

MINUTES OF THE MEETING OF THE JOINT APPROPRIATIONS
SUBCOMMITTEE FOR INSTITUTIONS BOARD OF PARDONS
February 12, 1981

JACK K. MOORE, CHAIRMAN called the meeting to order at 8:02 a.m., Room 108, Capitol Building. All Committee members were present.

Testimony was given by Hank Burgess, Director of the Board of Pardons; Bobbie Dixon, Business Manager; Curt Chisholm, Deputy Director of the Department of Insititutions; Carroll South, Director of the Department of Institutions; and Jack Lynch, Board of Pardons

MR. BURGESS explained EXHIBIT 100, Contracted Services, Page 5. He stated it was necessary to contract with a court reporter for one day's services per month, for a cost of \$122 per day, this amount includes travel. He stated in other parts of the country, it is important to have the hearings recorded, and it is necessary to have an official court stenographer to insure the accuracy of a hearing. He noted they try to avoid a court case whenever possible.

In Supplies and Materials, Page 6, the Office Supplies is a large item, because of the large amount of paper work. Communications, Page 7, has no increase other than inflation. He noted Travel, Page 8, also reflects inflation factors. He stated during the supplemental the suggestion was brought up to initiate exchanges with other states in regard to conducting hearings. He stated he would make a promise to make an effort to set up a reciprocal agreement with other states in order to exchange hearings. He is not sure this will work, and there are some boards they prefer not to set up hearings with. Repairs and Maintenance, Page 9 refers to mainly maintenance contracts.

He explained the Modified for \$1,375 to increase the per diem. This would permit the Chairman to spend time at the Department of Institutions on budget matters, to attend hearings and meetings, to attend legislative interim meetings, and also to allow the Chairman to be compensated for a variety of other business items. There are 47 days requested in the modified, 24 of those days are meetings with the Department of Insitiutions, Nine days would be to cover other hearings, and two days would be required to visit Swan River Youth Forest Camp. There is a request to allow parole officers to conduct hearings in either Billings or Missoula, because some of the women offenders are staying there before their hearings. The second modified for \$400 would allow the newly appointed parole board members to be allowed to sit in on the meetings prior to their taking office. He stated there would be a new board member appointed eighteen months from now. The last modified takes the request for the other half-time secretarial position needed in the office. He asked the Committee to look at Page 4 in regard to the activities the secretary must do. The office is in the old prison.

MR. HUNTINGTON stated he did visit the office at the time they requested the position, and it appeared to him that when they lost the half-time CETA position, the remaining lady had a lot of increased work related to the increasing work load.

MR. BURGESS stated the figure set in for per diem is \$25, and he understands there is some legislation to raise that to \$40, so this would change the per diem request. The board is not included in the list of other boards for compensation, because it is appointed.

MR. SOUTH stated in Contracted Services, \$2,000 needs to be put in for Legislative Audit for FY82.

The Committee then went into EXECUTIVE SESSION at 8:30 a.m.

REP. ERNST asked to have the LFA comments on the first modified for \$1,375.

MR. HOFFMAN stated the modified for \$1,375 was not approved by the LFA because they thought the Board members had been providing this type of service, and they had no figures to measure their expenses in FY81, and felt because this was a new service they had no way to evaluate it.

REP. CONROY asked Mr. Burgess if he was required to attend hearings at the request of the legislature.

MR. BURGESS stated he does feel it is a requirement to attend, and with ten years experience, he feels he has a lot to offer at the hearings.

SEN. JOHNSON asked where he would be going in the 47 days.

MR. BURGESS stated the majority of the meetings would be in Helena.

SEN. JOHNSON asked if Mr. Burgess would get a salary for this.

MR. BURGESS stated he did not.

MR. CHISHOLM stated there was a tremendous savings when they would be able to conduct a hearing at Billings or Missoula, rather than at the old Prison. He felt since this is a citizens' board, the honorarium of \$25 is supported because the equivalent of a full days work is put in. The eight additional days for parole violations hearings is something the board does need.

REP. CONROY moved to accept the Modified proposal for \$1,375 for FY82 and FY83 respectively.

The MOTION PASSED.

SEN. ETCHART moved not to accept the modified proposal for \$400 for training for new board members.

The MOTION PASSED.

MR. HOFFMAN explained regarding the modified for the half-time secretary, was in two phases. One phase was requesting an additional transcriber and the initial request was for \$375 in FY82 and \$405 in FY83 and this has been significantly increased. He read the reason why the court reporter was needed, and the present secretary was spending much of her time transcribing notes which took her away from her other duties. The LFA feels by approving the court reporter, this would free up the present secretary.

SEN. JOHNSON moved not to accept the modified for the half-time secretary position for \$5,937 for FY82 and FY83.

The MOTION PASSED with five in favor, one opposed. SEN. THOMAS opposed.

SEN. JOHNSON moved to accept the LFA amount for Other Expenses for \$335 for FY82 and \$363 for FY83.

The MOTION PASSED.

SEN. THOMAS moved to accept the Equipment amount for \$165 for FY82 only, Repair and Maintenance amount of \$324 for FY82 and \$331 for FY83; and Personal Service for \$78,629 for FY82 and \$78,620 for FY83.

The MOTION PASSED.

SEN. JOHNSON moved the LFA amount for Travel for \$14,143 for FY82 and \$15,274 for FY83 be approved.

The MOTION PASSED.

REP. CONROY moved the LFA amount in Communications for \$6,449 for FY82 and \$6,997 for FY83 be approved.

The MOTION PASSED.

REP. CONROY moved the Executive Budget in Supplies and Materials for \$603 for FY82 and \$659 for FY83.

THE MOTION PASSED.

MR. HOFFMAN explained the difference in Contracted Services is the court reporter amount at \$1,596 for FY 82 and \$1,725 for FY 83. The board originally requested \$375 and \$405 for this. He felt the board might want to explain this difference.

MR. LYNCH gave an example that the difference was a result of an inmate appearing before the judge, and the judge demanded a transcript, and there was no formal transcript available, so the violator was released. A second part of the court order was to provide an attorney at the state's expense to represent the inmates. The attorney's charge would be \$300 per case to represent these inmates. They worked out a contract with the defenders at the law school, and were able to attain attorneys at no expense, but they do need the court reporter for the record. For any inmate that goes to court, without a transcript, will be released.

THE CHAIRMAN noted \$2,000 needs to be added to the FY 82 amount for the Executive Budget to include the audit fees.

SEN. THOMAS moved the Executive Budget for Contracted Services for \$5,219 for FY 82 and \$3,479 for FY 83 be approved.

THE MOTION PASSED.

MR. SOUTH asked to discuss the retroactive pay for the Board of Pardons in the amount of \$5,472.

SEN. ETCHART moved to not accept the retroactive pay for the Board of Pardons for \$5,472.

THE MOTION PASSED.

There being no further discussion or comments, the meeting was adjourned at 8:45 a.m.



JACK K. MOORE, Chairman

DEPARTMENT OF INSTITUTIONS

BOARD OF PARDONS

EXPENDITURES

1982 BUDGET

1983 BUDGET

1980 Actual	1981 Estimated	Exec. Budget	Fiscal Analyst	Exec-LFA Variance	Exec. Budget	Fiscal Analyst	Exec-LFA Variance	Exec. Budget	Fiscal Analyst	Exec-LFA Variance
3.50	3.50	3.50	3.50		3.50	3.50		3.50	3.50	
52,601	60,104	60,104			60,104			60,104		
7,925	7,200	7,200			7,200			7,200		
9,862	11,325	11,325			11,325			11,325		
70,388	78,629	78,629	78,629	-0-	78,629	78,629	-0-	78,629	78,629	-0-
802	5,219	3,219	1,327	1,892	3,478	1,433	1,892	3,478	1,433	2,045
524	603	615	636	(21)	659	690	(21)	659	690	(182)
5,235	6,584	6,584	6,449	135	7,161	6,997	135	7,161	6,997	164
12,126	16,010	16,010	14,143	1,867	18,411	15,274	1,867	18,411	15,274	3,137
-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
37	324	324	324	-0-	331	331	-0-	331	331	-0-
277	267	267	335	(68)	267	363	(68)	267	363	(96)
19,001	27,019	27,019	23,214	3,805	30,320	25,088	3,805	30,320	25,088	5,232
760	165	165	165	-0-	-0-	-0-	-0-	-0-	-0-	-0-
90,149	105,813	105,813	102,008	3,805	108,949	103,717	3,805	108,949	103,717	5,232

DESCRIPTION

Salaries
 Per Diem
 benefits
 Total Personal Services
 Contracted Services
 Supplies & Materials
 Communications
 Travel
 Rent
 Utilities
 Repair & Maintenance
 Other Expenses
 Total Operating Expenses
 Equipment
 Total Program Costs

PERSONAL SERVICES SUMMARY

tion Board of Pardons

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	FY 80 Actual	FY 81	FY 82	FY 83
Salaries	52,277		59,747	59,747
Longevity	324		357	357
Benefits @ 14.65% + 720/per FTE - Ins.	<u>9,862</u> <u>62,463</u>		<u>11,325</u> <u>71,429</u>	<u>11,325</u> <u>71,429</u>
Per Diem	<u>7,925</u>		<u>17,200</u>	<u>7,200</u>
Total	70,388		78,629	78,629
Total All Personal Services	3.50		3.50	3.50
FTE's Direct Care Indirect Care				
Population				
Provides 8 days per month per board member. (6 reading and 2 Board days @ \$25/day x 3 members = \$600 x 12 months = 7200)				
Additional days required are requested in a modified package. 3				

Board of Pardons

<u>Functional Manpower Requirements</u>	<u>80</u>	<u>81</u>	<u>82</u>	<u>83</u>
(1) Executive Secretary III	1.00	1.00	1.00	1.00
(2) Administrative Officer III	1.00	1.00	1.00	1.00
(3) Secretary III	1.00	1.00	1.00	1.00
(4) Secretary I (1/2)	<u>.50</u>	<u>.50</u>	<u>.50</u>	<u>.50</u>
	3.50	3.50	3.50	3.50

Total 3.50

CONTRACTED SERVICES

Institution Board of Pardons

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Contractor	Purpose of Contract	Expenditure ID	Status	FY 80 Actual	FY 81	FY 82	FY 83
Contracted Services	Court Reporter used during hearings	2102	C	225		1596	1725
	Transcription 300 pgs @ \$3.00 Page = \$900					980	1059
	Witness Fees	2108	C	226		246	266
Legal Fees and Court Costs							
Printing	Contracted Printing Forms						
	Notices to judges, Parolee Arrival Notices	2110	C	141		168	181
Photographic Services	Duplicating done at General Services	2115	C	210		229	247
	Total			802		33219	3478

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SUPPLIES & MATERIALS

Institution BOARD OF PARDONS

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Item	Justification	Expenditure ID	Status	FY 80 Actual	FY 81	FY 82	FY 83
FOOD	Coffee for Board Meeting	2205	C	10		12	13
Office Supplies	Duplicator paper, etc.	2211	C	327		399	438
Books	P&P Law Reports 1979 MCA-from Leg. Council	2225	C	153		167	181
General	Badge and Case	2299	C	34		37	40
TOTAL				524		615	672

COMMUNICATIONS

Institution BOARD OF PARDONS

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DESCRIPTION	Expenditure ID	Status	FY 80 Actual	FY 81	FY 82	FY 83
Local Service and Equipment	2301	C	1538		1947	2160
Long Distance	2302		836		1058	1174
Postage and Mailing	2304	C	1068		1314	1314
Advertising	2309	C	24		26	28
STS	2314	C	1769		2239	2485
TOTAL			5235		6584	7161

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REPAIRS & MAINTENANCE

Institution Board of Pardons

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DESCRIPTION	Expenditure ID	Status	FY 80 Actual	FY 01	FY 82	FY 83
Office Equipment	2704	C	37		47	54
Maintenance Contracts Model 60-Typewriter @ \$195/yr. IBM - Typewriter @ \$81.50/yr					195 82	195 82
TOTAL			37		324	331

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OTHER EXPENDITURES

Institution BOARD OF PARDONS

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Description/Purpose	Expenditure ID	Status	FY 80 Actual	FY 81	FY 82	FY 83
Dues	2801	C	195		195	195
Subscriptions	2802	C	62		72	72
Registration Fees for Training Conference	2809	C	20			
TOTAL			277		267	267

ITEM	FY82	FY83
2 - Secretarial Chairs @ \$82.50 each	165	0
	165	0

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DEPARTMENT OF INSTITUTIONS

BOP
Modified

DESCRIPTION	EXPENDITURES			1982 BUDGET			1983 BUDGET		
	1980 Actual	1981 Estimated	Exec. Budget	Fiscal Analyst	Exec-LFA Variance	Exec. Budget	Fiscal Analyst	Exec. Budget	Exec-Varia
FTE			.50					.50	
Salaries									
Benefits									
Total Personal Services			5,937					5,937	
Contracted Services									
Supplies & Materials									
Communications									
Travel									
Rent									
Utilities									
Repair & Maintenance									
Other Expenses									
Total Operating Expenses									
Equipment									
Total Program Costs			5,937					5,937	

FUNDING	EXPENDITURES			1982 BUDGET			1983 BUDGET		
	1980 Actual	1981 Estimated	Exec. Budget	Fiscal Analyst	Exec-LFA Variance	Exec. Budget	Fiscal Analyst	Exec-LF Variance	
General Fund			5,937			5,937			
Other Funds**									
TOTAL			5,937			5,937			

MODIFIED

PERSONAL SERVICES SUMMARY

Institution 6413 - Board of Pardons

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	FY 80 Actual	FY 81	FY 82	FY 83
Total Personal Services	0		4,864	4,864
Base Salary			4,864	4,864
Benefits 14.65%			1,073	1,073
+ 720/FTE				
Total All Personal Services			5,937	5,937
FTE's			.50	.50
Direct Care				
Indirect Care				
Population				

Status: C - Current Level

Adds a .50 Secretary

Budget Modification

Board of Pardons

Since 1975, the Board of Pardons was allocated one secretarial FTE position in the Board budget; however, the Board had a position loaned to it from the Probation and Parole Bureau until July 1977. At that time that position was returned to Helena, and the Department of Institutions loaned the Parole Board a PSE position. The Parole Board had that position until July, 1979. The Parole Board was only able to secure a half-time position from the 1979 Legislature to replace this PSE position. The reason for the need for the replacement was that the pay was inadequate to secure someone qualified to perform the necessary duties. In the past year the Board has been functioning with one and one-half secretarial/clerical staff and has found it impossible to perform work that has normally been performed by the Board of Pardons. This situation reached a crisis point in July, 1980, and we were able to secure supplemental funding to increase that half-time position to full-time.

The following is an approximation of the clerical workload done by the two full-time secretarial positions at the Board of Pardons:

Primarily, the Board needs clerical staff in the office all the time. Vacations and sick days make it difficult to do this with one and one-half positions.

Mail out daily	40 pieces
Making up notifications for monthly parole hearings.....	16 hours
Making up books for Board members	10 days
Filing.....	2 hours per day
Responding to 50 calls per day and supplying information to callers.	
Making out parole discharges.....	5 hours per month
Copy work.....	10 hours per month
Dictation.....	1 hour per day
Making agendas	10 hours per month
Typing reports	8 hours per month
New files and card index	20 hours per month
Records of Board dispositions	5 hours per month
Sending out plans for inmates' paroles	8 hours per month
Making out pre-parole and pre-release agendas.....	2 hours per month
Mailing out parole papers and information to parole officers.....	12 hours per month
Making up parole papers.....	1 hour per day

DEPARTMENT OF INSTITUTIONS
BOARD OF PARDONS - MODIFIED

1983 BUDGET

1982 BUDGET

EXPENDITURES

DESCRIPTION	1980 Actual	1981 Estimated	Exec. Budget	Fiscal Analyst	Exec-LFA Variance	Exec. Budget	Fiscal Analyst	Exec-LFA Variance
Diem			1375			1375		
enefits								
Total Personal Services			1375			1375		
Contracted Services								
pplies & Materials								
mmunications								
ave/								
nt								
ilities								
pair & Maintenance								
her Expenses								
Total Operating Expenses								
uipment								
Total Program Costs			1375			1375		

EXPENDITURES	1982 BUDGET			1983 BUDGET				
	1980 Actual	1981 Estimated	Exec. Budget	Fiscal Analyst	Exec-LFA Variance	Exec. Budget	Fiscal Analyst	Exec-LFA Variance
<u>FUNDING</u>								
General Fund			1375			1375		
Other Funds**								
TOTAL			1375			1375		

Modified
PERSONAL SERVICES SUMMARY

titution 6413 BOP

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	FY 80 Actual	FY 81	FY 82	FY 83
Total Personal Services			1375	1375
Additional Per Diem				
Total			1375	1375
Total All Personal Services				
FTE's			0	0
Direct Care				
Indirect Care				
Population				

Budget Modification

Board of Pardons

Board members are increasingly needed to do Board work throughout the month. Legislative committees often wish to have Board members present at hearings, and meetings at the Department of Institutions are often of such a nature that a Board member's presence is desirable. Parole violation proceedings can often be conducted in Missoula or Billings by individual Board members when the violators are not going to be returned to Montana State Prison for incarceration, saving needless inmate transportation costs.

	FY 82	FY 83
<u>Extra Hearing - Board Members</u>		
P.V. Hearing @ 8/year x \$25 +	200	200
<u>Burgess - Additional Required Days</u>		
47 days @ \$25	<u>1,175</u>	<u>1,175</u>
	\$1,375	\$1,375

DEPARTMENT OF INSTITUTIONS

BOP

Modified

DESCRIPTION	EXPENDITURES				1982 BUDGET			1983 BUDGET		
	1980 Actual	1981 Estimated	Exec. Budget	Fiscal Analyst	Exec-LFA Variance	Exec. Budget	Fiscal Analyst	Exec-L Variance		
FTE										
Per Diem			400			0				
Benefits										
Total Personal Services			400			0				
Contracted Services										
Supplies & Materials										
Communications										
Travel										
Rent										
Utilities										
Repair & Maintenance										
Other Expenses										
Total Operating Expenses										
Equipment										
Total Program Costs			400			0				

EXPENDITURES

1982 BUDGET

1983 BUDGET

FUNDING	1980		1981		1982 BUDGET		1983 BUDGET	
	Actual	Estimated	Exec. Budget	Fiscal Analyst	Exec-LFA Variance	Exec. Budget	Fiscal Analyst	Exec-LF Variance
General Fund			400			0		
Other Funds**								
1.								
2.								
3.								
4.								
5.								
TOTAL			400			0		

PERSONAL SERVICES SUMMARY

	FY 80 Actual	FY 81	FY 82	FY 83
Total Personal Services			400	0
Additional training days for new board members per diem			400	0
Total All Personal Services			0	0
FTE's				
Direct Care				
Indirect Care				
Population				

Board of Pardons

Budget Modification Request

Justification for Board Training Days:

In fiscal years 1982-1983 the Governor will be making an appointment for at least one Board member. Meeting only twice a month makes it difficult for a new Board member to learn the duties necessary to function professionally. The Board is requesting training money to acquaint new members with the Board's function before the member is required to make official decisions. We are requesting four hundred dollars (\$400.00) for four training days, which would be two monthly Board meetings for each new member appointed.