

MINUTES OF THE MEETING
GENERAL GOVERNMENT AND HIGHWAYS SUBCOMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

The meeting of the General Government and Highways Subcommittee was called to order by Chairman Rehberg on January 30, 1987 at 8:00 a.m. in Room 132 of the State Capitol.

ROLL CALL: All committee members were present. Also present were Flo Smith, Budget Analyst from the Office of Budget & Program Planning (OBPP) and Clayton Schenck, Senior Fiscal Analyst from the Office of the Legislative Fiscal Analyst. (LFA)

58A:0.00

DEPARTMENT OF JUSTICE

Legal Services Division

Patrick Driscoll, Chief Assistant Attorney General, addressed the committee. (Exhibit No. 1) In this division, each team of four lawyers is responsible for duties in two major areas, namely criminal matters and opinion research and publication. (Exhibit No. 2) Each team is also responsible for a variety of areas of specialization as shown on the exhibit. He reviewed the four programs under this division. There is a combined secretarial pool that serves all programs.

Mr. Driscoll referred to the budget comparison sheet prepared by the agency. (Exhibit No. 3) A decrease of one secretarial position will have the affect of reducing the pool by sixteen percent and an increase in the individual workload by a corresponding amount. The agency requested the committee accept the LFA proposal that the division be funded for a full twenty FTE. Through the use of a computer system and dedicated secretarial personnel, the output has more than doubled over the last five to ten years. However, they are at the maximum and a decrease in personnel would greatly affect the type of work produced, as well as the volume. The present ratio is five professionals to one secretary and the division needs the one position returned.

(10.05)

Mr. Driscoll continued his review of the exhibit. The .25 attorney position is presently vacant because Mr. Driscoll asked for volunteers at the time the cuts were taken who would be willing to reduce their work to a .75 FTE. One

person accepted this position and is now a .75 FTE. However, if this attorney happens to leave within the next two years, the division would have to hire an attorney and the .75 position could be difficult to fill. He, therefore, requested the committee leave the full FTE in there. Perhaps the funding could be reduced by one-quarter. He addressed both the contracted services and travel issues.

Indian Legal Jurisdiction

Flo Smith presented the budget for the OBPP. (Exhibit No. 4) There is a line-item in this budget which is a biennial appropriation for \$400,000 in legal fees and court costs approved in the 87 biennium. Special Session 3 reduced the appropriation by \$118,000. The agency's request for \$376,000 as a biennial appropriation for the 89 biennium was reduced by approximately \$42,000 as part of the cuts as suggested by the agency. This is 100 percent general fund.

Clayton Schenck presented the budget for the LFA. (Exhibit No. 5) There is a 38.7% reduction from the 87 to the 89 biennium. The \$400,000 biennial appropriation was cut back to \$241,000 due to the two percent and the five percent cuts, with only \$43,000 being expended in FY 86 as the work level was not as high as anticipated. The Indian Legal Jurisdiction Division attempted to minimize the use of outside counsel on new cases.

The LFA recommendation is as requested by the agency with the exception of the amount for the line-itemed biennial appropriation for outside legal fees, expert witnesses and court costs. This biennium the agency made the decision to utilize more in-house expertise. It does cost approximately \$70 to \$75 per hour for outside attorneys and about \$25 per hour for a state attorney. Therefore, the staff was retained in the Legal Services Program and the biennial appropriation was increased to \$50,000 per year for the 89 biennium. This is the difference between the two budgets.

Clay Smith, Assistant Attorney General, addressed the committee. (Exhibits No. 6, No. 7 and No. 8) The adjustment as shown on Exhibit No. 8 is money spent by the Project to retain outside private counsel and expert witnesses. Referring to the Blackfeet case, Mr. Smith estimated the damages that could be recovered to be in the neighborhood of \$3,000,000 to \$5,000,000, exclusive of interest. However, if the tribe was to prevail, there would be long term impacts in terms of reduced revenues.

Mr. Smith referred to the Crow matter as reviewed on the exhibit.

Chairman Rehberg left the meeting and Vice Chairman Stimatz assumed the chair.

There was discussion regarding the Blackfeet case. The two private sector attorneys hired to handle the matter are exceptionally competent and qualified and have been retained as counsel for the Project since 1978. Mr. Smith said he anticipated the case would go to trial within eighteen to twenty-four months. There would be appeals and this could ultimately go on for three to five years. Mr. Smith estimated approximately \$350,000 would be needed in the biennium, \$200,000 for attorney fees. The outcome of this lawsuit in terms of royalty interest will affect not only the Blackfeet Reservation, but also the Fort Peck Reservation. Mr. Smith said the stakes are high and that is why the agency believes the case should remain in the hands of those lawyers who have handled it since its inception. He said the LFA recommendation sets aside \$50,000 each year of the next biennium for contracted services. If the Blackfeet case goes to trial, that will not even begin to pay for the expert witnesses in that case. He estimated the cost of those witnesses to be approximately \$150,000, and this could be low. He said with assurance that, if the case is litigated, \$100,000 will simply not do the job and would tie on hand behind the agency's back. This would not be in the best interest of the state. He also estimated if the case goes into heavy discovery and trial over the next biennium, it will require at least 100 to 120 hours per month lawyer time, or a full-time lawyer position. There would not be the manpower within the office to handle all other matters if this was brought in-house. He said the LFA's proposed reduction would be detrimental to the state and would destroy the Indian Legal Jurisdiction Project or undercut its effectiveness to the point that it would not do the job it was supposed to do.

Chairman Rehberg returned and assumed the chair.

58B:3.00

County Prosecutor Services

Flo Smith presented the budget for the OBPP. (Exhibit No. 9) The budget allows funding to maintain current level of operations and is 100 percent general fund.

Clayton Schenck presented the budget for the LFA. (Exhibit No. 10) The increase is 2.1 percent from the 87 biennium and four percent vacancy savings was applied. There are no significant differences between the two budgets.

Mr. Driscoll requested that vacancy savings not be applied against the program because of its size.

Marc Racicot, Assistant Attorney General and Bureau Chief, gave a brief overview of the bureau and addressed the budget issues. (Exhibits No. 11 and No. 12) He said a decrease of \$4,706 in vacancy savings would represent almost a quarter of the budget. The main part of their job is to travel in order to do work at the request of local officials. Therefore, he requested no vacancy savings be applied to the agency.

(7.00)

Agency Legal Services

Flo Smith presented the budget for the OBPP. (Exhibit No. 13) The agency offered \$15,000 each year of the biennium in operating expenses as part of the permanent cuts. The 85 Legislature established an hourly rate of \$46 per hour attorney time and \$25 per hour for investigative time. The June Special Session reduced that to \$45 per hour for attorneys in order to reduce costs to agencies and to utilize some of the cash balances. She said she understood the agency planned to request the Legislature to raise the hourly rate to \$48 per hour for attorneys and to \$26.50 per hour for investigators. Funding is a proprietary account. Four percent vacancy savings was applied.

Clayton Schenck presented the budget for the LFA. (Exhibit No. 14) There is an increase in the budget of 10.7 percent for the biennium. No vacancy savings was applied as it did not seem appropriate with the proprietary funds. Clayton continued his review of the differences between the two budgets as shown on the exhibit.

Mr. Driscoll said the agency concurred in the LFA recommendations and there were no other adjustments. (Exhibit No. 15)

(10.30)

Denny Moreen, Bureau Chief, gave a brief overview of the program. (Exhibit No. 16) This program was created in 1979 so agencies needing outside legal counsel could use their services rather than having to go to the private

sector. This would be substantially cheaper. The thought was most work for state government could be handled in-house. The bureau's sole source of income is the hourly fees charged and they receive no direct general funds. The purpose is to defend agencies when they are sued and to act as hearings officers for Workers' Compensation. They also bring suits on behalf of agencies and act as counsel for some agencies who do not have their own in-house counsel and need regular advice.

In answer to Sen. Keating's question regarding the increases, Mr. Driscoll said one of the original intents was to cultivate and keep highly experienced trial counsel. The increases were made to forestall efforts by outside firms to steal the best people. Mr. Moreen said his good people were contacted constantly about going to work for someone else.

Mr. Driscoll said the bureau has resisted efforts to expand as they would have to go out of the building and costs would be added. They would lose some of the economies, such as the shared secretarial services and computers.

There was discussion regarding costs involved in contracted services for outside legal counsel.

(23.00)

Law Enforcement Academy

Flo Smith presented the budget for the OBPP. (Exhibit No. 17) She said permanent cuts had been offered at .42 of an attorney position. The equipment request included some training films, audio-visual equipment and the replacement of five handguns each year. The funding is Motor Vehicle Fund, approximately \$560,000 each year of the biennium and also some state special. Their tuition funding is down approximately \$10,000 from the 86 actual. Budget restrictions have reduced the number of courses offered at the Academy. This has reduced their tuition income.

There are three modifications listed in the OBPP budget for this agency:

1. First Responder Emergency Vehicle - \$19,000 in FY 88 and \$25,000 in FY 89. To provide certified emergency medical training in life saving skills to entry level officers - To be funded with tuition.

2. Executive Institute - \$25,000 each year of the biennium - Series of six executive level seminars to be held each year - To be funded with tuition.
3. Additional Basic Course - \$16,000 in FY 89 only - This would be a 42-58 split in funding between tuition and Motor Vehicle Account.

Clayton Schenck presented the budget for the LFA. (Exhibit No. 18) There is a 1.5% increase with the majority of the funding from the Motor Vehicle Account. Personal services expenses were close to the appropriated amount, with two offsetting factors. There was approximately seven percent vacancy savings, which included leaving one position open all year. They were budgeted four percent vacancy savings. The difference was made up in an increase in the director's salary. Clayton addressed the adjustments. Personal services were reduced by one FTE and the operating expenses included adjustments to reduce relocation costs and dues. The rent increased \$10,800 and there is an equipment allowance. Clayton referred to the differences as shown on the exhibit.

(30.00)

Bill Westfall, Administrator, addressed the committee and the budget issues. (Exhibit No. 19) The Law Enforcement Academy was reorganized from a bureau to a division. There is a staff of eleven FTE, with one vacant attorney position. Mr. Westfall said the law enforcement officers in the state are very bright and eager and are extremely committed. He said their jobs in this state are more difficult, and because of the small size of the agencies, they must do more than their counterparts in other states without some resources being available to them. They do the entire gamut of law enforcement. The training is very important. Mr. Westfall said in the absence of good law enforcement training, the officer will improvise, sometimes using improper procedures. This could lead to liability suits.

Mr. Westfall said the staff at the Academy has spent \$5,000 of their own money since July of last year to attend various professional seminars, conferences and to purchase equipment.

He said the main concern was the restoration of some of the past quality to the training. More than a new home, the Academy needed money for new programs and restoration of those programs to their original top quality. He addressed

four areas of the budget:

1. Attorney 4 position.
2. Supplies and materials, specifically ammunition.
3. Equipment.
4. The expiration of the lease on the Academy.

He also referred to the budget modifications. Mr. Westfall elaborated on the needs of the Academy in the four areas outlined above. The attorney-instructor position would allow consistency in teaching, as well as having well-qualified instructors. The Academy has used the County Prosecutor's Office for instructors in the past. A qualified instructor would be able to identify with the special problems of law enforcement. Without this, they will have to hire legal instruction at \$10 per hour, and that will not be of the quality necessary to produce a well-trained officer. The Academy also needs to update their courses.

59A:0.00

Mr. Westfall said he felt he should clarify that the Academy was budgeted \$10,000 for ammunition in FY 86 and they only spent \$5,270 of that amount. The Academy did lose their range in Bozeman. He said in the last three years they have not been able to provide an instructor's course or advanced courses. This impacts the quality of the local agency's firearms program. As a result, the officers have to go out of state to get the training and, as a result, money is spent on travel rather than training. The increase in the request for ammunition will allow the Academy to restore the programs.

Sen. Gage asked if the local agencies would be willing to absorb the cost through increased tuition if the various courses were provided at the Academy. Mike Schafer, Sheriff of Yellowstone County, said they would participate in such programs and he would be willing to put more dollars into the Academy for this kind of training. Mr. Westfall said it had been his experience that administrators are willing to pay for additional tuition in the areas of critical liability.

Sen. Keating asked where the firing range would be located. Mr. Westfall said it was his belief they would be able to reopen the Bozeman range. If they are unable to do that, they have been using a range in Helena and could continue this program. At present, they are going to Lewistown for

driver's training and they hope to consolidate the two into one area. It is their evaluation that the Lewistown site could be utilized for both areas of training and they are looking into this.

Rep. Poulsen asked if the Academy had checked into the firing range facility at Malmstrom Air Force Base in Great Falls. Mr. Westfall said they looked into that area.

In equipment, the Academy requested training films to re-address the library and video cassette machines to replace the old ones now in use. They also requested ten handguns over a two-year period of time. (Five handguns or revolvers and five semiautomatic weapons) These will replace the ones they now have. He said the staff needed to be brought up to par in the use of semiautomatic weapons.

Sen. Keating said due to the deficit in the Motor Vehicle Account, perhaps the Academy should be funded more through tuitions than the Motor Vehicle Account. Mr. Westfall said there was a residual effect at the local level as their training funds are also being reduced. The reduction in the tuition account has been a result of the dramatic reduction in the amount of training the Academy has been able to offer.

Mr. Westfall referred to Exhibit No. 20, a comparison of lease versus purchase on the existing facility. The lease is due to expire in October of 1988. There is an option to purchase the facility of about 15,000 square feet. The lease includes rent, utilities, janitorial services and supplies, laundry, general supplies for upkeep and repair and maintenance. Mr. Westfall recommended the option to purchase be exercised in lieu of extending the lease. There will also have to be included expense monies to handle the other items now taken care of by the lessor. Mr. Westfall said \$55,000 would be an approximate figure for such expenses.

At Sen. Gage's request, Mr. Westfall addressed the overall costs of moving the Academy, as well as costs involved in remodeling. He said the needs of the Academy are unique and, historically, remodeling has not worked and has been costly. Mr. Westfall emphasized that program money was more important to the Academy at this time.

There was further discussion regarding the relocation of the Academy versus buying or leasing the present facility.

Sen. Gage was excused to introduce a bill.

Mr. Westfall addressed the modification requests:

1. First Responder-Emergency Vehicle Operation.
(Exhibit No. 21)

59B:0.00

2. Executive Institute. (Exhibit No. 22)
Sheriff Mike Schafer, Yellowstone County, said this was the type of training needed in the state and the type of training they could afford.
3. Additional Basic Course. (Exhibit No. 23)
There is a tremendous skill issue here and the ratio needs to be lowered to 1 to 3 and will save money.

Sheriff Schafer reviewed the procedures followed for hiring new officers, the importance of the quality of training received by these officers and the possibility of the officers paying for their training.

Sheriff Bob Buturovich, Butte-Silver Bow, said there is very little turnover in officers and emphasized the importance of education as a factor in law enforcement. The Community College in Glendive is now working toward offering an associate degree program in law enforcement. He agreed with Sheriff Schafer there is a better caliber of officer now. He urged the committee not cut the funding for training as it will come back in the form of lawsuits.

Sen. Gage returned to the meeting.

Mr. Westfall said it has never worked to put the training for law enforcement officers into the private sector. He will provide a list of just who attends the Academy and a projection as to the number of trainees for the next biennium and the cost per student.

The committee recessed at 10:30 a.m.

The committee reconvened at 10:45 a.m.

Sen. Stimatz was excused.

(28.10)

Forensic Science Division

Flo Smith presented the budget for the OBPP. (Exhibit No. 24) She told the committee the agency had offered the one chemist position as part of the permanent cuts and, in addition, \$5,000 in operating costs. The OBPP included replacement of laboratory equipment and some funds for general office equipment. The funding showed an increase in general fund due to the decrease in available Motor Vehicle Funds. The agency anticipated a higher amount of Alcohol Treatment Funds.

Clayton Schenck presented the budget for the LFA. (Exhibit No. 25) There is an increase from the 87 to the 89 biennium of 14.2 percent due to an increase in rent costs and in equipment maintenance costs as the warranty expired on some equipment. Clayton reviewed the adjustments to current level. The actual increase in rent amounted to approximately \$50,000. The other increases are shown on the exhibit. The funding for this program is approximately eighteen percent Alcoholism Treatment Rehabilitation funds. In the 87 biennium, the balance of the funding was primarily out of the Motor Vehicle Account. However, due to the shortage of those funds, the general fund is shown in the LFA current level. Clayton referred to the differences between the two budgets. There is an error in rent and Clayton recommended the inflation factor be added to the current level.

Chairman Rehberg requested a breakdown of agencies drawing from the Motor Vehicle Account.

Sen. Keating asked what the source was for the Alcoholic Treatment Rehabilitation Fund?

Bob Kuchenbrod, Administrator of Central Services Division, said this was basically the wine, beer and liquor tax that supports the DUI portion of the budget. Sen. Keating wanted to know how this program used that fund. Mr. Kuchenbrod said it was determined in the beginning these funds should support that portion of the lab work involved with DUI.

(39.15)

Dr. Ronald L. Rivers, Administrator of the Forensic Crime Lab, addressed the committee. He gave a brief overview of the duties of the Lab.

They are to provide criminal justice agencies with a scientific analysis of evidence. Some of the services offered are:

1. Firearms and Toolmarks Examination.
2. Poison and Drug Analysis.
3. Arson Analysis.
4. Autopsies and skeletal ID.
5. Scene investigations.
6. Organ, fluid, fiber, hair and soil analysis.

60A:0.00

Dr. Rivers said a great deal of their time is spent in the courtroom testifying as to the results of the analysis. They also consult with attorneys, doctors and law enforcement officials, as well as teach throughout the state at the request of the Law Enforcement Academy. They also speak at various seminars and meetings. He said the objectives of the division were to provide free services for law enforcement throughout the state of Montana, to continue their educational services and to improve turnaround time in the lab. Dr. Rivers said from his personal experience he has been called to testify on a Monday morning and, on Friday, it was decided his testimony was not needed. (He noted his services were free).

Arnold Melnikoff, Bureau Chief of the Lab, introduced John Conner, County Attorney for Jefferson County. Mr. Conner said the lab services were indispensable from a prosecutor's point of view and it was of great concern that the services offered by the Crime Lab not be cut any further. At present, the prosecutors are having great difficulty getting the work done because of the cutbacks.

Arnold Melnikoff addressed the committee. He said the major problem they have is there are five areas of the laboratory and the people are not interchangeable as far as their work capability is concerned. He referred to a chart showing the structure of the lab and the duties and services offered by each section. He said he spends forty percent of his time on administrative duties and thirty percent in the chemistry section, as this is where they lost the one FTE. A backlog has been created in this section. As a result, the amount of

time he now spends on trace evidence has dropped from seventy percent to thirty percent. He continued with his review of the chart and detailed the results of the cuts in each section. (Exhibit No. 26) Most sections have experienced a serious backlog. Mr. Melnikoff said he had talked to the FBI concerning the backlog and they told him they are now under restrictions and will provide emergency services, but will not take a large volume to help a lab catch up.

There was discussion regarding the use of the DUI funds for the Forensic Laboratory.

Mr. Mike Murray, representing the Chemical Dependency Programs of Montana, addressed the committee. He said all funding for DUI programs are paid for by the offender and no fine money goes to support community treatment programs.

60B:0.00

Dawn Kangas, Administrative Officer of the Forensic Science Division, reviewed the requested adjustments as shown on Exhibit No. 27.

There was discussion regarding equipment purchases by the agency and the recommendations by the OBPP and the LFA.

In answer to Sen. Gage's question regarding the administration of the division, Dr. Rivers said the main problem seems to concern the turnaround time involved in the services offered to law enforcement agencies. He said without adequate equipment and a sufficient number of personnel, his hands were tied to resolve this problem. He said the division has had to prioritize and, as a result, he has stepped on toes.


Chairman Rehberg opened the meeting for public comment.

Mike Murray, representing the Chemical Dependency Programs of Montana, addressed the committee. (Exhibits No. 28, No. 29 and No. 30) He said his purpose was to comment on and define the inappropriateness of putting alcohol earmarked tax monies into the Forensic Lab. He said the amount of these earmarked monies had decreased as a result of the drop in liquor sales. The community programs get what is left. He said the community treatment programs are the ultimate example of the trickle-down theory in that what money is left after the Legislature has appropriated funding to other

services goes to the community programs for the treatment and rehabilitation of the chemically dependent persons. Mr. Murray said those in the alcohol treatment field maintain the funding for the Forensic Lab from the alcohol earmarked tax was no longer appropriate. The fund is decreasing and the state programs are using the greatest percentage of the funds. He urged the committee to completely eliminate this alcohol earmarked funding from the Department of Justice for the Forensic Laboratory. He offered as an alternative, to limit the appropriation from this earmarked tax fund to \$100,000 for each fiscal year in the biennium and to inform both the OBPP and the LFA it is the intent of the committee for the next legislative session these earmarked tax funds not be included by this division as a part of their funding. He suggested the lab charge requesting agencies for the services performed. He also suggested the Highway Traffic Safety Division fund the training on the breatholizers and use the lab merely to repair and maintain the integrity of the equipment.

There was no further public testimony.

ADJOURNMENT: The meeting was adjourned at 12:05 p.m.



Dennis R. Rehberg, Chairman

GENERAL GOVERNMENT & HIGHWAYS

DATE 1-30-87

Form CS-30A
Rev. 1985

LEGAL SERVICES

Program Description

The Legal Services program provides the Attorney General with legal research and analysis; provides legal counsel for state government officials, bureaus, and boards; represents Montana's interests in cases before state and federal courts, antitrust cases and cases involving property that reverts to the state in the absence of legal heirs; interprets laws; provides legal assistance to local governments in bond issues and in other matters; and, enforces the laws relating to the reporting and collection of unclaimed property belonging to persons who cannot be located.

Goals

The goals of the Legal Services Division are; to represent the State of Montana in cases before state and federal courts, to provide the Attorney General with legal research and analysis on questions submitted for the Attorney General's opinion, to provide legal assistance to local governments on bond issues and other matters, and to enforce the laws relating to the reporting and collection of unclaimed or escheated property to the school trust fund.

Objectives

1. To respond thoroughly and promptly in matters involving litigation and opinion requests while providing adequate review to ensure the quality of work.
2. To maintain and enhance the professional skills and knowledge of the legal staff by providing continuing legal education.
3. To develop and periodically update manuals establishing procedures for handling specific types of cases, e.g., habeas corpus, general obligation and school bond issuance.

Performance Factors

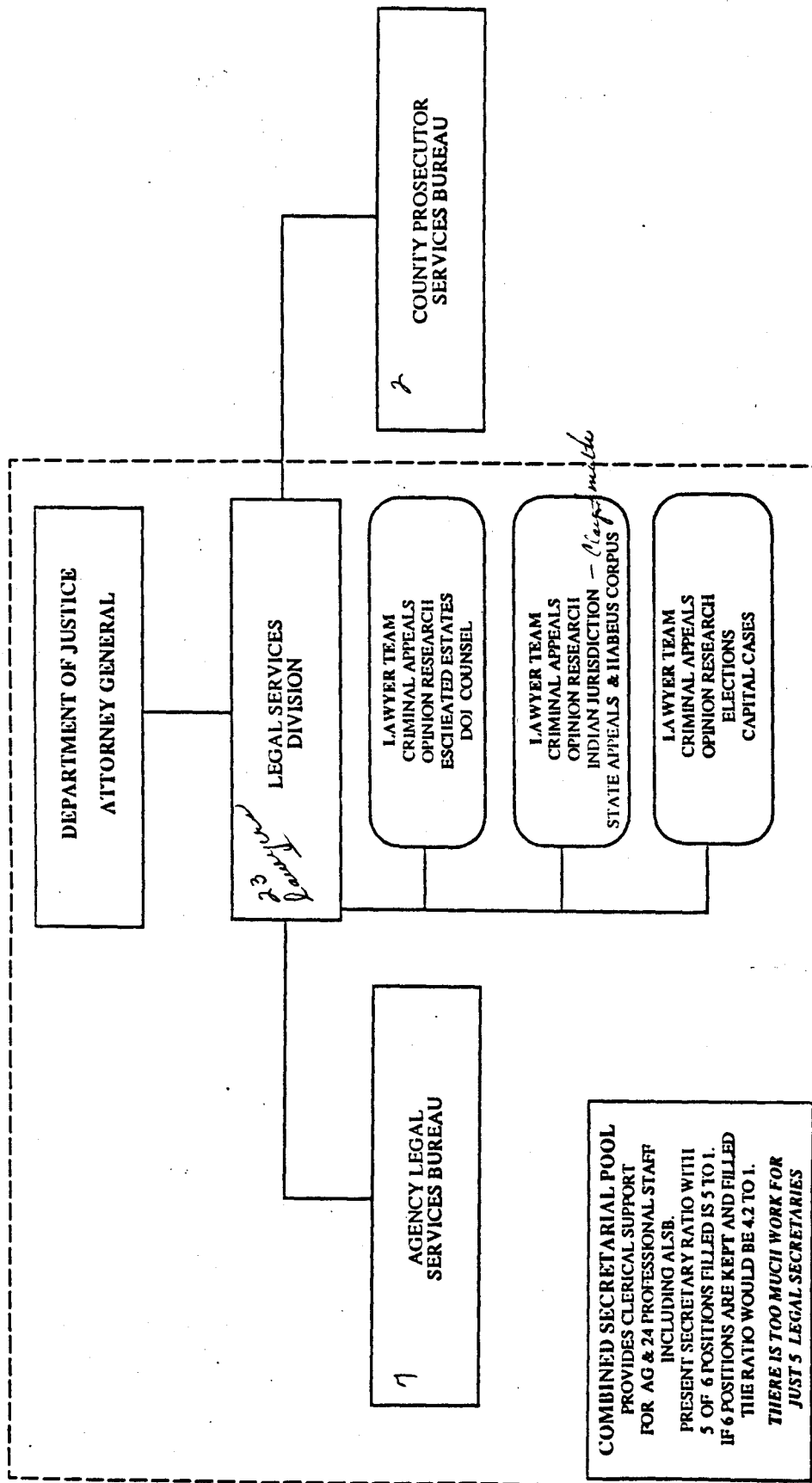
1. To render formal and informal written opinions to state and local officials. Approximately 100 in 1985.

2. To represent the State in all criminal appeals. Approximately 96 in 1985.

3. To respond to all habeas corpus petitions. Approximately 194 in 1985.

4. To monitor all challenges to the Montana Constitution. Approximately 33 in 1985.

2
1-30-87



	FISCAL YEAR 1988			FISCAL YEAR 1989		
	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA
F. T. E. 's	18.75	20.00		18.75	20.00	
PERSONAL SERVICES:						
Personal Services	694,095	724,041	*	693,646	723,544	*
Vacancy Savings	(25,595)	(28,893)	*	(25,756)	(28,854)	*
PERSONAL SERV TOTAL:	668,500	695,148		667,890	694,690	
OPERATING EXPENSES:						
Contracted Services	17,188	15,905	*	13,188	15,905	1
Supplies & Materials	27,290	27,209	*	27,324	27,277	*
Communications	21,284	21,284	*	21,313	21,314	*
Travel	22,842	19,819	2	22,842	19,819	2
Rent	28,376	30,157	*	29,437	31,056	*
Utilities	0	0	*	0	0	*
Repair & Maint.	6,421	6,421	*	6,421	6,421	*
Other Expenses	6,268	8,370	*	6,218	8,370	*
OPERATING EXP TOTAL:	129,669	129,165		126,743	130,162	
EQUIPMENT	0	0	*	0	0	*
TOTAL PROGRAM	798,169	824,313		794,633	824,852	
FUNDING:						
General Fund	776,134	802,278		772,743	802,962	
Other funds	22,035	22,035		21,890	21,890	
TOTAL FUNDING:	798,169	824,313		794,633	824,852	

101 CATEGORY	FY 88 Amt	FY 89 Amt	REQUESTED ADJUSTMENTS & COMMENTS	* - Concur with LFA Budget
			FTE - 1 Admin. Sec. pos. # 01012 = \$19,765 - FY88 & \$19,726 - FY89. 1/4 Attorney V, pos. # 01004 = \$10,181 - FY88 & \$10,280 - FY89.	
Contracted Services			1 Reduce FY89 by \$4,000. LFA included funds to publish A.G. Opinions in both fiscal years, funds not needed in FY89.	
Travel	\$22,842	\$22,842	2 Increase FY88 - \$3,023. Increase FY89 - \$3,023. Request a line item appropriation of \$9,500 for case travel.	

6000 budget

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1-20-87

REPORT EBSR99
DATE : 01/07/87
TIME : 17/23/43

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL -- BUDGET DETAIL COMPARISONS

AGENCY : 4110 DEPARTMENT OF JUSTICE
PROGRAM : 02 INDIAN LEGAL JURISDICTION
CONTROL : 00000

CURRENT LEVEL SERVICES ONLY

AE/OE	DESCRIPTION	ACTUAL FY 86	BUDGET FY 87	OBPP FY 88	LIA FY 88	DIFF FY 88	OBPP FY 89	LIA FY 89	DIFF FY 89
0000	FULL TIME EQUIVALENT (FTE)	2.00	2.00	2.00	2.00		2.00	2.00	
1100	SALARIES	50,310.30	52,704	52,440	52,440		52,406	52,406	
1400	EMPLOYEE BENEFITS	9,686.11	7,576	7,562	7,562		7,670	7,670	
1500	HEALTH INSURANCE		2,400	2,760	2,760		2,760	2,760	
1600	VACANCY SAVINGS		-2,488	-2,510	-2,504	-6	-2,513	-2,501	-12
	TOTAL LEVEL	59,996.41	60,192	60,252	60,258	-6	60,323	60,335	-12
2022	SUPPLIES & MATERIALS-INFLAT				-1	1			
2100	CONTRACTED SERVICES	43,610.58		334,246	100,074	234,172	74	74	
2200	SUPPLIES & MATERIALS	1,112.93	447	1,072	1,113	-41	1,072	1,113	-41
2300	COMMUNICATIONS	701.18	785	692	701	-9	692	701	-9
2400	TRAVEL	2,429.97	6,584	2,442	2,442		2,442	2,442	
2800	OTHER EXPENSES	992.00	1,468	965	992	-27	965	992	-27
	TOTAL LEVEL	48,846.66	9,284	339,417	105,321	234,096	5,245	5,322	-77
3100	EQUIPMENT	421.95							
	TOTAL LEVEL	421.95							
	TOTAL PROGRAM	109,265.02	69,476	399,669	165,519	234,090	65,568	65,657	-89
01100	GENERAL FUND	109,265.02	69,476	399,669	165,519	234,090	65,568	65,657	-89
	TOTAL PROGRAM	109,265.02	69,476	399,669	165,519	234,090	65,568	65,657	-89

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1:30-87

INDIAN LEGAL JURISDICTION

Budget Item	Actual	Appropriated	- - Current Level - - 1-30-87		% Change 1987-89 Biennium
	Fiscal 1986	Fiscal 1987	Fiscal 1988	Fiscal 1989	
F.T.E.	2.00	2.00	2.00	2.00	0.00
Personal Service	\$ 59,996	\$ 60,192	\$ 60,258	\$60,335	0.3
Operating Expense	48,848	207,460*	105,321	5,322	(56.8)
Equipment	422	-0-	-0-	-0-	(100.0)
Total Expenditures	<u>\$109,266</u>	<u>\$267,652</u>	<u>\$165,579</u>	<u>\$65,657</u>	<u>(38.7)</u>
Fund Sources					
General Fund	<u>\$109,266</u>	<u>\$267,652</u>	<u>\$165,579</u>	<u>\$65,657</u>	<u>(38.7)</u>

*Includes \$198,176 carried forward from fiscal 1986 of biennial appropriation for legal fees.

The Indian Legal Jurisdiction Program staff provides coordination of trial and appellate lawsuits involving the state of Montana on the Indian tribes, provides legal services, and supervises private attorneys contracted by the state to assist with those cases.

Fiscal 1986: Comparison of Actual Expenses to the Appropriation

The following table compares fiscal 1986 actual expenditures and funding to appropriations as anticipated by the 1985 legislature.

Table 3
Comparison of the Appropriation to Actual Expenses - Fiscal 1986

Budget Item	Legislature	Actual	Difference
F.T.E.	2.00	2.00	0.00
Personal Service	\$ 59,995	\$ 59,996	\$ (1)
Operating Expense - Reg.	9,085	5,312	3,773
Operating Expense - Leg. Fees	241,712	43,536	198,176
Equipment	-0-	422	(422)
Total Exp. & General Fund	<u>\$310,792</u>	<u>\$109,266</u>	<u>\$201,526</u>

Both positions were filled the entire year, resulting in no vacancy savings in this program. Regular operating expenses were down due primarily to a \$4,000 travel cost decrease. A \$400,000 biennial appropriation for legal fees and court costs was reduced \$158,288 due to the 2 and 5 percent cuts. Of the \$241,712 remaining only \$43,536 was expended in fiscal 1986. The activity level was not as high as anticipated due to the Indian Jurisdiction Project's attempts to minimize the use of outside counsel on new cases which have arisen during the 1987 biennium, and, where possible, to perform as many services as reasonably feasible with state attorneys in pre-existing matters. This policy, together with relatively little activity in the Blackfeet case since the summer of 1985 has resulted in a substantial present balance in the project's contracted services budget for the 1987 biennium.

Current Level Adjustments

Current level is as requested by the agency, which is a \$10 increase in travel before inflation, except for the line-itemed biennial appropriation for outside legal fees, expert witnesses, and court costs. This biennium the agency made the decision to utilize more in-house expertise. Their rationale for needing some of the outside legal help is that these lawyers are now experts on the case. However, the agency also notes that much of their expertise was gained while doing work for the state. Also, the state lawyers do much of the work and hire the outside lawyers for court presentations. It costs \$70 to \$75 per hour for outside attorney assistance and about \$25 per hour for a state attorney at grade 19, assuming he is productive only 75 percent of the time due to vacations, sick leave, holidays, and training. Therefore, staff were retained in the Legal Services Program and the biennial appropriation for outside legal fees, expert witnesses, and court costs was increased from the \$43,536 spent in fiscal 1986 to \$50,000 a year or \$100,000 for the 1989 biennium.

COUNTY PROSECUTOR SERVICES

<u>Budget Item</u>	<u>Actual</u>	<u>Appropriated</u>	<u>- - Current Level - -</u>		<u>% Change</u>
	<u>Fiscal</u>	<u>Fiscal</u>	<u>Fiscal</u>	<u>Fiscal</u>	<u>1987-89</u>
	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>Biennium</u>
F.T.E.	3.00	3.00	3.00	3.00	0.00
Personal Service	\$108,158	\$110,079	\$112,961	\$112,868	3.5
Operating Expense	22,016	24,795	22,220	22,466	(4.5)
Total Expenditures	<u>\$130,174</u>	<u>\$134,874</u>	<u>\$135,181</u>	<u>\$135,334</u>	<u>2.1</u>
<u>Fund Sources</u>					
General Fund	<u>\$130,174</u>	<u>\$134,874</u>	<u>\$135,181</u>	<u>\$135,334</u>	<u>2.1</u>

The County Prosecutor Services Program (CPS) staff provides legal assistance to counties in the prosecution and disposition of major felonies and in cases in which county attorneys have conflicts of interest. This program also coordinates training and continuing legal education for county attorneys and city attorneys.

Fiscal 1986: Comparison of Actual Expenses to the Appropriation

The following table compares fiscal 1986 actual expenditures and funding to appropriations as anticipated by the 1985 legislature.

Table 4
Comparison of the Appropriation to Actual Expenses - Fiscal 1986

<u>Budget Item</u>	<u>Legislature</u>	<u>Actual</u>	<u>Difference</u>
F.T.E.	3.00	3.00	0.00
Personal Service	\$108,453	\$108,158	\$ 295
Operating Expense	<u>21,568</u>	<u>22,016</u>	<u>(448)</u>
Total Exp. & General Fund	<u>\$130,021</u>	<u>\$130,174</u>	<u>\$(153)</u>

Personal services are very close to the budgeted amount as this program experienced about 3 percent vacancy savings in the hours billed to this program.

Operating expenses were up about \$1,000 for phone costs. This phone expense was offset by travel being down about \$1,000. The Governor's 2 percent cut of \$2,643 primarily reduced the amount spent on repair and maintenance. A general fund program transfer was made into this program to cover the overexpenditures.

1-30-87

STATE
OF
MONTANA

ATTORNEY GENERAL
MIKE GREELY

MEMORANDUM

TO: SUSAN M. HANSEN
Administrative Officer

FROM: CLAY R. SMITH
Assistant Attorney General

DATE: 25 August 1986

RE: Justification for 1988-89 Biennium Contracted
Services Appropriation Requests by Indian
Jurisdiction Project

The Indian Jurisdiction Project has attempted to minimize the use of outside counsel on new cases which have arisen during the 1986-87 biennium and, where possible, to perform as many services as reasonably feasible with state attorneys in preexisting matters. This policy, together with relatively little activity in the Blackfeet case since last summer, has resulted in a substantial present balance in the project's contracted services budget. As developed below, however, I anticipate a marked increase of expenditures in Blackfeet, which increase will almost certainly carry over into the entirety of the 1988-89 biennium. I further anticipate contracted services expenditures in the Crow matter during the next biennium. When the anticipated expenditures in those cases are aggregated with a fairly minimal amount for general consultation, I estimate that a contracted services budget of \$375,900 is appropriate for the 1988-89 biennium. It is important to emphasize that this budget amount is premised on the following assumptions: (1) no new cases of major import requiring extensive use of outside experts are filed; and (2) the present policy of using state attorneys on new matters is continued.

The Supreme Court remanded the Blackfeet matter for further district court proceedings in June 1986. Those proceedings were subsequently stayed for settlement negotiations. The stay period has now technically ended, and, unless settlement is reached shortly, the lawsuit will enter into a formal pretrial discovery phase. While it is somewhat early to predict precisely what all the issues will be, we have generally assumed

they will correspond to those in the Crow case. Should this assumption prove accurate, we can expect to spend high amounts for outside counsel and experts. I estimate that, if the case is fully litigated, we can reasonably anticipate 100 to 120 hours per month at \$70 per hour for retained counsel time during the next biennium and at least \$150,000 in expert fees. In Crow, expert witness costs were approximately \$190,000 but, by using our experience in such matter, we hope to effect some economies. If these estimates are correct, approximately \$351,600 should be budgeted for Blackfeet.

The Crow matter is now on appeal before the Ninth Circuit. This office will prepare the initial draft of the State's brief for review by outside counsel. I have agreed that outside counsel should argue the matter orally before the Court of Appeals. It is very possible, if not likely, that such argument will not occur during this biennium. It is further likely that review of the Ninth Circuit's eventual decision will be sought before the United States Supreme Court. Because of the likelihood that oral argument will take place during the next biennium and the possibility of further proceedings before the Supreme Court, I estimate at least 100 hours at \$75 per hour will be devoted to this matter by outside counsel. If the Supreme Court were to grant review of the case, this amount would increase substantially. However, in the absence of this last contingency, \$7,500 should be sufficient for the next biennium.

A modest amount of expenditures should be set aside for general consultation with outside counsel. These attorneys have developed a great deal of expertise through prior representation of the State, and periodic consultation with them about new or existing matters is highly desirable. I estimate that an average of 10 hours per month at \$70 per hour is adequate for this purpose--a total of \$16,800 for the next biennium.

It must be emphasized that the above is largely predictive in nature and assumes that little unexpected litigation occurs. Most importantly, the estimate includes nothing for major new litigation which, even if handled by state attorneys, involves substantial costs for, as an example, outside experts. The possibility of such litigation is, of course, always present, and supplemental appropriations during the next biennium may be necessary.

INDIAN LEGAL JURISDICTION

Program Description

The Indian Legal Jurisdiction program provides representation and coordination of trial and appellate lawsuits involving the State of Montana and the Indian tribes, supervision of private attorneys contracted by the State to assist with those cases, and advice to state agencies on questions involving Indian legal matters.

Goals

The goals of the Indian Legal Jurisdiction program are; to provide consistent and accurate advice to state agencies on questions of Indian law which affect agency operations, to defend state agencies when their actions are challenged in court because of jurisdictional conflict between state law and tribal law, and to ensure a uniform state policy on Indian legal issues.

Objectives

1. To provide thorough research on all matters submitted to the Project for opinion and advice.
2. To litigate vigorously all lawsuits filed against state agencies involving questions of conflict between state law and tribal law.
3. To provide continuing legal education for staff attorneys working on Indian legal matters.
4. To be available for advice and consultation to state agencies with questions on Indian legal matters.

Performance Factors

1. The number of lawsuits the project worked on in a fiscal year. 10 in FY86.
2. The amount of funds expended for contracted legal work in a fiscal year. \$43,500 in FY86.

DEPARTMENT OF JUSTICE
1988-89 Biennium Budget
Current Level Services

Comparison

PROGRAM CONTROL 02 00000

INDIAN LEGAL JURISDICTION

EXEC # S-47
LFA # A-98

	FISCAL YEAR 1988			FISCAL YEAR 1989		
	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA
F. T. E. 's	2.00	2.00		2.00	2.00	
PERSONAL SERVICES:						
Personal Services	62,762	62,762	*	62,836	62,836	*
Vacancy Savings	(2,510)	(2,504)	*	(2,513)	(2,501)	*
PERSONAL SERV TOTAL:	60,252	60,258		60,323	60,335	
OPERATING EXPENSES:						
Contracted Services	334,246	100,074	1	74	74	*
Supplies & Materials	1,072	1,112	*	1,072	1,113	*
Communications	692	701	*	692	701	*
Travel	2,442	2,442	*	2,442	2,442	*
Rent	0	0	*	0	0	*
Utilities	0	0	*	0	0	*
Repair & Maint.	0	0	*	0	0	*
Other Expenses	965	992	*	965	992	*
OPERATING EXP TOTAL:	339,417	105,321		5,245	5,322	
EQUIPMENT	0	0	*	0	0	*
TOTAL PROGRAM	399,669	165,579		65,568	65,657	
FUNDING:						
General Fund	399,669	165,579		65,568	65,657	
Other funds	0	0		0	0	
TOTAL FUNDING:	399,669	165,579		65,568	65,657	

02 CATEGORY	FY 88 Amt	FY 89 Amt	REQUESTED ADJUSTMENTS & COMMENTS	* - Concur with LFA Budget
Contracted Services	\$376,132	---	1 Increase FY88 - \$276,058 to original agency request. Request biennial appropriation of \$375,900. See memorandum for further justification.	

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1-30-87

REPORT EBSR99
DATE : 01/07/87
TIME : 17/23/43

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL -- BUDGET DETAIL COMPARISONS

PAGE 89

AGENCY : 4110 DEPARTMENT OF JUSTICE
PROGRAM : 03 COUNTY PROSECUTOR SERVICES
CONTROL : 00000

CURRENT LEVEL SERVICES ONLY

AE/OE	DESCRIPTION	ACTUAL FY 86	BUDGET FY 87	OBPP FY 88	11A FY 88	DIFF FY 88	OBPP FY 89	11A FY 89	DIFF FY 89
0000	FULL TIME EQUIVALENT (FTE)	3.00	3.00	3.00	3.00		3.00	3.00	
1100	SALARIES	91,689.72	97,002	99,256	99,256		98,894	98,894	
1400	EMPLOYEE BENEFITS	16,467.30	13,867	14,248	14,248		14,512	14,512	
1500	HEALTH INSURANCE		3,600	4,140	4,140		4,140	4,140	
1600	VACANCY SAVINGS		-4,390	-4,706	-4,683	-23	-4,702	-4,678	-24
	TOTAL LEVEL	108,157.02	110,079	112,938	112,961	-23	112,844	112,868	-24
2022	SUPPLIES & MATERIALS-INFLAT				-118	118		1	-1
2023	COMMUNICATIONS-INFLATION			15	15		24	23	1
2025	RENT-INFLATION				307	-307		426	-426
2100	CONTRACTED SERVICES	392.61	425	393	393		393	393	
2200	SUPPLIES & MATERIALS	4,668.36	4,188	4,737	4,669	68	4,797	4,669	128
2300	COMMUNICATIONS	5,627.10	4,802	5,627	5,627		5,627	5,627	
2400	TRAVEL	5,880.04	6,877	5,880	5,880		5,880	5,880	
2500	RENT	3,203.00	3,354	3,268	3,203	65	3,408	3,203	205
2700	REPAIR & MAINTENANCE	1,848.14	4,929	1,849	1,849		1,849	1,849	
2800	OTHER EXPENSES	395.00	220	395	395		395	395	
	TOTAL LEVEL	22,014.25	24,795	22,164	22,220	-56	22,373	22,466	-93
	TOTAL PROGRAM	130,171.27	134,874	135,102	135,181	-79	135,217	135,334	-117
01100	GENERAL FUND	130,171.27	134,874	135,102	135,181	-79	135,217	135,334	-117
	TOTAL PROGRAM	130,171.27	134,874	135,102	135,181	-79	135,217	135,334	-117

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1-30-87

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1-30-87

COUNTY PROSECUTOR SERVICES

Budget Item	Actual	Appropriated	- - Current Level - -		% Change
	Fiscal 1986	Fiscal 1987	Fiscal 1988	Fiscal 1989	1987-89 Biennium
F.T.E.	3.00	3.00	3.00	3.00	0.00
Personal Service	\$108,158	\$110,079	\$112,961	\$112,868	3.5
Operating Expense	22,016	24,795	22,220	22,466	(4.5)
Total Expenditures	<u>\$130,174</u>	<u>\$134,874</u>	<u>\$135,181</u>	<u>\$135,334</u>	<u>2.1</u>
Fund Sources					
General Fund	<u>\$130,174</u>	<u>\$134,874</u>	<u>\$135,181</u>	<u>\$135,334</u>	<u>2.1</u>

The County Prosecutor Services Program (CPS) staff provides legal assistance to counties in the prosecution and disposition of major felonies and in cases in which county attorneys have conflicts of interest. This program also coordinates training and continuing legal education for county attorneys and city attorneys.

Fiscal 1986: Comparison of Actual Expenses to the Appropriation

The following table compares fiscal 1986 actual expenditures and funding to appropriations as anticipated by the 1985 legislature.

Table 4
Comparison of the Appropriation to Actual Expenses - Fiscal 1986

Budget Item	Legislature	Actual	Difference
F.T.E.	3.00	3.00	0.00
Personal Service	\$108,453	\$108,158	\$ 295
Operating Expense	<u>21,568</u>	<u>22,016</u>	<u>(448)</u>
Total Exp. & General Fund	<u>\$130,021</u>	<u>\$130,174</u>	<u>\$(153)</u>

Personal services are very close to the budgeted amount as this program experienced about 3 percent vacancy savings in the hours billed to this program.

Operating expenses were up about \$1,000 for phone costs. This phone expense was offset by travel being down about \$1,000. The Governor's 2 percent cut of \$2,643 primarily reduced the amount spent on repair and maintenance. A general fund program transfer was made into this program to cover the overexpenditures.

Current Level Adjustment

There was no current level adjustment, except to apply 4 percent vacancy savings.

AGENCY LEGAL SERVICES					
<u>Budget Item</u>	<u>Actual Fiscal 1986</u>	<u>Appropriated Fiscal 1987</u>	<u>- - Current Level - -</u>		<u>% Change 1987-89 Biennium</u>
			<u>Fiscal 1988</u>	<u>Fiscal 1989</u>	
F.T.E.	10.00	10.00	10.00	10.00	0.00
Personal Service	\$341,938	\$334,252	\$367,455	\$367,965	8.8
Operating Expense	100,907	101,794	125,107	125,489	23.6
Equipment	11,525	-0-	-0-	-0-	(100.0)
Total Expenditures	<u>\$454,370</u>	<u>\$436,046</u>	<u>\$492,562</u>	<u>\$493,454</u>	<u>10.7</u>
<u>Fund Sources</u>					
Other Funds	<u>\$454,370</u>	<u>\$436,046</u>	<u>\$492,562</u>	<u>\$493,454</u>	<u>10.7</u>

The Agency Legal Services Program (ALS) provides legal services, upon request, to state agencies. Agencies are billed (at a current rate of \$45 per hour) for attorney time and case-related costs to support the program.

Fiscal 1986: Comparison of Actual Expenses to the Appropriation

The following table compares fiscal 1986 actual expenditures and funding to appropriations as anticipated by the 1985 legislature.

Table 5 Comparison of the Appropriation to Actual Expenses - Fiscal 1986			
<u>Budget Item</u>	<u>Legislature</u>	<u>Actual</u>	<u>Difference</u>
F.T.E.	10.00	10.00	0.00
Personal Service	\$333,970	\$331,938	\$ 2,032
Operating Expense	<u>103,057</u>	<u>100,907</u>	<u>2,150</u>
Total Exp. & Proprietary Fd	<u>\$437,027</u>	<u>\$432,845</u>	<u>\$ 4,182</u>
<u>Additions</u>			
Budget Amendments	<u>\$ -0-</u>	<u>\$ 21,525</u>	<u>\$(21,525)</u>

The agency hours paid were 2.6 percent more than full time for ten people. This overexpenditure was possible due to budget amended funds to pay termination pay and to fund budgeted vacancy savings. Operating expenses in total were underexpended. Contract services were down \$3,500. Supplies were down \$1,000. Travel increased \$3,400. Rent decreased \$3,200 due primarily to renting less office equipment. Repair and maintenance was up \$1,200 due to vehicle repairs.

A budget amendment was approved for \$9,009 of personal services to fund vacancy savings and termination costs, and for \$21,955 of contract services for consultants to be retained in the preparation of legal cases. Of the \$21,525 expended, \$10,000 was spent in legal services, while the remaining \$11,525 went for equipment.

Current Level Adjustments

The agency budget request is included as current level. Based on past experience and the agency's ability to provide services, there is no vacancy savings. The operating expenses increase for case-related costs. Should these costs not materialize the agency will receive no revenue to support the expenditures. In fiscal 1985 the operating costs were \$133,207 or \$32,320 more than fiscal 1986 due primarily to consultants and professional services used.

Funding

Agency Legal Services is a proprietary fund operation. The source of revenue is an hourly fee charged to user agencies for its services. The hourly fee in fiscal 1986 was \$45. The legislature had approved an increase to \$46 in fiscal 1987. However, Agency Legal Services retained the rate at \$45 in fiscal 1987 due to budget constraints. The fee will need to increase by 6.2 percent to cover the budget at current level before pay increases. This increase would make the attorney cost per hour \$47.80 and the investigator's hourly rate \$27.50. The expenditure increases above the fiscal 1986 level are expected to be charged to the client as case-related.

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1-30-87

COUNTY PROSECUTOR SERVICES

Program Description

The County Prosecutor Services program provides legal assistance to counties in the prosecution and disposition of major felonies and in cases in which county attorneys have conflicts of interest. This program also coordinates training and continuing legal education for county attorneys and city attorneys.

Goals

The goal of the County Prosecutor Services program is to provide a variety of professional prosecution services to federal, state, and local officials upon request and as authorized by the Attorney General.

Objectives

1. To provide prosecution assistance when requested by county attorneys.
2. To design and provide continuing legal education for county and city attorneys and their deputies and assistants.
3. To draft and secure passage of legislation to improve the prosecution function and the administration of justice.
4. To provide legal advice and technical assistance as requested by local prosecutors.
5. To present appellate arguments before the Montana Supreme Court.
6. To provide training for the Montana Highway Patrol, Montana Fish, Wildlife, and Park wardens and law enforcement officers at the Montana Law Enforcement Academy and regional schools held throughout the State of Montana.

Performance Factors

1. Collect 33% of the cost of providing personal services in those cases prosecuted by CPS through charges assessed to the counties for requested

prosecutorial assistance at the rate of \$30 per hour. Amount billed in FY86, \$33,800.

2. Provide a minimum of 18 hours of continuing legal education for county and city attorneys. 33.5 hours in FY86.

3. Provide training for law enforcement officers at the Montana Law Enforcement Academy and at regional training schools when time allows. 350 hours in FY86.

DEPARTMENT OF JUSTICE
1988-89 Biennium Budget
Current Level Services

Comparison

PROGRAM CONTROL 03 00000

COUNTY PROSECUTOR SERVICES

EXEC # S-47
LFA # A-100

	FISCAL YEAR 1988			FISCAL YEAR 1989		
	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA
F. T. E. 's	3.00	3.00		3.00	3.00	
PERSONAL SERVICES: Personal Services Vacancy Savings	117,644 (4,706)	117,644 (4,683)	1 *	117,546 (4,702)	117,546 (4,678)	1 *
PERSONAL SERV TOTAL:	112,938	112,961		112,844	112,868	
OPERATING EXPENSES: Contracted Services Supplies & Materials Communications Travel Rent Utilities Repair & Maint. Other Expenses	393 4,737 5,642 5,880 3,268 0 1,849 395	393 4,551 5,642 5,880 3,510 0 1,849 395	* * * * * * * *	393 4,797 5,651 5,880 3,408 0 1,849 395	393 4,670 5,650 5,880 3,629 0 1,849 395	* * * * * * * *
OPERATING EXP TOTAL:	22,164	22,220		22,373	22,466	
EQUIPMENT	0	0	*	0	0	*
TOTAL PROGRAM	135,102	135,181		135,217	135,334	
FUNDING: General Fund Other funds	135,102 0	135,181 0		135,217 0	135,334 0	
TOTAL FUNDING:	135,102	135,181		135,217	135,334	

03 CATEGORY	FY 88 Amt	FY 89 Amt	REQUESTED ADJUSTMENTS & COMMENTS	* - Concur with LFA Budget
Vacancy Savings			11 Request 0% vacancy savings. County Prosecutor Services is a small program with no historical vacancy savings.	

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1-30-87

REPORT EBSR99
DATE : 01/07/87
TIME : 17/23/43

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL -- BUDGET DETAIL COMPARISONS

AGENCY : 4110 DEPARTMENT OF JUSTICE
PROGRAM : 06 AGENCY LEGAL SERVICES
CONTROL : 00000

CURRENT LEVEL SERVICES ONLY

AE/OE	DESCRIPTION	ACTUAL FY 86	BUDGET FY 87	OBPP FY 88	LFA FY 88	DIFF FY 88	OBPP FY 89	LFA FY 89	DIFF FY 89
0000	FULL TIME EQUIVALENT (FTE)	10.00	10.00	10.00	10.00		10.00	10.00	
1100	SALARIES	277,797.08	294,166	308,955	308,955		308,797	308,797	
1400	EMPLOYEE BENEFITS	54,786.47	41,755	44,700	44,700		45,368	45,368	
1500	HEALTH INSURANCE		12,000	13,800	13,800		13,800	13,800	
1600	VACANCY SAVINGS		-13,669	-14,698		-14,698	-14,719		-14,719
1900	PERSONAL SERVICES-OTHER	-647.00							
	TOTAL LEVEL	331,936.55	334,252	352,757	367,455	-14,698	353,246	367,965	-14,719
2022	SUPPLIES & MATERIALS-INFLAT				-62	62			
2023	COMMUNICATIONS-INFLATION			9	30	-21	14	46	-32
2025	RENT-INFLATION				809	-809		1,123	-1,123
2100	CONTRACTED SERVICES	51,684.62	46,876	59,417	68,687	-9,270	59,407	68,677	-9,270
2200	SUPPLIES & MATERIALS	9,867.92	14,037	8,621	9,869	-1,248	8,653	9,869	-1,216
2300	COMMUNICATIONS	3,618.96	5,847	3,150	3,620	-470	3,150	3,620	-470
2400	TRAVEL	19,949.57	21,134	19,326	22,233	-2,907	19,326	22,233	-2,907
2500	RENT	9,051.43	8,854	9,228	9,051	177	9,599	9,051	548
2700	REPAIR & MAINTENANCE	4,246.53	2,837	7,639	8,382	-743	7,639	8,382	-743
2800	OTHER EXPENSES	6,759.12	2,209	2,310	2,488	-178	2,310	2,488	-178
	TOTAL LEVEL	105,178.15	101,794	109,700	125,101	-15,407	110,098	125,489	-15,391
	TOTAL PROGRAM	437,114.70	436,046	462,457	492,562	-30,105	463,344	493,454	-30,110
06500	AGENCY LEGAL SERVICES	437,114.70	436,046	462,457	492,562	-30,105	463,344	493,454	-30,110
	TOTAL PROGRAM	437,114.70	436,046	462,457	492,562	-30,105	463,344	493,454	-30,110

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1-30-87

REPORT EBSR99
DATE : 01/07/87
TIME : 17/26/09

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL -- BUDGET DETAIL COMPARISONS

AGENCY : 4110 DEPARTMENT OF JUSTICE
PROGRAM : 06 AGENCY LEGAL SERVICES
CONTROL : 00000

AE/OE	DESCRIPTION	ACTUAL FY 86	BUDGET FY 87	OBPP FY 88	LFA FY 88	DIFF FY 88	OBPP FY 89	LFA FY 89	DIFF FY 89
1100	SALARIES	10,000.00							
	TOTAL LEVEL	10,000.00							
3100	EQUIPMENT	11,524.74							
	TOTAL LEVEL	11,524.74							
	TOTAL PROGRAM	21,524.74							
06500	AGENCY LEGAL SERVICES	21,524.74							
	TOTAL PROGRAM	21,524.74							

MODIFIED LEVEL SERVICES ONLY

Current Level Adjustment

There was no current level adjustment, except to apply 4 percent vacancy savings.

AGENCY LEGAL SERVICES

Budget Item	Actual	Appropriated	- - Current Level - -		% Change 1987-89 Biennium
	Fiscal 1986	Fiscal 1987	Fiscal 1988	Fiscal 1989	
F.T.E.	10.00	10.00	10.00	10.00	0.00
Personal Service	\$341,938	\$334,252	\$367,455	\$367,965	8.8
Operating Expense	100,907	101,794	125,107	125,489	23.6
Equipment	11,525	-0-	-0-	-0-	(100.0)
Total Expenditures	<u>\$454,370</u>	<u>\$436,046</u>	<u>\$492,562</u>	<u>\$493,454</u>	<u>10.7</u>
<u>Fund Sources</u>					
Other Funds	<u>\$454,370</u>	<u>\$436,046</u>	<u>\$492,562</u>	<u>\$493,454</u>	<u>10.7</u>

The Agency Legal Services Program (ALS) provides legal services, upon request, to state agencies. Agencies are billed (at a current rate of \$45 per hour) for attorney time and case-related costs to support the program.

Fiscal 1986: Comparison of Actual Expenses to the Appropriation

The following table compares fiscal 1986 actual expenditures and funding to appropriations as anticipated by the 1985 legislature.

Table 5
Comparison of the Appropriation to Actual Expenses - Fiscal 1986

Budget Item	Legislature	Actual	Difference
F.T.E.	10.00	10.00	0.00
Personal Service	\$333,970	\$331,938	\$ 2,032
Operating Expense	<u>103,057</u>	<u>100,907</u>	<u>2,150</u>
Total Exp. & Proprietary Fd	<u>\$437,027</u>	<u>\$432,845</u>	<u>\$ 4,182</u>
<u>Additions</u>			
Budget Amendments	<u>\$ -0-</u>	<u>\$ 21,525</u>	<u>\$(21,525)</u>

The agency hours paid were 2.6 percent more than full time for ten people. This overexpenditure was possible due to budget amended funds to pay termination pay and to fund budgeted vacancy savings. Operating expenses in total were underexpended. Contract services were down \$3,500. Supplies were down \$1,000. Travel increased \$3,400. Rent decreased \$3,200 due primarily to renting less office equipment. Repair and maintenance was up \$1,200 due to vehicle repairs.

A budget amendment was approved for \$9,009 of personal services to fund vacancy savings and termination costs, and for \$21,955 of contract services for consultants to be retained in the preparation of legal cases. Of the \$21,525 expended, \$10,000 was spent in legal services, while the remaining \$11,525 went for equipment. 2

Current Level Adjustments

The agency budget request is included as current level. Based on past experience and the agency's ability to provide services, there is no vacancy savings. The operating expenses increase for case-related costs. Should these costs not materialize the agency will receive no revenue to support the expenditures. In fiscal 1985 the operating costs were \$133,207 or \$32,320 more than fiscal 1986 due primarily to consultants and professional services used.

Funding

Agency Legal Services is a proprietary fund operation. The source of revenue is an hourly fee charged to user agencies for its services. The hourly fee in fiscal 1986 was \$45. The legislature had approved an increase to \$46 in fiscal 1987. However, Agency Legal Services retained the rate at \$45 in fiscal 1987 due to budget constraints. The fee will need to increase by 6.2 percent to cover the budget at current level before pay increases. This increase would make the attorney cost per hour \$47.80 and the investigator's hourly rate \$27.50. The expenditure increases above the fiscal 1986 level are expected to be charged to the client as case-related.

	FISCAL YEAR 1988			FISCAL YEAR 1989		
	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA
F. T. E. 's	10.00	10.00		10.00	10.00	
PERSONAL SERVICES:						
Personal Services	367,455	367,455		367,965	367,965	*
Vacancy Savings	(14,698)	0	<i>be carried forward</i>	(14,719)	0	*
PERSONAL SERV TOTAL:	352,757	367,455		353,246	367,965	
OPERATING EXPENSES:						
Contracted Services	59,417	68,687	*	59,407	68,677	*
Supplies & Materials	8,621	9,807	*	8,653	9,869	*
Communications	3,159	3,650	*	3,164	3,666	*
Travel	19,326	22,233	*	19,326	22,233	*
Rent	9,228	9,860	*	9,599	10,174	*
Utilities	0	0	*	0	0	*
Repair & Maint.	7,639	8,382	*	7,639	8,382	*
Other Expenses	2,310	2,488	*	2,310	2,488	*
OPERATING EXP TOTAL:	109,700	125,107		110,098	125,489	
EQUIPMENT	0	0	*	0	0	*
TOTAL PROGRAM	462,457	492,562		463,344	493,454	
FUNDING:						
General Fund	0	0		0	0	
Other funds	462,457	492,562		463,344	493,454	
TOTAL FUNDING:	462,457	492,562		463,344	493,454	

106 CATEGORY	FY 88 Amt	FY 89 Amt	REQUESTED ADJUSTMENTS & COMMENTS	* - Concur with LFA Budget
			No adjustments.	

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AGENCY LEGAL SERVICES

Program Description

The Agency Legal Services program provides legal services, upon request, to state agencies. Agencies are billed for attorney time and case related costs to support the program.

Goals

The goal of the Agency Legal Services program is to provide contracted legal services to state agencies at a reasonable cost, particularly where agencies need assistance with litigation.

Objectives

1. To provide legal services to state agencies on a fee basis.
2. To provide the services of hearings officers to state agencies on a fee basis.
3. To continue to develop a legal staff with expertise in litigation.

Performance Factors

1. To bill for 8,000 hours of attorney time each fiscal year. 7,612.7 hours billed in FY86.
2. To bill for 1,320 hours of investigator time each fiscal year. 1,435.6 hours billed in FY86.
3. To charge all identifiable costs to client agencies. \$60,599.69 costs billed in FY86.

REPORT EBSR99
DATE : 01/07/87
TIME : 17/23/43

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL -- BUDGET DETAIL COMPARISONS

AGENCY : 4110 DEPARTMENT OF JUSTICE
PROGRAM : 22 LAW ENFORCEMENT ACADEMY DIV.
CONTROL : 00000

AE/OE	DESCRIPTION	ACTUAL FY 86	BUDGET FY 87	OBPP FY 88	IFA FY 88	DIFF FY 88	OBPP FY 89	IFA FY 89	DIFF FY 89
0000	FULL TIME EQUIVALENT (FTE)	11.00	11.00	10.58	10.00	.58	10.58	10.00	.58
1100	SALARIES	231,563.24	239,911	255,710	238,095	17,615	254,824	237,277	17,547
1400	EMPLOYEE BENEFITS	45,469.20	33,734	36,766	34,214	2,552	37,176	34,594	2,582
1500	HEALTH INSURANCE		13,200	15,180	13,800	1,380	15,180	13,800	1,380
1600	VACANCY SAVINGS		-11,528	-12,306	-11,327	-979	-12,287	-11,306	-981
1800			6						
TOTAL LEVEL		277,032.44	275,323	295,350	274,782	20,568	294,893	274,365	20,528
2022	SUPPLIES & MATERIALS-INFLAT								
2023	COMMUNICATIONS-INFLATION			37	-142	179	163	2	161
2026	UTILITIES-INFLATION			9	1	-1	18	2	-2
2100	CONTRACTED SERVICES	72,690.26	68,836	76,703	73,207	3,496	77,492	73,196	4,296
2200	SUPPLIES & MATERIALS	28,240.21	26,032	29,867	28,239	1,628	29,867	28,239	1,628
2300	COMMUNICATIONS	12,873.94	10,002	12,861	12,874	-13	12,861	12,874	-13
2400	TRAVEL	18,228.07	17,090	17,590	17,597	-7	17,590	17,597	-7
2500	RENT	150,178.60	156,776	161,341	161,314	27	168,274	168,274	
2600	UTILITIES	47.45	273	47	47		47	47	
2700	REPAIR & MAINTENANCE	7,289.53	7,157	7,243	7,292	-49	7,243	7,292	-49
2800	OTHER EXPENSES	10,416.66	1,883	6,297	3,078	3,219	6,297	3,078	3,219
TOTAL LEVEL		299,964.72	288,049	311,995	303,516	8,479	319,852	310,619	9,233
3100	EQUIPMENT								
TOTAL LEVEL		6,587.00		8,796	3,000	5,796	8,470	3,000	5,470
TOTAL PROGRAM		6,587.00		8,796	3,000	5,796	8,470	3,000	5,470
TOTAL PROGRAM		583,584.16	563,372	616,141	581,298	34,843	623,215	587,984	35,231
02013	LAW ENFORCEMENT ACADEMY	65,752.64	62,510	55,685	65,495	-9,810	55,700	66,264	-10,564
02404	MOTOR VEHICLE	517,831.52	500,862	560,456	515,803	44,653	567,515	521,720	45,795
TOTAL PROGRAM		583,584.16	563,372	616,141	581,298	34,843	623,215	587,984	35,231

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REPORT EBSR99
DATE : 01/07/87
TIME : 17/26/09

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL -- BUDGET DETAIL COMPARISONS

AGENCY : 4110 DEPARTMENT OF JUSTICE
PROGRAM : 22 LAW ENFORCEMENT ACADEMY DIV.
CONTROL : 00000

AE/OE	DESCRIPTION	ACTUAL FY 86	BUDGET FY 87	OBPP FY 88	LFA FY 88	DIFF FY 88	OBPP FY 89	LFA FY 89	DIFF FY 89
2100	CONTRACTED SERVICES	4,758.50							
	TOTAL LEVEL	4,758.50							
	TOTAL PROGRAM	4,758.50							
03187	BCC GRANTS TO DEPT. OF JUST	4,758.50							
	TOTAL PROGRAM	4,758.50							

MODIFIED LEVEL SERVICES ONLY

Table 11
Comparison of the Appropriation to Actual Expenses - Fiscal 1986

Budget Item	Legislature	Actual	Difference
F.T.E.	28.00	28.00	0.00
Personal Services	<u>\$1,517,735</u>	<u>\$1,587,734</u>	<u>\$(69,999)</u>
Funding			
General Fund	<u>\$1,517,735</u>	<u>\$1,587,734</u>	<u>\$(69,999)</u>

The program received a \$70,000 general fund supplemental in fiscal 1986, allowing the overexpenditure.

Current Level Adjustments

County attorney salaries have been held at the fiscal 1987 level with benefits. Some of the counties froze the county attorney salaries in fiscal 1987, saving \$11,058 in fiscal 1988 and \$11,084 in fiscal 1989. There are funds in current level for 14 full-time county attorneys, 21 county attorneys at 60 percent time, 20 county attorneys at half time, and 1 county attorney at 20 percent time. As the state pays one half of the salaries, this is equivalent to 18.40 F.T.E.

The benefits rate is 12.44 percent in fiscal 1988 and 12.70 percent in fiscal 1989.

ISSUE 1: FULL-TIME COUNTY ATTORNEYS

There are seven county attorneys serving full time whose population would only require a county attorney 60 or 50 percent of the time. In first, second, and third class counties with a population under 30,000, a county may have a part-time county attorney paid at 60 percent of the full time salary. For counties class four, five, six, and seven with a population under 30,000, the part-time county attorney receives 50 percent of the full-time salary. However, section 7-4-2706, MCA, states the county commissioners may, upon consent of the county attorney, establish the office of county attorney as full-time. Having these county attorneys on full time rather than part-time costs \$150,843 of general fund a year.

Option A: Do not fund county attorneys which are not required by population to be full time for a biennium general fund savings of \$301,686.

Option B: Continue to fund all non-required full-time county attorney positions.

ISSUE 2: HEALTH INSURANCE

The state is paying health insurance costs of \$690 a year for 11 of the 56 county attorneys. Seven of the 14 full-time county attorneys receive health insurance and four who receive 60 percent of full-time pay receive health insurance. The county attorneys are not state employees. If they were state employees, they would

be required to be paid by the state at least half time to receive health insurance benefits.

If all 56 positions were compensated for half the state health insurance contributions, the cost would be \$38,640 a year.

Option A: Do not pay health insurance benefits for county attorneys for a biennial general fund savings of \$15,180.

Option B: Pay health insurance benefits for all county attorneys at a general fund added cost of \$62,100 for the 1989 biennium.

Option C: Continue to pay some county attorneys health insurance.

ISSUE 3: SALARY INCREASE

By law the county commissioners can give salary increases to equal to 70 percent of the last previous calendar year's consumer price index for all urban consumers. The Department of Justice has requested a 1.2 percent salary increase each year. The law also allows the county commissioners to freeze the salaries. Thirty one of the salaries were frozen in fiscal 1987.

Option A: Appropriate funds for the county attorneys' salary raises at a general fund cost of \$21,529.

Option B: Do not appropriate funds for county attorneys' salary raises and freeze salaries at the fiscal 1987 level as shown in the current level numbers.

LAW ENFORCEMENT ACADEMY

Budget Item	Actual	Approp	- - Current Level - -		% Change 1987-89 Biennium
	Fiscal 1986	Fiscal 1987	Fiscal 1988	Fiscal 1989	
F.T.E.	11.00	11.00	10.00	10.00	(1.00)
Personal Services	\$277,033	\$275,323	\$274,782	\$274,365	(0.6)
Operating Expense	304,729	288,049	303,516	310,619	3.6
Equipment	6,587	-0-	3,000	3,000	(8.9)
Total Expenditure	<u>\$588,349</u>	<u>\$563,372</u>	<u>\$581,298</u>	<u>\$587,984</u>	<u>1.5</u>
<u>Fund Sources</u>					
State Special	\$583,590	\$563,372	\$581,298	\$587,984	1.9
Federal and Other	4,759	-0-	-0-	-0-	(100.0)
Total Funds	<u>\$588,349</u>	<u>\$563,372</u>	<u>\$581,298</u>	<u>\$587,984</u>	<u>1.5</u>

The Law Enforcement Academy Bureau provides a professional education and training program in criminal justice for Montana law enforcement officers and other criminal justice personnel.

Fiscal 1986: Comparison of Actual Expenses to the Appropriation

The following table compares fiscal 1986 actual expenditures and funding to allocations as anticipated by the 1985 legislature.

Table 12
Comparison of the Appropriation to Actual Expenses - Fiscal 1986

<u>Budget Item</u>	<u>Legislature</u>	<u>Actual</u>	<u>Difference</u>
F.T.E.	11.00	11.00	0.00
Personal Services	\$279,728	\$277,033	\$ 2,695
Operating Expenses	301,292	299,970	1,322
Equipment	3,000	6,587	(3,587)
Total Exp. & State Spec. Rev.	<u>\$584,020</u>	<u>\$583,590</u>	<u>\$ 430</u>
<u>Additions</u>			
Budget Amendments	\$ -0-	\$ 4,759	\$(4,759)

Personal services expenditures were very close to the appropriated amount due to: 1) 7 percent vacancy savings, which included leaving one position open all year, rather than the budgeted 4 percent vacancy savings, and 2) raising the director's salary over budget by 16.7 percent.

The one operating expense category which varied significantly from the anticipated level was other expenses, which increased from \$1,090 in fiscal 1985 to \$10,417 in fiscal 1986. The new expenditures were \$2,765 for dues; \$866 for training fees; \$4,639 for relocation expenses; and \$849 for rewards.

Equipment items purchased in fiscal 1986 are \$2,192 of multi-user computers, \$450 of education and recreation equipment, and \$3,945 of office equipment.

A budget amendment was approved in fiscal 1986 to fund physical fitness training for law enforcement officers in preparation for implementation of minimum standards of physical fitness for all Montana peace officers. The training was made a part of the curriculum at the academy, and \$4,759 of the \$5,000 appropriated was expended in fiscal 1986.

Current Level Adjustments

Personal services were decreased by 1.0 FTE. This was a grade 15 training officer which the agency changed to a grade 18 lawyer, but never filled in fiscal 1986. Operating expenses were increased \$3,546 from fiscal 1986 to fiscal 1988 after

removing fiscal 1986 budget amendment expenditures of \$4,759. Adjustments are made to reduce relocation costs by \$4,639 and dues by \$2,700. Rent increased by \$10,800, and other minor changes result in an increase of \$85. Equipment of \$3,000 per year is included.

Funding

There are two sources of funding--tuition and fees and the motor vehicle account. Tuition is continued at 11.27 percent of the total cost, which is \$65,495 in fiscal 1988 and \$66,264 in fiscal 1989. The motor vehicle account funds the difference.

FIRE MARSHALL BUREAU					
Budget Item	Actual Fiscal 1986	Appropriated Fiscal 1987	- - Current Level - - Fiscal 1988	Fiscal 1989	% Change 1987-89 Biennium
F.T.E.	8.00	8.00	8.00	8.00	0.00
Personal Service	\$247,895	\$225,459	\$237,280	\$237,547	0.3
Operating Expense	77,138	80,452	71,195	71,936	(9.2)
Equipment	14,400	10,142	9,852	9,852	(19.7)
Total Expenditures	<u>\$339,433</u>	<u>\$316,053</u>	<u>\$318,327</u>	<u>\$319,335</u>	<u>(2.7)</u>
<u>Fund Sources</u>					
General Fund	\$326,272	\$316,053	\$318,327	\$319,335	(0.7)
Federal Revenue	13,161	-0-	-0-	-0-	(100.0)
Total Funds	<u>\$339,433</u>	<u>\$316,053</u>	<u>\$318,327</u>	<u>\$319,335</u>	<u>(2.7)</u>

The Fire Marshall's Program is responsible for reducing the loss of life and property from fire, explosion, and arson. Services offered through this program are fire and arson investigation, inspection of state-owned buildings, fire code interpretation and enforcement, and the collection of fire data through the fire incident reporting system.

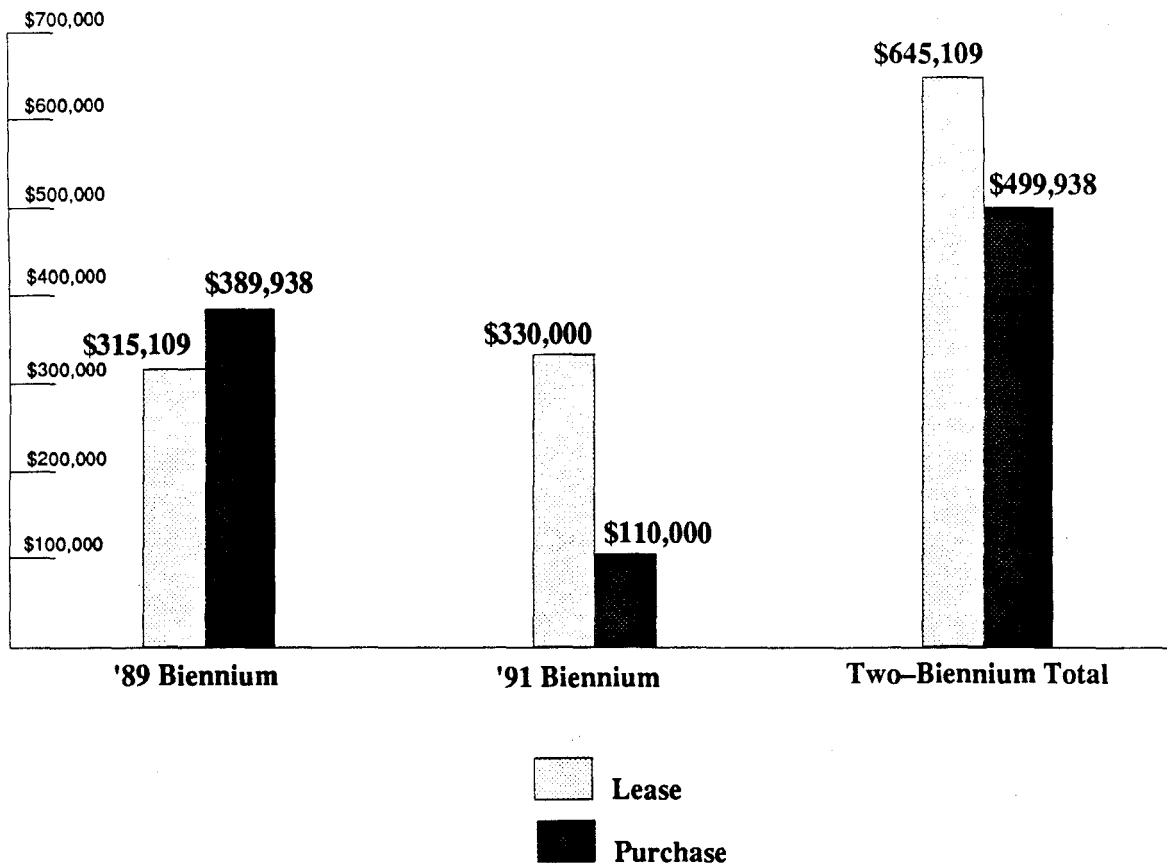
Fiscal 1986: Comparison of Actual Expenses to the Appropriation

The following table compares fiscal 1986 actual expenditures and funding to allocations as anticipated by the 1985 legislature.

	FISCAL YEAR 1988			FISCAL YEAR 1989		
	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA	EXECUTIVE BUDGET	L F A BUDGET	AGENCY REQUESTED ADJUSTMENTS TO LFA
F. T. E. 's	10.58	10.00		10.58	10.00	
PERSONAL SERVICES:						
Personal Services	307,656 (12,306)	286,109 (11,327)	1 *	307,180 (12,287)	285,671 (11,306)	1 *
Vacancy Savings						
PERSONAL SERV TOTAL:	295,350	274,782		294,893	274,365	
OPERATING EXPENSES:						
Contracted Services	76,703	73,207	* 2	77,492	73,196	* 2
Supplies & Materials	29,904	28,097	*	30,030	28,241	*
Communications	12,861	12,875	*	12,861	12,876	*
Travel	17,590	17,597	*	17,590	17,597	*
Rent	161,341	161,314	*	168,274	168,274	*
Utilities	56	56	*	65	65	*
Repair & Maint.	7,243	7,292	*	7,243	7,292	*
Other Expenses	6,297	3,078	*	6,297	3,078	*
OPERATING EXP TOTAL:	311,995	303,516		319,852	310,619	
EQUIPMENT	8,796	3,000	3	8,470	3,000	3
TOTAL PROGRAM	616,141	581,298		623,215	587,984	
FUNDING:						
General Fund	616,141	581,298		623,215	587,984	
Other funds	0	0		0	0	
TOTAL FUNDING:	616,141	581,298		623,215	587,984	
22 CATEGORY	FY 88 Amt	FY 89 Amt	REQUESTED ADJUSTMENTS & COMMENTS	* - Concur with LFA Budget		
Personal Services	\$310,942	\$310,451	1. Increase FY88 - \$36,160 and 1.00 FTE. Increase FY89 - \$36,086 and 1.00 FTE. To reinstate attorney/instructor position at a grade 18, step 2.			
Supplies & Materials	\$34,825	\$40,469	Increase FY88 - \$6,728. Increase FY89 - \$12,228. To purchase ammunition; FY88 - \$12,000 & FY89 - \$17,500. FY88 - 3 basics, 3 intermediates, & 1 instructor. FY89 - 3 basics, 3 intermediates, 3 advanced, & 1 instructor.			
Equipment	\$8,896	\$8,470	3 Equipment Priority List			
			FY88 FY89			
			2,750 2,750			
			1,800 1,800			
			1,750 1,750			
			1,561 1,561			
			1,035 500			
			\$8,896 \$8,470			

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Montana Law Enforcement Academy Facility

COMPARISON: Lease versus Purchase

The Legislative Auditor has projected the purchase price of the present MLEAD facility to be \$279,938 on 31 March 1987. To continue the lease throughout the FY 1989 biennium would cost \$315,109, according to the Legislative Fiscal Analyst and the Budget Office.

If the purchase option were exercised, the additional operating expense for the buildings would be \$110,000 for the FY 1989 biennium.

The purchase price and operating costs (combined) exceed the budget recommendation for rent in the FY 1989 biennium by \$74,829.

	<u>LEASE</u>	<u>PURCHASE</u> <u>(including operating costs)</u>
FY 1989 biennium	\$315,109	\$389,938
FY 1991 biennium	<u>\$330,000</u>	<u>\$110,000</u>
	\$645,109	\$499,938

The potential savings made possible by exercising the purchase option is \$145,171 for the FY 1989 biennium and the FY 1991 biennium.

1-30-87

BUDGET MODIFICATION

Department of Justice
1988-89 Biennium

Program: Law Enforcement Academy -22

TITLE: First Responder/Emergency Vehicle Operation

REQUEST: The Department requests authority to spend tuition State Special Funds to provide certified medical training in lifesavings skills (and emergency vehicle driving skills) to entry level officers in the Law Enforcement Academy.

JUSTIFICATION: The First Responder component of this modification will provide certified emergency medical training in lifesaving skills to entry level officers in the Basic Course. The Emergency Medical Services Bureau will coordinate the 48 hours of instruction for this component. The Emergency Vehicle Operation component will provide 26 hours of training to improve basic driving skills and provide training for participation in high speed pursuits. All funds for this modification will be provided by tuition paid by agencies sending students to basic training.

<u>FISCAL DATA:</u>	<u>FY 1988</u>	<u>FY 1989</u>
<u>F. T. E. s</u>	-0-	-0-
<u>Personal Services</u>	-0-	-0-
<u>Operating Expenses:</u>		
Contracted Services	7,800	10,400
Supplies & Materials	4,401	5,868
Communications	-0-	-0-
Travel	6,382	8,510
Rent	-0-	-0-
Utilities	-0-	-0-
Repair & Maintenance	-0-	-0-
Other Expenses	-0-	-0-
Subtotal	<u>18,583</u>	<u>24,778</u>
<u>Equipment</u>	-0-	-0-
<u>Total Request</u>	<u>18,583</u>	<u>24,778</u>
<u>Funding:</u>		
Tuition State Special	<u>18,583</u>	<u>24,778</u>
<u>Total Funds</u>	<u>18,583</u>	<u>24,778</u>

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1-30-87

BUDGET MODIFICATION

Department of Justice
1988-89 Biennium

Program: Law Enforcement Academy - 22

TITLE: Executive Institute

REQUEST: The Department requests authority to spend Tuition State Special Funds to provide a series of six executive level seminars each year which address contemporary issues of concern to criminal justice administrators.

JUSTIFICATION: This modification will provide for a series of six executive level seminars for criminal justice administrators. The training will address contemporary issues of concern to chiefs of police, sheriffs and other law enforcement administrators. The Law Enforcement Academy does not currently provide any training for managers. The Institute will be totally funded by tuition fees charged to participants.

<u>FISCAL DATA:</u>	<u>FY 1988</u>	<u>FY 1989</u>
<u>F. T. E. s</u>	-0-	-0-
<u>Personal Services</u>	-0-	-0-
<u>Operating Expenses:</u>		
Contracted Services	13,630	13,630
Supplies & Materials	2,760	2,760
Communications	240	240
Travel	6,880	6,880
Rent	1,800	1,800
Uttilities	-0-	-0-
Repair & Maintenance	-0-	-0-
Other Expenses	-0-	-0-
Subtotal	<u>25,310</u>	<u>25,310</u>
<u>Equipment</u>	-0-	-0-
<u>Total Request</u>	<u>25,310</u>	<u>25,310</u>
<u>Funding:</u>		
Tuition State Special	<u>25,310</u>	<u>25,310</u>
<u>Total Funds</u>	<u>25,310</u>	<u>25,310</u>

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BUDGET MODIFICATION

Department of Justice
1988-89 Biennium

Program: Law Enforcement Academy - 22

TITLE: Additional Basic Course

REQUEST: The Department requests authority to spend State Special Funds to conduct one additional Basic Course annually.

JUSTIFICATION: This modification will allow the Law Enforcement Academy to conduct one additional Basic Course annually to provide a total of four Basic Courses per year. With only three Basic Courses per year the class size of this statutorily mandated training has grown to an unmanageable level. The additional Basic Course will allow the MLEA to limit class size to 30 students, which will ensure high quality training for Montana's Law Enforcement officers.

<u>FISCAL DATA:</u>	<u>FY 1988</u>	<u>FY 1989</u>
<u>F. T. E. s</u>	-0-	-0-
<u>Personal Services</u>	-0-	-0-
<u>Operating Expenses:</u>		
Contracted Services	-0-	12,287
Supplies & Materials	-0-	1,488
Communications	-0-	-0-
Travel	-0-	2,084
Rent	-0-	125
Utilities	-0-	-0-
Repair & Maintenance	-0-	-0-
Other Expenses	-0-	-0-
Subtotal	-0-	15,984
<u>Equipment</u>	-0-	-0-
<u>Total Request</u>	-0-	15,984
<u>Funding:</u>		
State Special		
Motor Vehicle Account	-0-	9,234
Tuition Account	-0-	6,750
<u>Total Funds</u>	-0-	15,984

REPORT EBSR99
DATE : 01/07/87
TIME : 17/23/43

OFFICE OF BUDGET & PROGRAM PLANNING
EXECUTIVE BUDGET SYSTEM
AGENCY/PROGRAM/CONTROL -- BUDGET DETAIL COMPARISONS

AGENCY : 4110 DEPARTMENT OF JUSTICE
PROGRAM : 32 FORENSIC SCIENCE DIVISION
CONTROL : 00000

AE/OE	DESCRIPTION	ACTUAL FY 86	BUDGET FY 87	OBPP FY 88	LIA FY 88	DIFF FY 88	OBPP FY 89	LIA FY 89	DIFF FY 89
0000	FULL TIME EQUIVALENT (FTE)	15.00	15.00	14.00	15.00	-1.00	14.00	15.00	-1.00
1100	SALARIES	405,436.58	417,792	418,045	431,744	-19,699	416,790	436,414	-19,624
1400	EMPLOYEE BENEFITS	72,166.99	61,075	56,654	59,508	-2,854	57,501	60,389	-2,888
1500	HEALTH INSURANCE		18,000	19,320	20,700	-1,380	19,320	20,700	-1,380
1600	VACANCY SAVINGS		-18,190	-19,761	-20,580	819	-19,744	-20,549	805
	TOTAL LEVEL	477,603.57	478,677	474,258	491,372	-23,114	473,867	496,954	-23,087
2022	SUPPLIES & MATERIALS-INFLAT			4,221	4,155	66	7,419	7,405	14
2023	COMMUNICATIONS-INFLAT			164	164		23,253	23,253	
2100	CONTRACTED SERVICES	22,304.29	24,355	25,492	23,001	2,491	23,507	23,241	266
2200	SUPPLIES & MATERIALS	45,485.03	45,739	48,408	47,187	1,221	46,737	45,132	1,605
2300	COMMUNICATIONS	19,221.52	15,027	20,890	20,729	161	20,890	20,729	161
2400	TRAVEL	26,200.96	28,941	29,228	26,090	3,138	29,228	26,090	3,138
2500	RENT	46,278.15	32,366	92,816	88,675	4,141	92,816	88,675	4,141
2600	UTILITIES	12,162.54	12,623	8,340	8,030	310	8,340	8,030	310
2700	REPAIR & MAINTENANCE	23,932.03	15,610	43,442	42,092	1,350	47,137	45,787	1,350
2800	OTHER EXPENSES	10,479.26	6,187	10,124	10,304	-180	10,083	10,304	-221
	TOTAL LEVEL	206,063.78	180,848	283,125	270,427	12,698	286,410	275,646	10,764
3100	EQUIPMENT	49,456.78		42,869	31,282	11,587	23,664	23,132	532
	TOTAL LEVEL	49,456.78		42,869	31,282	11,587	23,664	23,132	532
	TOTAL PROGRAM	733,124.13	659,525	800,252	799,081	1,171	783,941	795,732	-11,791
01100	GENERAL FUND			291,687	655,246	-363,559	368,327	652,500	-284,173
02034	ALCOHOLISM TREATMENT-REHAB	129,556.00	123,079	148,565	143,835	4,730	145,614	143,232	2,382
02404	MOTOR VEHICLE	603,568.13	536,446	360,000		360,000	270,000		270,000
	TOTAL PROGRAM	733,124.13	659,525	800,252	799,081	1,171	783,941	795,732	-11,791

24
1.30-87

AGENCY : 4110 DEPARTMENT OF JUSTICE

PROGRAM : 32 FORENSIC SCIENCE DIVISION

CONTROL : 00000

AE/OE	DESCRIPTION	ACTUAL FY 86	BUDGET FY 87	OBPP FY 88	LIA FY 88	DIFF FY 88	OBPP FY 89	LIA FY 89	DIFF FY 89
2200	SUPPLIES & MATERIALS	2,957.63							
2400	TRAVEL	411.41							
2700	REPAIR & MAINTENANCE	851.80							
	TOTAL LEVEL	4,220.84							
	TOTAL PROGRAM	4,220.84							
03800	HTS GRANTS TO DEPT. OF JUST	4,220.84							
	TOTAL PROGRAM	4,220.84							

FORENSIC SCIENCE DIVISION

Budget Item	Actual	Appropriated	- - Current Level - -		% Change 1987-89 Biennium
	Fiscal 1986	Fiscal 1987	Fiscal 1988	Fiscal 1989	
F.T.E.	15.00	15.00	15.00	15.00	0.00
Personal Service	\$477,603	\$478,677	\$497,372	\$496,954	4.0
Operating Expense	210,287	180,848	270,427	275,646	39.6
Equipment	49,457	-0-	31,282	23,132	10.0
Total Expenditures	\$737,347	\$659,525	\$799,081	\$795,732	14.2
<u>=====</u>					
Fund Sources					
General Fund	\$ -0-	\$ -0-	\$655,246	\$652,500	100.0
State Special	733,126	659,525	143,835	143,232	(79.4)
Federal Revenue	4,221	-0-	-0-	-0-	(100.0)
Total Funds	\$737,347	\$659,525	\$799,081	\$795,732	14.2
<u>=====</u>					

The Forensic Science Program, which includes the Crime Laboratory, provides for a statewide system of death investigations, forensic science training, scientific criminal investigations in the state, and scientific analysis of specimens submitted by law enforcement officials, coroners, and state agencies. The laboratory analyzes blood, breath, and urine samples taken by law enforcement officers in connection with driving under the influence of alcohol or drugs (DUI) cases. The laboratory also performs drug and alcohol screens for the state Department of Institutions.

Fiscal 1986: Comparison of Actual Expenses to the Appropriation

The following table compares fiscal 1986 actual expenditures and funding to allocations as anticipated by the 1985 legislature.

Table 21
Comparison of Actual Expenses to Appropriated Expenses

<u>Budget Item</u>	<u>Legislature</u>	<u>Actual</u>	<u>Difference</u>
F.T.E	15.00	15.00	0.00
Personal Service	\$481,585	\$477,603	\$ 3,982
Operating Expense	177,270	206,066	(28,796)
Equipment	<u>48,025</u>	<u>49,457</u>	<u>(1,432)</u>
Total Exp. & State Spec. Rev.	<u>\$706,880</u>	<u>\$733,126</u>	<u>\$(26,246)</u>
<u>Additions</u>			
Budget Amendments	<u>\$ -0-</u>	<u>\$ 4,221</u>	<u>\$(4,221)</u>

The overexpenditures in fiscal 1986 were covered by a \$30,000 transfer of motor vehicle fees from the Data Processing Division and the Drivers' Services Bureau.

Personal services were very close to the anticipated level. There were 1.5 percent less hours paid for than 15 FTE with no vacancy savings would work. There were 2 upgrades from grade 13 to grade 15, which will result in about a \$8,400 cost increase in future years for the same number of FTE. Also, the state medical examiner's salary increased 6.3 percent in comparison to 1.6 percent in the state pay plan.

Operating expenses were \$28,796 more than appropriated due to increases in communications, rent, repairs and maintenance and other expenses. Communications were up due to postage, advertising, and phone calls. Rent was up due to a \$13,000 increase in building rent. Repairs and maintenance was up due to a \$6,000 repair on building and grounds and for laboratory equipment. Other expenses were up due to relocation costs of \$3,000.

Equipment funded versus that purchased is shown in Table 22.

Table 22
Comparison of Equipment Funded to Purchased for Fiscal 1986

Item	Appropriated	Purchased	Difference
Model 433 - Gaschromatograph	\$28,900	\$27,720	\$1,180
Linear Dual Pen Recorder	1,300	-0-	1,300
Pyroprobe Pyrolyzer	5,125	5,745	(620)
Beckman Dual Pen Recorder	1,350	-0-	1,350
Forma Water Bath	1,900	1,105	795
Houston Dual Pen Recorder	1,391	1,275	116
Diamond Cell	5,000	1,670	3,330
Sarvall Centrifuge	2,234	3,134	(900)
Beckman Microfuge Centrifuge	825	898	(73)
Hydrogen Generator	-0-	2,645	(2,645)
Refrigerators (2)	-0-	1,090	(1,090)
Shelving	-0-	3,506	(3,506)
Desks (6)	-0-	450	(450)
Autopsy Instrument Table	-0-	219	(219)
Total	<u>\$48,025</u>	<u>\$49,457</u>	<u>\$(1,432)</u>

A budget amendment, funded by a Highway Traffic Safety grant, was approved to provide training for one employee in the repair of breath testing equipment and to provide an inventory of spare parts for the equipment. Of the \$6,000 awarded, \$4,221 was expended in fiscal 1986.

Current Level Adjustments

Overall, operating expenses increase \$60,140 from fiscal 1986 to fiscal 1988, a 28.6 percent increase. The major reasons are a large building rent increase and increased equipment maintenance costs. Rent increases \$42,108 over the base year, but is offset by a decrease in utility and garbage removal costs of \$4,432 that are now included in rent, for a net increase in rent/utility costs of \$37,676, or 77.7 percent. The increase is due to the move to a new building after the state architect cited unsafe structural conditions in the old building. Equipment maintenance costs increase \$23,114 in fiscal 1988 and \$26,809 in fiscal 1989. Maintenance costs on general laboratory equipment increased \$7,769 in fiscal 1988, or 52 percent. The increase can be partially attributed to expiration of warranty periods. The majority of the maintenance increase, \$15,345, was on DUI program breath testing equipment. The warranties on most of the equipment, purchased in 1984 and later, expire in the 1989 biennium. Other cost increases include \$3,958 for a new janitorial contract in the new facility, inflationary increases in lab costs of \$3,848 in fiscal 1988 and an additional \$2,916 in fiscal 1989, increased phone charges of \$2,790, and \$2,055 in fiscal 1988 only for safety supplies to comply with OSHA requirements. Operating expense decreases include one-time relocation expenses for the lab of \$5,315, personnel of \$1,504, telephones of \$1,905, and security alarm system costs of \$2,319. Other minor adjustments and inflation resulted in a net increase over the base year of \$1,983.

Office equipment includes a typewriter in fiscal 1988 as well as a new filing cabinet in each year of the biennium. Current level includes \$30,000 for scientific equipment in fiscal 1988 and \$23,000 in fiscal 1989. The priority replacement items were two gas chromatographs, electrophoresis power supplies, an analytical balance, and two fume hoods. The cost of these items is estimated at \$10,000 over the amount funded.

Funding

The Forensic Science Division is funded at approximately 18 percent of total costs by alcoholism treatment state special revenue funds. In the 1987 biennium, the balance was funded out of motor vehicle state special revenue funds. However, due to a shortage of motor vehicle funds, funding for the forensic science program is returned to the general fund.

RESULTS OF BUDGET CUTS ON LAB SERVICES

1-30-87

<u>LAB SECTION</u>	<u>FTE's</u>	<u>8/15/86 Case Backlog</u>	<u>1-27-87 Case Backlog</u>
Chemistry	1.3 (2)*	<p>Drugs 95 (16 weeks)**</p> <p>Arson 10 (3 weeks)**</p> <p>6 days in court 1986</p> <p>Short .7 FTE for 10 months. Not doing misdemeanor amounts of marihuana & hashish (40% of previous case load, 20% of actual analysis time). If 2nd chemist position not funded, situation will deteriorate further.</p>	<p>148 (26 weeks)**</p> <p>2 (4 days)**</p>
Serology	2 (2)*	<p>124 (6 months)**</p> <p>15 days in court 1986</p> <p>Short .7 FTE for 5 months. New serologist needs additional training funds lost in last budget cut.</p>	<p>341 (1 year)**</p>
Trace Evidence	.3 (0)*	<p>120 (1 year)**</p> <p>7 days in court 1986</p> <p>Previously the lab manager provided .7 FTE and former serologist .3 FTE to trace evidence section of the lab. Lab manager now only scientist trained in trace evidence and can only provide .3 FTE to this section.</p>	<p>100 (2 years)**</p>
DUI	2.3 (2)*	<p>Blood Alcohol 70 (2 weeks)**</p> <p>7 Intoxilyzers need repair (6 weeks)**</p> <p>78 days in court in 1986</p> <p>When we obtained an additional FTE last legislative session we anticipated 40 Intoxilyzers in service, now there are actually 63 in service. (see Firearms Section)</p>	<p>30 (1 week)**</p> <p>7 Intoxilyzers need repair (6 weeks)**</p>
Firearms & Toolmark	.7 (1)*	<p>23 (4 weeks)**</p> <p>28 days in court in 1986</p> <p>Firearms & Toolmark Examiner provides .3 FTE for the DUI section of the laboratory.</p>	<p>90 (16 weeks)**</p>
Toxicology	2 (2)*	<p>70 (4-6 weeks)**</p> <p>3 days in court in 1986.</p>	<p>30 (2-4 weeks)**</p>
Lab Manager	.4 (1)	<p>.3 FTE worked in Chemistry Section</p> <p>.3 FTE worked in Trace Evidence</p>	

* Indicates FTE's authorized by the legislature

** Indicates time frame needed to clear back log

DEPARTMENT OF JUSTICE
1988-89 Biennium Budget
Current Level Services

Comparison

PROGRAM CONTROL 00000

FORENSIC SCIENCE DIVISION

EXEC # S-5
LFA # A-1

FISCAL YEAR 1988

FISCAL YEAR 1989

	FISCAL YEAR 1988		FISCAL YEAR 1989	
	EXECUTIVE BUDGET	L F A BUDGET	EXECUTIVE BUDGET	L F A BUDGET
F. T. E. 's	14.00	15.00	14.00	15.00
PERSONAL SERVICES:				
Personal Services	494,019	517,952	493,611	517,503
Vacancy Savings	(19,751)	(20,580)	(19,744)	(20,549)
PERSONAL SERV TOTAL:	474,258	497,372	473,867	496,954
OPERATING EXPENSES:				
Contracted Services	25,492	23,001	23,507	23,241
Supplies & Materials	52,629	51,342	54,156	52,537
Communications	21,054	20,893	21,143	20,982
Travel	29,228	26,090	29,228	26,090
Rent	92,816	88,675	92,816	88,675
Utilities	8,340	8,030	8,340	8,030
Repair & Maint.	43,442	42,092	47,137	45,787
Other Expenses	10,124	10,304	10,083	10,304
OPERATING EXP TOTAL:	283,125	270,427	286,410	275,646
EQUIPMENT	42,869	31,282	23,664	23,132
TOTAL PROGRAM	800,252	799,081	783,941	795,732
FUNDING:				
General Fund	291,687	655,246	368,327	600,500
Other funds	508,565	143,835	415,614	143,232
TOTAL FUNDING:	800,252	799,081	783,941	795,732
32 CATEGORY	FY 88 Amt	FY 89 Amt	REQUESTED ADJUSTMENTS & COMMENTS * - Concur with LFA Budget	
Rent	\$92,816	\$92,816	FTE - 1 Forensic Scientist, pos. # 20010; FY88 - \$23,933 & FY89 - \$23,892	
Equipment	\$42,652	\$24,264	1 Increase FY88 - \$4,141. Increase FY89 - \$4,141.	
			FY88	
			FY89	
			1 vehicle (80,000 miles)	
			1 gas chromatograph w/micro processor	
			1 fume hood	
			8,652 2 file cabinets	
			29,000 1 gas chromatograph	
			5,000 1 fume hood	
			\$42,652	
			\$24,264	

27
1-30-89

WITNESS STATEMENT

28
1-30-87

NAME Mike Murray BILL NO. _____
ADDRESS 305 Fuller Helena DATE 1-30-87
WHOM DO YOU REPRESENT? ATC Chemical Dependency Programs of Mt
SUPPORT _____ OPPOSE ✓ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

*we oppose use of Alcohol Earmarked
Funding for the Dept. of Justice
Forensic Laboratory*

29
1-30-87

Public Funding Level Alcohol and Drugs For FY 88 and 89

Based on Executive Revenue Estimates and L.F.A. Recommended Appropriations

	<u>FY 86</u>	<u>FY 87</u>	<u>FY 88</u>	<u>FY 89</u>
Earmarked	\$ 1,574,708	\$ 1,572,671	\$ 1,247,903	\$ 1,147,381
Discretionary BG	397,329	392,770	392,126	392,126
Supplemental BG	226,505	173,403	*281,354	*281,354
Drug BG	405,885	405,886	405,885	405,885
Drug Gen. Fund	<u>215,200</u>	<u>208,612</u>	<u>215,200</u>	<u>215,200</u>
TOTAL	\$ 2,819,627	\$ 2,753,342	\$ 2,542,468	\$ 2,441,946
			(9.8%)	(13.4%)
			From FY 1986 Level	
			(17.5%)	(21%)
			If drug GF is not appropriated	

* Includes Montana's 45% share of the drug treatment special block grant appropriated from Drug Enforcement, Ed. and Control Act of 1986. Does not include amount Montana will receive of the additional 55% one time award only.

EMR APPROPRIATIONS

	<u>FY 86 ACTUAL</u>	<u>EXECUTIVE</u>	<u>1988</u> <u>LFA</u>	<u>EXECUTIVE</u>	<u>1989</u> <u>LFA</u>
DAD ADM	310,528	342,255	368,701	327,371	353,761
FORENSIC LAB	129,556	148,565	143,835	145,614	143,232
MT ST.PRISON	51,618	51,424	79,978	51,424	80,812
PINE HILLS	28,053	29,669	29,669	29,760	29,760
SWAN RIVER	27,283	28,383	28,293	28,617	28,530
GALEN	<u>1,595,609</u>	<u>1,595,609</u>	<u>1,687,657</u>	<u>1,595,609</u>	<u>1,694,394</u>
TOTAL	2,142,647	2,195,905	2,338,133	2,178,395	2,330,489

LFA over Executive

\$ 142,228

\$ 152,094

Biennium

\$ 294,322

VISITOR'S REGISTER

GENERAL GOVERNMENT & HIGHWAYS

SUBCOMMITTEE

AGENCY(S) JUSTICE

DATE 1-30-8

DEPARTMENT

NAME	REPRESENTING	SUP- PORT	OP- POSE
Bill Westfall	Dept Justice MLEA		
W.F. HEINECKE	" "		
FRITZ O. BEHR	" " - L.E.S.D.		
Mike Murray	Int. Chemical Dependency Program		
Denny Moreen	Dept. Justice, ALS		
PAT DEPSCHUL	DEPT OF JUSTICE		
BOB KUEHNER	✓		
SUWANE HANSEN	✓		
Bill FRIEDR	MLEA Lewis and Clark County S.O.		
Lawrence Kangas	Dept of Justice		
John Connor	Jefferson County Attorney		
DEMOND MERRICK	DEPT OF JUSTICE		
ROMANO RIVERS	✓		
LEWIS KANGAS	✓		
MIKE GREENY	✓		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT
 IF YOU HAVE WRITTEN COMMENTS, PLEASE GIVE A COPY TO THE SECRETARY.