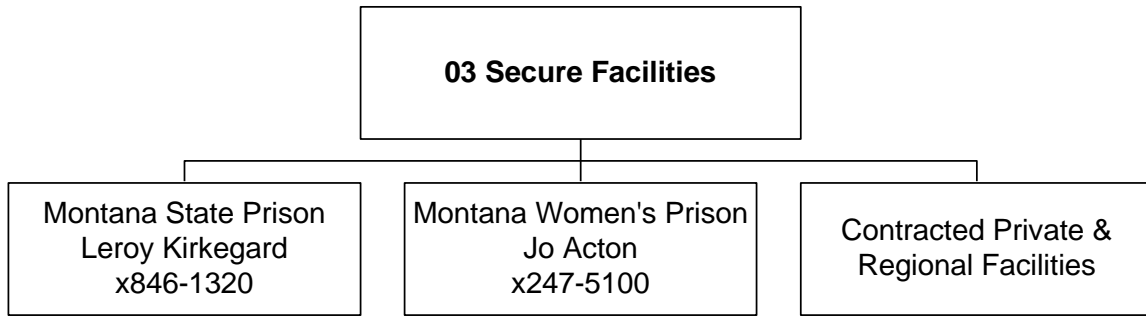
This request would fund a 2% rate increase for prerelease and treatment providers in FY 2014 and a 4% increase in FY 2015. An increase for prerelease center and treatment beds will assist with increased operating costs. Higher food and gasoline costs, competitive wages for staff and other increased expenses have impacted the daily operation of the facilities trying to operate within a fixed budget. The executive requests \$740,519 in FY 2014 (\$439,358 for PRC and \$301,161 for treatment) and \$1,481,037 in FY 2015 (\$878,714 for PRC and \$602,323 for treatment) general fund.

	Total Agency Impact	General Fund Total
FY 2014	\$316,793	\$316,793
FY 2015	\$633,585	\$633,585

NP - 212 - Additional community corrections beds for women -

This request funds additional capacity in the women's correctional system with additional prerelease beds for women by 15 in the 2015 biennium. There are currently 178 beds available within the women's prelease system. At any given time the women's system, both secure custody and community corrections, is at or exceeding capacity. The Department of Corrections projects that the system will exceed bed capacity by the end of FY 2013 or shortly thereafter. This request would fund 70 beds at \$70/day beginning January 1, 2014. The executive is requesting general fund of \$316,793 in FY 2014 and \$633,585 in FY 2015.

**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	Base Budget	PL Base	New	Total	PL Base	New	Total
Budget Item	Fiscal 2012	Adjustment	Proposals	Exec. Budget	Adjustment	Proposals	Exec. Budget
		Fiscal 2014	Fiscal 2014	Fiscal 2014	Fiscal 2015	Fiscal 2015	Fiscal 2015
FTE	697.54	9.00	15.00	721.54	9.00	15.00	721.54
Personal Services	37,414,105	1,006,671	786,139	39,206,915	1,570,256	785,040	39,769,401
Operating Expenses	36,915,766	1,582,066	1,867,497	40,365,329	2,379,973	1,855,997	41,151,736
Equipment & Intangible Assets	85,351	203,000	0	288,351	40,700	0	126,051
Transfers	54,300	(1,200)	0	53,100	(4,800)	0	49,500
Debt Service	36,860	135,281	0	172,141	135,281	0	172,141
Total Costs	\$74,506,382	\$2,925,818	\$2,653,636	\$80,085,836	\$4,121,410	\$2,641,037	\$81,268,829
General Fund	74,401,566	2,925,818	2,653,636	79,981,020	4,121,410	2,641,037	81,164,013
State/Other Special	104,816	0	0	104,816	0	0	104,816
Total Funds	\$74,506,382	\$2,925,818	\$2,653,636	\$80,085,836	\$4,121,410	\$2,641,037	\$81,268,829

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$38,912	\$38,912
FY 2015	\$38,862	\$38,862

PL - 301 - MWP Correctional Officer -

This request would fund 1.00 FTE for the correctional officer relief factor. Often, officer posts are left vacant due to staff on sick leave, vacation, and regular days off. With the proper relief factor, posts can be filled appropriately. The executive requests 1.00 FTE and \$38,912 in FY 2014 and \$38,862 in FY 2015 general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$31,250	\$31,250
FY 2015	\$31,250	\$31,250

PL - 303 - Montana Women's Prison Contracts -

This request will fund additional contracted services for the Montana Women's Prison. The prison requests \$10,750 per fiscal year to increase the hours for religious activities within the facility. The Billings public school system contract needs to be increased to cover all 187 regular school days as well as all 54 summer school days, which is a total of \$16,770 per fiscal year. In addition, the chemical dependency contract is projected to increase by \$3,730 per fiscal year. The executive requests \$31,250 general fund each year of the biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$25,000	\$25,000
FY 2015	\$35,000	\$35,000

PL - 304 - MWP Supplies (OTO/BIEN) -

This request will fund supplies and equipment ranging from key locks, fencing, washers, dryers, facility security equipment for staff, mattresses, chairs, and dresser supplies to flooring repairs needed for facility security and maintenance at the Montana Women's Prison. The MWP maintenance and facility budget currently does not allow funding for these types replacement items. The executive requests OTO/biennial budget of \$25,000 in FY 2014 and \$35,000 in FY 2015 for a total request of \$60,000 general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$60,000	\$60,000
FY 2015	\$60,000	\$60,000

PL - 305 - MSP Inmate programming -

This request is for the training materials necessary to expand the STEPS and New Directions programs for inmates. This program has previously been funded, on a small scale, utilizing inmate welfare funds. This program is a powerful tool in the reentry effort and it should become part of the facilities' base budget. Results of this program indicate a reduction of inmate disciplinary issues within the facility, which save taxpayer dollars. The executive requests \$60,000 in general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$221,594	\$221,594
FY 2015	\$221,594	\$221,594

PL - 307 - MWP Overtime/Holiday Worked -

This request will fund overtime and holiday pay based on actual expenses in FY 2012 at the Montana State Womens Prison (MWP). Overtime and holiday pay are zero-based items. MWP is a 24/7 operation that requires overtime and holiday pay. The executive requests \$221,594 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$19,235	\$19,235
FY 2015	\$19,235	\$19,235

PL - 308 - MWP Inmate Pay -

This request will fund Montana Women's Prison inmate pay, which is a zero-based budget item. Inmate work and education assignments are a major part of facility security and rehabilitation. MWP provides inmate work assignments in maintenance, food service, recreation, housing unit workers, school, and education. The executive requests \$19,235 in general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$0	\$0
FY 2015	\$0	\$0

PL - 310 - MSP Correctional Officer -

This request is for 8.00 FTE correctional officers to staff the Montana State Prison relief factor with the funding provided from a reduction of the overall MSP overtime budget. The 2011 Legislature authorized a portion of the additional correctional officers needed to correct the relief factor for the various posts utilized at the facility. Twelve FTE were authorized in place of overtime and proved to be very successful in reducing overtime expenditures. The executive requests 8.00 FTE with no funding as it is being offset with an overtime reduction.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$110,000	\$110,000
FY 2015	\$30,000	\$30,000

PL - 314 - MSP Supplies and Equipment (OTO/BIEN) -

This request will fund supplies and equipment ranging from medical equipment, kitchen supplies, yard replacement, and fencing and utility vehicles needed for facility security and maintenance at Montana State Prison. The executive requests OTO/biennial budget of \$110,000 in FY 2014 and \$30,000 in FY 2015 for a total request of \$140,000 general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$1,576,927	\$1,576,927
FY 2015	\$1,576,927	\$1,576,927

PL - 316 - MSP Overtime/Holiday worked -

This request will fund overtime and holiday pay at the Montana State Prison (MSP) based on actual expenses in FY2012. Overtime and holiday pay are zero-based items. MSP is a 24/7 operation that requires overtime and holiday pay. The executive requests \$1,576,927 in general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$250,405	\$150,405
FY 2015	\$250,405	\$150,405

PL - 317 - MSP Inmate Pay -

This request will fund Montana State Prison inmate pay which is a zero-based budget item. Inmate work and education assignments are a major part of facility security and rehabilitation. MSP provides inmate work assignments for about 600 inmates in maintenance, food service, infirmary, recreation, housing unit workers, school and education and visiting. Inmate pay is funded by the general fund and inmate welfare fund. The executive requests \$150,405 general fund and \$100,000 state special funds for each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$1,075,093	\$1,075,093
FY 2015	\$1,349,473	\$1,349,473

PL - 319 - Secure Care Contract Bed Annualization -

This request will fund the contract bed per-diem funding for population numbers needed for regional prisons, private prison, and the county jails over the base budget. The base budget expenditures for population numbers and per diem do not include facilities operating at their maximum operating capacity as it is based on actual bed days. Based upon population projections, if these facilities operate at their designated operating capacity in FY 2014 and FY 2015, DOC will be under funded for the per diem and contract amounts needed. The executive requests \$1,075,093 in FY 2014 and \$1,349,473 in FY 2015 general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$562,083	\$562,083
FY 2015	\$1,040,142	\$1,040,142

PL - 321 – MSP- Montana Correctional Enterprises Rate -

This request will fund any increases in rates charged by Montana Correctional Enterprises (MCE) for production services of food, laundry and motor vehicle maintenance. Rates for MCE are calculated using base-budget year costs. MCE evaluates these costs as well as any foreseen increases and requests rate adjustments. The executive requests funding to cover these necessary increases based upon the contingency MCE rates will be approved by the legislature.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$110,000	\$110,000
FY 2015	\$0	\$0

PL - 324 - MSP Van Replacement (OTO/BIEN) -

This request will allow Montana State Prison to purchase an inmate transportation van that is approved by the Risk Management and Tort Defense Division. The MSP transportation program is responsible for transporting about 4,500 offenders a year, logging 430,000 miles and averaging over 1,700 trips annually. It is imperative to have all of these vehicles in good working condition and compliant with insurance recommendations to ensure the safety of the officers and inmates. The executive requests \$110,000 general fund for FY 2014 for the purchase of a replacement van.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$526,385	\$526,385
FY 2015	\$1,052,771	\$1,052,771

PL - 999 - Fund Career Ladder for Correctional Officers -

This decision package funds the cost of maintaining negotiated pay schedules that provide incremental competency pay adjustments for newer employees as they achieve certain educational and experiential milestones. According to a recent decision from the Montana Board of Personnel Appeals (Unfair Labor Practice Charge No. 14-2012), these automatic pay adjustments are subjects of mandatory bargaining under Montana's collective bargaining act and, as such, cannot be unilaterally discontinued and must be maintained during the time successor agreements are being negotiated. The executive is requesting \$526,385 general fund in FY 2014 and \$1,052,771 general fund in FY 2015 to fund this requirement.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$94,897	\$94,897
FY 2015	\$94,262	\$94,262

NP - 301 - Montana Women's Prison Medical Services -

This request will fund health services at the Montana Women's Prison. The medical services contract at MWP was canceled by the contractor in March 2012. This contract provided female inmates with access to all health care needs within the facility. The elimination of this contract required the prison find an alternative to continue medical services. The FTE were approved as modified positions in place of contracted staff. The cost of the FTE will be almost entirely offset with the contracted services budget in FY 2012. The executive requests 7.00 FTE and \$94,897 in FY 2014 and \$94,262 in FY 2015 general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$166,184	\$166,184
FY 2015	\$154,488	\$154,488

NP - 303 - Montana State Prison Reentry Team -

This request will fund 3.00 FTE to assist with adult inmate/offender reentry into the community. With the launch of the department's reentry initiative, the prison requests an additional five case managers whose primary function will be preparing offenders for return to their communities. These FTE will assist current staff with focusing on implementation of DOC reentry plans, providing assistance in administration of risk assessment tools, reentry planning work with inmates, and other duties as assigned. The executive requests 3.00 FTE and \$166,184 in FY 2014 and \$154,488 in FY 2015 general fund.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$1,832,499	\$1,832,499
FY 2015	\$1,832,231	\$1,832,231

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

PL - 320 - Lewistown Infirmary Beds -

This request will fund 25 beds at the Lewistown Infirmary and the 5.00 security FTE required by contract for the facility. The department has identified a population of older offenders with chronic medical conditions that require a specialized level of care, which has become increasingly challenging to provide in a traditional prison environment. The population is low-security offenders with an array of serious physical issues. The department requested and received funding from the 2011 Legislature for a facility capable of providing the care necessary for this population. The funding was provided in FY 2013 only so there are no base budget expenditures. The executive requests 5.00 FTE and \$1,832,499 in FY 2014 and \$1,832,231 in FY 2015 general fund.

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

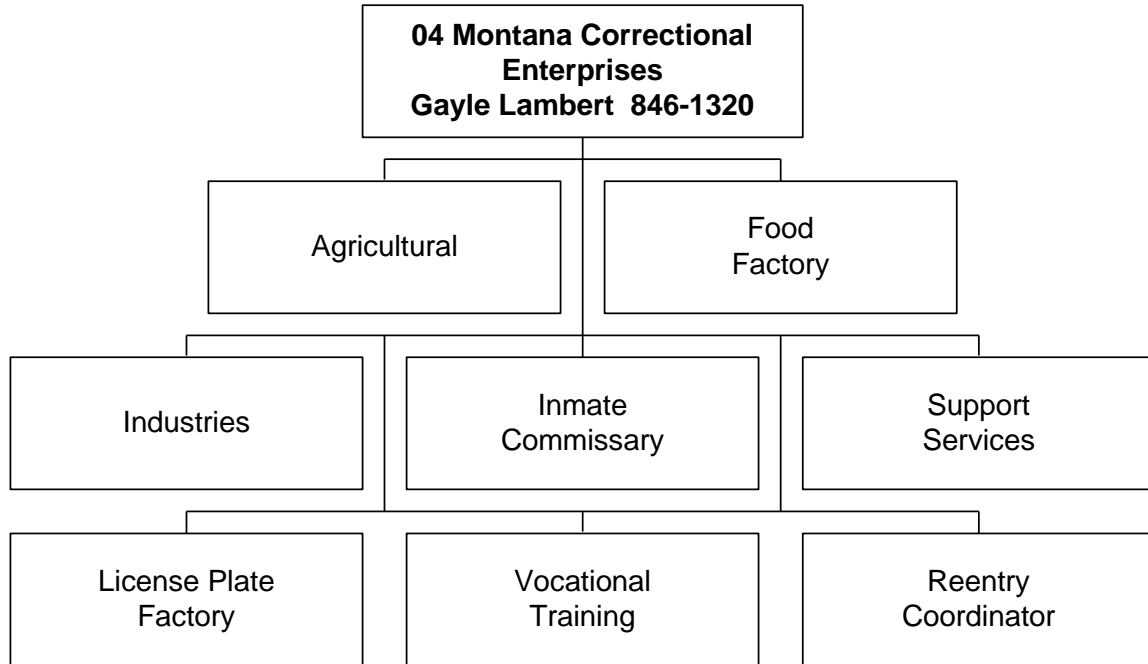
	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$560,056	\$560,056
FY 2015	\$560,056	\$560,056

NP - 323 - Contract Beds Private Prison Per Diem -

This request will fund a rate increase to the per-diem rate at the private prison. Prevailing wage rates have increased in the region including the private prison. By contract, the wages must be comparable with prevailing wage rates for their region. Correctional officer wages increased July 2012 and according to contract requirements the Department of Corrections is responsible to reimburse the provider for the cost of the increase. The cost of the increase is \$2.74 per day. The executive requests \$560,056 general fund each year of the biennium.

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

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



Program Description - The Montana Correctional Enterprises (MCE) Division provides vocational education and on the job training to approximately 500 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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	16.00	0.00	2.00	18.00	0.00	2.00	18.00
Personal Services	810,031	140,050	112,436	1,062,517	141,468	112,304	1,063,803
Operating Expenses	2,511,876	599,652	25,000	3,136,528	600,158	25,000	3,137,034
Total Costs	\$3,321,907	\$739,702	\$137,436	\$4,199,045	\$741,626	\$137,304	\$4,200,837
General Fund	801,606	35,642	137,436	974,684	37,814	137,304	976,724
State/Other Special	1,985,509	510,647	0	2,496,156	510,684	0	2,496,193
Proprietary	534,792	193,413	0	728,205	193,128	0	727,920
Total Funds	\$3,321,907	\$739,702	\$137,436	\$4,199,045	\$741,626	\$137,304	\$4,200,837

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

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$114,500	\$52,500
FY 2015	\$114,500	\$52,500

PL - 402 - MCE Overtime and Inmate Pay -

This request will fund Montana Correctional Enterprises (MCE) inmate labor, overtime and holiday pay, which are zero-based items. MCE has operations that function 24/7 and require inmate labor, overtime, and holiday pay. Inmate work and education assignments are a major part of facility security and rehabilitation programs. MCE provides inmate work assignments in various production lines. The executive requests \$19,500 for overtime (\$7,000 proprietary funds and \$12,500 general fund) and \$95,000 for inmate pay (\$25,000 proprietary, \$40,000 general fund, and \$30,000 state special revenue) each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$600,000	\$0
FY 2015	\$600,000	\$0

PL - 403 - MCE Additional Spending Authority -

This request will fund additional MCE spending authority in HB 2 for proprietary and state special funds. The canteen operation supplies commissary products to all Montana inmates. The additional authority is needed to accommodate the purchase of merchandise for the commissary. The canteen is operated as a state special revenue program, and sales cover the cost of merchandise and minimal overhead. The motor vehicle maintenance (MVM) operation is part of the vocational education program. It requires additional authority to purchase parts and supplies to service the customers. This request is for spending authority only. As with all MCE proprietary funds, expenses will be incurred only when necessary and when there is adequate cash flow. The executive requests \$600,000 (\$100,000 proprietary funds and \$500,000 state special funds) in additional authority each year of the biennium.

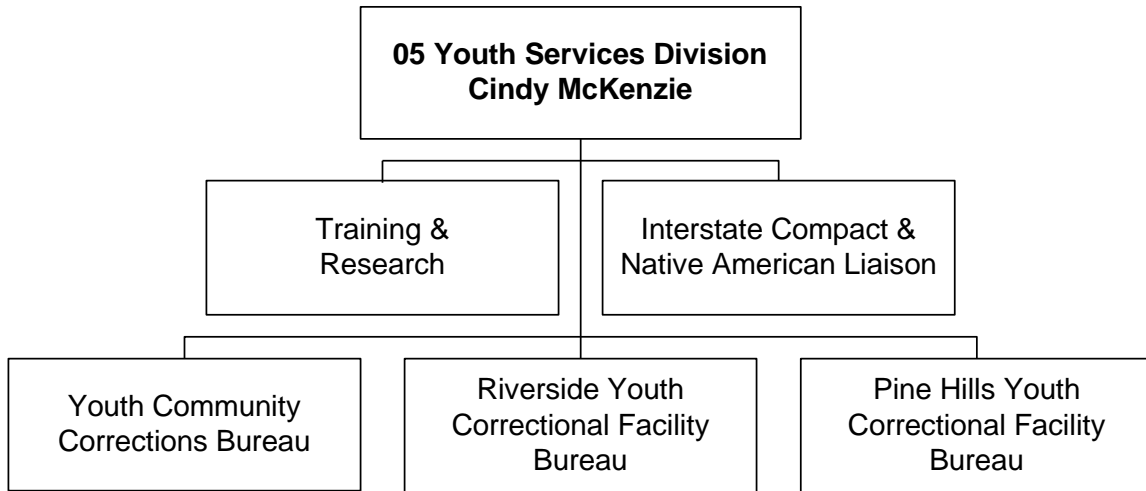
-----**New Proposals**-----

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$137,436	\$137,436
FY 2015	\$137,304	\$137,304

NP - 402 - MCE Vocational Training FTE at MWP/MSP -

This request will fund 1.00 FTE for Montana State Prison and 1.00 FTE for Montana Women's Prison vocational education programs. The proposal is for a high-side vocational education program at Montana State Prison and for vocational education programs at Montana Women's Prison. These programs will work with higher-risk offenders being targeted for recidivism reduction. Currently, there are no vocational education programs for these high-risk offenders. The executive requests 2.00 FTE and \$137,436 in FY 2014 and \$137,304 in FY 2015 general fund.

**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 2012	PL Base Adjustment Fiscal 2014	New Proposals Fiscal 2014	Total Exec. Budget Fiscal 2014	PL Base Adjustment Fiscal 2015	New Proposals Fiscal 2015	Total Exec. Budget Fiscal 2015
FTE	202.35	0.00	0.00	202.35	0.00	0.00	202.35
Personal Services	10,664,340	479,952	0	11,144,292	760,041	0	11,424,381
Operating Expenses	2,373,517	83,773	0	2,457,290	(4,342)	0	2,369,175
Benefits & Claims	2,330,087	0	0	2,330,087	0	0	2,330,087
Transfers	3,459,909	0	0	3,459,909	0	0	3,459,909
Debt Service	20,877	0	0	20,877	0	0	20,877
Total Costs	\$18,848,730	\$563,725	\$0	\$19,412,455	\$755,699	\$0	\$19,604,429
General Fund	17,961,315	563,725	0	18,525,040	755,699	0	18,717,014
State/Other Special	871,410	0	0	871,410	0	0	871,410
Federal Special	16,005	0	0	16,005	0	0	16,005
Total Funds	\$18,848,730	\$563,725	\$0	\$19,412,455	\$755,699	\$0	\$19,604,429

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$164,120	\$164,120
FY 2015	\$164,120	\$164,120

PL - 501 - PHYCF Overtime/Holiday Worked -

This request will fund overtime and holiday pay based on actual expenses in FY 2012. Overtime and holiday pay are zero-based items. Pine Hills Youth Correctional Facility is a 24/7 operation that requires overtime and holiday pay. The executive requests \$164,120 general fund each year of the biennium.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$37,567	\$37,567
FY 2015	\$37,567	\$37,567

PL - 502 - RYCF Overtime/Holiday Worked -

This request will fund overtime and holiday pay based on actual expenses in FY 2012. Overtime and holiday pay are zero-based items. Riverside Youth Correctional Facility is a 24/7 operation that requires overtime and holiday pay. The executive requests \$37,567 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$22,927	\$22,927
FY 2015	\$22,927	\$22,927

PL - 503 - YTC Overtime/Holiday Worked -

This request will fund overtime and holiday pay based on actual expenses in FY 2012. Overtime and holiday pay are zero-based items. Youth Transition Centers is a 24/7 operation that requires overtime and holiday pay. The executive requests \$22,927 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$29,850	\$29,850
FY 2015	\$29,850	\$29,850

PL - 504 - PHYCF Inmate Pay -

This request will fund inmate pay at Pine Hills, which is a zero-based budget item. Inmate pay is essential to maintain Pine Hills' work restitution program. Since FY 2006, youth in the program have paid more than \$30,000 each year. This program not only allows youth to pay restitution to their victims through their work, but also builds self esteem and a positive work ethic. The executive requests \$29,850 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$1,000	\$1,000
FY 2015	\$1,000	\$1,000

PL - 505 - RYCF Inmate Pay -

This request will fund inmate pay at Riverside, which is a zero based budget item. Inmate pay is essential to maintain the work restitution program. This program not only allows youth to pay restitution to their victims through their work, but also builds self esteem and a positive work ethic. The executive requests \$1,000 general fund each year of the biennium.

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$100,000	\$100,000
FY 2015	\$0	\$0

PL - 507 - RYCF Safety and Security OTO/BIEN -

This request will fund door replacements throughout the Riverside Youth Correctional Facility to ensure the safety and security of the buildings. The current maintenance and facility budget currently does not allow funding for these types of replacement items. The executive requests OTO/Biennial budget of \$100,000 general fund for FY 2014.

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

	<u>Total Agency Impact</u>	<u>General Fund Total</u>
FY 2014	\$268,595	\$268,595
FY 2015	\$537,189	\$537,189

PL - 999 - Fund Career Ladder for Correctional Officers -

This decision package funds the cost of maintaining negotiated pay schedules that provide incremental competency pay adjustments for newer employees as they achieve certain educational and experiential milestones. According to a recent decision from the Montana Board of Personnel Appeals (Unfair Labor Practice Charge No. 14-2012), these automatic pay adjustments are subjects of mandatory bargaining under Montana's collective bargaining act and, as such, cannot be unilaterally discontinued and must be maintained during the time successor agreements are being negotiated. The executive is requesting \$268,595 general fund in FY 2014 and \$537,189 general fund in FY 2015 to fund this requirement.