

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON INSTITUTIONS & CULTURAL EDUCATION

Call to Order: By **CHAIRMAN MARJORIE I. FISHER**, on January 11, 1995, at 9:30 a.m.

ROLL CALL

Members Present:

Rep. Marjorie I. Fisher, Chairman (R)
Sen. Larry J. Tveit, Vice Chairman (R)
Rep. Steve Vick (D)
Sen. Mignon Waterman (D)

Members Excused: Rep. Red Menahan
Sen. Gary C. Aklestad

Members Absent: None

Staff Present: Lorene Thorson, Legislative Fiscal Analyst
John Patrick, Office of Budget & Program Planning
Brandee Decrevel, Committee Secretary
Shirley Benson, Office of Budget & Program Planning

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: Department of Justice
- Board of Crime Control
- Highway Traffic Safety
Executive Action: None

TAPE 1 - SIDE A

HEARING ON THE DEPARTMENT OF JUSTICE MONTANA BOARD OF CRIME CONTROL

Lorene Thorson, Legislative Fiscal Analyst, told the committee that the base budget is about \$4.5 million and the executive budget for FY 96 and FY 97 is about \$5.7 million each year. The present law adjustments represent about a 13% increase, over the FY 94 base. The increase is basically due to budgeting victims' compensation benefits at the FY 94 appropriated level and increases in federal pass-through grants. The LFA did not raise any issues with the agency's present law or the new proposals.

The division requested legislative contract authority and the LFA suggested additional language to this proposal to make the requirements more specific.

Gene Kiser, Director of the Board of Crime Control, presented an overview of the Montana Board of Crime Control's (MBCC) budget request for FY 96-97. **EXHIBIT 1**

QUESTIONS, ANSWERS AND DISCUSSION

SEN. MIGNON WATERMAN asked for the balance in the victims' compensation account at this time.

Don Merritt, Financial Officer for the Board of Crime Control, told the committee that the fund balance is \$500,000.

SEN. WATERMAN asked for the amount proposed to be moved over to fund the restitution program new proposal.

Mr. Merritt said \$50,000 each year was going to be moved over to the restitution program.

SEN. WATERMAN asked if restitution collection will be returned to the victims' compensation account at any time.

Mr. Merritt told the committee that the intent is that all restitution collections designated for the victims' compensation account and recovered will be returned to that account.

SEN. WATERMAN asked if the agency did not recover \$50,000 would the victims' compensation fund be left short.

Mr. Merritt said yes, that the account balance would be reduced if collections do not cover the \$50,000.

SEN. WATERMAN said she has heard that the attitude of the agency is to protect the victims' compensation fund and to only give it out to seriously injured victims.

Mr. Merritt explained that frustration has occurred due to the backlog in claims.

SEN. WATERMAN stated there should be a minimal balance in the victims' compensation account because the agency should be giving this money to the people that deserve it.

CHAIRMAN FISHER asked for an example of a claim that comes through the division.

Mr. Kiser explained the claims process.

Mr. Merritt stated more staff are needed to handle the backlog. Once the backlog is handled, claims can be turned around more quickly.

CHAIRMAN FISHER asked what the average cost was of one of these claims.

Mr. Merritt told the committee that the average cost is about \$1,800.

SEN. WATERMAN asked how long it takes from the time the incident has occurred until the affected party receives compensation.

Mr. Merritt told the committee that currently it is taking the agency almost four months. The division's optimal turn-around time is 60 days.

CHAIRMAN FISHER asked how many claims the agency handles per year.

Mr. Kiser told the committee that they have about 600 claims a year and every year the rate increases each year.

CHAIRMAN FISHER asked how many people work on the claims.

Mr. Kiser told the committee that they have one FTE who is working on the claims and a clerical employee who are trying to overcome the backlog. When there is time, current staff volunteer to assist in this area.

REP. STEVE VICK asked if any money comes from the offender.

Mr. Merritt said that \$9,000 to \$15,000 per year goes into the fund from restitution from the offender.

REP. RED MENAHAN asked the agency if the committee authorized an additional FTE for a period of eight months to a year, could the agency catch up on the backlog.

Mr. Merritt stated the backlog needs to be dealt with, but there is also an approximate 10% per year increase that requires a permanent FTE.

Cathy Kendall, Montana Board of Crime Control, told the committee that the federal anti-drug act funds are distributed throughout the state for specific grants to fund narcotics enforcement, an FTE in the state crime lab, D.A.R.E. programs, and some community alternatives to alleviate jail overcrowding. The funds are also used for some school-based programs for: 1) working with difficult children who need extra attention and 2) working with students to keep them from dropping out of school.

CHAIRMAN FISHER asked if the agency receives all grants at the beginning of the fiscal year and prioritized them before distributing funds.

Ms. Kendall stated that the division receives a block grant at the beginning of each year and they award those funds through the request for proposal process.

SEN. WATERMAN said one of the concerns expressed is the significant amount of time the communities spend applying for the funds only to receive very little money. She stated communities need to be able to apply for different grants with one application through a coordinated grant administration process.

REP. VICK questioned the increases in both present law and new proposals.

Mr. Kiser said that the increases are due to the federal crime bill that was recently passed.

CHAIRMAN FISHER asked about the \$115,000 for HIV testing.

Mr. Kiser corrected the amount as \$105,000 and said it is a one-time addition to the budget.

CHAIRMAN FISHER asked why that money would go to MBCC rather than the Department of Health.

Mr. Kiser stated the funds would be used to increase grant funds, not to implement HIV testing. This was just a penalty assessed on other states that did not have a law on the books that require an offender to be tested.

HEARING ON DEPARTMENT OF JUSTICE
HIGHWAY TRAFFIC SAFETY

Lorene Thorson, LFA, told the committee that the base budget is approximately \$1.1 million. The executive total budget for 1996 and 1997 is approximately \$4.8 million. The increase of approximately \$3.2 million each year is because Montana does not have both safety belt and motorcycle helmet use laws. The funding for the FY 97 biennium is approximately 93% federal fund, 2% state special fund, and 5% general fund. There are no new proposals from this division. The one LFA issue discusses the \$3.2 million that has been diverted from highway construction.

REP. RED MENAHAN asked if they took the \$3.2 million away because of the motorcycle helmet law.

Ms. Thorson told the committee that the state must have both seat belt law and motorcycle helmet use law.

Albert Goke, Administrator of the Highway Traffic Safety (HTS) Division, told the committee that the division maintains and improves traffic safety. The seat belt use rate is at the highest it has ever been in the state of Montana, this saves about 30 lives a year. The efforts to improve drinking and driving problems have increased. There is a penalty provision on federal law that says that if the states do not have both the seat belt and the motorcycle helmet law funds are transferred from highway construction to highway traffic safety programs. The governor's office and the budget office worked with HTS to determine how to spend the money in FY 96 and FY 97. The agency has requested general fund authority of \$250,000 per year for pass-through collections from drivers license reinstatement fees to county drinking and driving prevention programs. During the last legislative session the state fund and general fund were cut. Each county is reimbursed quarterly.

QUESTIONS, ANSWERS, AND DISCUSSION

REP. STEVE VICK asked what the counties are reimbursed for.

Mr. Goke told the committee that the laws provide a basis for collecting the reinstatement fee from every DUI that is relicensed after conviction and has served a sentence. A list of counties that submitted claims have been approved. There is another state law that provides for the Department of Justice's crime lab to receive up to \$50,000 if all funds are not distributed to the counties. Some of the money goes for DUI equipment and to the training of officers in this program.

CHAIRMAN FISHER asked what the \$135,000 a year for consulting and professional services is for.

Mr. Goke told the committee that the consulting and professional services further education on the DUI problem.

CHAIRMAN FISHER asked if this was a duplication of the \$4.6 million that crime control is using for education.

Mr. Goke said no.

CHAIRMAN FISHER asked what the agency does with the data that they receive after the studies.

Mr. Goke told the committee the \$300,000 is for emergency medical purposes. HTS will work with the Department of Health and Environmental Sciences to build a database to help connect ambulance services.

REP. VICK asked the agency to explain the public safety radio studies.

Mr. Goke told the committee that the study is a one-time request from the Department of Administration to study public safety

radio. Implementation of federal regulations that relate to usages of radio frequencies should begin. This study will provide the planning for implementation.

REP. VICK asked if buying signs that would increase safety is considered part of safety spending or part of highway construction.

Mr. Goke said that it would be part of highway construction.

SEN. WATERMAN asked if the trauma plan would be an ongoing expense and if so, how will the state absorb those costs.

SEN. WATERMAN asked if the HTS grant is in lieu of the registration fee and once grant monies are no longer available, will the registration fee go up.

CHAIRMAN FISHER asked where the fee was going to come from.

Mr. Goke stated this is from vehicle registration.

SEN. WATERMAN asked about the money from the helmet law and wants to know why there is no encouragement to use helmet law.

Mr. Goke told the committee that the issue in Montana is not a question of whether the helmet is needed or not, but the issue is of having a choice.

DEPARTMENT OF JUSTICE BUDGET OVERVIEW

ATTORNEY GENERAL JOE MAZUREK submitted written testimony supporting the Department of Justice's budget request. **EXHIBIT 2**

Lorene Thorson, LFA, told the committee that there are three supplemental requests. The Cascade County property tax supplement bill will be heard by the appropriations committee, but the agency will give the subcommittee some background information.

Chris Tweeten, Chief Deputy Attorney General, told the committee that the attorney general represents the state in different types of litigation. These cases include major litigation which involve major issues of public policy and large sums of money. These are cases in which the state has been sued by another party and there is a large amount of state money at stake. These are cases in which a specific state agency is not at fault. In the past several biennia the attorney general's budget has included language which recognized that the expenses that have occurred in trying these cases are very difficult to predict in the budget preparation process.

ADJOURNMENT

Adjournment: The meeting was adjourned by **Chairman Fisher** at
11:55 AM.

Marjorie I. Fisher

MARJORIE I. FISHER, Chairman

Brandee J. Decrevel

BRANDEE J. DECREVEL, Secretary

MIF/BJD

INSTITUTIONS

Joint Appropriations Subcommittee

ROLL CALL

DATE 1-11-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Marj Fisher, Chairman	✓		
Rep. Red Menahan			✓
Rep. Steve Vick	✓		
Sen. Larry Tveit, Vice Chairman	✓		
Sen. Gary Aklestad			✓
Sen. Mignon Waterman	✓		

Written Testimony
1-11-95

**MONTANA BOARD OF CRIME CONTROL
BUDGET REQUEST FOR FY96-97**

PRESENTED TO

**JOINT APPROPRIATIONS SUB-COMMITTEE
INSTITUTIONS**

JANUARY 11, 1995

EXHIBIT 0126
DATE 1-11-95
SB 170216

The Governor established the Board in 1968 in response to the 1968 Safe Street Act; it is one of the very few commissions in the nation that continued through the demise of the LEAA (Law Enforcement Assistance Administration). It is probably the only such Board to have one Chair for 18 years and to have but three Chairs in its 27 years of existence. The current Chair is Dr. John Pfaff, retired pathologist formerly with Columbus Hospital, Great Falls, presently residing in Whitefish. The stability is re-enforced in the Board hiring but four Administrators in the same period.

The Board is comprised of 18 members appointed by the Governor, representing various constituencies through out the State. The primary purpose of the Board is to reallocate federal block grant monies to state and local governments through competitive subgrants and advise the Governor, Legislature and local government on Criminal Justice issues.

The block grants Montana receives are:

- * **Narcotics Control:**
for projects such as DARE, undercover drug teams, victim/witness projects, detention alternatives and community service.

- * **Drug Free Schools and Communities:**
for community-based training, school-linked services for at-risk-youth, after-school programs for latchkey children, DARE and other prevention projects.

* **Juvenile Justice and Delinquency Prevention:**

for shelter care homes, youth guidance homes, community service programs, detention programs, diversion programs and day treatment programs.

* **Victims of Crime Act:**

for local victim/witness projects, battered spouse shelters and domestic abuse projects.

In the past year the Board has awarded 104 subgrants to state and local governments

In the past 27 years the Board has been responsible for significant improvements to Montana's justice system. The list is long, but some highlights include establishing the Supreme Court Administrators Office, initiating DARE in Montana, preparing the Youth Court Act with the Youth Justice Council, establishing Peace Officer Standards and Training, implementing automated fingerprint identification for Montana, promoting the development of sheltercare services for youth and development of regional detention services for youth with the Youth Justice Council.

The Board has always been a forum for the discussion of ideas and innovation in the justice system. It has always found ways when none looked possible, and has been willing to take risk when others faded away.

We believe our budget is straight forward, simplified and conservative. We did not request additional general fund authority over FY94 actual expenditures other than what was required for personnel and fixed costs. Additionally we allocated more than the proportionate share of the increased costs to non-general fund sources where ever possible. Many of the federal grant programs we administer continue to grow and so does the work load.

We continue to absorb the additional duties and costs with in our existing personnel and operating resources. There are additional federal dollars available for administering these programs but would require an increase in our general fund match and as a result were not requested. Since you have most of the information regarding our base budget in your books I will not cover it in depth and we will answer any questions you may have later. There are some new proposals in our budget that I would like to take a few moments to discuss with you

New Proposals:

Victim Compensation - We receive approximately 600 claims for benefits a year and the number continues to increase. Presently one program officer can not perform all the review and duties necessary for processing the claims and keep up with the work flow. We are behind in the processing of victim assistance claims. In an effort to try and alleviate some of the backlog, staff from other programs are volunteering their assistance to review claims when ever they can find the time. We are making some progress but without an additional full time employee dedicated solely to reviewing and obtaining the necessary information to process claims there is not much hope of getting current and remaining there. We are requesting roughly \$30,000 for personnel and operating and an additional \$50,000 from which to pay victims benefits. These funds can be appropriated from the Crime Victims state special revenue account.

Delinquency Prevention - This is a new federal grant program from which we will be passing funds through to communities to assist them with developing and implementing comprehensive delinquency prevention efforts. MBCC received \$75,000 to use this year and anticipate receiving \$150,000 each year of the coming biennium. Existing staff will handle the administrative duties of this program.

Statistical Analysis Center - This request is to incorporate a federal grant that we have been receiving annually into the regular legislative budget process. SAC grants are offered to states by the Bureau of Justice Statistics to enhance and expand a state's capability to develop and analyze relevant statistical information related to the justice system. The emphasis is placed on providing a resource to perform policy analysis and program evaluation. The application submitted by the division outlines the projects to be supported with the grant funds. Crime Control has submitted applications and received awards for these funds for the past three years and believe the awards will continue. SAC grants do not require match and are used to build on a state's existing crime data collection and analysis efforts. The funds will allow the division to collect data and perform analysis which is beyond our existing level of effort. This service is considered essential to provide information to policy makers regarding justice issues and to continue the refinement and compatibility with national standards regarding the reporting and measurement of crime, victims, and arrest.

Restitution Program - This program is intended to increase offender accountability through an organized automated system that will be used to keep track of and follow up on offenders ordered by a court to make restitution payments. It is clear from discussions with counties and lower courts as well as the small amount of restitution reported as collected that offenders are not being held accountable for the restitution ordered.

The restitution program was initiated as a pilot project and was approved as a budget amendment for FY95. We recently filled the position and have great expectations of things to come. This service is considered unique and essential to improve offender accountability, provide technical assistance to the courts and to improve all restitution collections for victims of crime. This request does require funds to be provided by the Crime Victims state special revenue account but is also likely to return considerable money to the account.

Federal Crime Bill- Since the submittal of our budget there has been two additional federally funded programs available to our state from the recently passed Crime Bill that we are requesting appropriation authority. These are not listed in your budget documents. The first is Violence Against Women Act--\$500,000--this block grant will be used to fund local victim/witness programs, law enforcement and prosecutor assistance to combat violence against women.

The second is Criminal History Record System Improvement\ Brady Bill Implementation--\$500,000--to improve the states ability to identify criminal histories of felons and other persons ineligible to purchase firearms or the hold positions involving children, the elderly and the disabled. Madam Chair, we have put this request in writing and will leave it with the secretary.

In closing, I will once again say that our budget request is quite conservative. Our request before you is what is needed at a bare minimum if we are to perform the many functions expected of our agency.

Thank you for this opportunity to speak.

(written testimony)
1-11-95

Department of Justice Budget Overview *Notes*

Attorney General Joe Mazurek

EXHIBIT Two
DATE 1-11-95
BY None

Introduction.

As Montana's Attorney General, I lead the state's only department whose mission is not only to provide statewide law enforcement services and state legal services, but also to support the state's vast criminal justice system. As the Chief Law Enforcement Officer for the State of Montana, I am concerned about our **continued ability** to properly maintain efficient, effective public safety and to protect Montana's interests in the courts as the state's population grows.

I love this job, because it's so important.

good people throughout this agency, as well as in the local communities that we serve

work hard on a very important mission and we work together with local law enforcement agencies. We've developed great state/local partnerships to keep Montana safe.

Anatomy of a crime.

DOJ is the state's fourth largest agency--in excess of 650 employees all across the state--this can be deceiving since we really are an extension of your local criminal justice system. That's our job and we do it every hour of every day.

We provide the most essential of public services--critical to public safety, to local government, to each of your communities.

We enable your local law enforcement officer to do jobs and to do them better job.

Support for local law enforcement.

Support for local law enforcement is our number one priority. I think you'll see that over the next several days, during our budget presentation.

- We **train** all the law enforcement officers in the state at the Law Enforcement Academy.
- When a officer is out in a patrol car or on a foot patrol, we provide the link to vital criminal justice information from the Criminal Justice Information Network (CJIN)--24 hours a day, seven days a week, 365 days a year.
- When he or she pulls a vehicle over, we give the officer **instantaneous information about the vehicle registration**. We have the automated information on the driver's license -- a vital form of identification. And now with digitized driver's license photos, we can fax or electronically transmit a picture to local law enforcement in minutes where it took days before.
- Through CJIN we can give the officer on the street, the **criminal history** of an individual in seconds.
- If there is a **crime** committed such as homicide, crime scene experts from the **crime lab** and our investigation bureaus will travel to the scene to work with your local law enforcement. In fact, work done by our forensic scientists **at the scene** led to the conviction of Becky Richards in the murder of her husband -- a death originally thought to be a suicide.
- If it's a **drug case**, your local law enforcement may call in our undercover agents from the **Narcotics Investigation Bureau. (DUI--intox)**

- If it's a fraud case, a stolen vehicle or a homicide in a small community, your Police Chief or Sheriff may call on our Criminal Investigation Bureau agents for assistance -- **as they did on Christmas Day when a woman was murdered in Plentywood.**
- Evidence gathered at the crime scene by your local law enforcement is sent to the **crime lab in Missoula** for analysis and reports, and-- ultimately--our **forensic scientists** appear in your local courts to support their findings.
- If you have a fingerprint of a suspect, our **AFIS** program can try to match it with one of millions of prints in a computerized database. Last year, just one print from the crime scene solved a murder at a Butte pawn shop.
- We also provide vital **training and coordination** for your local county attorney through our County Prosecutor Services Bureau. If the county attorney has a conflict or asks for assistance in complex cases, CPS may even prosecute the case.
(Stephenson case)
- If a case is appealed, **Appellate Legal Service** attorney will defend the criminal appeal before the Montana Supreme Court or the federal courts. We also represent the state when Death Row inmates appeal their sentences.
- **In short, we work with state and local law enforcement** from beginning to end -- from training the new folks in the criminal justice system to the arrest, prosecution, and appeal of criminal cases.

- In addition, we license all the drivers in Montana. We register all the vehicles. We license, regulate, and enforce all the gambling laws in your towns, conduct all gambling and liquor investigations and collect and distribute all the gambling taxes. We enforce the traffic laws on Montana highways and pick up the pieces on the accidents. We investigate all the arson fires. We license all the fire equipment. We inspect your schools and public buildings for fire safety.
- I could go on and on. But I think this gives you some idea of what we do and why we work so hard to support your local law enforcement in nearly everything that we do.

You asked, we delivered.

We're often asked to do more-- we can't always do that, but we try.

During the last legislative session we took on some major new projects with great results.

→ WC fraud investigation and prosecution (SB 164)

State Fund figures:

- \$155,000 in restitution to the fund,
- \$237,000 recovered from employers who were underreporting,
- an estimated savings of nearly \$2 million in claims that won't be paid because fraud was detected.

→ consolidation of gambling and liquor investors (HB 609)

- one agency, one investigator, benefits the licensee/applicant
- less travel time

→ welfare and food stamp fraud investigation (HB 609)

-- Great Falls case: just charged someone with defrauding government agencies of \$165,000. Investigation also uncovered work comp fraud

-- SRS so pleased with our work requesting Medicaid Fraud Unit in DOJ

→ digitization of driver's licenses (HB 2)

--on time, within budget

Crime fighting is our business, and -- unfortunately -- business is very good.

I want to draw your attention the case load increases that you will hear about in LESD, Crime Lab, CPS, LSD.

Work load increases in MLEA, CS&PD, CSD, MHP.

More people in Montana. More crime. More arrests. More prosecutions. More confidence in and reliance on DOJ support services.

Every division in the Department of Justice is experiencing significant work load increases. The department is challenged to its limits trying to cope with increased federal and state mandates with little or no increase in resources. These difficulties are compounded by the effects of the required vacancy savings. Work load increases and the lack of sufficient human resources to meet our mandates remain significant issues for the department and our staff.

Major cases.

We run one of the largest and most complex law firms in the state. We have had some noteworthy success in state legal services this year.

Crow Coal -- \$250-\$800 MM

Blackfeet water -- 1st of its kind.

Prison Riot appeals -- all prosecuted through appeal, on time and without any budget adjustments

Death penalty appeals -- success in.

Constitutional challenges: Defended hunter harassment, stalking (in process).
Larry Moore, DNA case.

Byers and Cowan. Sustained Montana mental disease or defect -- U.S. Supreme Court.

Nicholson v. Cooney: challenge to Initiative Referendum 112, the vote on the legislature's income tax reform. Case is important because it demonstrates that AG is called upon to defend the election process established by our state constitution, just as we are often called upon to defend state laws passed by the legislature.

NRD program transfer -- indicates trust and confidence governor has in our agency.

We are working hard, and we believe we are doing an effective, efficient job.

Highlight major budget issues.

You have had an opportunity to review the Governor's budget recommendations and the Legislative Fiscal Analysts analysis of our budget proposals. Let me take a few minutes to highlight some of the major budget issues for you.

Automation

The public demands reform-- government must be not just smaller--but better.

One way to get there is through automation. We understand. We are doing that. MVD example--fewer FTE's--more than 50 in title and registration.

The department's top budget priorities all revolve around the development and maintenance of large, statewide computer-based information systems. The department is experiencing increased demands related to new computer-based information technology--demands from within the department and from local law enforcement agencies, the Federal Bureau of Investigation (FBI), the Legislative Auditor and the Department of Administration. Our current outdated Criminal Justice Information System (CJIN) cannot meet these demands.

The Department of Justice operates three statewide automated information systems that process state and local transactions related to:

- title and registration of motor vehicles;
- driver licenses; and
- CJIN--Criminal Justice Information Network critical information for local, state and national criminal justice agencies.

Department of Justice computerized electronic data processing systems serve every county treasurer and every law enforcement officer in the state.

CJIN

Sophisticated information technology, equipment and software, whether current or proposed, must be operated and maintained by a stable and adequate number of well-trained staff members. The CJIN 2000 proposal and requests for additional staff in the Computer Services and Planning Division will allow the department to meet federal and state mandates for information dissemination.

The automated applications operated by the Department of Justice are large, complex, and often interrelated with other large state and federal systems. In the next three years, the Department will redesign a number of systems to meet the challenge of maintaining and improving the delivery of computer-based information technology and services to every courthouse and every law enforcement officer in Montana. This long-overdue CJIN system redesign and analysis is critical if the state is to keep up with increased work loads and deliver quality services to the public. This cannot be done without the necessary equipment and an adequate staff.

AFIS.

The Automated Fingerprint Identification System (AFIS), implemented in December 1992 with federal grant funds, has proven to be an extremely effective and powerful tool for local law enforcement. This computerized system, which identifies individuals by fingerprint, has already demonstrated its worth as a quick and reliable means of making positive identifications in a wide variety of criminal cases in Montana and must continue to be available to Montana's criminal justice system. We will be losing our federal funds and will be asking you to replace them with general fund monies, to continue this service.

Dial up automated accounting and reporting system in
GCD--more Friday.

The Gambling Control Division, on the recommendation of the Legislative Audit Committee, seeks to ensure the integrity of the state's video gambling industry and improve the accuracy of tax collections through the introduction of a "dial up" automated accounting and reporting system. This system will collect electronic information from all of the video gambling machines in play each day, after closing hours, to ensure that Montana's gambling establishments pay the correct video gambling machine tax and that machine play is fair and legal. This is a large and difficult undertaking that will require additional study, thoughtful planning and a systematic implementation strategy. The alternative to this proposal, as noted by the Legislative Audit Committee, would be the addition of 25 permanent FTE to conduct these functions manually.

We think the dial-up system makes sense, particularly when you start looking at the growth in the gambling industry in recent years:

- 15,000 video gaming machines
- 1,600 locations
- need to ensure both that the play is fair and that state and local governments receive the proper amount of tax revenues.

The implementation of the "dial up" accounting and reporting system together with additional compliance staffing in the Gambling Control Division will go a long way to ensure the integrity of Montana's gambling industry and improve the accuracy of tax collections.

I urge your favorable consideration of these proposals to develop and maintain enhanced and improved statewide computer-based information technology for Department of Justice and the state's criminal justice system. I ask your support for the Criminal Justice Information Network enhancements (the CJIN 2000 project), the continuation of the Automated Fingerprint Identification Systems (AFIS) and for the study and implementation of an "dial up" automated accounting and reporting system for video gambling machines along the lines recommended by the Legislative Audit Committee. These are important criminal justice automation projects that must be given high priority in the next biennium.

Faster-better-cheaper

Ten Additional Highway Patrol Officers.

The Montana Highway Patrol (MHP) is woefully understaffed and continues to operate today with approximately the same number of uniformed patrol officers it had 20 years ago, despite a dramatic increase in the number of calls for service. Calls for service have increased from 15,471 in 1984 to 43,567 in 1993--an increase of 182 percent. The number of vehicle miles traveled in Montana in 1984 was estimated at 7.2 billion. In 1993, motorists traveled an estimated 9.3 billion miles. **(30% increase)** The Patrol now has 203 uniformed officers who must respond to accidents and calls for service across Montana, 24 hours a day, seven days a week. Because of staffing levels, five counties have no Patrol officer assigned to the area. When a serious accident or incident takes place in one of many rural areas of Montana, our response time to assist the injured is sometimes measured in hours, rather than minutes.

Though staffing of the Montana Highway Patrol has remained consistent for nearly 21 years, the MHP's traffic responsibilities have increased with the increase in the volume of traffic.

Putting more officers on the road is critical if the Highway Patrol is to continue its mission of traffic law enforcement and accident reduction. I ask your favorable consideration for 10 additional Highway Patrol officers to ensure the safety of the traveling public.

Funding

MVD relief staff.

people paying for the service

I get beat up

cut back hours

Other budget requests you'll be hearing about:

-- Title and Registration Bureau Relocation--work safety issue--building falling down around and on employees.

-- Creation of a Bankruptcy Unit--we're owed \$--we are priority--we aren't collecting.

--Securing a stable, functional and permanent home for the Montana Law Enforcement Academy. The bulk of the work on this proposal will be conducted by the Long Range Planning subcommittee, I would be remiss if I did not solicit your active interest in and support for this long over due and worthwhile proposal.

Vacancy savings.

I must say on final word about vacancy savings. The Department of Justice faces over \$1 million in vacancy savings each year. This vacancy savings burden is killing us. On one hand our workload and expectations from all we serve are going through the roof yet we have to leave positions open--55 FTE on any given day during this biennium--and not do our job to meet an amount that does not represent a true vacancy savings amount because we can't take at MHP, MLEA, LAB--visited on every other part of department-- doubles the effect.

I am equally concerned about turnover of key positions in the department. Many long-time, committed employees have been and continued to be asked to stretch beyond reason or capacity for too long. Many see no relief in sight and can no longer justify the

continual pressure and long hours away from their families. Employees leaving the department under these circumstances have no difficulty finding other employment at better pay.

Closing remarks.

Know you face a difficult task as always. Thank you for the time and effort you will put in on this and all of your agencies' budgets.

We are well prepared, worked hard, to prepare this budget. We did so for the Governor and LFA and we have done so for you.

we have worked hard on our budget proposal

I am proud of the DOJ administrators

We have an outstanding team of quality people who will present their budget issues in detail. They are the people who run the programs to support your local agencies. I am proud of them and the work they do. They can and should be the ones to explain their programs and their budgets to you. They have done so in their proposals to me. You will learn from them not just from me. I have highlighted some of the most significant issues for your attention however the individual program managers--the Division Administrators--will explain and answer questions

Finally, I would like to again note that public safety, law enforcement and state legal services are essential governmental services that are important by Montana citizens. This budget--that I recommend to you--is the absolute minimum needed for the Department of Justice to meet its public safety and criminal justice mandates. Today, government at all levels has put public safety at the head of its agenda. I think that's as it should be , and I hope you'll agree.