

Exhibit No. 3Date 3-23-07Bill No. HB 806**DEPARTMENT OF JUSTICE**
Senate Budget Requests

Medicaid Fraud Agent: Medicaid Fraud Control Unit agents investigate elder abuse and provider fraud in the Medicaid system, indirectly paying for themselves by recovering funds that were collected fraudulently. The 2005 Legislature authorized an additional permanent agent position but with one-time-only funds. This program is funded with 25% general fund and 75% federal funds. We are requesting \$205,224 for the 09 biennium – \$51,306 in general fund and \$153,918 in Federal Special Revenue Authority.

End-of-Life Registry: The 2005 Legislature created the End-of-Life-Registry to facilitate quick and easy access by health providers, first responders and family members to the end-of-life wishes of individuals who have stored their living wills or advance directives in the online Registry. To ensure that the documents are properly executed, enter them into the Registry and continue to operate the program, we are requesting a 0.5 FTE and \$48,687 of general fund for the 09 biennium.

Water Court Claims: The 2005 Legislature enacted requirements for the water court to resolve all issue remarks, even if no objection has been filed. In so doing, 85-2-248(7) MCA requires the water court to join the State of Montana, through the attorney general, as a necessary party where an unresolved issue remark involves non-perfection or abandonment. This was funded out of RIT funds as a one-time-only appropriation in the 07 biennium. We are requesting \$204,357 of general fund money for the 09 biennium.

Major Litigation – Wyoming Water Case: The Department of Justice has filed a lawsuit against the State of Wyoming before the U.S. Supreme Court to protect the water rights allocated to Montana under the 1951 Yellowstone River Compact. Wyoming's historic and continuing refusal to curtail consumptive uses has prevented Montana from receiving its equitable share of the waters of the Tongue and the Powder Rivers and has resulted in injuries to Montana and its water users. The \$3 million funding request is necessary to insure that adequate resources and expertise are available for the litigation.

CDL Audit – Driver License Security Switch: The Motor Vehicle Division, for security reasons, is required by federal law to audit the testing process and issuance of commercial driver licenses (CDL). Failure to do so would restrict truckers and other commercial drivers from being able to legally drive outside of Montana. We are requesting \$224,654 in one-time-only funding for the 09 biennium.

DCI Building Rent: The Division of Criminal Investigation needs office space that meets the specialized requirements of a state law enforcement agency, including secure storage for evidence, criminal investigative files, firearms and equipment, and a private, secure room to interview suspects in criminal cases. We are requesting \$350,000 for rent for the 09 biennium.

Narcotics Supervisor – Miles City: This position supervises the Eastern Montana Drug Task Force. The 2005 Legislature funded this with one-time-only money pending the availability of federal Byrne grant funds. However, these grant funds continue to be cut. We are requesting permanent general fund of \$140,790 for the 09 biennium to continue this important law enforcement position.

Forensic Rape Examination Program: This program, created by the 2005 Legislature, pays for rape exams and preservation of evidence for victims who have not yet determined if they are ready to prosecute the perpetrator. The program is just getting started and we are asking that the \$35,000 we will revert from the 07 biennium be re-appropriated to fund the on-going program costs.

Progression-to-Market (law enforcement personnel): The Department requests funding to implement a progression-to-market pay raise for all Division of Criminal Investigation law enforcement personnel. This will allow state-level investigators to earn a salary comparable to that of local and other state law enforcement personnel. We are requesting \$361,637 of general fund and \$61,135 of state special and federal special revenue for the 09 biennium.

Executive Protection: Through an agreement between the Governor's Office and the Department of Justice, the Montana Highway Patrol (MHP) provides protection to the Governor and Lt. Governor when they are working on state business. Previously, MHP billed the Governor's Office for these services. This request transfers the general fund expenditures to the MHP and increases the amount to cover the increased costs of providing the protection. We are requesting \$351,729 of general fund for the 09 biennium.

Amendment HB080629.apg: This House floor amendment removed the funding the Motor Vehicle Division needs to contract for producing driver license cards. Additionally, it removed the funding to acquire scheduling software to increase the efficiency of the drivers license field offices. This could result in longer lines, paper licenses, increased fraud and closed licensing stations. We are requesting that the biennial total of \$2,729,539 of general fund and state special revenue be put back in the bill.

2007 Legislature
March 23, 2007