

MINUTES

MONTANA HOUSE OF REPRESENTATIVES  
51st LEGISLATURE - REGULAR SESSION

SUBCOMMITTEE ON GENERAL GOVERNMENT AND HIGHWAYS

Call to Order: By Chairman Quilici, on January 25, 1989, at  
8:07 a.m.

ROLL CALL

Members Present: All members were present with the  
exception of Sen. Regan.

Members Excused: Sen. Regan.

Members Absent: None.

Staff Present: Clayton Schenck, LFA  
Flo Smith, OBPP  
Mary Liedle, secretary

Announcements/Discussion: Rep. Quilici announced the  
hearing on the Department of Justice would proceed  
program by program.

HEARING ON DEPARTMENT OF JUSTICE | HIGHWAY PATROL DIVISION  
Tape No. 31A

Presentation and Opening Statement: Clayton Schenck gave an  
overview of the division. The Montana Highway Patrol  
patrols the state highways, enforce Montana traffic  
laws and investigates accidents. They give assistance  
and information to motorists and first aid to the  
injured, and transport blood and medical supplies in  
emergency situations.

The Highway Patrol Division receives its funding from  
two sources; highway gas tax state special revenue and  
federal funds from the U.S. Department of  
Transportation.

Current level provides for less than a 0.1 percent  
increase from the 1989 biennium to the 1991 biennium.

There are five subprograms in the Highway Patrol  
Division. Each subprogram will be heard separately.

HEARING ON DEPARTMENT OF JUSTICE: HIGHWAY PATROL DIVISION;  
HIGHWAY PATROL OPERATIONS PROGRAM

Tape No. 31A

Presentation and Opening Statement: Clayton Schenck gave an overview of the program and presented the issues resulting from differences between the LFA and executive budgets. These issues include overtime, hazardous waste removal, printing, supplies, rent, vehicle maintenance, relocation costs and equipment. (See exhibit 1)

Flo Smith presented the modified request for hand held radios. This would involve a cost of \$70,000 each year of the biennium. The major reason for this request is so that officers can stay in communication with the communications center. It will increase the personal safety of officers.

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (31A 18.10) Marc Racicot, Department of Justice, said the agency agrees with the LFA regarding FTE, providing the 7 FTE the full Appropriations Committee removed due to vacancy be reinstated. Presently there are 200 FTE that are allocated to patrol officers which is down significantly from the 220 in 1979. Even by restoring the 7 FTE, the agency still will not have the ability to have an adequate highway patrol presence on the highways in the state.

The agency requests increases in operating expenses over the LFA recommendation. These increases involve contract services, prisoner per diem and hazardous waste disposal; supplies and materials, gasoline; rent, for communication tower sites; and repairs and maintenance, for vehicles. (See exhibit 2) Mr. Racicot presented the committee with a list of requested equipment increases which total \$1,208,340 in FY90 and \$1,152,300 in FY91. The Department of Justice has

failed to adequately build in a replacement schedule for equipment, thus the need for the requested additional equipment. (See exhibit 3) Marc Racicot also presented a request for two modifieds including 2 FTE communications technicians each year of the biennium and 6 FTE additional patrol officers each year of the biennium. Currently the agency has one sergeant who is a communications technician and a patrolmen who is brought in off the highway to be responsible for maintenance of all the tower sites, radios and vehicles. There are presently 200 sworn patrol officers. Nine are located in the headquarters. None of those can be placed back out in the field. There are six counties with no patrolmen. There are constant requests to have patrol in those counties. The job is not getting done because there are not enough people. There are 20 fewer today than in 1979. (See exhibit 2)

Questions From Subcommittee Members: (31A 17.49) Rep.

Quilici: How many hand held radios do you have now?

Marc Racicot said they currently have none.

(31A 36.36) Rep. Swysgood: I have talked to quite a few officers in the field and asked them about their concerns and it seems to come back to the communications system that is currently being employed by the highway patrol and their inability to be in contact with local law enforcement officials and I guess I have a real concern with these officers being out by themselves at night and being unable to talk to local law enforcement officials, for the safety of those officers and for the coordination, why is this system in existence as compared to the system they used to have?

Marc Racicot said if you look back through history and when the communications system was place into effect, the largest reason was for best usage of manpower. There was a point in time where the highway patrolmen were dispatched by the local office and that allowed them to have the opportunity to have close communication with local law enforcement. The system was placed into effect because there was not a statewide ability to communicate and because it allowed for the better usage of manpower and the better allocation of manpower that existed within the patrol.

(31A 40.43) Rep. Quilici: Are your radios in the highway patrol high band?

Marc Racicot responded affirmatively.

(31A 40.50) Rep. Quilici: Can high band communicate with low band that's in a lot of the counties?

Mr. Racicot said, no. Most of the sherriff's offices have high band but there are some offices with low band and they have developed a way of communicating with those offices. The agency fully intends to clear up the problem.

(31A 41.18) Sen. Stimatz: What are these blind spots you're talking about?

Marc Racicot said there won't be a necessity for many more tower sites. They have blanketed the state in the fashion needed.

(31B 7.34) Sen. Stimatz: What are you going to do with those gasoline tanks. How are you going to handle the loss of those?

Mr. Racicot said there are a number of key pump operations. The agency would switch entirely to this type of vendor system.

HEARING ON DEPARTMENT OF JUSTICE: HIGHWAY PATROL DIVISION;  
HIGHWAY PATROL CADETS PROGRAM

Tape No. 31A

Presentation and Opening Statement: Clayton Schenck discussed the differences between the executive and LFA recommended budgets. These differences were minor, about \$7700 per year. In operating expenses, the executive budget allows increases for physical examinations, food service and uniform replacement whereas LFA is at FY88 base level. (See exhibit 4) Clayton explained the 3.75 FTE represents .25 FTE for each of the cadets. They attend a program that is 13 weeks per year, representing a quarter of a year. This budget covers 15 cadets going through the program per year. Mr. Racicot said the new program which is being requested would not cost any additional money unless there is approval to train more people. Even though the mechanism is being switched, there will not be an increase in budget.

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (31A 45.29) Marc Racicot, Department of Justice, said the agency would like to make a change in the program. In the past they have had a cadet training program involving 14 young people who would assume positions as dispatchers in the various communications centers and then they would be brought to the basic training program provided at the Academy and then would be brought on patrol. In looking at this, they have realized that by running the program this way, some of the best and brightest have been precluded from becoming involved with the Montana Highway Patrol because they could not afford to work at the wage that they do work for a year as a cadet prior to the time they enter basic training school. Consequently, the agency would like to move away from the cadet program and move into the program that existed whereby, eligible people applied for, were screened and were accepted into the basic training program. A reservoir and pool of officers was built up and could be drawn from and placed into the various positions as they became open. There are now 16 vacant positions and 9 openings are expected due to retirements as there are 80 eligible for retirement. The present program only has capacity for training 15. Thus, the agency is requesting the modification in the program allowing training of up to 25 people. (See exhibit 5)

Questions From Subcommittee Members: (31A 43.53) Sen.

Stimatz: How many women do we have in the patrol now?

Mr. Racicot said there are nine females in uniform.

HEARING ON DEPARTMENT OF JUSTICE: HIGHWAY PATROL DIVISION;  
HIGHWAY PATROL COMMUNICATIONS PROGRAM

Tape No. 31B

Presentation and Opening Statement: Clayton Schenck presented an overview of the program. There are differences of approximately \$38,000 per year between executive and LFA. The executive includes more FTE

than the level appropriated by the 1987 legislature from the highway state special revenue for the 1989 biennium. The increase is due to the addition of 2 FTE communications system operators. In the area of communications, the executive allows increases for added telephone lines and for increased usage of the emergency 800 number offered to the public. LFA current level is at the FY88 base. (See exhibit 6)

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (31B 4.03) Marc Racicot, Department of Justice, said a couple things have happened in this program that the agency hopes to avoid in the future. First, one FTE from the MCSAP program and one from the operations area were transferred into the communications division to become dispatchers because there simply are not enough people to keep up with the 24 hour a day, 7 day a week dispatch center. The agency requests authorization to keep those two people in the dispatch center and are asking for an additional 2 FTE in this area. The second issue Mr. Racicot hopes to avoid in the future involves the 800 number. This was assumed without legislative approval. The agency does not intend to assume similar obligations in the coming biennium without explicit legislative approval. Since the number is in operation, the agency is requesting an increase in operating expenses to keep it going. The system has demonstrated that it is an effective reporting system to get in touch with the Montana Highway Patrol. (See exhibit 7)

Marc Racicot addressed the agency's modified request to place one dispatcher in Missoula and another one in Billings. The volume and the 24 hour a day, 7 day a week requirement mandates having adequate people available. (See exhibit 7)

Questions From Subcommittee Members: (31B 2.43) Rep.

Quilici: These two positions that were put on, did the federal funds dry up?

Flo Smith said in the last session the agency expected to get more federal money for MCSAP than they actually received. They were given authority for 6 additional

FTE. The money didn't go through so they could only fund 4 of the new 6 so two were unfunded and they had vacant FTE so they transferred one from MCSAP into this program and the other one came from the operations portion of the budget.

(31B 8.14) Rep. Swysgood: Would the increased usage of that 800 number be a result of the communication system where you can't go through the local dispatch office to get a highway patrolman?

Marc Racicot said there may be some correlation.

HEARING ON DEPARTMENT OF JUSTICE: HIGHWAY PATROL DIVISION;  
MOTOR CARRIER SAFETY ASSISTANCE PROGRAM (MCSAP)

Tape No. 31B

Presentation and Opening Statement: Clayton Schenck gave an overview of the program. This program is a federal program designed for examination of large motor carriers and safety inspection of the vehicles. Clayton discussed the issues between the LFA and executive budgets. These issues are in the areas of supplies/travel and equipment. (See exhibit 8)

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (31B 14.44) Marc Racicot, Department of Justice, said the agency agrees with the LFA in every area of this program. Mr. Racicot explained that the program is not mandated by the federal government but it is encouraged, which is shown by the provision of 85% of the funds. It has a substantial effect on the ability of the industry to make certain that there are good vehicles and good drivers on the road. MCSAP inspectors have been involved in the OPERATION PIPELINE, a program designed to observe and maintain profiles of drug couriers that may be involved as across the road truckers. As a consequent, they have been involved in three different inspections where that kind of a program has been implemented. (See exhibit 9)

Questions From Subcommittee Members: (31B 16.12) Rep.

Quilici: Are these inspectors highway patrolmen?

Marc Racicot said they are all ex-highway patrolmen.

(31B 16.23) Rep. Quilici: Have they found instances in Montana where these truckers have more than one driver's license?

Marc Racicot said yes, that's why the commercial licensing program was initiated.

(31B 17.49) Rep. Swysgood: How much duplication is there between this and the GVW division? Do have a duplication of duties and if so, is it necessary?

Marc Racicot said he doesn't know the practice of the GVW but he would get together with Bob Griffith and get an opinion.

HEARING ON DEPARTMENT OF JUSTICE: HIGHWAY PATROL DIVISION;  
65 MPH ENFORCEMENT SQUAD PROGRAM

Tape No. 31B

Presentation and Opening Statement: Clayton Schenck gave an overview of the program. The program has been reduced from 4 to 3 FTE. The only real difference between the LFA and executive budgets is in the area of travel. The executive allows travel costs at the FY88 base level whereas LFA current level allows minor increases. (See exhibit 10)

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (31B 21.17) Marc Racicot, Department of Justice, said the agency agrees with the LFA. (See exhibit 11)

## HEARING ON DEPARTMENT OF JUSTICE: LAW ENFORCEMENT ACADEMY

Tape No. 31B

Presentation and Opening Statement: Clayton Schenck presented an overview of the division. This division provides a professional education and training program in criminal justice for Montana law enforcement officers and other criminal justice personnel. The current level decreases 20.3 percent from the 1989 biennium to the 1991 biennium, primarily due to the purchase in FY88 of the Law Enforcement Academy buildings in Bozeman and the subsequent reduction in operating costs in the 1991 biennium as a result of the purchase. This results in a reduction of overhead costs, not training costs. Clayton discussed the issues resulting from differences in the LFA and executive budgets. These issues include food service expenses and ammunition. The agency also has a modified request for coroner training. (See exhibit 12)

Flo Smith addressed the modification for coroner training. The coroner training was passed under SB 356 in the last session and is covered under 7-4-2905 of the codes. Basically, it requires the Attorney General to provide a 40 hour basic coroner education course after each general election and a 16 hour advanced coroner course annually. The agency is requesting \$956 in FY90 and \$5,081 in FY91 to be supported by motor vehicle fund. The agency is not allowed to charge a user fee under the codes.

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (31B 33.34) Marc Racicot, Department of Justice, said the agency agrees with the LFA's allocation of FTE's. Mr. Racicot addressed the issue of ammunition. In the base year of 1988 there was a substantial stockpile of ammunition that had been purchased in prior years. The expenditure for ammunition in 1988 is less than what the agency anticipates for FY90 and FY91. It takes approximately 1500 rounds of ammunition per student, and there are 24 students in each basic class, to properly train them in

weapons training. The agency is requesting an increase of \$1161 each year of the biennium to insure the proper amount of ammunition. Mr. Racicot also addressed the issue of contracted services which involves food service. The final issue involves rent for a copier lease. The agency is requesting an addition \$8000 each year of the biennium for a copier lease. There are 40,000 copies produced each month. It is not possible to have this done through private printing due to the diversity of the materials and the changes from one training session to the next. Mr. Racicot also addressed the agency's request for coroner training. (See exhibit 13)

Questions From Subcommittee Members: (31B 37.53) Sen. Tveit: Do you rent the copier you have now?

Mr. Racicot responded that the agency owns the current copier and has a maintenance agreement on it. They checked into purchasing a new copier and it is much more expensive than the proposed lease agreement.

HEARING ON DEPARTMENT OF JUSTICE: CENTRAL SERVICES

Tape No. 31B

Presentation and Opening Statement: Clayton presented an overview of the division. This division provides the administrative, budgeting, accounting and fiscal support for the Department of Justice. The FTE in LFA current level is at 9 FTE per year and a budget of approximately \$350,000 per year. Current level provides for a 2.3% decrease in the 1991 biennium. A .15 FTE accounting technician position that has been vacant for over two years has been deleted from LFA current level. That position was primarily there to cover forced vacancy savings. The operating expenses decreased 5% primarily due to a reduction in insurance costs charged to the division by tort claims. This division is supported by general fund with the exception of about \$20,000 in FY90 for the reimbursement of audit funds by the other types of federal and state revenue funds that make up the Department of Justice. Clayton discussed the differences between the LFA and executive budgets. The only real issue is with regard to funding where the executive converted funding for this program from general fund to proprietary fund operation. (See exhibit 14)

Flo Smith said under the executive proposal the costs would be allocated out to user agencies. There are various methods of allocating out the costs. They have proposed a proprietary account based on Flo's experience working with indirect costs and allocation plans. (See exhibit 15)

List of Testifying Proponents and What Group They Represent:

Mick Robinson, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (32A .11) Mick Robinson, Department of Justice, said the agency opposes the proprietary fund proposed by the executive. It is the agency's attempt to bring all of the divisions more closely together in terms of working as a unit or department. When you structure the proprietary funding or an indirect cost allocation from a service orientation and try and allocate that to other operating divisions, it presents friction in terms of trying to provide services at the best level if there is a fear that indirect costs might increase as a result of that. In terms of the department working more effectively as an entire unit, the present funding mechanism would handle that in the best way. Mr. Robinson said the agency agrees with the LFA on this program budget. (See exhibit 16)

Questions From Subcommittee Members: (31B 46.40) Sen.

Stimatz: Are these indirect costs the same type of indirect costs we talk about in the university system in there research program where they have federal funds and they apply for a grant and get them and the school siphons or the regents siphon 20%?

Flo Smith said yes, that is the basic system.

(32A 3.51) Sen. Stimatz: Do you agree with the allocation of costs?

Mr. Robinson said they would not like to have the costs of central services allocated to various divisions. The cost allocation methods that have been proposed are all very arbitrary and they have no relation to the specific services that are being provided to the divisions. If a cost allocation approach were to be implemented, there should be a study regarding the

actual service that is being provided to the various divisions.

HEARING ON DEPARTMENT OF JUSTICE: LAW ENFORCEMENT SERVICES  
Tape No. 32A

Presentation and Opening Statement: Clayton Schenck gave an overview of the division. This division administers three bureaus; criminal investigation, fire marshal and identification. These bureaus provide a broad spectrum of services vital to local, county, state and federal law enforcement agencies throughout Montana. Current level provides for a 1.9% increase from the 1989 biennium to the 1991 biennium. Personal services increase slightly due to vacancy savings budgeted in FY89 of 4%. Operating expenses increase slightly due to rent and grounds maintenance fee increases. Equipment included in current level is for a filing cabinet. (See exhibit 17)

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (32A 7.44) Marc Racicot said the agency agrees with the LFA in all respects. (See exhibit 18)

HEARING ON DEPARTMENT OF JUSTICE: FIRE MARSHAL BUREAU  
Tape No. 32A

Presentation and Opening Statement: Clayton Schenck gave an overview of the bureau. This bureau is responsible for safeguarding 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. The fire marshal program has 9 FTE in LFA current level and a budget of just over \$300,000 per year. Personal services increase due

to the addition of 1 FTE that was added in FY88 for clerical services that were in the 1989 budget but were contract services under operating expenses. The agency ran into a problem with employer/employee relationships and therefore funding was shifted from operating expenses to personal services to better reflect that person was an employee rather than a contract individual. There is an addition of 1 FTE but operating expenses have been reduced by a similar amount so when personal services and operating expenses are combined there's only \$200 difference between the two bienniums and there's no effect on the overall budget from this change. Equipment funded in current level includes the replacement of 1 car in FY90, purchase of 3 high band radios per year and a small amount for office equipment. (See exhibit 19) This bureau is funded entirely by general fund. Section 50-3-109 of the Montana Codes provides for tax on fire insurance premiums to provide funding for this bureau and those tax receipts are deposited in the general fund.

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (32A 12.59) Marc Racicot, Department of Justice, said the agency agrees with the LFA in FTE, operating expenses and equipment. Mr. Racicot presented the bureau's requests for budget modifications including authority for fire training for Uniform Code Training and contract services for code inspections and fire investigations. (See exhibit 20)

Questions From Subcommittee Members: (32A 11.54) Rep.

Swysgood: Do the insurance premium taxes bring in the amount of money that's required to fund this?

Clayton said the insurance premium taxes are in excess of what's needed to operate this program. Marc Racicot said 3/4 of 1% of fire insurance premiums are placed into the general fund and are designed to fund the Fire Marshal Bureau. \$460,000 was generated through that last biennium and the Fire Marshal Bureau takes \$326,000.

HEARING ON DEPARTMENT OF JUSTICE: IDENTIFICATION BUREAU  
Tape No. 32A

Presentation and Opening Statement: Clayton Schenck gave an overview of the program. The Identification Bureau collects, processes, preserves and disseminates criminal history record information; provides latent print services; and provides related training to criminal justice agencies throughout the state and nation. The bureau maintains the automated Criminal History Record Information System, which contains arrest records, charges, dispositions and descriptions on individuals who have criminal histories. This file is available to all law enforcement officials who have access to the Law Enforcement Network System. The bureau also services as a clearinghouse and central repository for information regarding missing and unidentified persons and missing children.

There are 7 FTE in this program for the 1991 biennium and a budget of approximately \$230,000 per year. There is a very insignificant change in budget from the 1989 to the 1991 biennium.

Clayton said there were really no differences between the LFA and executive budgets. (See exhibit 21)

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None.

Proponent Testimony: (32A 19.03) Marc Racicot, Department of Justice, presented the agency's budget modification requests. The first request is for an automated fingerprint identification system (AFIS). The bureau has a latent fingerprint identification responsibility. As technology has developed, there is now the capability of examining fingerprints through an enhanced computer capability. The agency is proposing that the committee allow them to join the ten state western identification network which is envisioned to house approximately 16 million different fingerprints located in the ten western states. There are approximately 35% of crime scenes that have usable

fingerprints. However, when you secure a fingerprint and you have to manually search, like in our state, through 80,000 latent fingerprint cards for that print, it is a virtual impossibility to get that accomplished with one latent print examiner. As a consequence, those prints end up being useless unless there is an identifiable suspect the agency can secure a print from and then make a comparison. The San Francisco sherriff's department placed an AFIS system into operation there a number of years ago and have noticed over the past few years, a 35% decline in burglary, theft and property crime rates. This type of a system can provide a substantial economic benefit to the people of Montana if we have the ability to search the records of neighboring states and secure a match on fingerprints. The second modified request is for an alternate light source. It is often difficult to decide what to remove first at a crime scene. Sometimes the smallest fiber ends up being the turning point of a contested criminal case. With an alternate light source, one can proceed into any crime scene and prior to lifting prints or removing anything, immediately examine the room and determine the presence of any other bodily fluids present within the room without contaminating anything. They can be secured or removed before any other part of the scene is processed. (See exhibit 22)

Questions From Subcommittee Members: (32A 23.09) Rep.

Quilici: Who is that \$20,000 per month paid to exactly?

Marc Racicot responded that the subscription fee will be paid to the selected vendor. The mainframe is located in Denver.

(32A 23.52) Rep. Quilici: Is this vendor a public agency?

Mr. Racicot said no, it is a private agency.

(32A 23.59) Rep. Swysgood: Would this be an ongoing expense?

Mr. Racicot said yes, it would be something that would be requested of the committee year after year.

BUREAU

Tape No. 32A

Presentation and Opening Statement: Clayton Schenck gave an overview of the bureau. This bureau is required by statute to assist city, county, state and federal law enforcement agencies at their request by providing expert and immediate aid, investigation and solution of felonies committed in Montana, and by investigating apparent violations of penal statutes disclosed by the audit of a state agency conducted by the Legislative Auditor and reported by him to the Attorney General and the Governor. The program also collects, analyzes and disseminates criminal investigative information throughout the law enforcement community in Montana and other states. Clayton discussed the differences between the LFA and executive budgets and the resulting differences. These differences are in the areas of operating expenses and equipment. (See exhibit 23)

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice  
Rep. Dorothy Cody

List of Testifying Opponents and What Group They Represent:

None

Proponent Testimony: (32A 31.06) Rep. Dorothy Cody presented the committee with a proposal to add 1 FTE criminal investigator for worker's compensation fraud cases. The funding would come from state special revenue-workers' compensation division. (See exhibit 24)

(32B 2.41) Marc Racicot, Department of Justice, said that during FY88 there was a part-time RMIN FTE funded by RMIN funds. However, the agency does not understand the loss of \$9,274 each year from the LFA budget. The position was a secretary and there are no other expenses required to support a secretary. Thus, the agency is requesting an increase in operating expenses to reflect what it is the agency actually expends to support investigators. Mr. Racicot presented

Questions From Subcommittee Members: (32A 38.07) Sen.

Tveit: The vehicle for \$8,000, are you going to give them a used car and send them down the road?

Clayton Schenck said criminal investigators usually require souped up cars but a normal sedan type car should be fine for a fraud investigator. The main thing they're doing is getting from one point to the next.

(32A 39.07) Rep. Swysgood: You say your subcommittee gave workers comp \$30,000 and your total cost here is \$46,000. Where is the other \$16,000 coming from?

Rep. Cody said the remainder would come from the same account.

(32A 45.04) Rep. Swysgood: Marc, if this individual is put in your department, do you have any problems with going ahead with this?

Marc Racicot said his department neither solicited nor encouraged this process but they are more than willing to assume the responsibility. He said it may enhance the department's abilities in some respects to make even more effective investigations in the work comp area as well as in other areas. This investigator being associated with other professional, experienced criminal investigators is going to have that kind of back up and support to insure you'll get more than you're getting now for your money.

HEARING ON DEPARTMENT OF JUSTICE: SPECIAL INVESTIGATIONS  
PROGRAM

Tape No. 32B

Presentation and Opening Statement: Clayton Schenck gave an overview of the program. It is divided into two sections, east and west. The east section is funded by grants of \$297,949 in FY90 and \$298,160 in FY91 from the Eastern Counties Task Force, which receives its funding from the Montana Coal Board. This section provides investigative services in the primary emphasis to the Eastern Coal Counties Task Force. The west section administers the statewide uniform undercover unit funded by a federal grant. Current level provides for a 2.3% decrease in the 1991 biennium due to a reduction in operating expenses and decreased funding for equipment in the 1991 biennium. Personal services increase 13.2% due to vacancy savings in FY88 of 24% and the addition of 1.25 FTE in FY89 that is carried forward into the 1991 biennium. Operating expenses

decrease 5% when comparing the two bienniums but they increase 8% over FY88 base levels. The program was new in the 1989 biennium and was fully operational only about 8 months of the FY88 base year. Operating expenses that vary with staffing levels are allowed to increase by 1/3 in the 1991 biennium including travel for investigative work, gasoline, telephone expenses, and vehicle maintenance, resulting in the increase over FY88 levels but remaining below FY89 appropriated levels.

Clayton discussed the differences between the LFA and executive budgets. These issues include training and copy machine rent in the East section (See exhibit 26) and money for investigative purchases in the West section (See exhibit 28)

List of Testifying Proponents and What Group They Represent:

Marc Racicot, Department of Justice

List of Testifying Opponents and What Group They Represent:

None

Proponent Testimony: (32B 17.09) Marc Racicot, Department of Justice, said the agency agrees with the LFA in every respect concerning the East section. (See exhibit 27) Mr. Racicot discussed the program saying it serves nine eastern coal counties and has been in operation since July of 1982. During that period of time this task force which is made up of 6 FTE, 5 investigators and a secretary, has initiated 574 drug cases, seized \$153,000 in stolen property, seized 1.5 million dollars in illegal drugs and in cases it has been assisting in has seized over 5.5 million dollars in illegal drugs since its operation in 1982. It has been a highly successful program in which no case has ever been lost nor has any amount of evidence ever been suppressed as a result of any of the cases put together by this section.

Mr. Racicot said the West section program was initiated in October of 1987 and became fully operational in January, 1988. During the past year this program has initiated 89 major felony drug cases, seized almost \$50,000 in stolen property or money, seized 2.2 million dollars in drugs and has filed 143 cases as a result of the prosecutor working in this area and has submitted over 1300 items to the state crime lab as a result of their investigative work. The program includes not only the investigators and a secretary but also a

chemist who is placed with the state laboratory as well as a prosecutor who resides in our office and provides prosecutorial assistance for the state. The agency is requesting a decrease in the budget in the area of rent for vehicles. The agency is requesting an increase in investigative purchases of \$30,000 each year of the biennium. Mr. Racicot also explained the funding change which will take effect in FY91. (See exhibit 29)

Questions From Subcommittee Members: (32B 24.45) Rep.

Quilici: Do you see an increase in the drug traffic in Montana?

Marc Racicot said the streets are glutted with cocaine. He said they can buy cocaine on most any street of any city of any significance in the state and it's at a lower price than it's ever been. Yet, the agency is making more arrests and more seizures than they ever have.

(32B 26.24) Rep. Quilici: Does it look like there could be more federal funds coming in for this program?

Mike Lavin said with the new administration we will see at least 4 more years of continued funding under the existing program. What the matching requirements might be, he isn't sure.

(32B 27.44) Rep. Quilici: Do you put any emphasis on schools such as high schools and university systems?

Marc Racicot said when he was campaigning he went to university newspapers and asked what the major problem was. Without exception they said drugs.

(32B 29.03) Rep. Swysgood: What happens to property that you seize in a drug bust? Does this program get to keep that?

Marc Racicot said that depends on what agency seizes it. The agency works at the request of local agencies. When they work with requesting agencies, the agency that seizes the property, under the law, gets to forfeit it into their drug forfeiture account. Frequently because we work with local authorities, they make the seizure.

DISPOSITION OF DE-EARMARKING FUNDS

Tape No. 32B

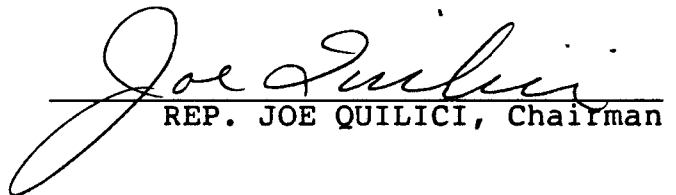
Motion: Rep. Swysgood moved to de-earmark Westlaw, Copying Fees, Crime Control Fees, Law Enforcement Academy, Justice Insurance Clearing Account, Escheated Estates, I.D. Special Services, Motor Vehicle Property Tax Conversion and Vehicle Assessment. (See exhibit 30)

Discussion: The committee discussed the issue of de-earmarking special account funds.

Amendments, Discussion, and Votes: The motion PASSED unanimously.

ADJOURNMENT

Adjournment At: 11:40 a.m.

  
REP. JOE QUILICI, Chairman

JQ/ml

2122.min

# DAILY ROLL CALL

GENERAL GOVERNMENT AND HIGHWAYS SUBCOMMITTEE

DATE 1/25/89

NAME	PRESENT	ABSENT	EXCUSED
Representative Joe Quilici, Chair	✓		
Representative Jerry Nisbet	✓		
Representative Chuck Swysgood	✓		
Senator Larry Tveit, Vice Chair	✓		
Senator Pat Regan			✓
Senator Lawrence Stimatz	✓		

DATE 1-25-89

HB

4110 13 01301

24-Jan-89

## AGENCY: DEPARTMENT OF JUSTICE

## LEGISLATIVE ACTION

## PROGRAM: HIGHWAY PATROL OPERATIONS

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	218.60	213.60	213.60	0.00	213.60	213.60	0.00	-2.29%
Personal Services	\$6,568,618	\$6,772,181	\$6,640,342	\$131,839	\$6,765,739	\$6,634,032	\$131,707	1.09%
Operating Expenses	1,472,775	1,688,952	1,515,364	173,588	1,657,803	1,512,670	145,133	2.89%
Equipment	919,680	869,168	900,000	(30,832)	856,100	900,000	(43,900)	-2.14%
TOTAL EXPENSES	\$8,961,073	\$9,330,301	\$9,055,706	\$274,595	\$9,279,642	\$9,046,702	\$232,940	1.06%
FUNDING								
State Special Rev	\$8,961,073	\$9,330,301	\$9,055,706	\$274,595	\$9,279,642	\$9,046,702	\$232,940	1.06%
TOTAL FUNDING	\$8,961,073	\$9,330,301	\$9,055,706	\$274,595	\$9,279,642	\$9,046,702	\$232,940	1.06%

## ISSUES:

---EXEC OVER (UNDER) LFA---

FY 90	FY 91
\$136,153	\$136,021

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 4% in LFA current level.

2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

3. OVERTIME - The Executive funds overtime for patrolmen at the fiscal 1988 base.

4. HAZARDOUS WASTE REMOVAL - The Executive includes funds for the removal of 30 gasoline tanks statewide to meet new federal hazardous waste regulations. LFA current level does not include funds for this expense.

5. PRINTING - The Executive allows less for printing costs in fiscal 1990 but more in fiscal 1991 than LFA current level.

6. SUPPLIES - The Executive reduces the allowance for some supplies below the fiscal 1988 base.

7. RENT - The Executive includes additional funds for anticipated increases in communication tower sites and for new rents for patrol field offices in county spaces.

8. VEHICLE MAINTENANCE - The Executive reduces the allowance for vehicle maintenance below base.

9. RELOCATION COSTS - The Executive reduces the allowance for employee relocation costs below base.

10. EQUIPMENT - The Executive allows less for the purchase of equipment than LFA current level.

FY 90	FY 91
\$136,153	\$136,021
\$162,981	\$150,549
(\$4,314)	(\$4,314)
\$24,500	\$0
(\$6,000)	\$4,274
(\$24,560)	(\$24,560)
\$40,970	\$40,970
(\$16,667)	(\$16,667)
(\$5,596)	(\$5,596)
(\$58,632)	(\$71,900)

ISSUES - HIGHWAY PATROL OPERATIONS (Continued)

11. MODIFIEDS - The Executive includes a modified budget recommendation for the purchase of hand-held radios.

TOTAL ISSUES

APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

---EXEC OVER (UNDER) LFA---  
FY 90      FY 91

\$28,000      \$28,000

\$276,635      \$236,777

\$136,153      \$136,022 Executive  
\$272,306      \$272,043 LFA C/L

Agency: 4110  
Program: 13  
Control: 1301

DEPARTMENT OF JUSTICE

Highway Patrol Division

Highway Patrol Operation

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	213.60	213.60
Operating Expenses - Per LFA	1,515,364	1,512,670
Requested Increases:		
1. Contract Services - Prisoner per diem	82,000	82,000
2. Contract Services - Hazardous waste disposal	29,500	-0-
3. Supplies & Materials - Gasoline	21,265	21,265
4. Rent - Communication Tower Sites	8,570	8,570
5. Repairs & Maintenance - Vehicles	10,100	10,100
	<u>1,666,799</u>	<u>1,634,605</u>
Equipment - Per LFA	900,000	900,000
Requested Increases:		
6. See attached list	308,340	252,300
	<u>1,208,340</u>	<u>1,152,300</u>

MODIFICATIONS:

1. Communications Technicians:		
FTE	2.00	2.00
Personal Services	55,718	55,718
Operating Expenses	27,046	27,046
Equipment	20,000	-0-
	<u>102,764</u>	<u>82,764</u>
2. Additional Patrol Officers:		
FTE	6.00	6.00
Personal Services	163,548	167,154
Operating Expenses	60,090	34,268
Equipment	72,000	-0-
	<u>295,638</u>	<u>201,422</u>

Agency: 4110  
Program: 13  
Control: 1301

DEPARTMENT OF JUSTICE

Highway Patrol Division

Highway Patrol Operations

EQUIPMENT LISTING:

	<u>FY 90</u>	<u>FY 91</u>
Patrol Vehicles - 65 each year	780,000	812,500
2 - 4 x 4 pickups	12,500	13,000
Weapons	140,000	-0-
Communications Tower	16,500	-0-
Mobile Radios - 20 each year	40,000	40,000
Base Stations - 4 each year	20,000	20,000
Hand Held Radios - 100 each year	70,000	70,000
Consoles - 1 each year	10,000	10,000
Recorders	-0-	90,000
Tapes	7,200	7,200
Electronic Test Equipment	10,000	-0-
Computers - 2 computers, printers, modems	11,740	-0-
Unitrols - 40 each year	20,000	20,000
Armored Vests - 50 each year	15,000	15,000
Top Lights - 90 each year	54,000	54,000
Video Equipment	<u>1,400</u>	<u>600</u>
	<u>1,208,340</u>	<u>1,152,300</u>

DATE 11-25-89  
HB

4110 13 01303 24-JAN-89

AGENCY: DEPARTMENT OF JUSTICE

LEGISLATIVE ACTION

PROGRAM: HIGHWAY PATROL CADETS

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	3.75	3.75	3.75	0.00	3.75	3.75	0.00	0.00%
Personal Services	\$57,215	\$62,313	\$60,817	\$1,496	\$62,328	\$60,838	\$1,490	6.30%
Operating Expenses	24,635	30,527	24,244	6,283	30,397	24,232	6,165	-1.59%
TOTAL EXPENSES	\$81,850	\$92,840	\$85,061	\$7,779	\$92,725	\$85,070	\$7,655	3.92%
FUNDING								
State Special Rev	\$81,850	\$92,840	\$85,061	\$7,779	\$92,725	\$85,070	\$7,655	3.92%
TOTAL FUNDING	\$81,850	\$92,840	\$85,061	\$7,779	\$92,725	\$85,070	\$7,655	3.92%

ISSUES:

---EXEC OVER (UNDER) LFA---  
FY 90 FY 91

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 4% in LFA current level.

2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

3. OPERATING EXPENSES - The Executive allows increases for physical examinations, food service, and uniforms. LFA current level is at fiscal 1988 base levels.

TOTAL ISSUES

APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

\$1,272	\$1,272 Executive
\$2,535	\$2,535 LFA C/L

Agency: 4110  
Program: 13  
Control: 1303

DEPARTMENT OF JUSTICE

Highway Patrol Division

Highway Patrol Cadets

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	3.75	3.75
Operating Expenses - Agree with LFA	<u>24,244</u>	<u>24,232</u>
Equipment - Agree with LFA	<u>-0-</u>	<u>-0-</u>
MODIFICATION:		
1. Increase Cadet School from 15:		
FTE	2.50	2.50
Personal Services	42,400	42,400
Operating Expenses	14,295	14,295
Equipment	<u>-0-</u>	<u>-0-</u>
	<u>56,695</u>	<u>56,695</u>

The funding source for this program is the Highways Special Revenue Fund.

DATE 1-24-89

4110 13 01305

24-JAN-89

AGENCY: DEPARTMENT OF JUSTICE

LEGISLATIVE ACTION

PROGRAM: HPD COMMUNICATIONS

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	25.05	27.05	25.05	2.00	27.05	25.05	2.00	0.00%
Personal Services	\$474,008	\$505,375	\$484,048	\$21,327	\$505,821	\$484,488	\$21,333	2.12%
Operating Expenses	69,152	83,956	66,326	17,630	83,179	66,365	16,814	-4.09%
TOTAL EXPENSES	\$543,160	\$589,331	\$550,374	\$38,957	\$589,000	\$550,853	\$38,147	1.33%
FUNDING								
State Special Rev	\$543,160	\$589,331	\$550,374	\$38,957	\$589,000	\$550,853	\$38,147	1.33%
TOTAL FUNDING	\$543,160	\$589,331	\$550,374	\$38,957	\$589,000	\$550,853	\$38,147	1.33%

ISSUES:

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 0% in LFA current level.

2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

3. FTE - The Executive includes more FTE than the level appropriated by the legislature from highways state special revenue for the 1989 biennium. The increase occurs due to the addition of 2.0 FTE communications system operators. The two positions replaced two unused positions in the MCSAP program, but it results in a funding shift from federal funds to highways state special revenue. The two positions are not included in LFA current level.

4. COMMUNICATIONS - The Executive allows increases for added telephone lines (radio loops) and for increased usage of the emergency 800 number offered to the public. LFA current level is at the fiscal 1988 base.

TOTAL ISSUES

---	EXEC OVER (UNDER) LFA---
FY 90	FY 91
(\$10,058)	(\$10,068)
\$10,525	\$9,585
\$33,876	\$33,892
\$7,734	\$7,733
\$41,877	\$41,142

APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

\$10,058	\$10,068
\$0	\$0
\$0	\$0
\$0	\$0

EXHIBIT 7  
DATE 1-24-85

Agency: 4110  
Program: 13  
Control: 01305

DEPARTMENT OF JUSTICE

Highway Patrol Division

Highway Patrol Communications

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Per LFA	25.05	25.05
Requested Increase:		
1. FTE - to continue communications staff at FY89 level	2.00	2.00
Personal Services - Per LFA	484,048	484,488
Increase per above request for 2 FTE	<u>33,892</u>	<u>33,892</u>
	<u>517,940</u>	<u>518,380</u>
Operating Expenses - Per LFA	66,326	66,365
Requested Increase:		
2. Communications - Usage of 800 number	<u>53,701</u>	<u>53,701</u>
	<u>120,027</u>	<u>120,066</u>
Equipment - Agree with LFA	<u>-0-</u>	<u>-0-</u>
MODIFICATION:		
1. Increase Dispatchers in Missoula and Billings:		
FTE	2.00	2.00
Personal Services	33,892	33,892
Operating Expenses	-0-	-0-
Equipment	-0-	-0-
	<u>33,892</u>	<u>33,892</u>

-----EXEC OVER (UNDER) LFA-----	
FY 90	FY 91
-----	-----
\$5,785	\$5,314
(\$24,756)	(\$24,756)
(\$36,900)	(\$12,600)
(\$55,371)	(\$32,042)
-----	-----

Agency: 4110  
Program: 13  
Control: 01340

DEPARTMENT OF JUSTICE

Highway Patrol Division

MCSAP

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	10.00	10.00
Operating Expenses - Agree with LFA	<u>126,538</u>	<u>129,131</u>
Equipment - Agree with LFA	<u>36,400</u>	<u>12,600</u>

The funding source for this program is:

Highway Special Revenue	14.2%
Federal Special Revenue	<u>85.8%</u>
	<u>100.0%</u>

DATE 1-24-89

HB

24-Jan-89

4110 13 01368

LEGISLATIVE ACTION

AGENCY: DEPARTMENT OF JUSTICE

PROGRAM: HPD - 65 MPH ENFORCE SQUAD

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	0.00	3.00	3.00	0.00	3.00	3.00	0.00	0.00%
Personal Services	\$106,090	\$84,849	\$84,849	\$0	\$84,760	\$84,760	\$0	-20.02%
Operating Expenses	50,186	56,805	57,899	(1,094)	57,548	58,808	(1,260)	15.37%
TOTAL EXPENSES	\$156,276	\$141,654	\$142,748	(\$1,094)	\$142,308	\$143,568	(\$1,260)	-8.66%
FUNDING								
Federal Revenue	\$156,276	\$141,654	\$142,748	(\$1,094)	\$142,308	\$143,568	(\$1,260)	-8.66%
TOTAL FUNDING	\$156,276	\$141,654	\$142,748	(\$1,094)	\$142,308	\$143,568	(\$1,260)	-8.66%

ISSUES:

1. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

2. TRAVEL - The Executive allows travel costs at the fiscal 1988 base level. LFA current level allows minor increases.

TOTAL ISSUES

---	EXEC OVER (UNDER) LFA---
FY 90	FY 91
\$2,482	\$2,316
(\$3,576)	(\$3,576)
(\$1,094)	(\$1,260)

EXHIBIT 11 11  
DATE 1-24-89  
HB

Agency: 4110  
Program: 13  
Control: 01368

DEPARTMENT OF JUSTICE

Highway Patrol Division

65 MPH Enforcement Squad

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA.	3.00	3.00
 Operating Expenses - Agree with LFA	 <u>57,899</u>	 <u>57,899</u>
 Equipment - Agree with LFA	 <u>-0-</u>	 <u>-0-</u>

This program is 100% Federally Funded.

DATE 1-25-89 12

4110 22

24-Jan-89

AGENCY: DEPARTMENT OF JUSTICE

LEGISLATIVE ACTION

PROGRAM: LAW ENFORCEMENT ACADEMY

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	10.00	10.00	10.00	0.00	10.00	10.00	0.00	0.00%
Personal Services	\$294,774	\$270,839	\$276,366	(\$5,527)	\$271,133	\$276,666	(\$5,533)	-6.24%
Operating Expenses	302,084	252,010	223,872	28,138	256,983	225,366	31,617	-25.89%
Equipment	9,483	9,576	7,962	1,614	9,576	8,071	1,505	-16.04%
Non-Operating	248,000	0	0	0	0	0	0	-100.00%
TOTAL EXPENSES	\$854,341	\$532,425	\$508,200	\$24,225	\$537,692	\$510,103	\$27,589	-40.52%
FUNDING								
State Special Rev	\$849,197	\$532,425	\$508,200	\$24,225	\$537,692	\$510,103	\$27,589	-40.16%
Federal Revenue	5,144	0	0	0	0	0	0	-100.00%
TOTAL FUNDING	\$854,341	\$532,425	\$508,200	\$24,225	\$537,692	\$510,103	\$27,589	-40.52%

ISSUES:

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 0% in LFA current level.

2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

3. FOOD SERVICE EXPENSE - The Executive includes increases in food service costs of \$6,048 per year for an additional week added to the basic training program and \$6,950 per year for estimated inflation of food service costs paid to MSU. LFA current level is at the fiscal 1988 base. The extension of the basic course from 9 to 10 weeks was not appropriated by the 1987 legislature, and inflation allowances are limited to system-wide inflation factors.

4. AMMUNITION - The Executive includes an increase for ammunition over fiscal 1988 base level. LFA current level is at the base amount, which is representative of a five year average for ammunition costs.

5. MODIFIED - The Executive includes a modified budget recommendation for coroner training.

TOTAL ISSUES

APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

---EXEC OVER (UNDER) LFA---  
FY 90 -----  
FY 91 -----  
(\$5,527) (\$5,533)

\$9,312 \$8,666

\$12,998 \$12,998

\$4,873 \$4,873

\$956 \$5,081

\$22,612 \$26,085

\$5,527 \$5,533 Executive  
\$0 \$0 LFA C/L

Agency: 4110  
Program: 22

DEPARTMENT OF JUSTICE

Law Enforcement Academy

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	10.00	10.00
Operating Expenses - Per LFA	223,872	225,366
Requested Increases:		
1. Supplies & Materials - Increase in ammunition - \$7,200 is the cost of one year's supply.	1,161	1,161
2. Contract Services - Food services	13,000	13,000
3. Rent - Copier lease	<u>8,000</u>	<u>8,000</u>
	<u>246,033</u>	<u>247,527</u>
Equipment - Agree with LFA	<u>7,962</u>	<u>8,071</u>

MODIFICATIONS:

1. Coroner Training		
FTE	-0-	-0-
Operating Expenses	956	5,081
Equipment	<u>-0-</u>	<u>-0-</u>
	<u>956</u>	<u>5,081</u>

The funding source for this program:

Motor Vehicle Fund	78.4%
Course Fees	<u>21.6%</u>
	<u>100.0%</u>

4110 28

AGENCY: DEPARTMENT OF JUSTICE

LEGISLATIVE ACTION

PROGRAM: CENTRAL SERVICES DIVISION

23-Jan-89

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	9.15	9.15	9.00	0.15	9.15	9.00	0.15	-1.64%
Personal Services	\$266,699	\$265,773	\$265,773	\$0	\$266,395	\$266,395	\$0	-0.35%
Operating Expenses	114,162	108,624	109,793	(1,169)	82,333	83,514	(1,181)	-3.83%
Equipment	4,183	3,600	3,600	0	0	0	0	-13.94%
TOTAL EXPENSES	\$385,044	\$377,997	\$379,166	(\$1,169)	\$348,728	\$349,909	(\$1,181)	-1.53%
FUNDING								
General Fund	\$358,762	\$0	\$358,835	(\$358,835)	\$0	\$349,909	(\$349,909)	0.02%
State Special Rev	25,789	0	19,767	(19,767)	0	0	0	-23.35%
Other Revenue	493	377,997	564	377,433	348,728	0	348,728	14.40%
TOTAL FUNDING	\$385,044	\$377,997	\$379,166	(\$1,169)	\$348,728	\$349,909	(\$1,181)	-1.53%

## ISSUES:

1. VACANCY SAVINGS/FTE REDUCTION - Executive applied 2% vacancy savings as compared to 0.7% in LFA current level. LFA current level deleted a 0.15 FTE accounting position in an amount equivalent to the difference in vacancy savings.

2. FUNDING - The Executive converted funding for this program from general fund to a proprietary fund operation. Under the Executive proposal, costs of the program are allocated to each of the 21 programs receiving services, and program allocations are paid from the fund sources of each program. Since the Dept. of Justice is only funded 24% by general fund, a significant amount of the Central Services Division cost is shifted from general fund to state special, federal, and other fund sources, resulting in general fund savings of over \$500,000 for the biennium. LFA current level continues funding from the general fund as in the 1989 biennium.

## TOTAL ISSUES

## APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

	\$0	\$0
	\$4,349	\$4,359 Executive
	\$1,846	\$1,854 LFA C/L

DATE 1-25-89

HB

14

DEPARTMENT OF JUSTICE  
CENTRAL SERVICES DIVISION  
INDIRECT COST ALLOCATION PLAN

EXHIBIT 15  
DATE 1-25-89  
HB. \_\_\_\_\_

PROGRAM		FY90 EXECUTIVE BUDGET	FY90 ACCT ENTITY	FY90 INDIRECT RATE	FY90 INDIRECT COSTS	FY91 EXECUTIVE BUDGET	FY91 ACCT ENTITY	FY91 INDIRECT RATE	FY91 INDIRECT COSTS
01 Legal Services		\$761,302	01100	0.035916	\$13,576	\$752,413	01100	0.035691	\$12,446
		23,500	02804	0.001109	419	23,500	02804	0.001115	389
02 Indian Legal Jurisdiction		67,943	01100	0.003205	1,212	67,979	01100	0.003225	1,125
03 County Prosecutors		137,330	01100	0.006479	2,449	137,552	01100	0.006525	2,275
06 Agency Legal Services		430,911	06500	0.020329	7,684	431,922	06500	0.020488	7,145
12 Driver Services		1,855,787	01100	0.087551	33,094	1,800,179	01100	0.085390	29,778
		45,000	02017	0.002123	803	46,000	02017	0.002182	761
		26,700	02018	0.001260	476	26,700	02018	0.001267	442
		3,000	02019	0.000142	54	3,000	02019	0.000142	50
		369,000	02404	0.017408	6,580	411,000	02404	0.019496	6,799
		100,000	03801	0.004718	1,783	100,000	03801	0.004743	1,654
13 Highway Patrol	1301	9,139,320	02422	0.431171	162,981	9,101,093	02422	0.431709	150,549
	1303	91,213	02422	0.004303	1,627	91,217	02422	0.004327	1,509
	1305	579,006	02422	0.027316	10,325	579,415	02422	0.027485	9,585
	1340	61,583	02422	0.002905	1,098	61,641	02422	0.002924	1,020
		307,916	03166	0.014527	5,491	308,205	03166	0.014620	5,098
	1368	139,172	03800	0.006566	2,482	139,992	03800	0.006641	2,316
17 Registrar's Office		2,136,534	02404	0.100797	38,101	2,137,215	02404	0.101378	35,353
18 Law Enforcement Services		81,252	01100	0.003833	1,449	80,947	01100	0.003840	1,339
19 County Attorney Payroll		952,316	01100	0.044928	16,983	952,672	01100	0.045190	15,759
22 Law Enforcement Academy		123,000	02013	0.005803	2,194	123,000	02013	0.005834	2,034
		399,157	02404	0.018831	7,118	400,945	02404	0.019019	6,632
23 Fire Marshall		316,095	01100	0.014913	5,637	316,825	01100	0.015029	5,241
24 Identification		233,314	01100	0.011007	4,161	236,477	01100	0.011217	3,912
25 Criminal Investigation		169,918	01100	0.008016	3,030	170,078	01100	0.008068	2,814
26 Special Investigations	2601	287,492	03826	0.013563	5,127	287,686	03826	0.013646	4,759
	2602	123,623	02404	0.005832	2,204	124,767	02404	0.005918	2,063
		344,571	03187	0.016344	6,145	349,046	03187	0.016557	5,774
29 Data Processing		188,000	02016	0.008869	3,353	188,000	02016	0.008918	3,110
		773,805	02404	0.036506	13,799	708,993	02404	0.033631	11,728
30 Extradition & Transfers		147,000	01100	0.006935	2,621	147,000	01100	0.006973	2,432
32 Forensic Science		180,032	02034	0.008493	3,210	177,827	02034	0.008435	2,942
		601,765	02404	0.028390	10,731	598,216	02404	0.028376	9,895
TOTALS		21,196,557		1.000000	377,997	21,081,502		1.000000	348,728

DEPARTMENT OF JUSTICE  
CENTRAL SERVICES DIVISION  
INDIRECT COST ALLOCATION PLAN

PROGRAM	01100 GENERAL FUND	02404 MOTOR VEHICLE	02422 HIGHWAY	OTHER STATE SPECIAL	06500 PROPRIETARY	03 FEDERAL
-----						
FY90						
01 Legal Services	13,576			419		
02 Indian Legal Jurisdiction	1,212					
03 County Prosecutors	2,449					
06 Agency Legal Services					7,684	
12 Driver Services	33,094	6,580		1,333		1,783
13 Highway Patrol			176,031			7,973
17 Registrar's Office		38,101				
18 Law Enforcement Services	1,449					
19 County Attorney Payroll	16,983					
22 Law Enforcement Academy		7,118		2,194		
23 Fire Marshall	5,637					
24 Identification	4,161					
25 Criminal Investigation	3,030					
26 Special Investigations		2,204				11,272
29 Data Processing		13,799		3,353		
30 Extradition & Transfers	2,621					
32 Forensic Science		10,731		3,210		
-----						
TOTALS FY90	84,212	78,533	176,031	10,509	7,684	21,028
=====						
FY91						
01 Legal Services	12,446			389		
02 Indian Legal Jurisdiction	1,125					
03 County Prosecutors	2,275					
06 Agency Legal Services					7,145	
12 Driver Services	29,778	6,799		1,253		1,654
13 Highway Patrol			162,663			7,414
17 Registrar's Office		35,353				
18 Law Enforcement Services	1,339					
19 County Attorney Payroll	15,759					
22 Law Enforcement Academy		6,632		2,034		
23 Fire Marshall	5,241					
24 Identification	3,912					
25 Criminal Investigation	2,814					
26 Special Investigations		2,063				10,533
29 Data Processing		11,728		3,110		
30 Extradition & Transfers	2,432					
32 Forensic Science		9,895		2,942		
-----						
TOTALS FY91	77,121	72,470	162,663	9,728	7,145	19,601
=====						

16  
EXHIBIT 16  
DATE 1-25-89  
HB                     

Agency: 4110  
Program: 28

DEPARTMENT OF JUSTICE

Central Services Division

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	9.00	9.00
Operating Expenses - Agree with LFA	<u>109,793</u>	<u>83,514</u>
Equipment - Agree with LFA	<u>3,600</u>	<u>-0-</u>

The funding source for this program is the General Fund.

DATE 1-25-89

HB

24-Jan-89

4110 18

AGENCY: DEPARTMENT OF JUSTICE

LEGISLATIVE ACTION

PROGRAM: LAW ENFORCEMENT SERVICES DIV

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	2.00	2.00	2.00	0.00	2.00	2.00	0.00	0.00%
Personal Services	\$71,208	\$71,009	\$71,009	\$0	\$71,057	\$71,057	\$0	-0.28%
Operating Expenses	9,728	11,350	9,901	1,449	11,229	9,890	1,339	1.78%
Equipment	286	342	342	0	0	0	0	19.58%
TOTAL EXPENSES	\$81,222	\$82,701	\$81,252	\$1,449	\$82,286	\$80,947	\$1,339	0.04%
FUNDING								
General Fund	\$81,222	\$82,701	\$81,252	\$1,449	\$82,286	\$80,947	\$1,339	0.04%
TOTAL FUNDING	\$81,222	\$82,701	\$81,252	\$1,449	\$82,286	\$80,947	\$1,339	0.04%

ISSUES:

--EXEC OVER (UNDER) LFA--  
FY 90 FY 91

1. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

TOTAL ISSUES

\$1,449 \$1,339  
\$1,449 \$1,339

EXHIBIT 18  
DATE 1-25-89 18  
HB                     

Agency: 4110  
Program: 18

DEPARTMENT OF JUSTICE

Law Enforcement Services Division

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	2.00	2.00
Operating Expenses - Agree with LFA	<u>9,901</u>	<u>9,890</u>
Equipment - Agree with LFA	<u>342</u>	<u>-0-</u>

The funding source for this program is the General Fund.

DATE 1-25-89

HB

4110 23

23-Jan-89

AGENCY: DEPARTMENT OF JUSTICE

## LEGISLATIVE ACTION

PROGRAM: FIRE MARSHAL PROGRAM

BUDGET ITEM	FY 1988 Actual	Fiscal 1990 Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	8.00	9.00	9.00	0.00	9.00	9.00	0.00	12.50%
Personal Services	\$247,788	\$255,014	\$249,809	\$5,205	\$255,459	\$250,245	\$5,214	0.82%
Operating Expenses	59,786	63,916	58,459	5,457	63,805	58,744	5,061	-2.22%
Equipment	15,263	2,802	17,282	(14,480)	2,802	3,442	(640)	13.23%
TOTAL EXPENSES	\$322,837	\$321,732	\$325,550	(\$3,818)	\$322,066	\$312,431	\$9,635	0.84%
FUNDING								
General Fund	\$315,690	\$321,732	\$325,550	(\$3,818)	\$322,066	\$312,431	\$9,635	3.12%
Federal Revenue	7,147	0	0	0	0	0	0	-100.00%
TOTAL FUNDING	\$322,837	\$321,732	\$325,550	(\$3,818)	\$322,066	\$312,431	\$9,635	0.84%

## ISSUES:

---EXEC OVER (UNDER) LFA---

FY 90      FY 91

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 4% in LFA current level.

2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

3. EQUIPMENT - The Executive includes equipment allowances for high band radios only. LFA current level provides additional allowances for the replacement of one vehicle in fiscal 1990 (\$11,900) and the purchase of office equipment (\$2,580 in FY 1990, \$640 in FY 1991).

## TOTAL ISSUES

(FY 90)      (FY 91)

(14,480)      (\$640)

(\$3,638)      \$9,815

## APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

\$5,213 Executive

\$10,409      \$10,427 LFA C/L

EXHIBIT 20<sup>20</sup>  
DATE 1-25-89  
HB \_\_\_\_\_

Agency: 4110  
Program: 23

DEPARTMENT OF JUSTICE

Fire Marshal Bureau

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	9.00	9.00
Operating Expenses - Agree with LFA	<u>58,459</u>	<u>58,744</u>
Equipment - Agree with LFA	<u>17,282</u>	<u>3,442</u>
MODIFICATIONS:		
1. Fire Training - Uniform Code Training to be paid for with user fees.	<u>7,000</u>	<u>7,000</u>
2. Contract Services - code inspections and fire investigations.	<u>20,000</u>	<u>20,000</u>

The funding source for this program is the General Fund.

EXT

DATE 1-25-89

21

HB

4110 24

24-Jan-89

AGENCY: DEPARTMENT OF JUSTICE

LEGISLATIVE ACTION

PROGRAM: IDENTIFICATION PROGRAM

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	7.00	7.00	7.00	0.00	7.00	7.00	0.00	0.00%
Personal Services	\$163,165	\$166,085	\$163,662	\$2,423	\$166,394	\$163,966	\$2,428	0.30%
Operating Expenses	66,610	71,390	67,229	4,161	73,995	69,441	4,554	0.93%
Equipment	3,833	0	0	0	0	0	0	-100.00%
TOTAL EXPENSES	\$233,608	\$237,475	\$230,891	\$6,584	\$240,389	\$233,407	\$6,982	-1.16%
FUNDING								
General Fund	\$233,608	\$237,475	\$230,891	\$6,584	\$240,389	\$233,407	\$6,982	-1.16%
TOTAL FUNDING	\$233,608	\$237,475	\$230,891	\$6,584	\$240,389	\$233,407	\$6,982	-1.16%

ISSUES:

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 3.4% in LFA current level.

2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

TOTAL ISSUES

APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

---	EXEC OVER (UNDER) LFA---
FY 90	FY 91
\$2,423	\$2,428
\$4,161	\$3,912
\$6,584	\$6,340
\$3,390	\$3,396 Executive
\$5,813	\$5,824 LFA C/L

EXHIBIT 22  
 DATE 1-25-89  
 HB                     

Agency: 4110  
 Program: 24

DEPARTMENT OF JUSTICE

Identification Bureau

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	7.00	7.00
Operating Expenses - Agree with LFA	<u>67,229</u>	<u>69,441</u>
Equipment - Agree with LFA	<u>-0-</u>	<u>-0-</u>
MODIFICATIONS:		
1. Automated Fingerprint Identification System:		
FTE	-0-	-0-
Operating Expenses (Fee \$228,000)	231,640	232,587
Equipment - FAX machine	<u>1,700</u>	<u>-0-</u>
	<u>233,340</u>	<u>232,587</u>
2. Alternate Light Source:		
Equipment	<u>12,200</u>	<u>-0-</u>

The funding source for this program is the General Fund.

DATE 1-25-89 23  
HB

4110 25  
AGENCY: DEPARTMENT OF JUSTICE  
LEGISLATIVE ACTION  
PROGRAM: CRIMINAL INVESTIGATORS  
25-Jan-89

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	7.00	4.00	4.00	0.00	4.00	4.00	0.00	-42.86%
Personal Services	\$142,162	\$135,999	\$133,233	\$2,776	\$136,042	\$133,266	\$2,776	-6.29%
Operating Expenses	51,150	36,949	30,995	5,954	36,850	31,112	5,738	-39.40%
Equipment	13,208	0	9,000	(9,000)	0	9,000	(9,000)	-31.86%
TOTAL EXPENSES	\$206,520	\$172,948	\$173,218	(\$270)	\$172,892	\$173,378	(\$486)	-16.13%
FUNDING								
General Fund	\$176,963	\$172,948	\$173,218	(\$270)	\$172,892	\$173,378	(\$486)	-2.12%
Federal Revenue	29,557	0	0	0	0	0	0	-100.00%
TOTAL FUNDING	\$206,520	\$172,948	\$173,218	(\$270)	\$172,892	\$173,378	(\$486)	-16.13%

ISSUES:

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 4% in LFA current level.

2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.

3. OPERATING EXPENSE ADJUSTMENTS - Both the Executive budget and LFA current level made significant reductions below fiscal 1988 base levels. LFA current level reductions below base were \$9,300 per year, to reduce the general fund appropriation to fiscal 1988 base levels. The federally funded RHIN project had funded 30% of operating expenses for this program, and LFA current level reflects a removal of the 30% of operating expenses that were federally funded.

4. EQUIPMENT - The Executive does not include any allowance for equipment. LFA current level allows funds to purchase used vehicles for investigative work.

TOTAL ISSUES

APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

	EXEC OVER (UNDER) LFA	
	FY 90	FY 91
	\$2,776	\$2,776
	\$3,030	\$2,814
	\$2,924	\$2,924
	(\$9,000)	(\$9,000)
	(\$270)	(\$486)
	\$2,775	\$2,776 Executive
	\$5,551	\$5,552 LFA C/L

BUDGET MODIFICATION  
DEPARTMENT OF JUSTICE  
CRIMINAL INVESTIGATION BUREAU

CRIMINAL INVESTIGATOR - WORKERS' COMPENSATION FRAUD CASES  
-----

	FY 1990 -----	FY 1991 -----
FTE		
---		
Criminal Investigator, Grade 16	1.00	1.00
EXPENSES		
-----		
Personal Services	\$30,492	\$30,501
Operating Expenses	\$5,470	\$5,470
Equipment		
- Vehicle	\$8,652	\$0
- Police-Band Radio	\$1,700	\$0
	-----	-----
	\$46,314	\$35,971
	=====	=====
FUNDING		
-----		
State Special Revenue		
- Workers' Compensation Div.	\$46,314	\$35,971
	=====	=====

EXHIBIT 25 <sup>25</sup>  
DATE 1-25-89  
HB \_\_\_\_\_

Agency: 4110  
Program: 25

DEPARTMENT OF JUSTICE

Criminal Investigation Bureau

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	4.00	4.00
Operating Expenses - Per LFA	30,995	31,112
Requested Increases:		
1. Other Expenses	9,274	9,274
2. Repairs and Maintenance	<u>1,000</u>	<u>1,000</u>
	<u>41,269</u>	<u>41,386</u>
Equipment - Agree with LFA	<u>9,000</u>	<u>9,000</u>
MODIFICATION:		
1. General Investigators		
FTE	2.00	2.00
Personal Services	58,545	58,562
Operating Expenses	17,879	17,763
Equipment	<u>26,758</u>	<u>2,924</u>
	<u>103,182</u>	<u>79,249</u>
2. Criminal Intelligence Information Section		
FTE	3.00	3.00
Personal Services	75,050	75,073
Operating Expenses	14,950	14,614
Equipment	<u>33,842</u>	<u>-0-</u>
	<u>123,842</u>	<u>89,687</u>

The funding source for this program is the General Fund.

4110 26 02601

25-Jan-89

AGENCY: DEPARTMENT OF JUSTICE

LEGISLATIVE ACTION

PROGRAM: SPECIAL INVESTIGATION-EAST

BUDGET ITEM	FY 1988 Actual	Executive	Fiscal 1990 LFA Curr Lvl	Difference	Executive	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	0.00	6.00	6.00	0.00	6.00	6.00	0.00	0.00%
Personal Services	\$161,397	\$174,353	\$170,795	\$3,558	\$174,410	\$170,851	\$3,559	5.82%
Operating Expenses	128,473	118,266	127,154	(8,888)	118,035	127,309	(9,274)	-1.03%
Equipment	6,706	0	0	0	0	0	0	-100.00%
TOTAL EXPENSES	\$296,576	\$292,619	\$297,949	(\$5,330)	\$292,445	\$298,160	(\$5,715)	0.46%
FUNDING								
Federal Revenue	\$296,576	\$292,619	\$297,949	(\$5,330)	\$292,445	\$298,160	(\$5,715)	0.46%
TOTAL FUNDING	\$296,576	\$292,619	\$297,949	(\$5,330)	\$292,445	\$298,160	(\$5,715)	0.46%

ISSUES:

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 4% in LFA current level.
2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.
3. TRAINING - The Executive reduces the allowance for training of law enforcement and county attorney staffs by 50% below the fiscal 1988 base. LFA current level is at base level.
4. COPY MACHINE RENT - The Executive includes an increase for the lease of a copy machine. LFA current level is at the fiscal 1988 base level.

TOTAL ISSUES

APPROPRIATIONS COMMITTEE POLICY ISSUES

A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

---	EXEC OVER (UNDER)	LFA---
FY 90	FY 91	
\$3,556	\$3,559	
\$5,127	\$4,759	
(\$16,000)	(\$16,000)	
\$2,604	\$2,604	
(\$4,711)	(\$5,078)	
\$3,558	\$3,559	Executive
\$7,116	\$7,118	LFA C/L

EXHIBIT 27  
DATE 1-25-89  
HB \_\_\_\_\_

Agency: 4110  
Program: 26  
Control: 02601

DEPARTMENT OF JUSTICE

Special Investigation Section

Special Investigation - East

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	6.00	6.00
Operating Expenses - Agree with LFA	<u>127,154</u>	<u>127,309</u>
Equipment - Agree with LFA	<u>-0-</u>	<u>-0-</u>

The funding source for this program is the Coal Board.

4110 26 02602

AGENCY: DEPARTMENT OF JUSTICE

LEGISLATIVE ACTION

PROGRAM: SPECIAL INVESTIGATION-MEST

BUDGET ITEM	FY 1988 Actual	Executive 10.00	Fiscal 1990 LFA Curr Lvl	Difference	Executive 10.00	Fiscal 1991 LFA Curr Lvl	Difference	FY 88-90 % Change
FTE	0.00		10.00	0.00		10.00	0.00	0.00%
Personal Services	\$174,269	\$292,711	\$286,738	\$5,973	\$293,212	\$287,228	\$5,984	64.54%
Operating Expenses	105,988	166,267	126,808	39,459	165,938	127,000	38,938	19.64%
Equipment	112,050	17,565	17,565	0	22,500	22,500	0	-84.32%
TOTAL EXPENSES	\$392,307	\$476,543	\$431,111	\$45,432	\$481,650	\$436,728	\$44,922	9.89%
FUNDING								
State Special Rev	\$113,114	\$125,827	\$107,778	\$18,049	\$126,830	\$109,182	\$17,648	-4.72%
Federal Revenue	279,193	350,716	323,333	27,383	354,820	327,546	27,274	15.81%
TOTAL FUNDING	\$392,307	\$476,543	\$431,111	\$45,432	\$481,650	\$436,728	\$44,922	9.89%

ISSUES:

1. VACANCY SAVINGS - Executive applied 2% vacancy savings as compared to 4% in LFA current level.
2. CENTRAL SERVICES COST ALLOCATION - The Executive includes funds for indirect/admin. costs charged to this program for services provided by Central Services Division (CSD). LFA current level does not include this allocation, as it continues funding for CSD from general fund.
3. The Executive budget includes a 14% increase for investigative purchases ("up front" and "buy" money). LFA current level allows a 22% increase over base level.

TOTAL ISSUES

---	EXEC OVER (UNDER) LFA---
FY 90	FY 91
\$5,973	\$5,984
\$8,349	\$7,837
\$30,000	\$30,000
\$44,322	\$43,821
\$5,974	\$5,984 Executive
\$11,947	\$11,968 LFA C/L

APPROPRIATIONS COMMITTEE POLICY ISSUES

- A. The Committee approved a no vacancy savings policy, with personal services to be line-itemed. The budget increase for the Executive and LFA current level are shown at right.

Agency: 4110  
Program: 26  
Control: 02602

DEPARTMENT OF JUSTICE

Special Investigation Section

Special Investigation - West

	<u>FY90</u>	<u>FY91</u>
CURRENT LEVEL:		
FTE - Agree with LFA	10.00	10.00
Operating Expenses - Per LFA	126,808	127,000
Requested decrease:		
1. Rent - vehicles	(18,500)	(18,500)
Requested increase:		
2. Investigative purchases	<u>30,000</u>	<u>30,000</u>
	<u>138,308</u>	<u>138,500</u>
Equipment - Agree with LFA	<u>17,565</u>	<u>22,500</u>
CHANGE IN FUNDING PERCENTAGE:		
Funding - per LFA:		
Motor Vehicle	25%	25%
Federal Funds (MBCC Grants)	<u>75%</u>	<u>75%</u>
	<u>100%</u>	<u>100%</u>
New Funding Formula:		
Motor Vehicle	25%	50%
Federal Funds (MBCC Grants)	<u>75%</u>	<u>50%</u>
	<u>100%</u>	<u>100%</u>

EXHIBIT 30 30  
DATE 1-25-89  
HB \_\_\_\_\_

The following is a list of accounting entities for your subcommittee whose fund balances WILL be transferred to the general fund on June 30, 1989 in accordance with Section 17-2-111, MCA. Given that the fund balances revert each year, the Department of Administration and the Legislative Finance Committee have recommended that these accounts be de-earmarked and reclassified in general fund. The House Appropriations Committee has referred these recommendations to the appropriations subcommittees for consideration for de-earmarking.

---

General Government & Highways Subcommittee

---

<u>A/E</u>	<u>Account Title</u>	<u>Agency Number</u>	<u>Agency</u>	<u>FY88 Fund Balance</u>
02093	Westlaw	2100	Judiciary	\$ 5,667
02464*	Ag Lien Filing Fees	3201	Secretary of State	162,893
02047	Copying Fees	3202	Comm. of Political Pract.	519
02044*	Securities Regulatory Acct.	3401	State Auditor's Office	244,836
02060*	Insurance Regulatory Acct.	3401	State Auditor's Office	240,108
02401*	Police/Fire Retirement Fund	3401	State Auditor's Office	103,790
02119	Crime Control Fees	4107	Board of Crime Control	37
02013	Law Enforcement Academy	4110	Department of Justice	16,719
02014	Justice Insurance Clearing Acct.	4110	Department of Justice	-0-
02804	Escheated Estates	4110	Department of Justice	-0-
03141	I.D. Special Services	4110	Department of Justice	7,324
03944	Motor Veh. Prop. Tax Conversion	4110	Department of Justice	14,420
02441*	Cigarette Enforcement	5801	Department of Revenue	6,277
03902	Vehicle Assessment	5801	Department of Revenue	4,059

\*Statutorily established, although fund balances are unrestricted. Legislation has been introduced to remove earmarking requirements.