



MONTANA LEGISLATIVE BRANCH

Legislative Fiscal Division

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Director
AMY CARLSON

DATE: June 6, 2012

TO: Legislative Finance Committee

FROM: Greg DeWitt, Legislative Fiscal Division

RE: Supplemental Appropriation Request – Department Of Justice Major Litigation Funds

A request has been received for Legislative Finance Committee review of and comment on a proposed transfer of up to \$350,000 general fund from FY 2013 to FY 2012. The funds are associated with the Department of Justice major litigation appropriation, which is restricted for this purpose. The proposed transfer is to cover costs the Department of Justice incurred representing the State of Montana on cases including Pacific Power and Light (PPL), Nob Hill, Yellowstone River Compact, and the Columbia River suit.

Staff has reviewed the request and does not raise concerns about whether it meets legal requirements for this transfer. It should be noted that the appropriations transfer statute specifically exempts this program from the requirement to submit a plan for reducing expenditures in the second year of the biennium.

The committee may take one of three actions for this transfer:

- 1) Inform the Governor that the committee does not raise any issues of statutory compliance with the proposed transfer,
- 2) Inform the Governor of statutory compliance issues with the proposed transfer, or
- 3) Do not report. If the committee chooses this option, the executive must wait 90 days to process the transfer.

OFFICE OF THE GOVERNOR
BUDGET AND PROGRAM PLANNING
STATE OF MONTANA

RECEIVED

JUN 06 2012


LEGISLATIVE
FISCAL ANALYST

BRIAN SCHWEITZER
GOVERNOR



PO BOX 200802
HELENA, MONTANA 59620-0802

To: Amy Carlson, Legislative Fiscal Analyst
Legislative Fiscal Division

From: Dan Villa, Budget Director 
Office of Budget & Program Planning

Date: June 6th, 2012

Subject: **LFC Review & Comment on a Fiscal Year Transfer Supplemental Appropriation for Major Litigation Costs for the Office of the Attorney General**

In accordance with Title 17, Chapter 7, part 3, MCA the Governor's Office of Budget and Program Planning is submitting for review and comment a proposed supplemental appropriation to transfer FY 2013 authority to FY 2012.

The Department of Justice, Legal Services Division, is requesting a transfer of up to \$350,000 from FY 2013 to FY 2012. This transfer is to cover costs associated with litigation in which the Department of Justice is required to provide representation to the State of Montana. Recent litigation includes PPL, Nob Hill, Yellowstone River Compact and the Columbia River suit.

CC: Tim Burton
Kathy Seacat