

MINUTES OF THE MEETING OF THE JOINT APPROPRIATIONS SUBCOMMITTEE FOR INSTITUTIONS
January 7, 1981 BOARD OF PARDONS HEARING

CHAIRMAN JACK MOORE called the Hearing for Supplemental Funding for the Board of Pardons to order at 10:10. Committee members present were:

Representative Conroy
Representative Ernst
Senator Etchart
Senator Thomas
Senator Johnson

Also present at the Hearing was Mr. Henry Burgess, Chairman of the Board of Pardons, Bobbie Dixon from Management of the Department of Institutions, Carroll South, Director of the Department of Institutions, Mr. Gene Huntington, Office of Budget and Program Planning, Mr. Doug Booker and Rep. Francis Bardanoue. (See Visitors Register attached, also see Exhibit 4)

THE CHAIRMAN asked the Travel portion of the budget be discussed first.

MR. BURGESS gave a small explanation of the Board of Pardons. He stated that it is attached to the Department of Institutions. The Parole Board consists of three regular members (part-time members appointed by the Governor) plus one auxiliary member. There is a Director, a Hearing's officer and two secretaries. The office is located at the Prison, but there is no relationship involved between the two groups. The Board meets once a month for two days and usually at the end of the month. The average number of cases heard a month are around 60. About half of those are parole hearings, the other half consists of hearings where the individual need not be present for an interview.

MR. BURGESS stated this was the first time they have had to appear before a committee for more money. He said the population of the prison is increasing making it necessary for the Parole Board to hear all of these cases. The state statute indicates whenever someone is up for a parole, they are required a hearing. He felt they had no control over the number of people incarcerated out of state, and the travel involved in these hearings added to the budget. Several inmates are incarcerated in several areas around the state, so in the past a hearing's officer travels to these people and obtains a waiver from them, so they need not appear before the Board. Through the prison records, those people incarcerated out of state have had their records reviewed within a two month period. This has enabled the hearing's office to travel within a three state area at one time, thereby helping to reduce travel expenditures.

SEN. JOHNSON asked which states were involved in out of state hearings.

MR. BURGESS stated most out of state residents were in Washington, Idaho, California and occasionally Arizona. Since July there has been only two out state trips, however, last year was different matter.

THE CHAIRMAN asked supplemental funding for Equipment to be discussed. Especially the authorization for two typewriters.

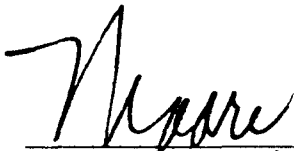
MR. BURGESS explained the need for the additional typewriters in their office.

THE CHAIRMAN objected to the fact that money was committed that was not authorized. He added Personal Services would be discussed next.

MR. BURGESS explained the Personal Services deficit (See Exhibit 4 page 1)

REP. BARDANOUE stated Mr. Burgess had notified him last summer he was in a financial bind and asked for money to keep the office staff running efficiently.

There being no further discussion on the Supplemental Funding, the hearing was adjourned at 10:35.



JACK MOORE, Chairman

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BOARD OF PARDONS

The Board of Pardons is requesting \$19,219.00 in supplemental funding for the FY81 biennium. This request has been necessitated primarily by an increase in parole board activity due to increase in prison population. The \$19,219.00 supplemental request is based upon deficits in the following budget categories:

Personal Services	(16,464)
Travel	(5,564)
Less net surplus in other areas	<u>2,809</u>
Total Supplemental Request	(19,219)

Personal Services (16,464)

The Board of Pardons was budgeted during FY81 biennium for 3.50 General fund FTE, but due to a combination of factors, the Board of Pardons began the fiscal year with anticipated personal services deficit.

House Bill 483 vacancy savings	(5,488)
11.83% of HB891 not allocated	(1,542)
Necessary additional clerical	(5,276)
Per Diem	<u>(4,158)</u>
Total Personal Services Shortage	(16,464)

Per Diem

The Board of Pardons was initially under funded by the 45th Legislature for per diem expenses by the amount of \$3,216 for the biennium (see attached letter from John LaFaver, Legislative Fiscal Analyst). Additional obligations placed upon the Chairman for meetings with legislative committees, Department of Institutions Administrators and various hearings account for the remaining portion of the deficit.

Travel (5,564)

The Board can only attempt to estimate amount of travel funding necessary for in-state and out-of-state travel to interview parole eligible inmates. Necessary trips have exceeded budgeted funds. The Board has attempted to coordinate out-of-state trips in an effort to minimize over expenditure.

ACTIONS TAKEN TO REDUCE SUPPLEMENTAL

Personal Services

The Board operated during FY80 with CETA secretary, until funding expired. Additional requests for CETA funding were denied.

Exhibit 4

Travel

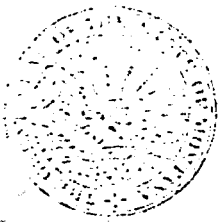
Agency travel requests cut to bare minimum. Out of State trips for hearing officer were coordinated to reduce travel.

Other

Board saved a total of \$2,809 in other areas to help reduce budget, mainly accomplished in supplies and materials, and in contracted services by using our own secretary for recorded hearings.

Office of the Legislative Fiscal Analyst

STATE CAPITOL
HELENA, MONTANA 59601
406/449-2986



JOHN D. LAFAVER
LEGISLATIVE FISCAL ANALYST

January 29, 1980

Larry Zanto, Director
Department of Institutions
1539 Eleventh Avenue
Helena, MT 59601

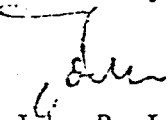
Dear Larry:

I have recently discussed a budget problem with the chairman of the board of pardons, Hank Burgess.

The difficulty is that the board is short \$1,608 per year to fund the amounts required by HB 483. I have researched the history of the language pertaining to the board and am convinced the legislature meant to fund \$150 per month compensation plus \$25 for each of two hearing days. In order to pay these amounts another \$1,608 annually is needed.

Unless there is another route to make up the shortage, I suggested to Mr. Burgess that he request through your office to move spending authority from fiscal 1981 back to this year. A supplemental appropriation would be needed in 1981 to correct this matter.

Sincerely,


John D. LaFaver
Legislative Fiscal Analyst

JDL:ve
cc: George Bousliman
Hank Burgess

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RECEIVED

JAN 29 1980

DEPT. OF INSTITUTIONS

BOARD OF PARDONS

	FY80 ACTUAL	BUDGETED	PROJECTED EXPENDITURES	SURPLUS (DEFICIT)
PERSONAL SERVICES	70,463	64,496	80,960	(16,464)
CONTRACTED SERVICES	802	1,782	1,145	637
SUPPLIES & MATERIALS	524	2,362	564	1,798
COMMUNICATIONS	5,235	4,350	3,718	632
TRAVEL	12,148	5,391	10,955	(5,564)
RENT	-0-	-0-	-0-	-0-
UTILITIES	-0-	-0-	-0-	-0-
REPAIRS	37	76	-0-	76
OTHER	277	350	350	-0-
EQUIPMENT	760	-0-	334	(334)
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TOTALS	90,246	78,807	98,026	(19,219)

BOARD OF PARDONS

	AUTHORIZED	FILLED			DIFFERENCE
		7/1	6/30	AVERAGE	
FY'79	3.25	3.00	3.00	3.00	-.25
FY'80	3.50	3.50	3.50	3.50	.00
FY'81	3.50	3.50	4.00	3.75	+.50

POPULATION

	BUDGETED	7/1	6/30	AVERAGE	DIFFERENCE
FY'79					
FY'80					
FY'81					

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