MINUTES OF THE MEETING OF THE JOINT APPROPRIATIONS SUBCOMMITTEE FOR INSTITUTIONS MONTANA STATE PRISON February 12, 1981

JACK K. MOORE, Chairman called the meeting to order at 8:05 a.m. in Room 108, Capitol Building. All Committee members were present.

Testimony was given by Carroll South, Director of the Department of Institutions; Dan Russell, Director of the Corrections Division; Jim Blodgett, Acting Warden, Montana State Prison; Don Smith, Ranch Manager, Montana State Prison; Ray Hoffman, Analyst; Jim McVae, Legislative Auditor.

MR. SOUTH noted during the last legislature, the LFA made a recommendation that if the ranch could not be proven a profit The Department was instructed to maker, it should be closed. develop a cost accounting system at the ranch to determine if the ranch is breaking even. He stated they can detail the cost and income at a greater degree than before. He felt before going through the budget, it was important to discuss the therapeutic value of the ranch. He feels philosophically we need the ranch, and he cannot promise that meat purchases and dairy products can save a lot of money. The best we can hope for is the ranch to break even and be able to sell to institutions at market level or below. He stated they do need the captive audience of the institutions market to keep the ranch going. He stated when going through the budget presentation, it is necessary to differentiate between a private and state ranch operation. The ranch operation is a revolving account, and the Committee gives the authority to operate within the confines of the amounts of money shown, and it is the Department's responsibility to work within this amount. He noted the Department purposely listed the feed costs high, so it will not be necessary to come in for budget amendments later on. Τn order to comply with state law the Department cannot spend any more than the revenue, and the revenue will never be any more than the market price of the meat and the dairy products made available to the institutions. He stated it is difficult to compare the state operation to a private one since they are using inmate labor, etc. He has been convinced by looking over the operation, that the foreman does work. In regard to the deletion of the 5 butcher positions, he decided that it was not a good idea. His recommendation is based on having 2 butchers and 1 butcher supervisor. By having 2 butchers and 1 supervisor in the meat cutting shop, the cost will be cut in that area. His request will also include some equipment that will make the meat handling much more efficient. He stated the equipment will not be purchased until later in the fiscal year to see if there is enough money to purchase it. He preferred to discuss the issue of the need for the ranch rather than go over each amount.

Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 2 February 12, 1981

SEN. ETCHART asked if the ranch has been able to stay within the revolving fund.

MR. SOUTH said yes it has. He stated one of the contentions has been the ranch should be selling the meat less than market value. He feels they should sell at market value especially if the proceeds help upgrade the facility and make the ranch more efficient.

THE CHAIRMAN asked Mr. McVae, State Auditor, to speak to the Committee regarding a recent audit of the ranch.

MR. MCVAE stated this audit related to the food services portion and the sales amounted to approximately \$1,000,000. Their analysis indicated overall the beef and pork portion of the ranch did not make a profit, however, the dairy portion of the ranch made the profit. They did a comparison on four products from the ranch compared to 4 items that could be obtained through purchasing, and they found the ranch items were higher. Some of their other recommendations were to determine if the prices were profitable and if they should use the pricing formula from purchasing in selling to the other institutions.

REP. CONROY felt it was necessary to go through the budget in order to have the Committee justify the ranch operation. He expressed concern over the length of time the cattle grazed, and feels if the state is going to have a ranch they should strive for an optimum level of efficiency.

MR. SOUTH stated he agrees and when the butchers visited with him, they criticized what they felt some of the problems were regarding the length of time the cattle were being fed. He stated they did check the waste records, and they were comparable to the civilian waste. He feels there are many management decisions to help make the ranch operable, and he intends to work on that during the coming biennium.

SEN. THOMAS asked Mr. Don Smith to give a brief overview of the ranch and what the inmates do.

MR. SMITH stated the dairy is a 7 day a week operation, and uses between 12-15 inmates, the slaughter house uses 15 men, and the Ranch I and II use 10 - 12 men for irrigating and haying, the cow end operation uses 3 - 5 men, the equipment maintenance center runs between 8 - 10. He noted one of the problems was security and if the men could be used for minimum security positions. In answer to the question of therapeutic value, he feels it is necessary to instill a work habit. Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 3 February 12, 1981

SEN. JOHNSON asked Mr. Blodgett what type of control they have over the inmates willingness to work.

MR. BLODGETT stated the work program is required for anyone who lives within Units A, B, or C. Once the individual refuses to work, the security takes over, a conduct report is signed and they are removed from the unit and they either go to the Close Unit or Maximum Security. In answer to the question of the general attitude at work, he stated there is a general classification program. Each inmate upon entering the prison is given a general classification, as his stay progresses, he goes through several reviews and usually in time receives a classification that is minimum security. He noted of the total institution at this time there are only 80 inmates in minimal security.

REP. ERNST asked what type of problem would be created if the ranch was to be eliminated.

MR. BLODGETT stated the entire institution work system has evolved around the ranch. He noted at this time there are 75 to 150 inmates within the institution that have no employment. He stated if the ranch was done away with, the only large source of work would be taken away. He stated the ranch has been the most popular category of the work, because of the ability to get outside and get away from the other inmates. The ranch also has long hard work involved, and sometimes keeps them going for 12 - 14 hours a day.

SEN. JOHNSON asked how many inmates once paroled get jobs on ranches.

MR. BLODGETT stated there have been studies conducted in the areas of education and vocational training and since Montana is a rural state and many of the inmates have minimal education, ranch placement is a lot easier than some of the other areas they work in.

SEN. ETCHART stated in 1975 the ranch was put on a revolving fund to see if they could become self-sufficient.

SEN. JOHNSON asked if it was self-sufficient because of the money it receives from other institutions.

MR. SOUTH stated that is correct, and the processed goods are sold to the other institutions, but if they didn't buy their meat from the Prison, then general fund money would be subsidizing someone else. Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 4 February 12, 1981

MR. HOFFMAN asked Mr. South if he was saying the ranch program is not being subsidized by any general funds money. The reason he asked is that in the audit report, it states the institutions are purchasing the products for \$25,000 more than if purchased from state purchasing.

MR. SOUTH stated it is unfair to compare the products indicated by the auditors' study, because the Prison products are 100% meat products. Also it would be necessary to compare rates with another institution of similar size over one year's time. He stated he disputes the contention that we are overcharging the institutions.

REP. CONROY asked if the cost to have beef butchered, cut and wrapped for the Prison was 55 cents. MR. SMITH stated yes. He stated in his area to get the beef butchered, cut and wrapped was 15 cents a pound.

MR. SMITH stated within the 55 cents per pound the result is a boneless product. A comparable package with bones would be 31 cents.

MR. SOUTH stated one of the reasons the Prison's price is higher, is due to the 7 butchers; the new proposal to have only 4 union butchers which will reduce the cost considerably.

REP. CONROY asked questions regarding the amount of hay harvested, the pounds of grain fed the cattle in the fattening pen, the weighing process in the feedlot, the supplements given to dairy cows, and the necessity of force feeding protein supplements.

SEN. JOHNSON asked why the LFA figures are not on the Prison Ranch Exhibit 97, Page 1.

MR. HOFFMAN stated the LFA feels the ranch program as far as dollar wise is a poor investment, as far as programmatic concerns for providing jobs to prisoners, that is a different story.

He stated the LFA does not feel the overall costs of the ranch program are basically reflected in the ranch. They also feel the ranch program is below minimum operating standards. He stated fiscally it is a poor operation, programmatically they feel something has to be done, but they do not know what.

SEN. THOMAS asked if they leased the ranch out, could programs be developed more suitable to the needs of the prisoners.

MR. BLODGETT stated they have never looked at leasing. He found in the past the programs decided to be most effective were highly staffed programs and quite costly on a continuing Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 5 February 12, 1981

basis. He does not feel no matter what alternative, that they could come up with a better work program at any lower cost.

SEN. THOMAS asked how many acres were on the ranch, and what was an average herd of cattle.

MR. SMITH stated approximately 40,200 acres are on the ranch, and they average 3,200 cattle at \$600 a head.

REP. CONROY explained the importance of the conversion factors related to the feed intake.

SEN. THOMAS asked what the average length of stay was for the 50 - 60 inmates working at the ranch.

MR. SMITH stated the average stay was 12 - 13 months, and this is usually the final step to parole.

SEN. THOMAS asked how many inmates are in close security, and do they work.

MR. BLODGETT stated there is about 300 inmates in close security and the only jobs available to those people are food and lawn jobs. They employ approximately 100 people in these areas just to give them something to do. He explained because of the security problems, not all inmates could be in the industry program. He stated they do have the need to employ about 350 people. He noted half of these people would be hard to employ in the industry program, but at the current time there are too many idle people.

MR. HOFFMAN stated the Office of Budget and Planning did a study of how much money would be derived if the land from the Prison was leased. He noted if the farm operation was done away with there would be \$1.8 million that could be used on expanded industry.

MR. HUNTINGTON stated the primary objective of the programs is to deal with idleness of inmates. The other common factor is that they would be self-supporting and not be funded out of general funds. He felt there is a problem in their own proposal in that all the people are not being fully occupied, and a major problem is coming up with something that keeps everyone employed and does not cost the general fund.

SEN. THOMAS stated the feeling of the Prison competing with the private sector can be diminished if worked with by the Chamber of Commerce etc. because this is a therapeutic program.

Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 6 February 12, 1981

MR. SOUTH stated when you compete with the private sector, you are cutting into their pockets and this develops a problem. The industry program is trying to come up with something that does not compete with anyone in the State of Montana, yet would have a viable market here.

A recess was taken for 10 minutes.

MR. SOUTH stated the Department feels the ranch is an industry, and the best one they have going. He expressed concern over having someone requesting that the ranch program be closed down and then asking the Department to come up with an alternate industry program suitable for the State of Montana.

SEN. THOMAS moved to adopt the philosophy to maintain the ranch as a viable option as a work type program, while pursuing the budget request.

The motion passed.

THE CHAIRMAN asked that the Prison Ranch budget be discussed, Exhibit 97.

MR. SOUTH explained Contracted Services, Page 5. He stated the Department of Institutions central budget where 1/2 of the budget would be charged to the industry program, and 1/2 would be charged to the ranch. The refrigeration request is due to the fact the refrigeration has not been maintained adequately due to the prior budget cuts. In Supplies and Materials, Page 6, under Agricultural, the increase is due to a low purchase of seed in 1980, and the \$6,000 request for 1982 would bring it back to where it should be. The gasoline increase relates to price and demand for fuel for tractors; building materials is based on the assumption there will be a viable industry program relating to logs and wood products. He noted the 1982 figures were arrived at by estimating the retail cost to purchase the This is necessary to come up with a price to present posts. in the budget. If the posts cost less, then the budget will be reduced by that amount.

REP. CONROY asked how many vehicles are gas burning and how many are diesel vehicles.

MR. SMITH stated they run approximately 10 diesel burning and 12-13 gasoline vehicles. This depends on what time of year it is and if the haying equipment is being used.

Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 7 February 12, 1981

MRS. HARRIS explained the Utility portion, Page 12, was calculated on an 80 estimated base for the total prison utilities. She noted there are not meters at the ranch, but they intend to have them installed during the next biennium. They did include a high rate for utilities because the rate may have been higher than budgeted, but without the individual meters they really don't know the cost.

MR. SOUTH stated in this particular case, the Committee should make an exception to the standard inflation rates proposed by the LFA, because they know the 80 base was in error, and they are asking for the authority to pay the utility bills at whatever they come in at, so that he does not have to come in and get a budget amendment for utilities.

MR. HOFFMAN asked Mrs. Harris what the profit showed for the prison ranch in fiscal 1980.

MRS. HARRIS stated the total profit shown was \$46,000.

MR. HOFFMAN asked in order to show this profit, did she use the utilities figure at \$39,509. If this amount was possibly in error, then there may not have been a profit shown at all.

MR. SOUTH stated they are not arguing that the ranch is a money maker. He explained Page 13, Repairs and Maintenance, is related to keeping the equipment maintained, but is at a low priority due to how much money remains at the end of the fiscal year. He explained Page 14 regarding the \$19,176 fiscal year 1981 maintenance cost. He noted this relates to paying the prison maintenance crew to work on the vehicles.

MR. SMITH stated it is necessary to differentiate between the two vehicle repair areas. One area related to farm equipment, the other relates to maintenance for the pickup trucks.

MR. SOUTH stated in Other Expenses, Page 15, the Department attempted to pull out the ranch allowance separate from the inmate pay at the Prison. He noted 55 was an average population at the ranch, and some of the operations were only 5 day a week. In Equipment, Page 16, he noted they would purchase the equipment that would make the operation more productive, and would prefer to have the authority to purchase the equipment as money and time allows. Page 17 relates to purchasing hogs from the local ranchers to meet the needs of the institutions.

THE CHAIRMAN asked to discuss the Industry Programs.

Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 8 February 12, 1981

MR. SOUTH stated that during the last biennium, the Department was to come up with a proposal for the work industry, and he would like Sandy Harris to explain the program that she devised.

MRS. HARRIS stated there is a great need to find opportunities to work at the Prison. There are about 200 inmates that need to be employed, so if 50 can be at the ranch, 18 at the tag plant, there is a need for employment for 130 more residents. Another goal in developing the industry program is that they find industries that can be self-supporting. An added advantage to a good work program is that it brings the demands of the outside world into a work program. The industries that are recommended they feel can meet the needs to provide jobs and have the potential to be self-supporting. She noted she tried to group certain industries, because the lack of adequate markets. She stated currently the market is restricted to state agencies, because at this time they do not have the authority to sell to governments, school districts or non-profit organizations. Other prison industries in other states do have the authority to sell to other tax supported agencies. She stated there are two other provisions in the industry law that will expand that market, and one provision is working with private industry. They are asking to be allowed to contract with private industry for programs in a prison setting. They do not have any specific program developed, but if they had that authority, they could pursue this at a later date. Beside the market to enable the industry program to be self-supporting, there is a need for skilled supervisors. Part of the proposal is to have supervisors who will have craft skills written into their job requirements. The recommended industries are: graphic arts department, which would do printing, validation tags, and one part of a sign operation.

Required skills would be graphic arts, silk screening equipment and would need only 1 supervisor. The Printing Department would have a restrictive market and could do the duplicating services for the institutions and for the field agencies in the Deer Lodge valley. At the present time, it has been done on a cost only basis, and they would like to make it an income producing operation, and hopefully they could be competitive. The validation tags are the reflective tags used on license plates and there are many related items such as university parking tags, stickers for cigarette machines, etc. She noted there is a good market Sign manufacturing has been in the past these stickers. for quite limited, but this could have the skills and equipment upgraded and could utilize silk screening equipment and lower the cost of operation. These three departments could be handled

Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 9 February 12, 1981

with one staff member. The largest start up cost would be a \$50,000 piece of equipment for the validation tags. She noted a firm in Arkansas does the validation stickers for Montana at this time and this contract is around \$50,000 per year. One item needed in the printing area would be a padding press. The next item would be a three ring binder operation. It was felt there was a potential market in the state for this. Central stores purchase around \$40,000 to \$50,000 of binders per year. The third area would be furniture manufacturing. They have done a limited amount of this, but at this time there is not a large market for their products. She felt if they could get into office equipment, this could open up a new market. It would be necessary to have a qualified supervisor with good wood working skills. She noted they are set up quite well in equipment in this area. The fourth area would be the wood and metal refinishing which could have a large market. Many state agencies, school districts, etc. have many refinishing needs. The fifth area would include reupholstering, mattresses and white goods grouped under the needle crafts area. At this time they are making mattresses for the prison, but would like to have the authority to sell to local government and pick up a small market in jail Reupholstering could be expanded beyond what they mattresses. are doing now, and white goods section would be a small related area like providing mattress covers, and laundry bags. Depending on the volume of business, more industrial sewing machines would need to be requested.

REP. CONROY asked what would be the repercussions of the state getting into competition with private industry.

MR. SOUTH stated they have tried to stick to areas where there is no competition within the state. When prison related industries are talked about, there is a need for outlets such as state agencies, institutions, or local government. He stated one of the problems in establishing an industry program is, he cannot guarantee the market. He stated what they are asking is a two year pilot program to see if these programs work. He feels it is necessary to have a two year period to buy the equipment and test out the market because he noted a lot depends on state government whether or not it flies. He stated he would like to have the Committee buy every one of the proposals and let the Department make the decision if they will work or not, because so much depends on an adequate market.

REP. CONROY asked if he proposed to increase security in the industry area.

MR. SOUTH stated they did propose to put some man barrier fence at the top of the fence, but no one will be allowed in the industry area after dark, and there may need to be a fence around the gas pumps. Minutes of the Meeting of the Joint Appropriations Subcommittee for Institutions Montana State Prison Page 10 February 12, 1981

SEN. JOHNSON asked if anyone looked at selling products to other prisons.

MRS. HARRIS stated she didn't know how Florida was allowed to transport their shoes, since it is a federal regulation that prison goods cannot be transported across state lines. She noted she has worked very closely with North Dakota and their industry program since their markets are so similar, and they have a very successful program, especially in the furniture manufacturing area where they have had to go to double shifts.

She stated that state purchasing has a policy they will not allow any tax supported agency to bid against a private vendor. They will allow sales to state agencies, if the contact is made directly. Once an agency sends a bid in for competitive bidding, then they would be out of the picture.

MR. ROSTOCKI stated in some of the other states, there is a provision that the state agency buy directly from the prison. In Montana there is not the provision that the state has to buy goods from the prison.

MR. SOUTH stated in the HB 458 there is a provision requesting the state buy from the prison, and he has requested that it be removed because it was felt there might be a lot of built in red tape with state purchasing if the provision remained.

THE CHAIRMAN stated they would reconvene at 12:50 p.m. and go into Executive Session regarding the Prison Ranch.

JACK K. MOORE, Chairman

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Out-of-State Commercial Transportation	2412		1,312		421	787
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Out-of-State Other	2415		36		48	10) 10
Inst. Industries Revolving Account	2415		8 Fi			
Out-of-State Meals	2417		107		77	C) L')
Inst. Industries Revolving Account	2417		63			
Out-of-State Lodging	2418		169		706	<b>€</b> -3 €-3 ₽-3
Inst. Industries Revolving Account	2418	-	102			
		r = ==================================	7,637		8,522	<b>8</b> 862,6

TRAVEL

Status: C - Current Level M - Modif of

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Page	FY 8.2	10,253	3 3 4 3 6 6 3 5 5 5 5 5					
	FY 81					-		
	FY 80 Actual	7,953	1,697	20	9,720			
	Status					المروحين مناقب <del>والمروحين والمروحين والمروحين والمروحين والمروحين والمروحين والمروحين والمروحين والمروحين والمروحين و</del>	nga ang kang kang kang kang kang kang ka	agas bakan kalan ku ku ya kangang guna ya kalana (Maranak Mananakan ku
	Expondituro 1D	2502	2504	2516				
Institution DIRECTOR 3 FROGRAM	Purposo	Buildings	Other Equipment Xerox Lease Purchase Xerox Lease IMB Mag. Lease Purchase	Meeting Rooms	TOTAL			

RENT

Status: C - Current Level M - Mod Mod

Licctricity Maunel Gas 229 2603 325 430 481	Electricity Natural Gas			Ē	Status	FY CO Actual	FY 81	FY 02	20 H	w 1-mai - mai
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						554		733		
			- -							~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

**UTILITIES** 

attention Director Program					Pago	of	,
DESCRIPTION	Expenditure ID	Status	FY 60 Actual	FY 81	F	FY 83	
Dictaphone Repair	2704		36		44	14	المحادثة والمراد
ISM Repair	2704		255		311	336	
Maintenance Contract IBM - Mag Card Xerox	2704		552 259		673 316	727 241	مرضا ما درود رد الهاد
Institutional Industries Revolving Account					27	U U	
				-	an Thursday and the state and		
			·				
			1,102		1,405	€s ed Vir ref	
tetus: CCarront Lavel 17. Modelad		· •					

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REPAIRS & MAINTENANCE

Dues Dues Thst. Industries Revolving Account	Expenditure	-				
1	Ĵ	Status	FY 80 Actual	FY 81	FY 62	60 Ad
	2801		44		44	$h_{i}$
	2801	<b>.</b>	10		25	к. С
Subscriptions	2802		521		801	109
Taxes, Assessments, etc.	2804		130		130	5 5 9
Registration fees - Training Conf.	2809		176		100	COT
Inst. Industries Revolving Account	2809		10		0	C
Freight & Express	2822		2		2	c-1
General	2899		Ŋ			
	- - -	-				
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TOTAL			898 8	-		C4 C1 C1
					<b>10</b> 10 10	
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OTHER EXPENDITURES

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M - Modified

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		CC CC C	700.00
Trottuttons DIRECTOR'S PROCIMM	WELL	Chairs - Conference Room 7 @ 100.00	

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NESCRIPTION	TXPEN 1980 Actual	TXPENDITURES 80 1981 tual Estimated	Exec. Budget	1982 RUDGET Fiscal Analyst	Exectl7A Variance	Exec.		And Parts
Solveics								
S ) [ S ]								
Total Personal Services								
Contracted Services			5,082			5,628	~	
Seedies & Marerials						-		
Communications						an barrang barrang - 1		
1								
C 								-
Peng r & Maintenance								
Criter Expenses								
Total Operating Expenses								
leu baont								
Total Program Costs			5,082			5,628		

DEPARTMENT OF INSTITUTIONS Modified - Consulting Contract

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EXHIBIT 103

		EXPENDITURES	•	1982 BUDGUT	Laba		с с с с	÷
DNIGN.1.	L980 Actual	1981 Estimated	Exec. Budget	Fiscal Anelyst	Exec-IFA Variance		Tinen! Thomas And	
eneral Fund			5,082			5,628		
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CIVI			5,082			5,628		
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		9 9 9 9	2,257	(285,23				m	
		5,880	1,953	(2,761)			 ເຊ ເອ ເງ		
	FV 01			Jevel		1. (***) (*	 		
	FY 80 Actue!		· .	Less Current Lo					
RAM	Stetus	X	Ж		-				
	Expenditure 10	2102	2160				·		
	Furpose of Contract	Review Medical Servicés at Inst.	Programs					-	
eturion DIRECTOR'S PROGRAM	Contractor	Consulting Physician Contract	Consulting Travel				-		

CONTRACTED SERVICES

•

## CONSTRUCTED AND A CONSTRUCT OF REAL PROPERTY OF REAL PROP

## 2 Visits per year to each leating ion

	Mileage	Lodging	r = 1s
Poulder	60		
Center for the Aged	400	21	24
Eastmont	900	63	48
Galen	150		
Pine Hills	Consolida	te with Eastmoot	
Mountain View	20		
Swan River Youth Forest Camp			
Veterans' Home	500	42	36
Warm Springs	150		
	2,180 x .2	$0 = 436 \times 2 =$	872
6 visits per year to Montama Stat	e Prison		
o vioreo per year to nomana bea		$0 = 24 \times 6 =$	344

4 days per year availability in Helena

Lodging	252
Meals	216
Mileage	$\frac{1,016}{1,484}$

## TOTAL

2102	36 days x 150/day	5,400	FY 82 5,880	$\frac{FY 83}{6,356}$
2160	meals and lodging	$\frac{1,484}{6,584}$	1,963 7,843	2,257 8,613
		Less Current Le	vel (2,761)	(2,985)

TOTAL	5,082	5,628