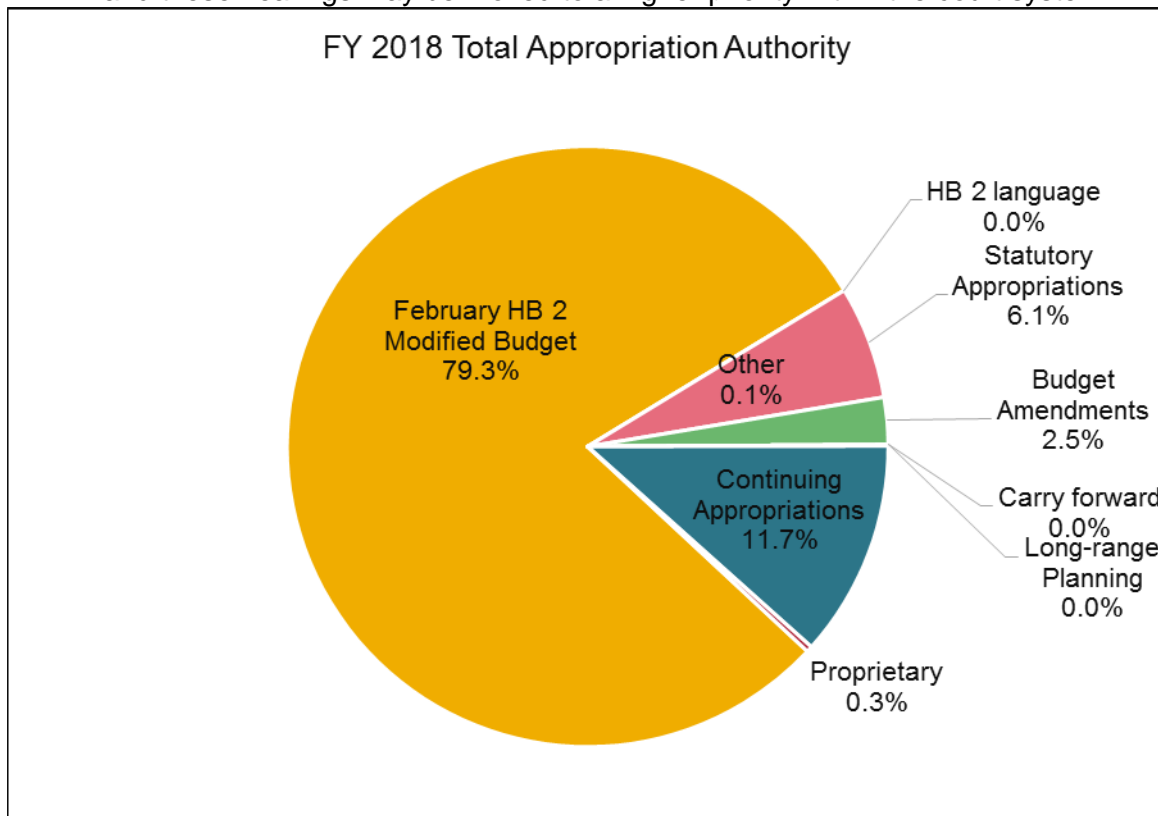


# JUDICIARY

## BUDGET AND EXPENDITURE HIGHLIGHTS

- Judiciary has expended 56.5% of their total HB 2 authority to date
- Budget amendments added \$1.5 million in additional federal authority in FY 2018
- Judiciary was exempt from 17-7-140, mca reductions as they are not a part of the executive branch
- Cost control measures have eliminated judge training and the use of retired judges for trials during FY 2018
- A trial judge has been selected to review asbestos claims and determine the most cost effective means of proceeding with these claims – this may have budget implications as the current court docket is full and these hearings may be moved to a higher priority within the court system.



*This chart shows FY 2018 total agency authority and corresponds to Appendix B.*

## Statutory Appropriations

Besides the allocated HB 2 authority the judicial branch has additional statutory authority. This \$3.6 million comes entirely from unexpended cash in FY 2017 from the district courts allocation and cost containment pool, or the state special revenue fund source provided by 41-5-2011, MCA.

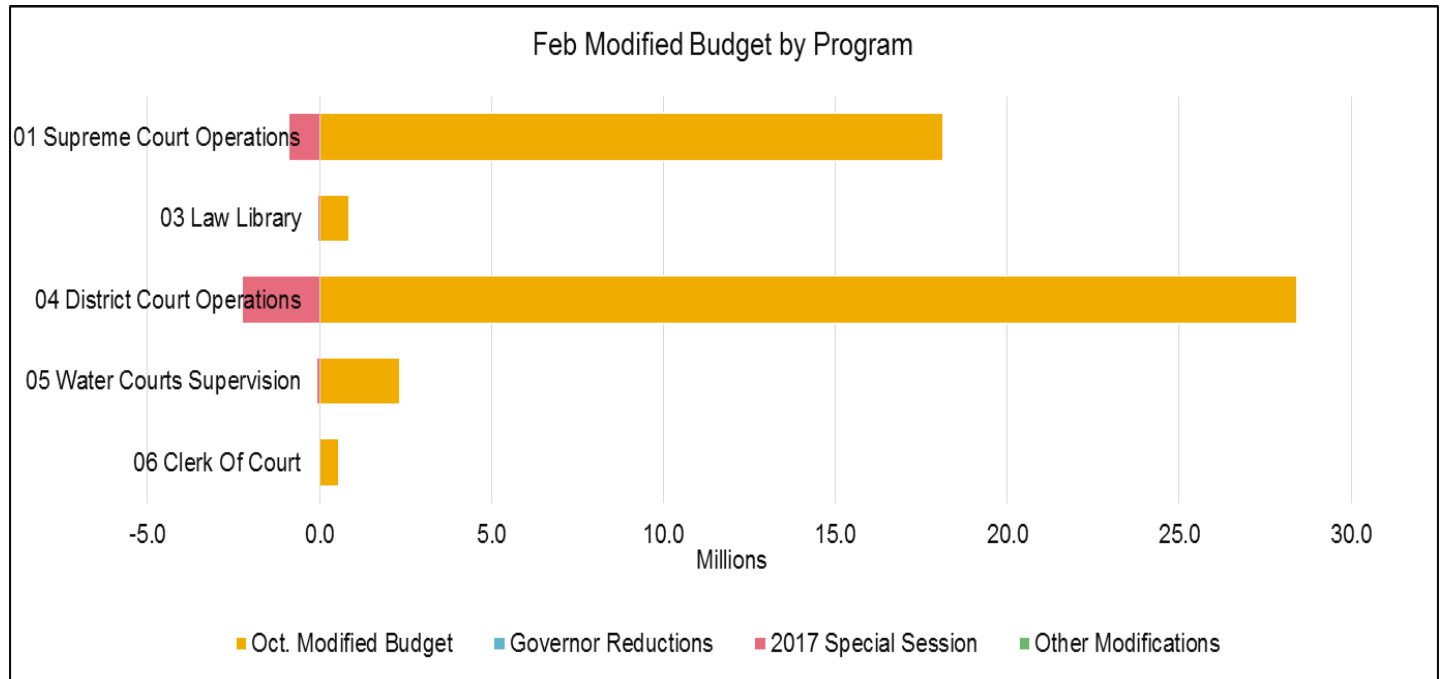
## Budget Amendments

Budget amendments increased federal authority by \$1.5 million year to date. The majority of this funding will be used to support drug treatment courts in Montana.

## Non-Budgeted Proprietary

*None.*

## HB 2 BUDGET MODIFICATIONS



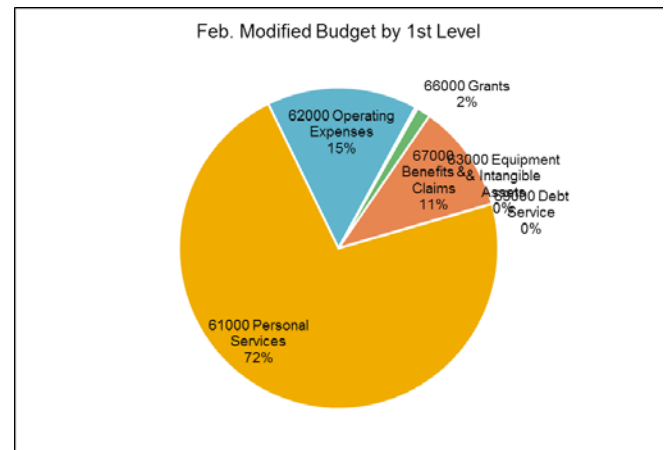
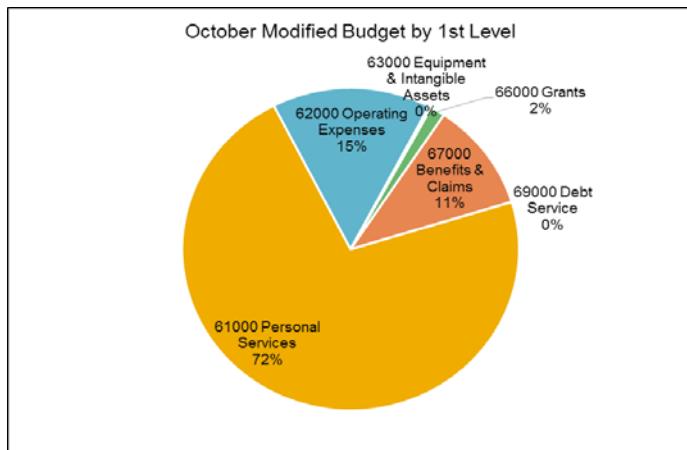
*This chart shows budget modifications by program from October through February.*

## Budget Modification by Program

| Program                      | Oct. Modified Budget | Governor's Reductions | 2017 Special Session | Other Modifications | Sum of Totals     |
|------------------------------|----------------------|-----------------------|----------------------|---------------------|-------------------|
| 01 Supreme Court Operations  | 18,137,441           | -                     | (881,794)            | (352)               | 17,255,295        |
| 03 Law Library               | 858,912              | -                     | (52,846)             | (14)                | 806,052           |
| 04 District Court Operations | 28,418,685           | -                     | (2,229,924)          | (1,031)             | 26,187,730        |
| 05 Water Courts Supervision  | 2,328,888            | -                     | (65,697)             | (77)                | 2,263,114         |
| 06 Clerk Of Court            | 560,503              | -                     | (14,870)             | (20)                | 545,613           |
| <b>Grand Total</b>           | <b>50,304,429</b>    | <b>-</b>              | <b>(3,245,131)</b>   | <b>(1,494)</b>      | <b>47,057,804</b> |

Special session reductions total \$3.2 million while “other” changes totaling \$1,494 are worker’s compensation adjustments.

## Budget Modification by First Level

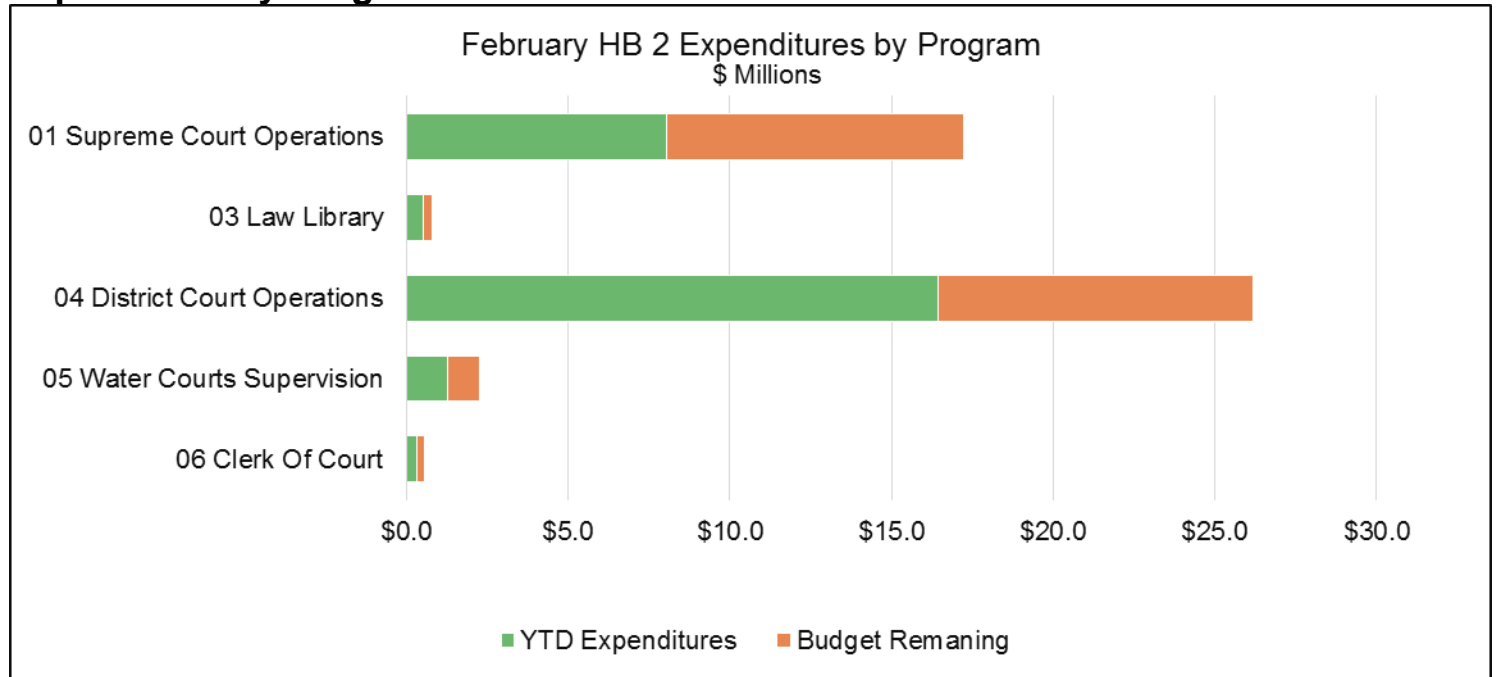


The above charts show HB 2 FY 2018 modified budget as of March by first level compared to October modified budget by first level.

|                                     | Oct. Modified Budget | Gov. Reduction | 2017 Special Session | Other Modifications | Feb. Modified |
|-------------------------------------|----------------------|----------------|----------------------|---------------------|---------------|
| 61000 Personal Services             | 36,313,807           | -              | (1,854,031)          | 65,744              | 34,525,520    |
| 62000 Operating Expenses            | 7,671,762            | -              | (1,006,100)          | (67,238)            | 6,598,424     |
| 63000 Equipment & Intangible Assets | 125,115              | -              | -                    | -                   | 125,115       |
| 66000 Grants                        | 698,477              | -              | -                    | -                   | 698,477       |
| 67000 Benefits & Claims             | 5,486,393            | -              | (385,000)            | -                   | 5,101,393     |
| 69000 Debt Service                  | 8,875                | -              | -                    | -                   | 8,875         |
| Grand Total                         | 50,304,429           | -              | (3,245,131)          | (1,494)             | 47,057,804    |

## AGENCY HB 2 EXPENDITURES

### Expenditure by Program

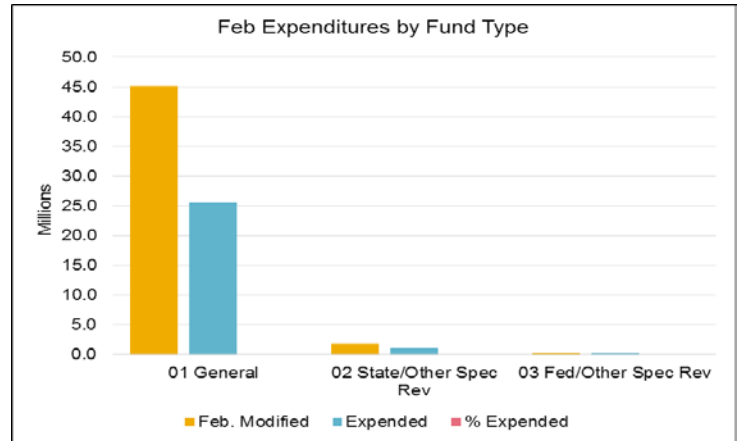
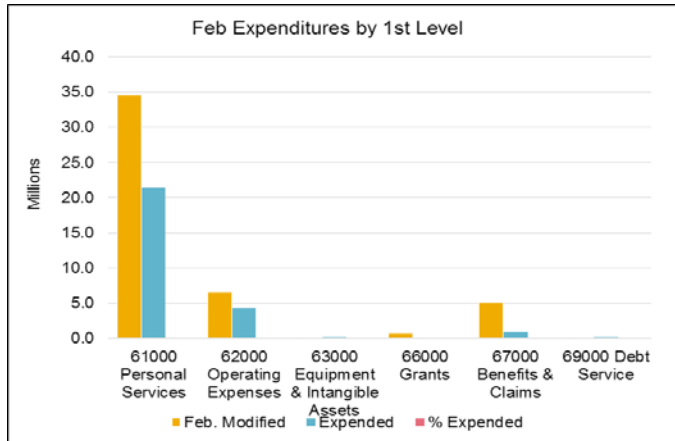


*This shows current expenditures by program and remaining authority for HB 2 budget.*

|                            | YTD<br>Expenditures | Budget Remai | % Expended |
|----------------------------|---------------------|--------------|------------|
| 01 Supreme Court Operati   | 8,032,674           | 9,222,621    | 46.6%      |
| 03 Law Library             | 511,983             | 294,069      | 63.5%      |
| 04 District Court Operator | 16,436,755          | 9,750,975    | 62.8%      |
| 05 Water Courts Supervisi  | 1,292,479           | 970,635      | 57.1%      |
| 06 Clerk Of Court          | 335,377             | 210,236      | 61.5%      |
| Grand Total                | 26,609,268          | 20,448,536   | 56.5%      |

Expenditures are 56.5% for the period during the budget cycle.

## Expenditure By First Level Account and Fund Type



The above graphics show HB 2 modified budget compared to expenditures by first level and fund type.

| Program                             | Feb. Modified | Expended   | % Expended |
|-------------------------------------|---------------|------------|------------|
| 61000 Personal Services             | 34,525,520    | 21,336,643 | 61.8%      |
| 62000 Operating Expenses            | 6,598,424     | 4,321,555  | 65.5%      |
| 63000 Equipment & Intangible Assets | 125,115       | 60,297     | 48.2%      |
| 66000 Grants                        | 698,477       | -          | 0.0%       |
| 67000 Benefits & Claims             | 5,101,393     | 890,312    | 17.5%      |
| 69000 Debt Service                  | 8,875         | 460        | 5.2%       |
| Grand Total                         | 47,057,804    | 26,609,268 | 56.5%      |

| Fund Type               | Feb. Modified | Expended   | % Expended |
|-------------------------|---------------|------------|------------|
| 01 General              | 45,113,996    | 25,556,853 | 56.6%      |
| 02 State/Other Spec Rev | 1,844,518     | 1,006,544  | 54.6%      |
| 03 Fed/Other Spec Rev   | 99,290        | 45,871     | 46.2%      |
| Grand Total             | 47,057,804    | 26,609,268 | 56.5%      |

## REQUIRED REPORTS

None.

## ADDITIONAL DISCUSSION

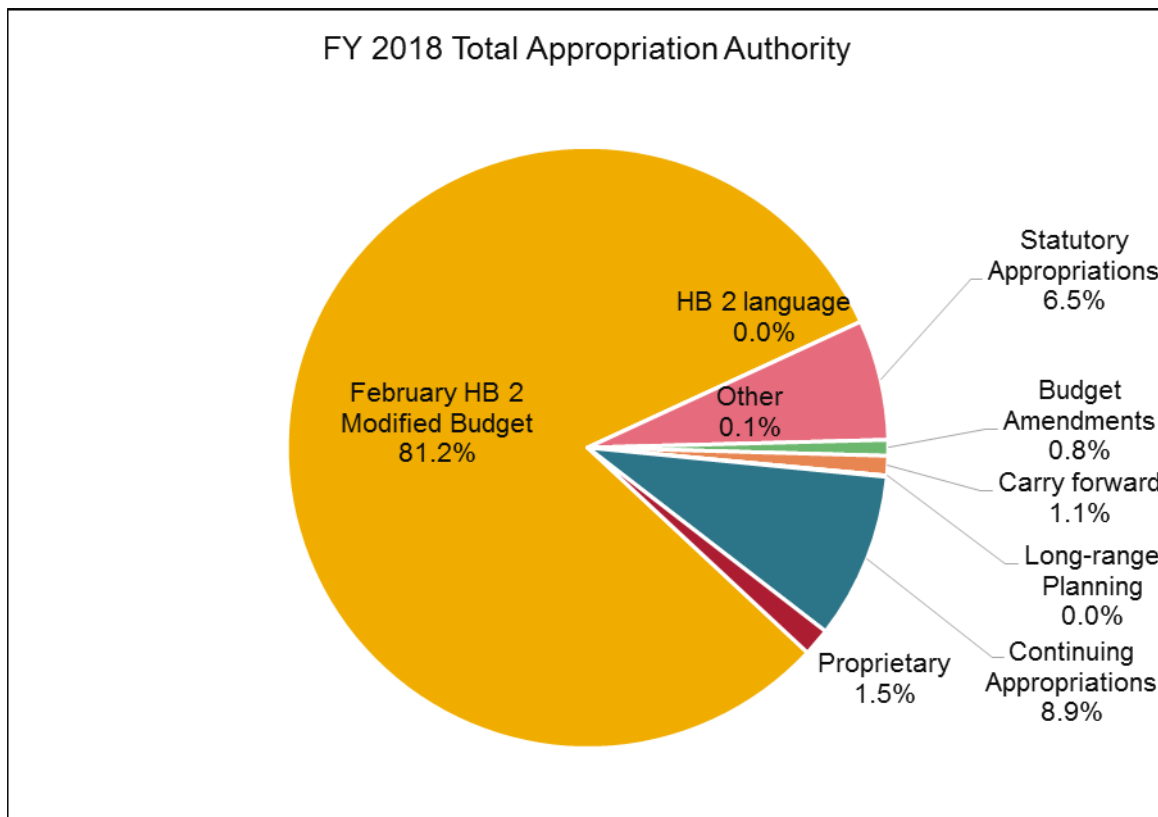
None.

# DEPARTMENT OF JUSTICE

## BUDGET AND EXPENDITURE HIGHLIGHTS

- The Department of Justice (DOJ) has expended 57.1% of their HB 2 authority year to date, this includes 40.5 % general fund remaining in FY 2018
- There were four program transfers totaling approximately \$600,000 year to date that supported movement of 1.5 FTE for an agent and HR technician and other transfers involving the Motor Vehicle Division, the Forensic Science Division, Central Services, and Legal Services for various organization adjustments
- Litigation expenses are lower than anticipated at this time based on case status
- Federal authority has been prioritized during the first half of FY 2018 providing relief for general and state special revenue streams
- Collection for the new MVD fees began January 2018

## TOTAL APPROPRIATION AUTHORITY OVERVIEW



*This chart FY 2018 total agency authority and corresponds to Appendix B.*

HB 22 provides \$80,000 for support of major litigation in FY 2018. This funding has been completely expended.

## Statutory Appropriations

There is \$7.8 million in statutory appropriations supporting programs such as

- Crime Victims Compensation
- County Attorney Pay role
- Federal and state forfeitures

## Budget Amendments

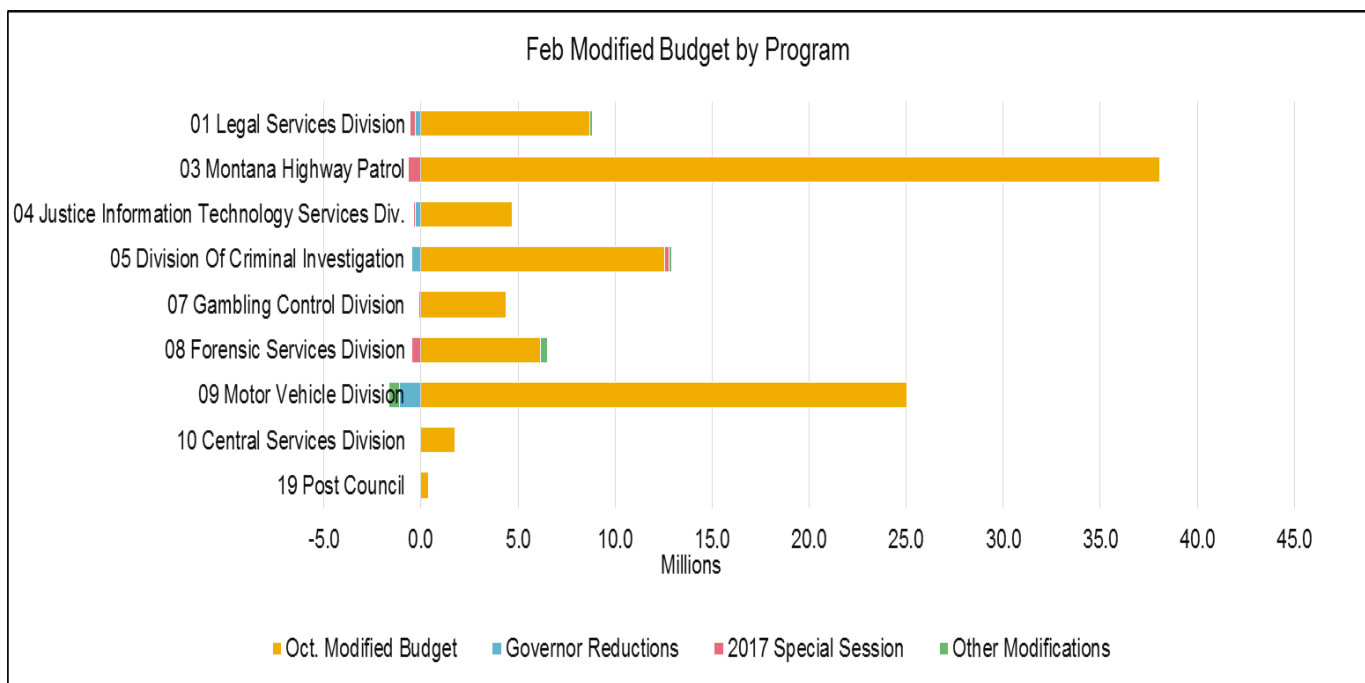
Budget amendments total approximately \$1.0 million in increased federal authority. Programs receiving this money are:

- Criminal Records Information Systems (CRIS)
- DCI Investigations
- US Marshals overtime
- DNA testing
- Alcohol Tobacco and Firearms task force

## Non-Budgeted Proprietary

none

## HB 2 BUDGET MODIFICATIONS



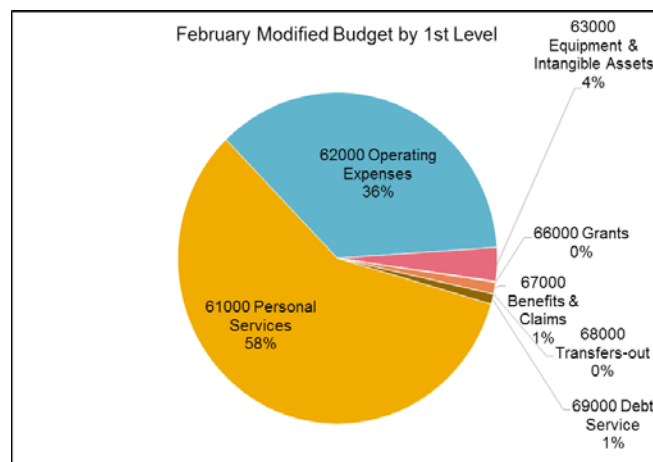
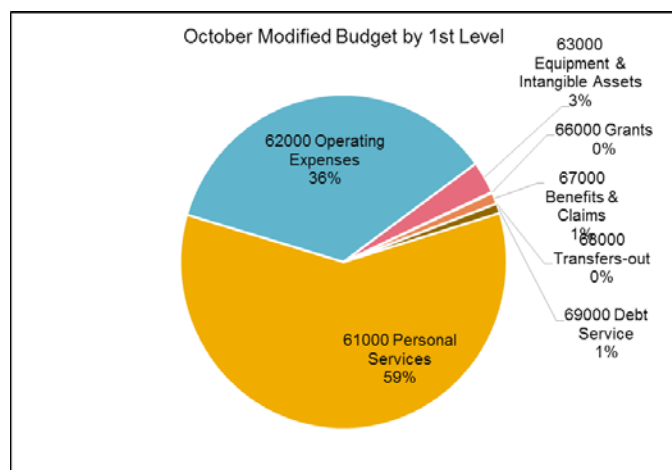
## Budget Modification by Program

| Program   | Oct. Modified Budget | Governor's Reductions | 2017 Special Session | Other Modifications | Sum of Totals |
|---|----------------------|-----------------------|----------------------|---------------------|---------------|
| 01 Legal Services Division                      | 8,706,421            | (299,606)             | (281,276)            | 111,931             | 8,237,470     |
| 03 Montana Highway Patrol                       | 38,050,775           | -                     | (650,644)            | (54,661)            | 37,345,470    |
| 04 Justice Information Technology Services Div. | 4,697,576            | (293,441)             | (89,633)             | 19,957              | 4,334,459     |
| 05 Division Of Criminal Investigation           | 12,546,746           | (491,803)             | 239,537              | 113,851             | 12,408,331    |
| 07 Gambling Control Division                    | 4,403,436            | -                     | (91,884)             | 25,430              | 4,336,982     |
| 08 Forensic Services Division                   | 6,175,186            | -                     | (459,507)            | 341,379             | 6,057,058     |
| 09 Motor Vehicle Division                       | 25,045,541           | (1,087,724)           | 28,454               | (580,396)           | 23,405,875    |
| 10 Central Services Division                    | 1,765,449            | (74,467)              | (37,148)             | (6,589)             | 1,647,245     |
| 19 Post Council                                 | 391,251              | (27,596)              | (6,476)              | 25,998              | 383,177       |
| Grand Total                                     | 101,782,381          | (2,274,637)           | (1,348,579)          | (3,098)             | 98,156,067    |

*This chart shows budget modifications by program from October through February.*

The majority of the budget modifications come from 17-7-140, mca reductions and those made from the 2017 session. Other modifications are workers compensation reductions.

## Budget Modification by First Level

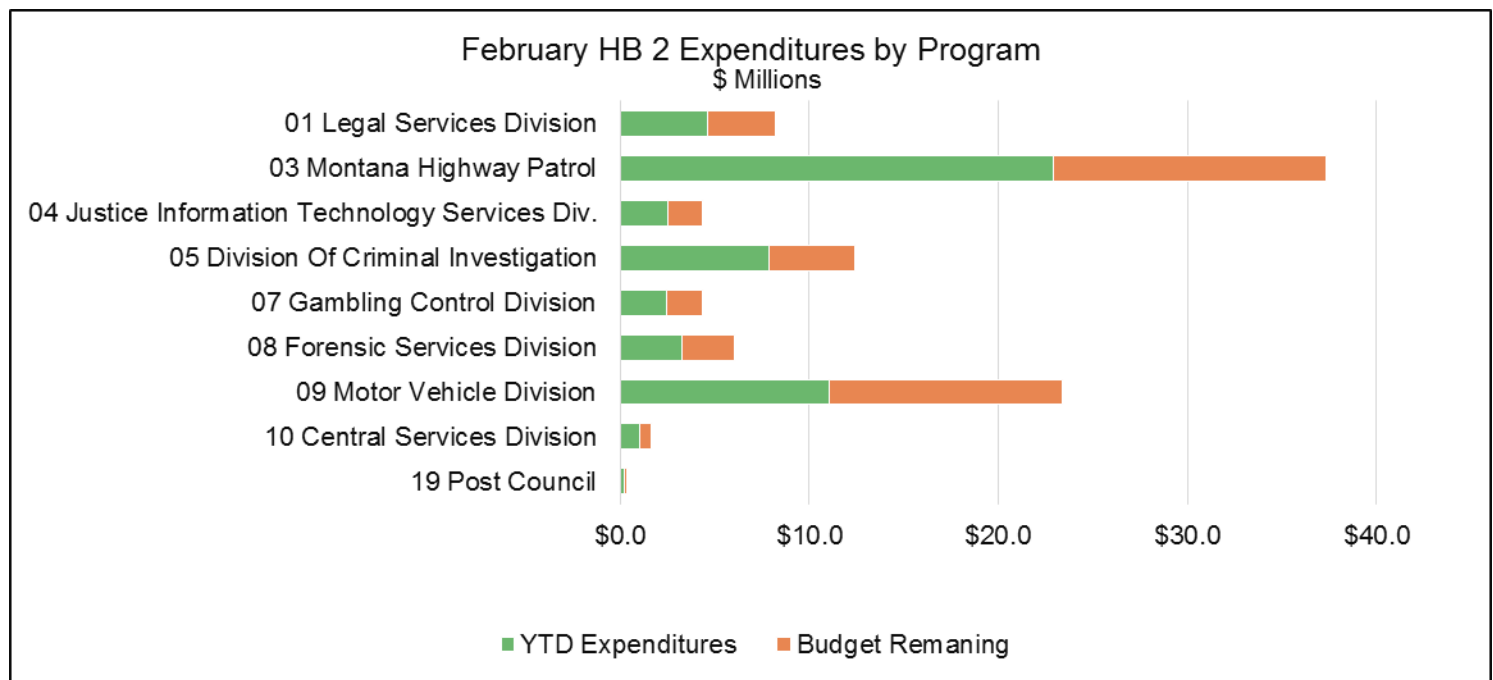


|                                     | Oct. Modified Budget | Gov. Reduction | 2017 Special Session | Other Modifications | Feb. Modified |
|-------------------------------------|----------------------|----------------|----------------------|---------------------|---------------|
| 61000 Personal Services             | 60,330,732           | (1,621,579)    | (1,503,862)          | (22,098)            | 57,183,193    |
| 62000 Operating Expenses            | 36,082,244           | (653,058)      | 155,283              | -                   | 35,584,469    |
| 63000 Equipment & Intangible Assets | 3,195,422            | -              | -                    | 19,000              | 3,214,422     |
| 66000 Grants                        | 90,000               | -              | -                    | -                   | 90,000        |
| 67000 Benefits & Claims             | 1,121,191            | -              | -                    | -                   | 1,121,191     |
| 68000 Transfers-out                 | 11,295               | -              | -                    | -                   | 11,295        |
| 69000 Debt Service                  | 951,497              | -              | -                    | -                   | 951,497       |
| Grand Total                         | 101,782,381          | (2,274,637)    | (1,348,579)          | (3,098)             | 98,156,067    |

The above charts show HB 2 FY 2018 modified budget as of March by first level compared to October modified budget by first level.



## AGENCY HB 2 EXPENDITURES



### Expenditure by Program

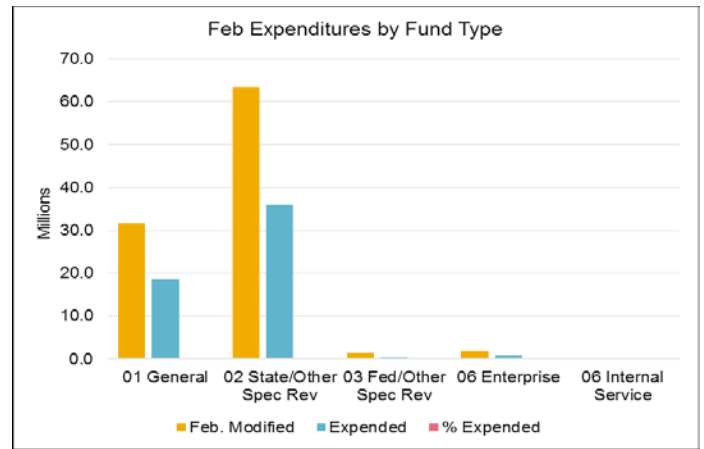
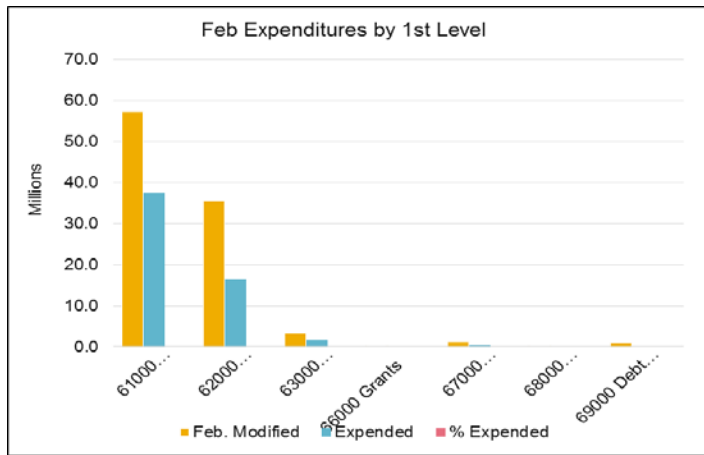
|   | YTD               |                   |              |
|---|-------------------|-------------------|--------------|
|   | Expenditures      | Budget Remaining  | % Expended   |
| 01 Legal Services Division                      | 4,665,973         | 3,571,497         | 56.6%        |
| 03 Montana Highway Patrol                       | 22,919,735        | 14,425,735        | 61.4%        |
| 04 Justice Information Technology Services Div. | 2,503,629         | 1,830,830         | 57.8%        |
| 05 Division Of Criminal Investigation           | 7,853,378         | 4,554,953         | 63.3%        |
| 07 Gambling Control Division                    | 2,469,749         | 1,867,233         | 56.9%        |
| 08 Forensic Services Division                   | 3,260,829         | 2,796,229         | 53.8%        |
| 09 Motor Vehicle Division                       | 11,066,276        | 12,339,599        | 47.3%        |
| 10 Central Services Division                    | 1,067,304         | 579,941           | 64.8%        |
| 19 Post Council                                 | 213,985           | 169,192           | 55.8%        |
| <b>Grand Total</b>                              | <b>56,020,859</b> | <b>42,135,208</b> | <b>57.1%</b> |

*This shows current expenditures by program and remaining authority for HB 2 budget.*

Expenditures are slightly lagging if compared to a linear function of expenditure divided by time, however, the department does expect to see increased spending in the second half of FY 2018. The use of federal funds before state funds in the first half of FY 2018 and delays in equipment purchases (such as for the forensic science lab) resulted in less expenditures to date.

### Expenditure By First Level Account and Fund Type

*The above charts show HB 2 modified budget compared to expenditures by first level and fund type. Additionally, the first chart provides historical HB 2 expenditures for reference.*



| Program                             | Feb. Modified | Expended   | % Expended |
|-------------------------------------|---------------|------------|------------|
| 61000 Personal Services             | 57,183,193    | 37,430,499 | 65.5%      |
| 62000 Operating Expenses            | 35,584,469    | 16,574,360 | 46.6%      |
| 63000 Equipment & Intangible Assets | 3,214,422     | 1,650,373  | 51.3%      |
| 66000 Grants                        | 90,000        | 32,200     | 35.8%      |
| 67000 Benefits & Claims             | 1,121,191     | 264,667    | 23.6%      |
| 68000 Transfers-out                 | 11,295        | 11,295     | 100.0%     |
| 69000 Debt Service                  | 951,497       | 57,465     | 6.0%       |
| Grand Total                         | 98,156,067    | 56,020,859 | 57.1%      |

| Fund Type               | Feb. Modified | Expended   | % Expended |
|-------------------------|---------------|------------|------------|
| 01 General              | 31,530,081    | 18,756,342 | 59.5%      |
| 02 State/Other Spec Rev | 63,429,748    | 35,969,046 | 56.7%      |
| 03 Fed/Other Spec Rev   | 1,334,835     | 394,919    | 29.6%      |
| 06 Enterprise           | 1,846,017     | 892,916    | 48.4%      |
| 06 Internal Service     | 15,386        | 7,636      | 49.6%      |
| Grand Total             | 98,156,067    | 56,020,859 | 57.1%      |

The above graphics show HB 2 modified budget compared to expenditures by first level and fund type.

## REQUIRED REPORTS

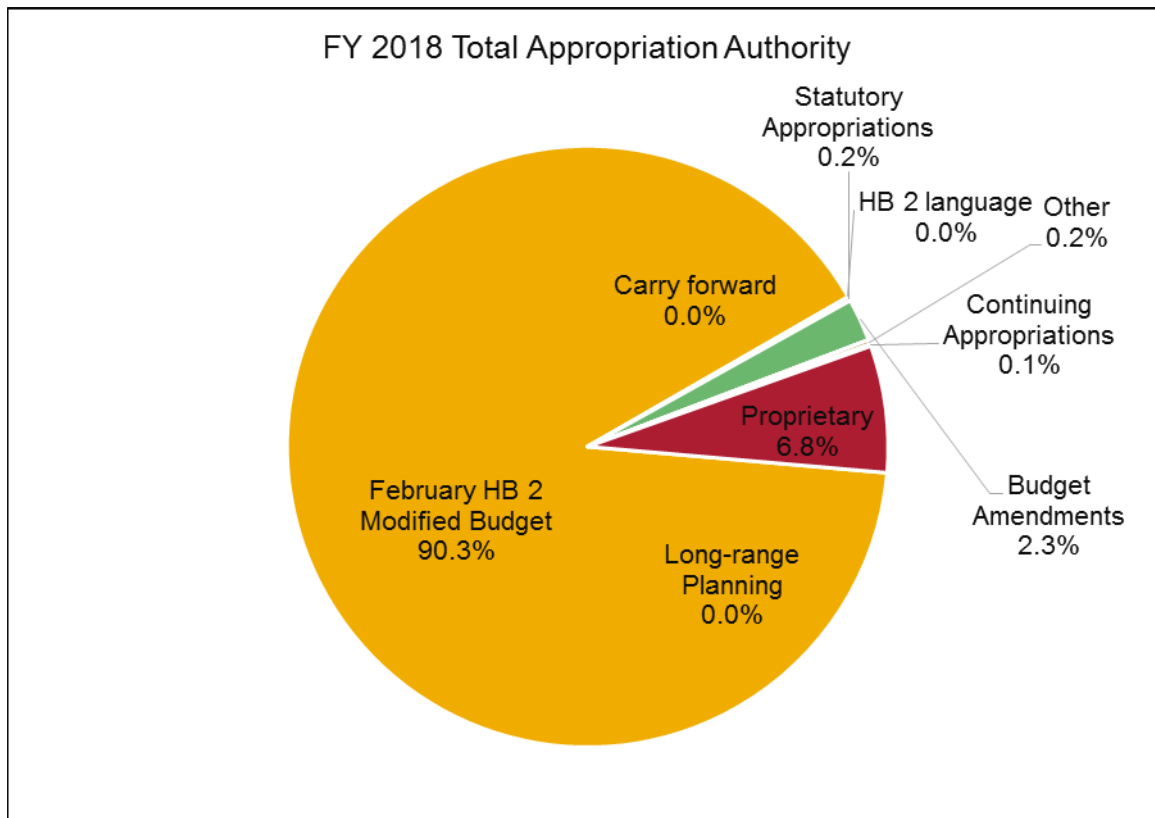
## ADDITIONAL DISCUSSION

# DEPARTMENT OF CORRECTIONS

## BUDGET AND EXPENDITURE HIGHLIGHTS

- The Department of Corrections has expended 59.9% of their modified HB 2 authority in FY 2018 and 62.9% of general fund appropriation has been expended for the year
- The Montana Board of Crime Control has been moved to DOC under program 1 Administrative Services
- County Jail holds are currently under 250 per HB 2

## TOTAL APPROPRIATION AUTHORITY OVERVIEW



*This chart FY 2018 total agency authority and corresponds to Appendix B.*

### Statutory Appropriations

There is \$0.5 million in statutory appropriations supporting secure facilities in FY 2018

### Budget Amendments

Budget amendments totaling approximately \$5.5 million have increased federal authority. Programs delivering/receiving this money are:

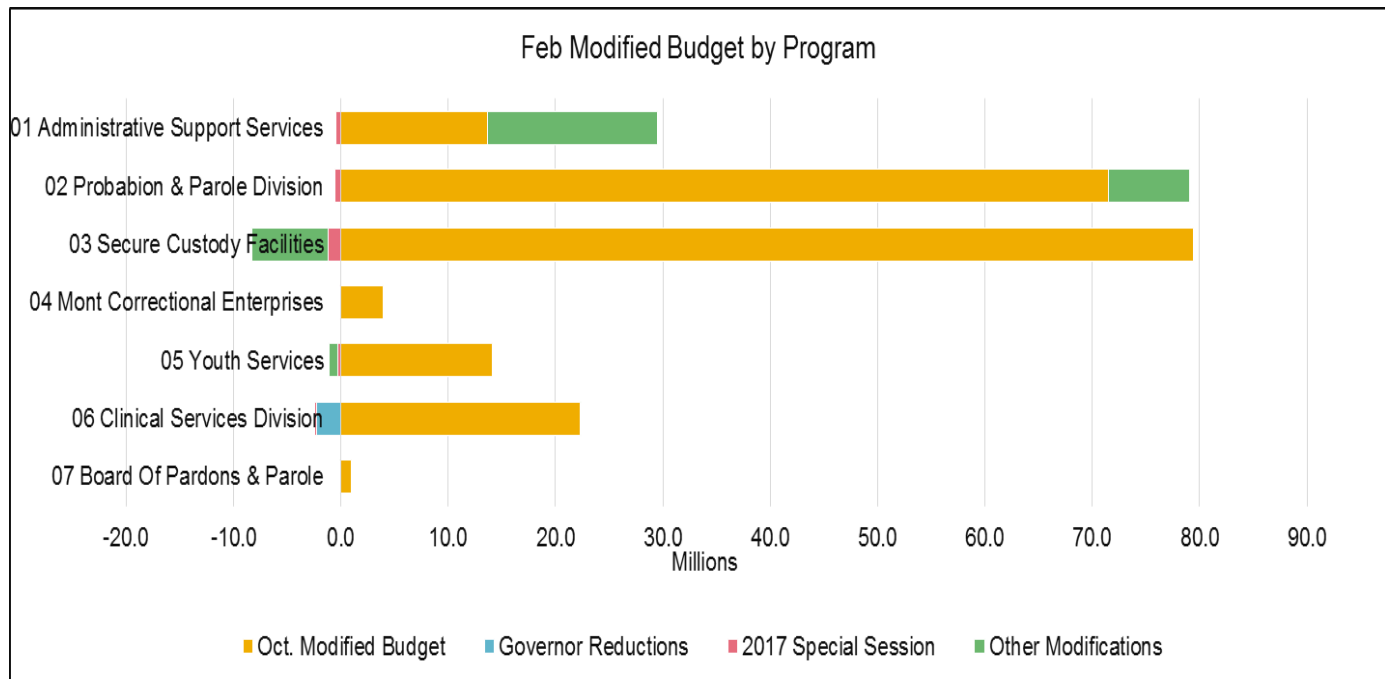
- National Sexual Assault Kit Initiative (SAKE)
- Victims Assistance Grants
- Elderly Abuse
- Men's Health Coalition

- Technology Grants

## Non-Budgeted Proprietary

none

## HB 2 BUDGET MODIFICATIONS



## Budget Modification by Program

| Program                            | Oct. Modified Budget | Governor's Reductions | 2017 Special Session | Other Modifications | Sum of Totals |
|------------------------------------|----------------------|-----------------------|----------------------|---------------------|---------------|
| 01 Administrative Support Services | 13,715,082           | -                     | (421,480)            | 15,825,875          | 29,119,478    |
| 02 Probation & Parole Division     | 71,551,855           | -                     | (543,864)            | 7,515,953           | 78,523,944    |
| 03 Secure Custody Facilities       | 79,442,499           | -                     | (1,161,508)          | (7,103,332)         | 71,177,659    |
| 04 Mont Correctional Enterprises   | 3,932,803            | -                     | (23,188)             | -                   | 3,909,615     |
| 05 Youth Services                  | 14,150,711           | -                     | (316,200)            | (797,239)           | 13,037,272    |
| 06 Clinical Services Division      | 22,325,211           | (2,211,631)           | (189,720)            | 112,547             | 20,036,407    |
| 07 Board Of Pardons & Parole       | 961,062              | -                     | (6,324)              | (320)               | 954,418       |
| Grand Total                        | 206,079,223          | (2,211,631)           | (2,662,284)          | 15,553,485          | 216,758,793   |

*This chart shows budget modifications by program from October through March.*

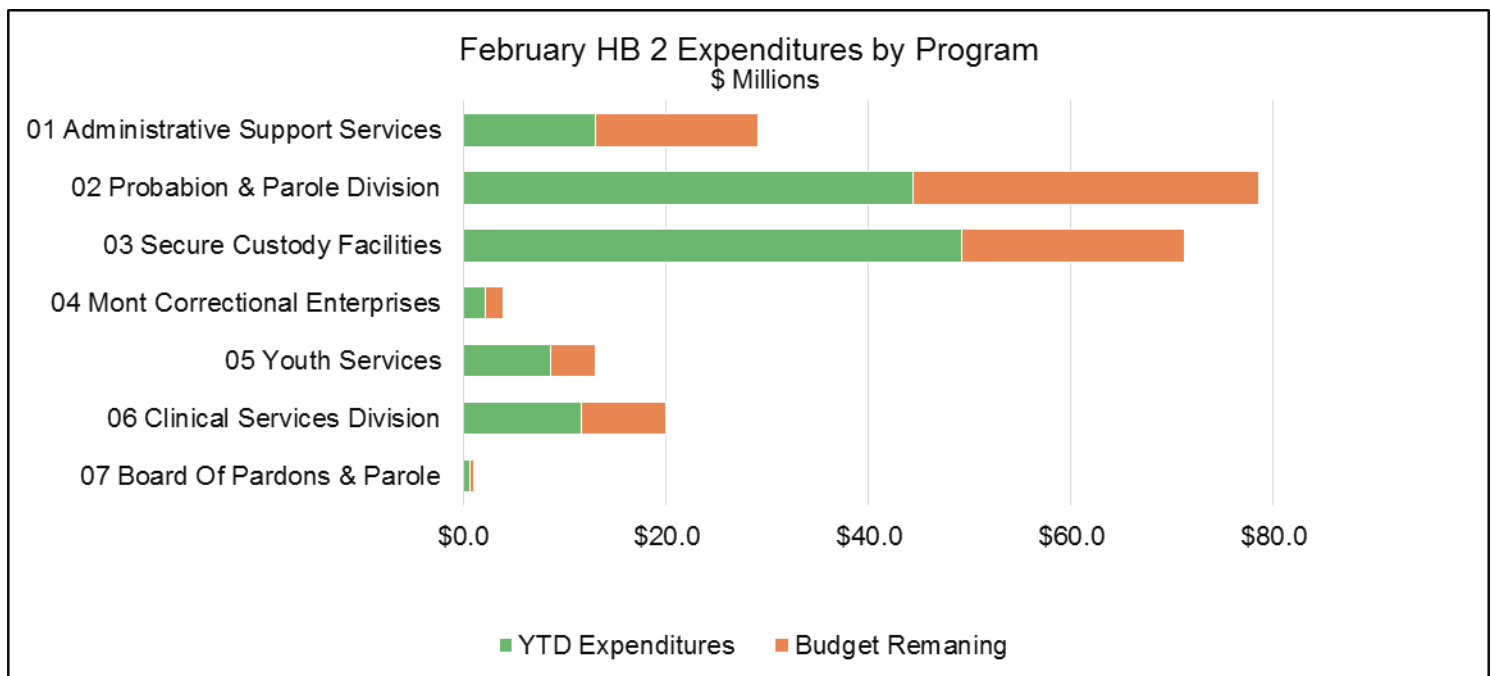
Some of budget modifications come from 17-7-140, mca and those made from the 2017 session. The majority of the modifications come from the transition of the Montana Board of Crime control from the Department of Justice to Department of Corrections per SB 95 which reads "the staff of the board of crime control, in collaboration with the department of corrections, shall implement the plan to fully transition the board to the department of corrections by January 1, 2018". Also, a BCD was done to transfer funds out of Program 3 Secure Care to Program 2 Probation and Parole Division for \$8.3 million dollars due to a change in coding expenses for county jail holds.

## Budget Modification by First Level

|                                     | Oct. Modified<br>Budget | Gov.<br>Reduction | 2017 Special Session | Other<br>Modifications | Feb. Modified |
|-------------------------------------|-------------------------|-------------------|----------------------|------------------------|---------------|
| 61000 Personal Services             | 86,588,154              | -                 | (2,476,900)          | 830,605                | 84,941,859    |
| 62000 Operating Expenses            | 118,123,447             | (2,211,631)       | (185,384)            | 409,351                | 116,135,783   |
| 63000 Equipment & Intangible Assets | 152,852                 | -                 | -                    | 13,909                 | 166,761       |
| 64000 Capital Outlay                | 20,773                  | -                 | -                    | -                      | 20,773        |
| 66000 Grants                        | -                       | -                 | -                    | 8,972,437              | 8,972,437     |
| 67000 Benefits & Claims             | 540,598                 | -                 | -                    | -                      | 540,598       |
| 68000 Transfers-out                 | 209,467                 | -                 | -                    | 5,330,706              | 5,540,173     |
| 69000 Debt Service                  | 443,932                 | -                 | -                    | (3,523)                | 440,409       |
| Grand Total                         | 206,079,223             | (2,211,631)       | (2,662,284)          | 15,553,485             | 216,758,793   |

The above charts show HB 2 FY 2018 modified budget through February by first level compared to October modified budget by first level.

## AGENCY HB 2 EXPENDITURES

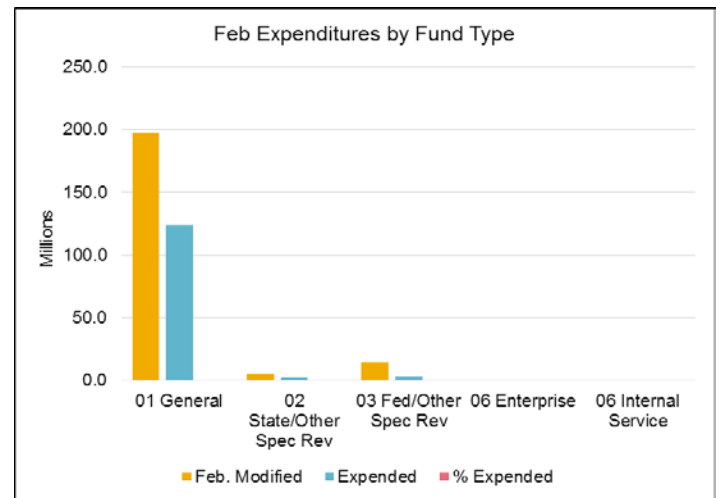
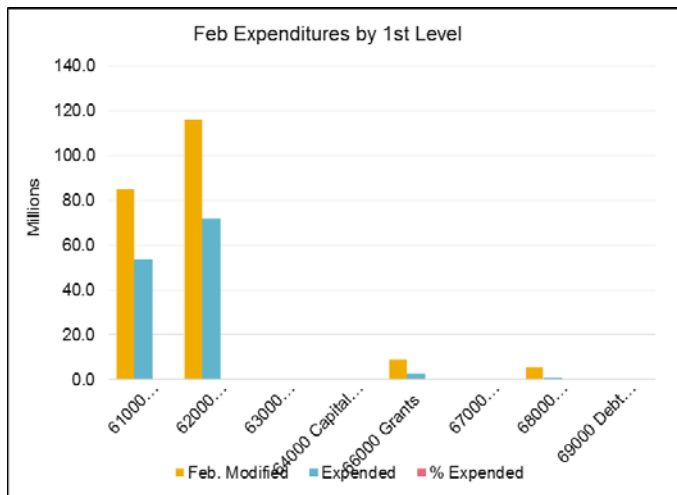


## Expenditure by Program

|                              | YTD<br>Expenditures | Budget Remain | % Expended |
|------------------------------|---------------------|---------------|------------|
| 01 Administrative Support    | 13,064,392          | 16,055,086    | 44.9%      |
| 02 Probation & Parole Div    | 44,418,223          | 34,105,721    | 56.6%      |
| 03 Secure Custody Faciliti   | 49,265,057          | 21,912,602    | 69.2%      |
| 04 Mont Correctional Ente    | 2,170,140           | 1,739,475     | 55.5%      |
| 05 Youth Services            | 8,639,313           | 4,397,959     | 66.3%      |
| 06 Clinical Services Divisic | 11,633,549          | 8,402,858     | 58.1%      |
| 07 Board Of Pardons & P&P    | 549,809             | 404,609       | 57.6%      |
| Grand Total                  | 129,740,483         | 87,018,310    | 59.9%      |

This shows current expenditures by program and remaining authority for HB 2 budget.

## Expenditure By First Level Account and Fund Type



| Program                             | Feb. Modified | Expended    | % Expended |
|-------------------------------------|---------------|-------------|------------|
| 61000 Personal Services             | 84,941,859    | 53,754,282  | 63.3%      |
| 62000 Operating Expenses            | 116,135,783   | 72,088,837  | 62.1%      |
| 63000 Equipment & Intangible Assets | 166,761       | 46,977      | 28.2%      |
| 64000 Capital Outlay                | 20,773        | -           | 0.0%       |
| 66000 Grants                        | 8,972,437     | 2,563,542   | 28.6%      |
| 67000 Benefits & Claims             | 540,598       | 168,029     | 31.1%      |
| 68000 Transfers-out                 | 5,540,173     | 667,799     | 12.1%      |
| 69000 Debt Service                  | 440,409       | 451,016     | 102.4%     |
| Grand Total                         | 216,758,793   | 129,740,483 | 59.9%      |

| Fund Type               | Feb. Modified | Expended    | % Expended |
|-------------------------|---------------|-------------|------------|
| 01 General              | 196,994,856   | 123,988,116 | 62.9%      |
| 02 State/Other Spec Rev | 5,390,387     | 2,355,814   | 43.7%      |
| 03 Fed/Other Spec Rev   | 14,266,321    | 3,289,324   | 23.1%      |
| 06 Enterprise           | 53,318        | 53,318      | 100.0%     |
| 06 Internal Service     | 53,911        | 53,911      | 100.0%     |
| Grand Total             | 216,758,793   | 129,740,483 | 59.9%      |

The above graphics show HB 2 modified budget compared to expenditures by first level and fund type.

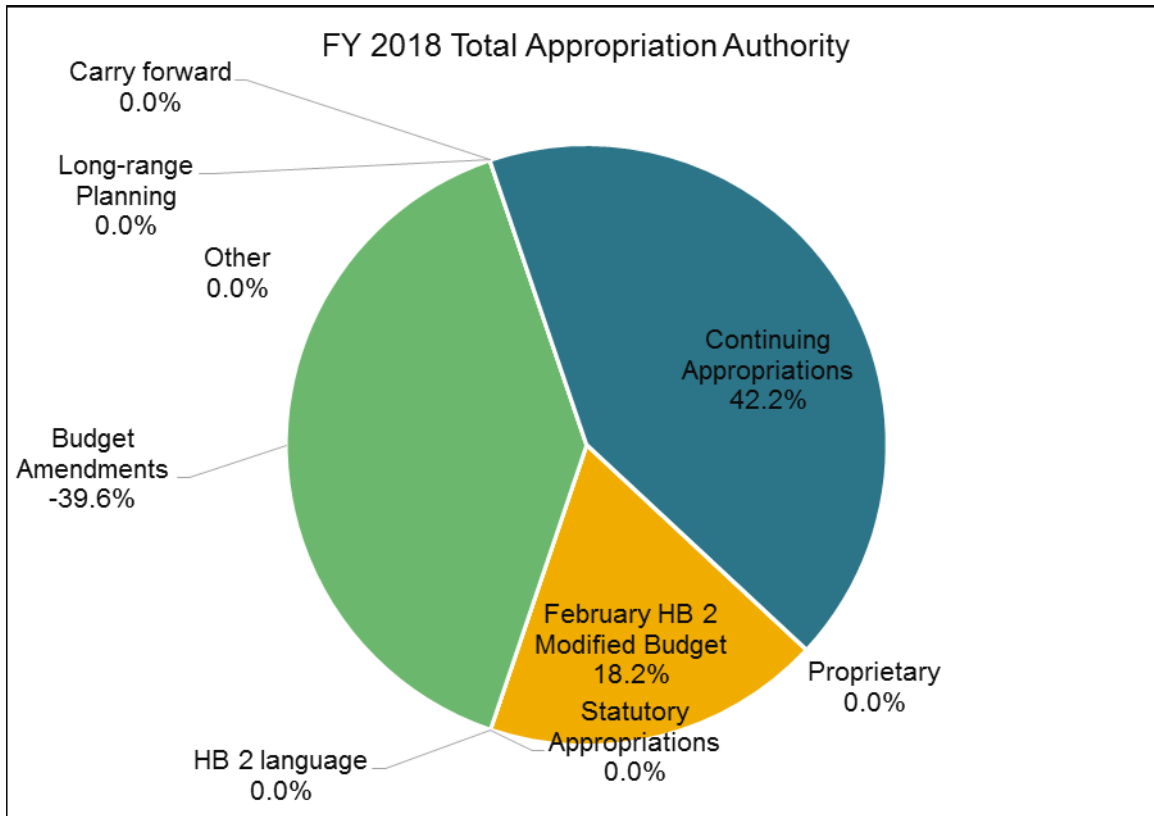
## REQUIRED REPORTS

## ADDITIONAL DISCUSSION

# MONTANA BOARD OF CRIME CONTROL

## BUDGET AND EXPENDITURE HIGHLIGHTS

- The Montana Board of Crime Control (MBCC) has been moved under the Department of Corrections (DOC) per legislation that was passed during the 2017 legislative session.

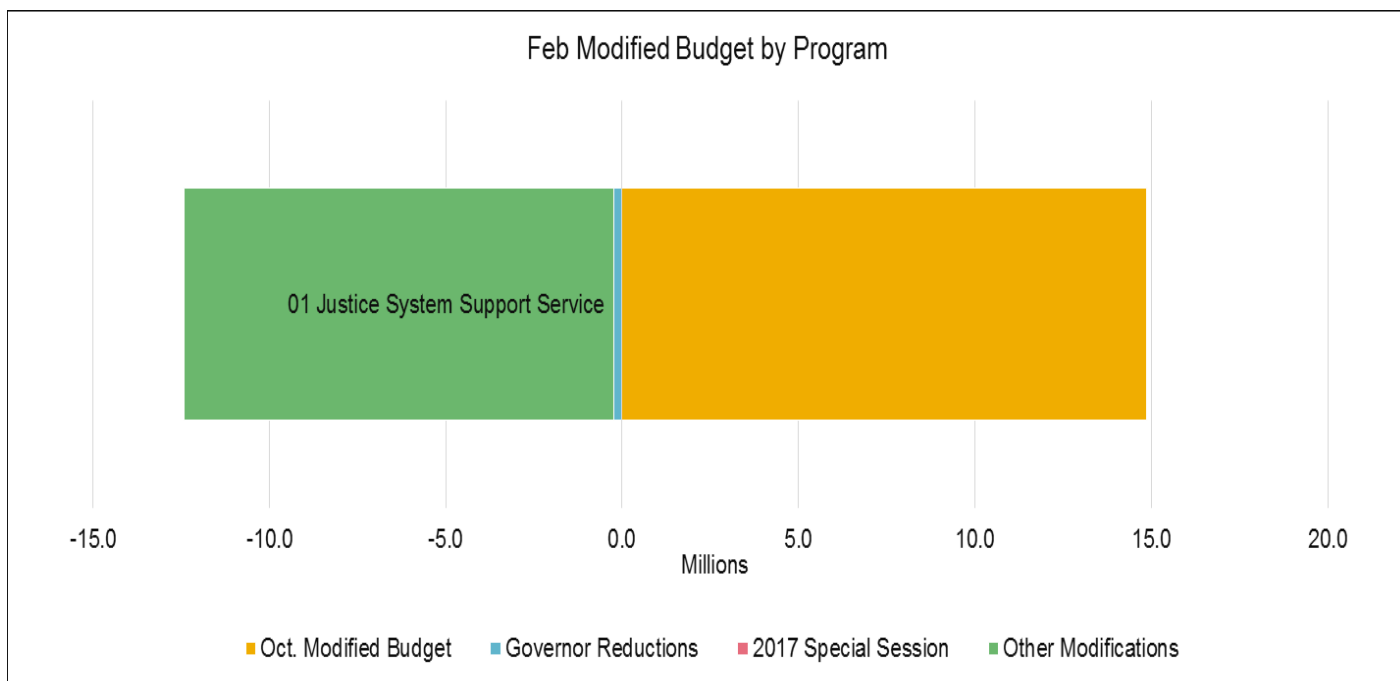


*This chart FY 2018 total agency authority and corresponds to Appendix B.*

## Budget Amendments

The agency utilized budget amendments to comply with SB 95 or the bill that transitioned the board of crime control to the department of corrections.

## HB 2 BUDGET MODIFICATIONS



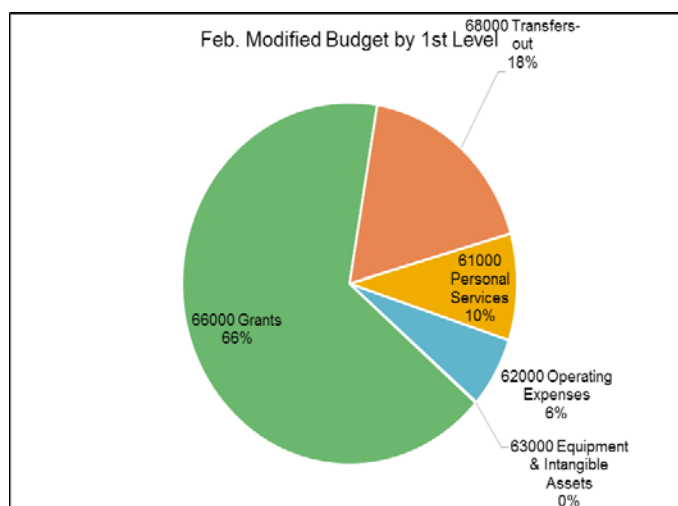
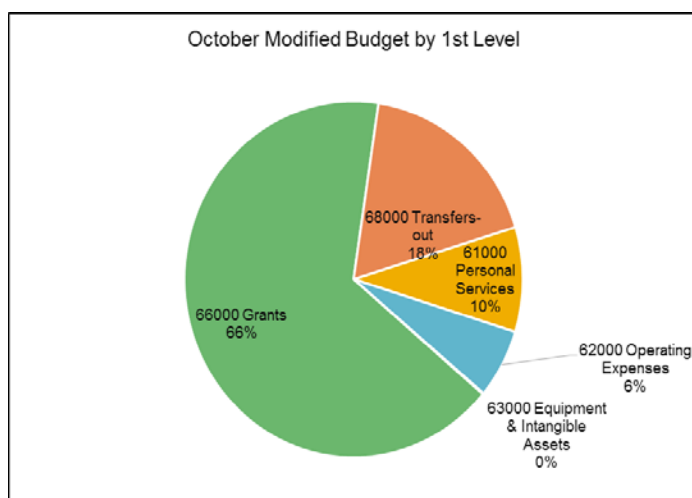
## Budget Modification by Program

| Program                           | Oct. Modified Budget | Governor's Reductions | 2017 Special Session | Other Modifications | Sum of Totals |
|-----------------------------------|----------------------|-----------------------|----------------------|---------------------|---------------|
| 01 Justice System Support Service | 14,853,714           | (229,088)             | -                    | (12,189,509)        | 2,435,117     |
| Grand Total                       | 14,853,714           | (229,088)             | -                    | (12,189,509)        | 2,435,117     |

*This chart shows budget modifications by program from October through February.*

Modifications to the BOCC are a result of supporting SB 95 and moving this agency to the Department of Corrections.

## Budget Modification by First Level

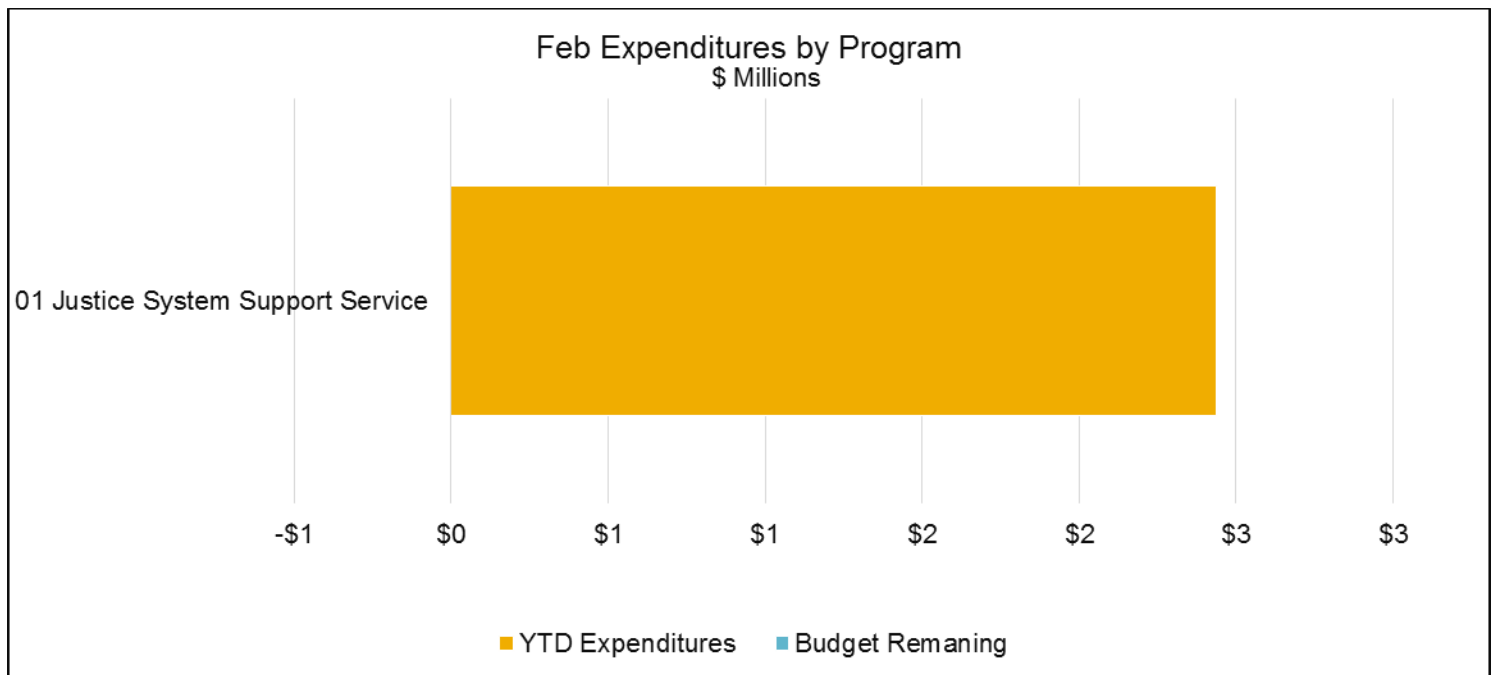




|                                     | Oct. Modified<br>Budget | Gov.<br>Reduction | 2017<br>Special<br>Session | Other<br>Modifications | Feb. Modified |
|-------------------------------------|-------------------------|-------------------|----------------------------|------------------------|---------------|
| 61000 Personal Services             | 1,411,580               | (134,671)         | -                          | (947,769)              | 329,140       |
| 62000 Operating Expenses            | 935,013                 | (94,417)          | -                          | (459,679)              | 380,917       |
| 63000 Equipment & Intangible Assets | 12,909                  | -                 | -                          | (12,909)               | -             |
| 66000 Grants                        | 9,833,395               | -                 | -                          | (8,362,935)            | 1,470,460     |
| 68000 Transfers-out                 | 2,660,817               | -                 | -                          | (2,406,217)            | 254,600       |
| Grand Total                         | 14,853,714              | (229,088)         | -                          | (12,189,509)           | 2,435,117     |

The above charts show HB 2 FY 2018 modified budget as of February by first level compared to October modified budget by first level.

## AGENCY HB 2 EXPENDITURES

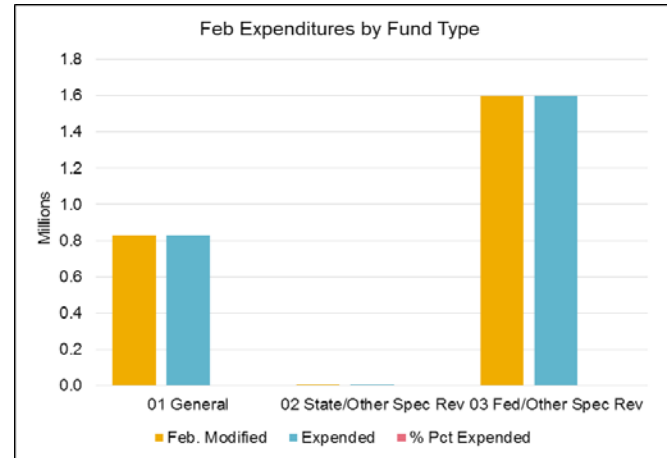
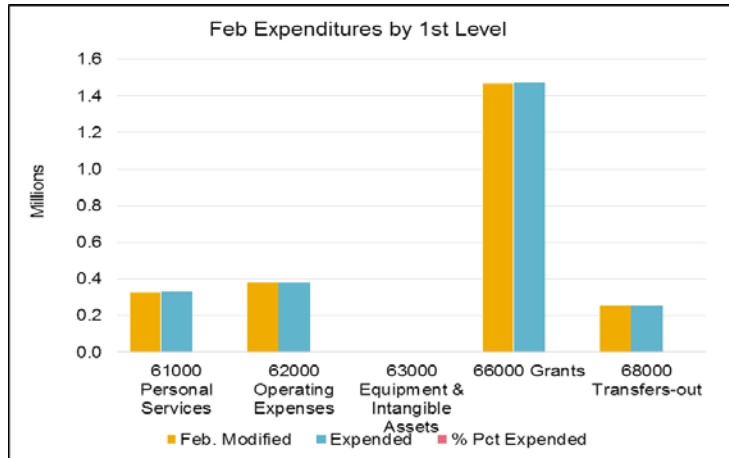


### Expenditure by Program

| Fund Type               | Feb. Modified | Expended    | % Expended |
|-------------------------|---------------|-------------|------------|
| 01 General              | 829,975       | (829,975)   | 100.0%     |
| 02 State/Other Spec Rev | 8,768         | (8,768)     | 100.0%     |
| 03 Fed/Other Spec Rev   | 1,596,374     | (1,596,374) | 100.0%     |
| Grand Total             | 2,435,117     | (2,435,117) | 100.0%     |

This shows current expenditures by program and remaining authority for HB 2 budget.

## Expenditure By First Level Account and Fund Type



| Program                             | Feb. Modified | Expended  | % Pct Expended |
|-------------------------------------|---------------|-----------|----------------|
| 61000 Personal Services             | 329,140       | 329,140   | 100.0%         |
| 62000 Operating Expenses            | 380,917       | 380,917   | 100.0%         |
| 63000 Equipment & Intangible Assets | -             | -         | #DIV/0!        |
| 66000 Grants                        | 1,470,460     | 1,470,460 | 100.0%         |
| 68000 Transfers-out                 | 254,600       | 254,600   | 100.0%         |
| Grand Total                         | 2,435,117     | 2,435,117 | 100.0%         |

| Fund Type               | Feb. Modified | Expended  | % Pct Expended |
|-------------------------|---------------|-----------|----------------|
| 01 General              | 829,975       | 829,975   | 100.0%         |
| 02 State/Other Spec Rev | 8,768         | 8,768     | 100.0%         |
| 03 Fed/Other Spec Rev   | 1,596,374     | 1,596,374 | 100.0%         |
| Grand Total             | 2,435,117     | 2,435,117 | 100.0%         |

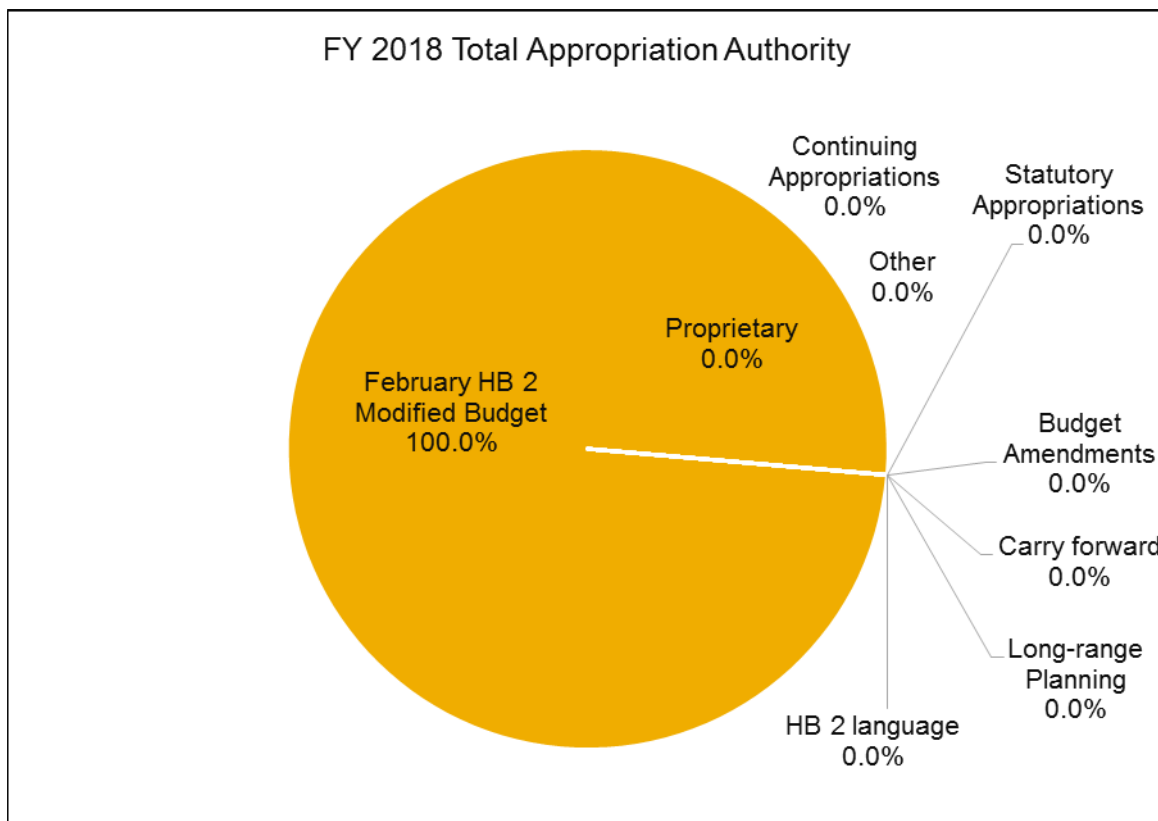
The above charts show HB 2 modified budget compared to expenditures by first level and fund type. Additionally, the first chart provides historical HB 2 expenditures for reference.

# OFFICE OF PUBLIC DEFENDER

## BUDGET AND EXPENDITURE HIGHLIGHTS

- The Office of Public Defender (OPD) has expended 67.9% of their modified HB 2 authority year to date – all funded by general fund
- The agency has requested a fiscal year transfer supplemental of \$3.0 million from FY 2019 to FY 2018
  - A new death penalty case has the possibility to increase expenditures by \$1.2 million for the biennium. The agency has indicated that the potential costs related to the death penalty case are the primary driver of this need to transfer appropriation authority from FY 2019 to FY 2018
  - The agency cited expected growth in dependent and neglect cases is estimated to increase expenditures by \$800,000 and pointed this out as another reason for the fiscal year transfer request
  - The agency indicated that an additional \$600,000 may be needed for anticipated leave payouts. Retirement of senior staff may increase expenditures, but the agency has been aware of certain senior staff that intended to retire for some time
  - Court ordered costs are estimated by the agency to increase and the agency thinks a further \$500,000 may be needed
- New proposed contract rates for attorneys, investigators, and administrative support specialists are intended to save OPD an estimated \$1.5 million annually

## TOTAL APPROPRIATION AUTHORITY OVERVIEW



*This chart FY 2018 total agency authority and corresponds to Appendix B.*

## Statutory Appropriations

none

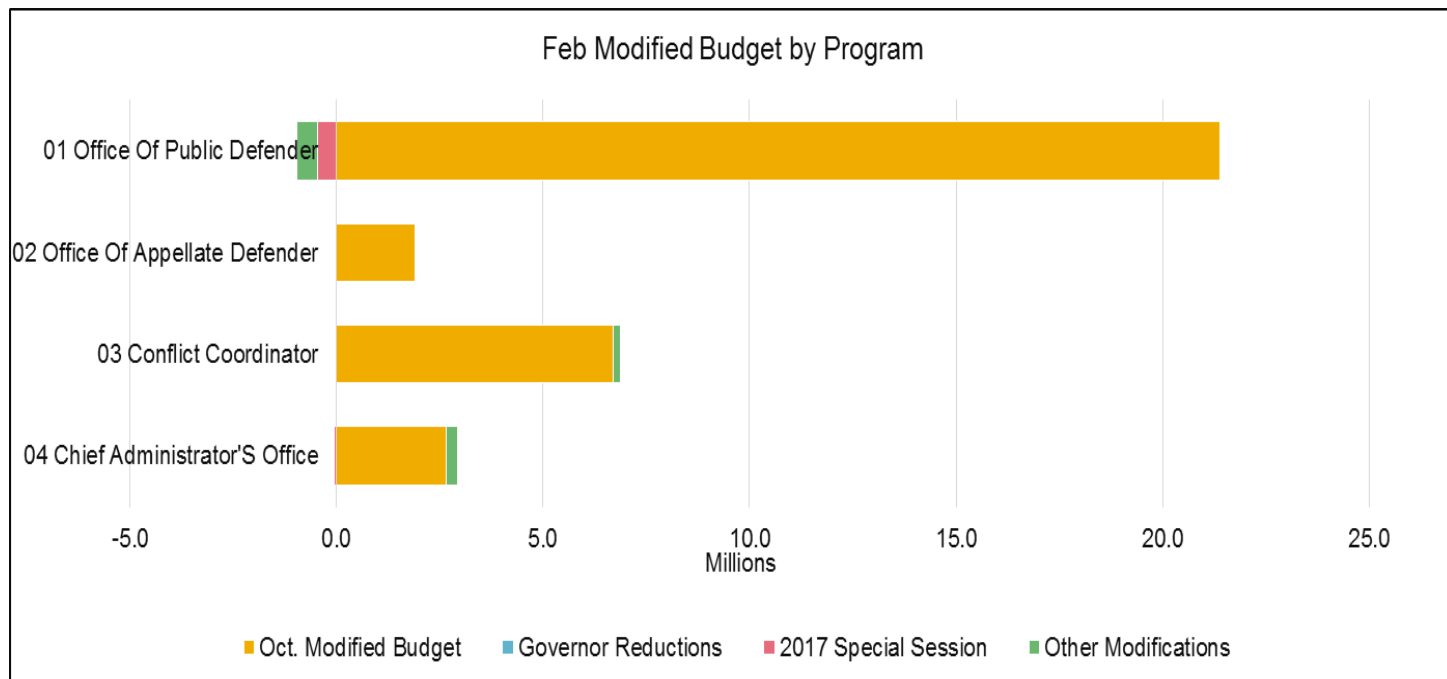
## Budget Amendments

none

## Non-Budgeted Proprietary

none

## HB 2 BUDGET MODIFICATIONS



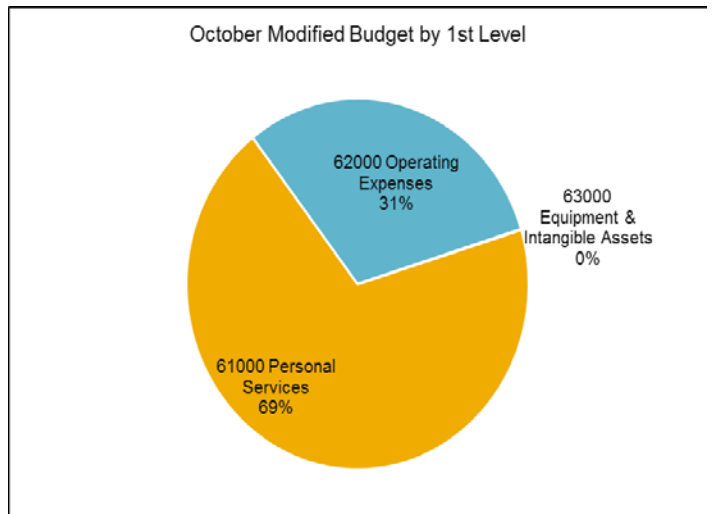
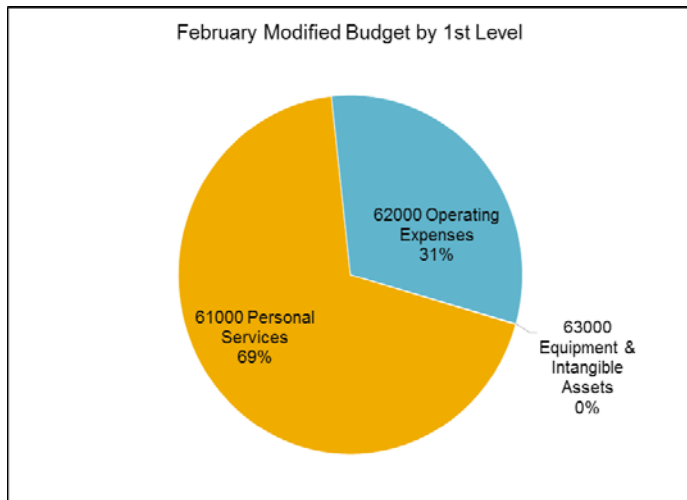
## Budget Modification by Program

| Program                         | Oct. Modified Budget | Governor's Reductions | 2017 Special Session | Other Modifications | Sum of Totals |
|---------------------------------|----------------------|-----------------------|----------------------|---------------------|---------------|
| 01 Office Of Public Defender    | 21,385,917           | -                     | (469,026)            | (501,038)           | 20,415,853    |
| 02 Office Of Appellate Defender | 1,902,922            | -                     | (34,452)             | (1,513)             | 1,866,957     |
| 03 Conflict Coordinator         | 6,687,331            | -                     | (21,274)             | 184,703             | 6,850,760     |
| 04 Chief Administrator'S Office | 2,653,920            | -                     | (44,455)             | 290,699             | 2,900,164     |
| Grand Total                     | 32,630,090           | -                     | (569,207)            | (27,149)            | 32,033,734    |

*This chart shows budget modifications by program from October through February.*

Special session reductions total \$569,207 while “other” modifications include workers compensation reductions of \$27,149.

## Budget Modification by First Level

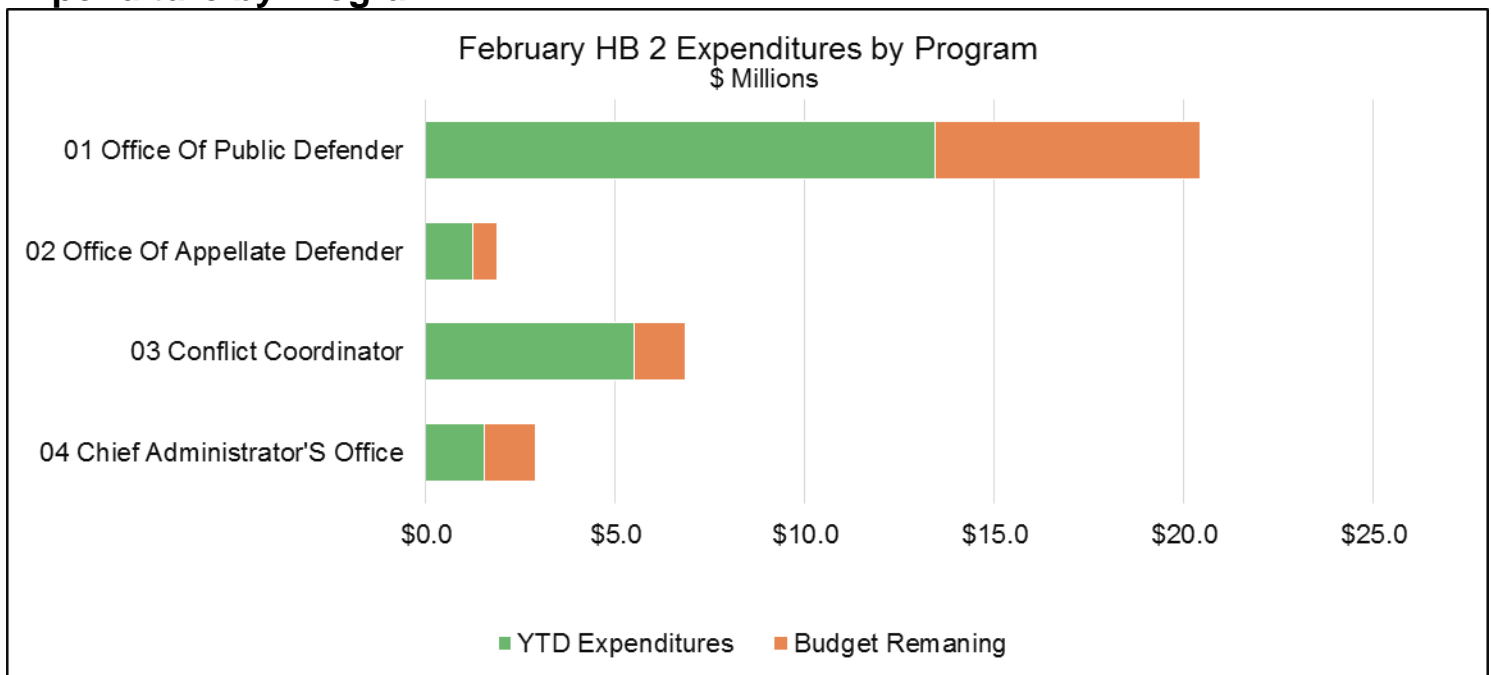


|                                     | Oct. Modified Budget | Gov. Reduction | 2017 Special Session | Other Modifications | Feb. Modified |
|-------------------------------------|----------------------|----------------|----------------------|---------------------|---------------|
| 61000 Personal Services             | 22,584,837           | -              | (520,676)            | (27,149)            | 22,037,012    |
| 62000 Operating Expenses            | 10,026,699           | -              | (48,531)             | -                   | 9,978,168     |
| 63000 Equipment & Intangible Assets | 18,554               | -              | -                    | -                   | 18,554        |
| Grand Total                         | 32,630,090           | -              | (569,207)            | (27,149)            | 32,033,734    |

The above charts show HB 2 FY 2018 modified budget as of March by first level compared to October modified budget by first level.

## AGENCY HB 2 EXPENDITURES

### Expenditure by Program



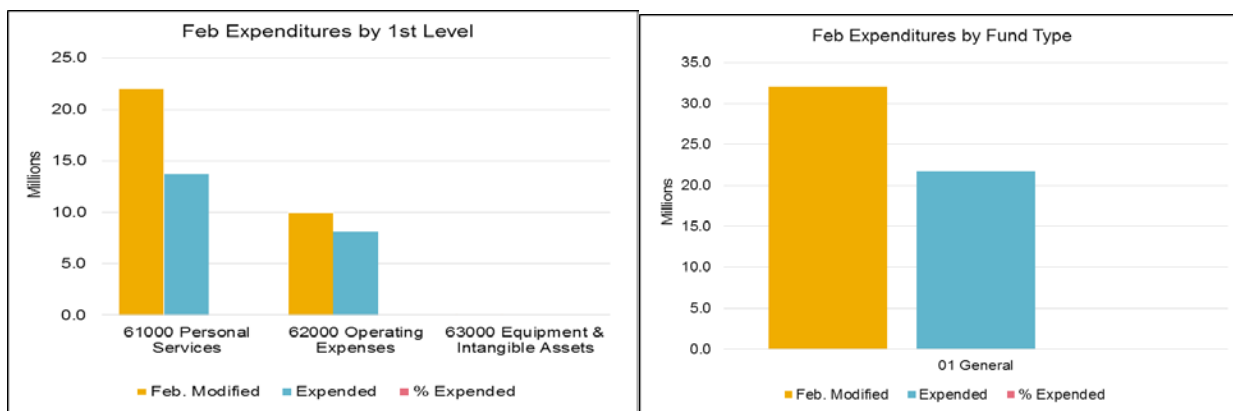
|                                 | YTD          |                  |            |
|---------------------------------|--------------|------------------|------------|
|                                 | Expenditures | Budget Remaining | % Expended |
| 01 Office Of Public Defender    | 13,451,486   | 6,964,367        | 65.9%      |
| 02 Office Of Appellate Defender | 1,237,057    | 629,900          | 66.3%      |
| 03 Conflict Coordinator         | 5,506,532    | 1,344,228        | 80.4%      |
| 04 Chief Administrator'S Office | 1,561,739    | 1,338,425        | 53.9%      |
| Grand Total                     | 21,756,815   | 10,276,919       | 67.9%      |

*This chart shows current expenditures by program and remaining authority for HB 2 budget.*

Expenditures are approximately 67.9% for FY 2018 year to date.

## Expenditure By First Level Account and Fund Type

*The above charts show HB 2 modified budget compared to expenditures by first level and fund type. Additionally, the first chart provides historical HB 2 expenditures for reference.*



| Program                             | Feb. Modified | Expended   | % Expended |
|-------------------------------------|---------------|------------|------------|
| 61000 Personal Services             | 22,037,012    | 13,690,795 | 62.1%      |
| 62000 Operating Expenses            | 9,978,168     | 8,066,020  | 80.8%      |
| 63000 Equipment & Intangible Assets | 18,554        | -          | 0.0%       |
| Grand Total                         | 32,033,734    | 21,756,815 | 67.9%      |

| Fund Type   | Feb. Modified | Expended   | % Expended |
|-------------|---------------|------------|------------|
| 01 General  | 32,033,734    | 21,756,815 | 67.9%      |
| Grand Total | 32,033,734    | 21,756,815 | 67.9%      |

*The above graphics show HB 2 modified budget compared to expenditures by first level and fund type.*

## REQUIRED REPORTS

## ADDITIONAL DISCUSSION

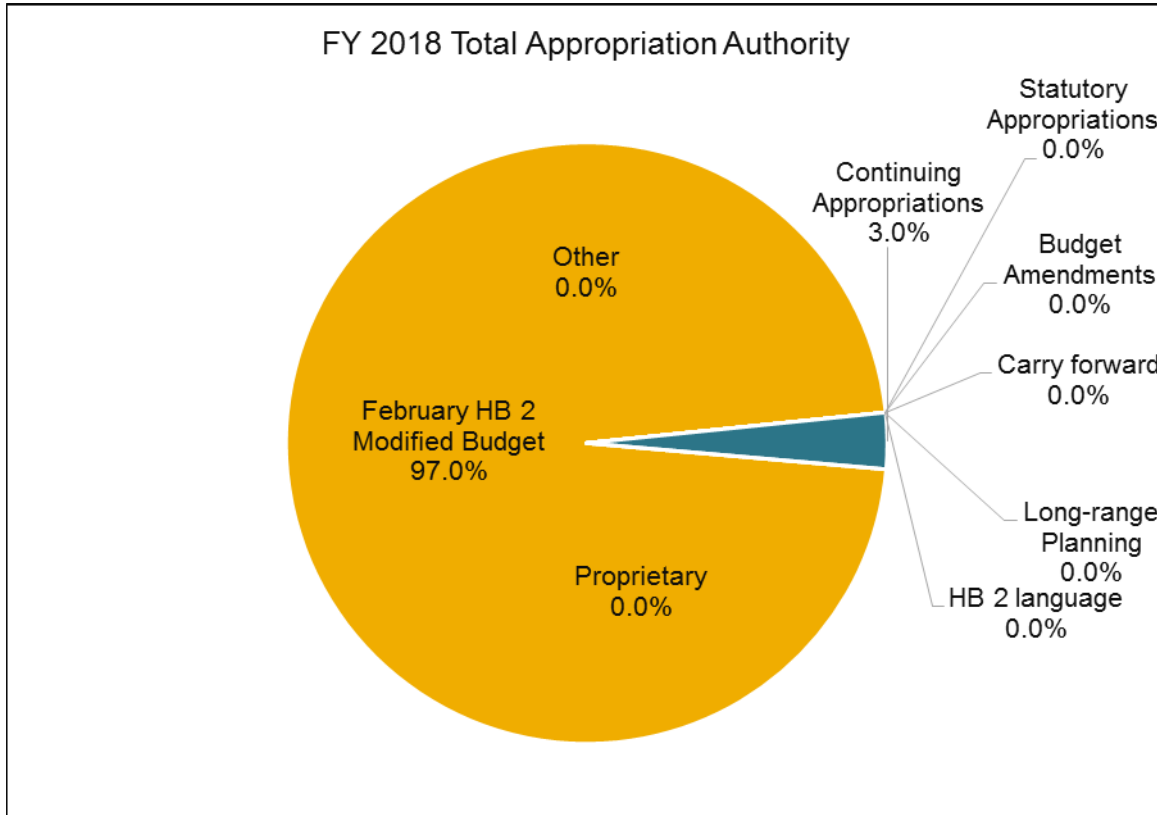
Although non budgeted expenditures are expected to increase by \$1.2 million due to the capitol case ongoing, this increased spending may be negated by savings realized for the proposed decrease in contract rates for attorneys and other professionals working for OPD.

# PUBLIC SERVICE COMMISSION

## BUDGET AND EXPENDITURE HIGHLIGHTS

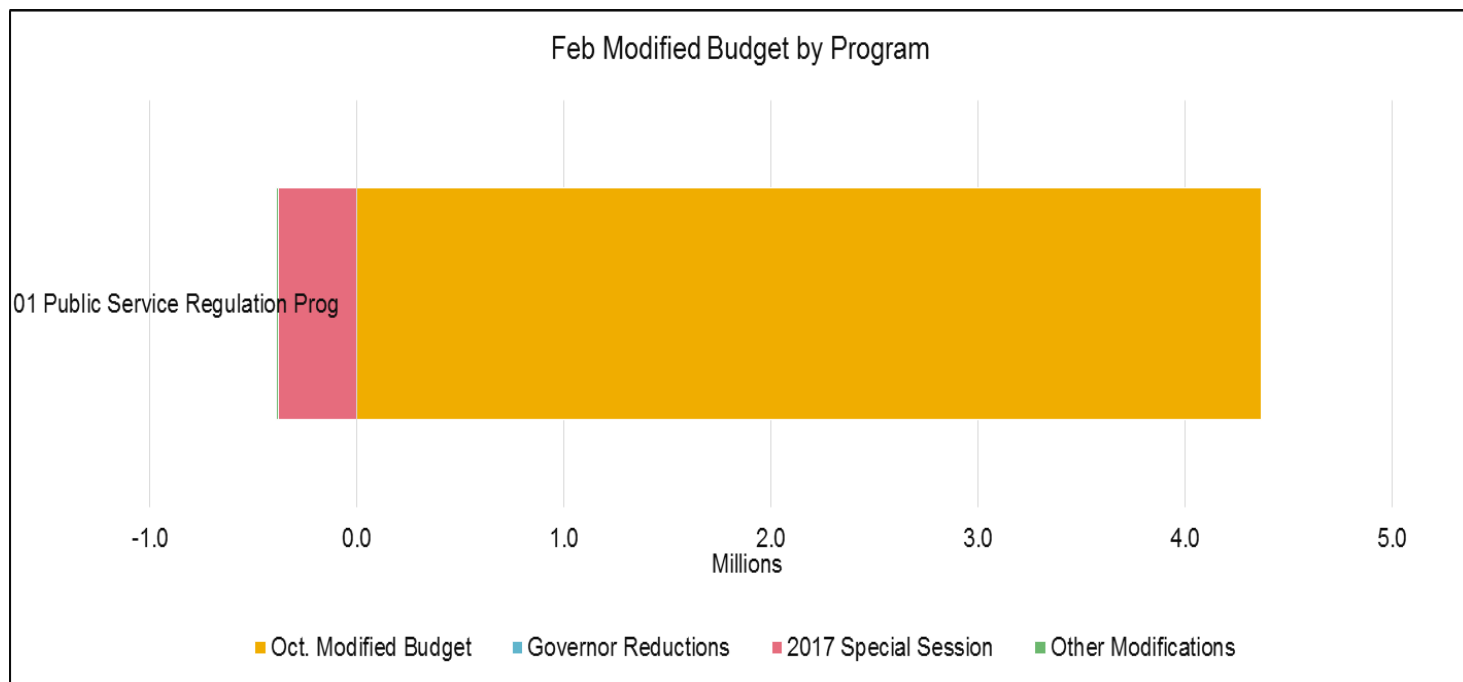
- The Public Service Commission has expended 60.7% of their HB 2 authority year to date, none of which is funded by general fund

## TOTAL APPROPRIATION AUTHORITY OVERVIEW



*This chart FY 2018 total agency authority and corresponds to Appendix B.*

## HB 2 BUDGET MODIFICATIONS



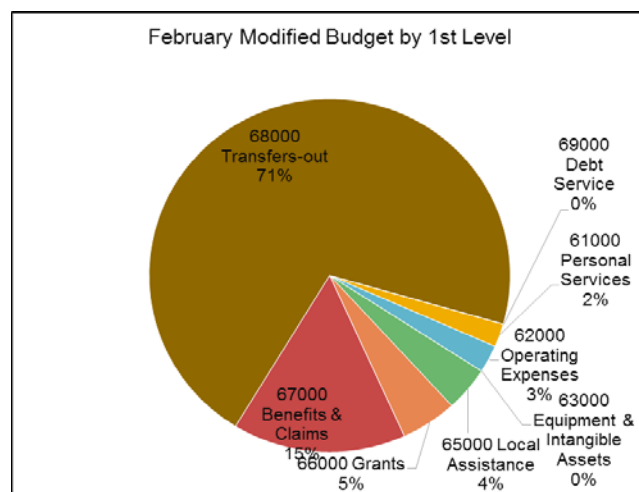
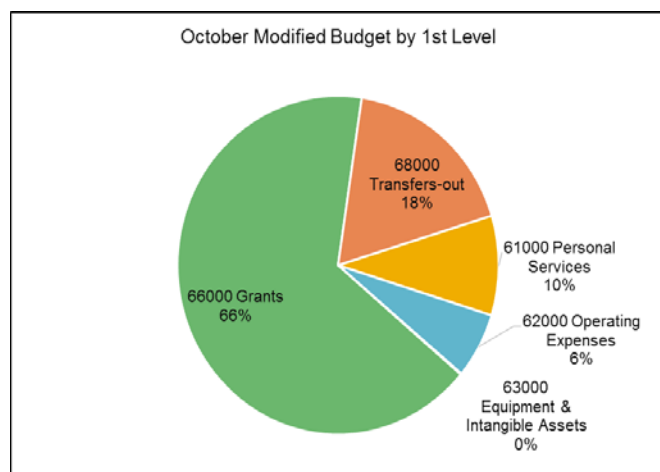
### Budget Modification by Program

| Program                           | Oct. Modified Budget | Governor's Reductions | 2017 Special Session | Other Modifications | Sum of Totals |
|-----------------------------------|----------------------|-----------------------|----------------------|---------------------|---------------|
| 01 Public Service Regulation Prog | 4,369,962            | -                     | (379,551)            | (6,685)             | 3,983,726     |
| Grand Total                       | 4,369,962            | -                     | (379,551)            | (6,685)             | 3,983,726     |

*This chart shows budget modifications by program from October through February.*

The 2017 special session reduced the budget by \$379,551. The "other" modifications are worker's compensation reductions totaling \$6,685.

### Budget Modification by First Level



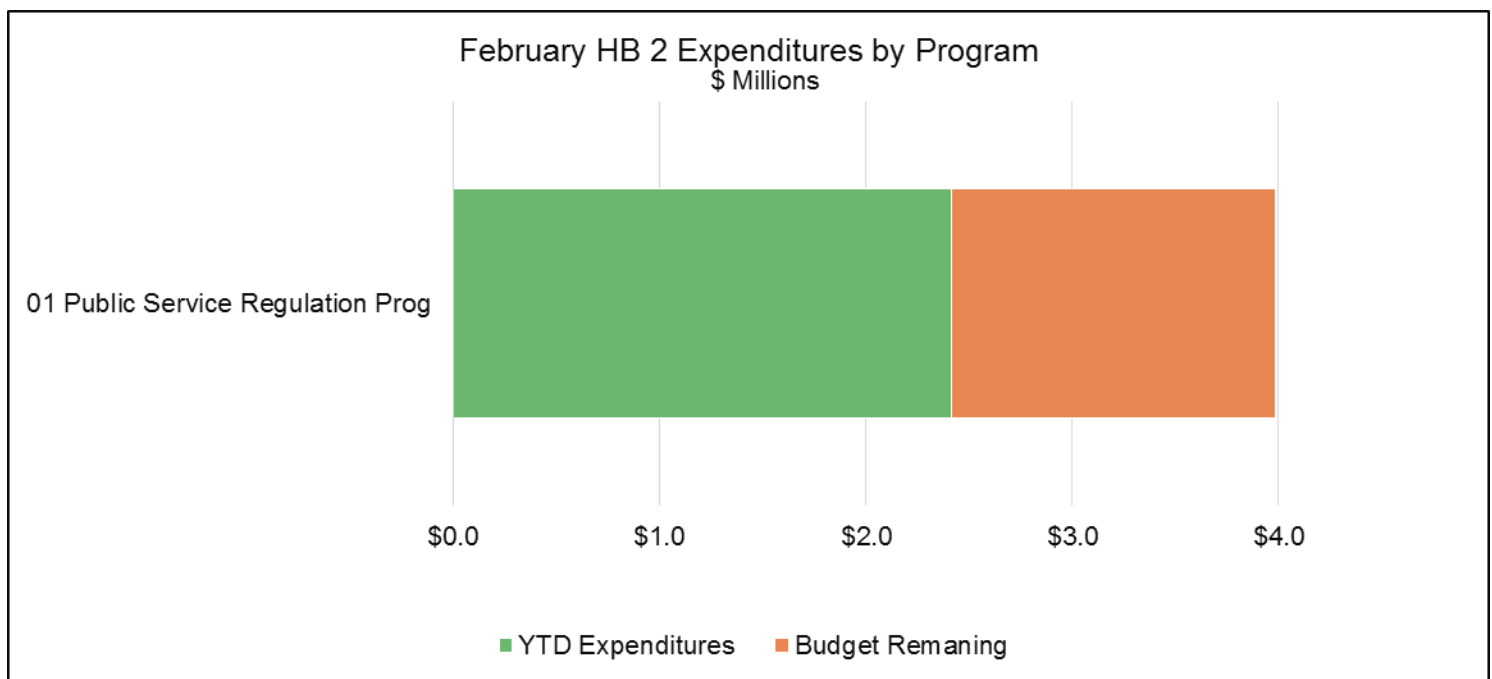


The above charts show HB 2 FY 2018 modified budget as of February by first level compared to October modified budget by first level.

|                          | Oct. Modified<br>Budget | Gov.<br>Reduction | 2017<br>Special<br>Session | Other<br>Modifications | Feb. Modified |
|--------------------------|-------------------------|-------------------|----------------------------|------------------------|---------------|
| 61000 Personal Services  | 3,267,980               | -                 | (67,456)                   | (6,685)                | 3,193,839     |
| 62000 Operating Expenses | 1,095,902               | -                 | (312,095)                  | -                      | 783,807       |
| 69000 Debt Service       | 6,080                   | -                 | -                          | -                      | 6,080         |
| Grand Total              | 4,369,962               | -                 | (379,551)                  | (6,685)                | 3,983,726     |

## AGENCY HB 2 EXPENDITURES

### Expenditure by Program



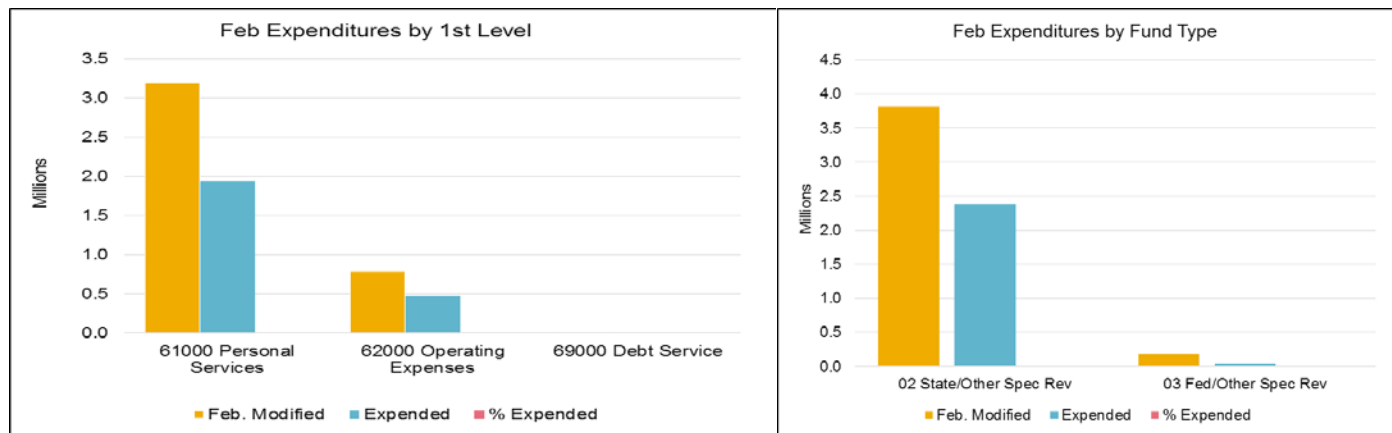
This shows current expenditures by program and remaining authority for HB 2 budget.

|                            | YTD<br>Expenditures | Budget Rem: | % Expended |
|----------------------------|---------------------|-------------|------------|
| 01 Public Service Regulati | 2,416,575           | 1,567,151   | 60.7%      |
| Grand Total                | 2,416,575           | 1,567,151   | 60.7%      |

Expenditures are approximately 60.7% for FY18 year to date.

### Expenditure By First Level Account and Fund Type

The above charts show HB 2 modified budget compared to expenditures by first level and fund type. Additionally, the first chart provides historical HB 2 expenditures for reference.



| Program                  | Feb. Modified | Expended  | % Expended |
|--------------------------|---------------|-----------|------------|
| 61000 Personal Services  | 3,193,839     | 1,942,160 | 60.8%      |
| 62000 Operating Expenses | 783,807       | 474,415   | 60.5%      |
| 69000 Debt Service       | 6,080         | -         | 0.0%       |
| Grand Total              | 3,983,726     | 2,416,575 | 60.7%      |

| Fund Type               | Feb. Modified | Expended  | % Expended |
|-------------------------|---------------|-----------|------------|
| 02 State/Other Spec Rev | 3,810,522     | 2,381,494 | 62.5%      |
| 03 Fed/Other Spec Rev   | 173,204       | 35,081    | 20.3%      |
| Grand Total             | 3,983,726     | 2,416,575 | 60.7%      |

The above graphics show HB 2 modified budget compared to expenditures by first level and fund type.

## REQUIRED REPORTS

## ADDITIONAL DISCUSSION

There may be a possibility of a fiscal year transfer or other operating changes as a result of the reduced appropriation for FY 2018 and FY 2019 that occurred during the 2017 special session. The office of budget and program planning, along with the agency, are currently considering options that may include a supplemental during the upcoming session for the 2021 biennium.