

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND JUSTICE**

#### **Call to Order:**

**CHAIRMAN RAY HAWK**, on January 26, 2009 at 9:00 A.M., in Room 317-A Capitol.

#### **ROLL CALL**

#### **Members Present:**

Rep. Ray Hawk, Chairman (R)  
Sen. John Brueggeman, Vice Chairman (R)  
Sen. Keith Bales (R)  
Sen. Steven Gallus (D)  
Rep. Dennis Getz (D)  
Rep. Cynthia Hiner (D)  
Rep. Bill Nooney (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Debbie Carlson, Committee Secretary  
Brent Doig, OBPP  
Pat Gervais, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

#### **Committee Business Summary:**

Executive Action: Public Service Commission

00:00:00 Chairman Hawk  
00:00:30 Ms. Gervais  
00:04:01 Chairman Hawk

**PUBLIC SERVICE COMMISSION**

00:04:34 Chairman Hawk  
00:05:04 Sen. Brueggeman  
00:05:48 Chairman Hawk  
00:05:56 Ms. Gervais

**DP 1 PAY RETIREMENT BENEFITS**

00:06:29 **Motion/Vote:** Sen. Gallus moved that **DP 1 BE ADOPTED**.  
Motion carried unanimously by voice vote.  
00:06:44 Ms. Gervais  
00:06:51 **Motion/Vote:** Sen. Gallus moved **DP 1 BE AMENDED** to make  
it Biennial. Motion carried unanimously by Voice Vote.  
00:07:17 Ms. Gervais  
00:07:26 Chairman Hawk

**DP 4 REQUEST FOR TWO FTE**

00:07:35 **Motion:** Rep. Hiner moved that **DP 4 BE ADOPTED**.

**Discussion:**

00:07:59 Sen. Gallus  
00:09:31 Chairman Hawk  
00:10:28 Sen. Gallus  
00:10:59 Chairman Hawk

00:11:01 **Substitute Motion:** Rep. Hiner moved that **DP 4 BE  
AMENDED** to one FTE Staff Attorney.

**Discussion:**

00:11:04 Sen. Gallus  
00:11:10 Chairman Hawk  
00:11:13 **Vote:** Motion failed 3-4 by roll call vote with Sen.  
Gallus, Rep. Getz and Rep. Hiner voting aye.

**DP 5 MATCH PIPELINE SAFETY FEDERAL AWARD**

00:11:17 Sen. Gallus  
00:11:20 **Motion/Vote:** Sen. Brueggeman moved that **DP 5 BE  
ADOPTED**. Motion carried unanimously by voice vote.

**DP 6 BUILDING RENT/MAINTAIN NRRI MEMBERSHIP**

00:11:41 Chairman Hawk  
00:12:03 **Motion/Vote:** Rep. Hiner moved that **DP 6 BE ADOPTED.**  
Motion carried unanimously by voice vote.

**DP 7 COMPUTER REPLACEMENT**

00:12:21 Chairman Hawk  
00:12:42 **Motion:** Rep. Hiner moved that **DP 7 BE ADOPTED.**

**Discussion:**

00:12:53 Rep. Getz  
00:13:04 Ms. Gervais  
00:13:34 Chairman Hawk  
00:13:46 Sen. Bales  
00:13:55 **Motion:** Sen. Bales moved **DP 7 be AMENDED** to make it  
one time only.

**Discussion:**

00:14:16 Ms. Gervais  
00:14:39 Chairman Hawk  
00:14:46 **Vote:** Motion **TO ADOPT DP 7 AS AMENDED** carried  
unanimously by voice vote.  
00:15:00 Ms. Gervais

**DP 9 TRAVEL**

00:15:11 Rep. Hawk  
00:15:20 **Motion/Vote:** Sen. Gallus moved that **DP 9 BE ADOPTED.**  
Motion carried unanimously by voice vote.

**DP 10 BROADCAST PSC HEARINGS ONE TIME ONLY**

00:15:37 Sen. Gallus  
00:16:01 **Motion/Vote:** Sen. Brueggeman moved that **DP 10 BE**  
**ADOPTED.** Motion failed unanimously by voice vote.

**ELECTED OFFICIAL PROPOSALS - VACANCY SAVINGS EXCEPTION**

00:16:17 Ms. Gervais  
00:17:27 **Motion:** Rep. Hiner moved the **ELECTED OFFICIAL REQUEST**  
**VACANCY SAVINGS EXCEPTION BE ADOPTED.**  
00:18:00 Chairman Hawk  
00:18:40 **Vote:** Motion carried unanimously by voice vote.

**ADJUST STAFF SALARIES TO MARKET RATE**

00:18:45 **Motion:** Chairman Hawk moved to **ADJUST STAFF SALARIES TO MARKET RATE.**

**Discussion:**

00:18:52 Sen. Bales  
00:19:22 Chairman Hawk  
00:19:38 Rep. Getz  
00:20:02 Chairman Hawk  
00:20:07 Sen. Brueggeman  
00:21:29 Chairman Hawk  
00:21:34 **Substitute Motion:** Rep. Getz moved **TO AMEND** the request to 1/2 of the increase.  
00:21:58 Chairman Hawk  
00:22:32 **Vote:** Motion on amendment failed 2-5 with Sen. Gallus and Rep. Getz voting aye by roll call vote.  
00:23:06 Sen. Gallus  
00:23:10 **Vote:** Motion failed 2-5 by voice vote to adjust staff salaries to market rate with Sen. Gallus and Rep. Getz voting aye.  
00:23:17 Sen. Bales  
00:23:39 Chairman Hawk

**BOARD OF CRIME CONTROL**

00:24:19 Ms. Gervais

**DP 102 ADMINISTRATIVE SUPPORT POSITION**

00:24:48 Brent Doig  
00:24:57 Chairman Hawk  
00:25:16 **Motion/Vote:** Sen. Brueggeman moved that **DP 102 BE ADOPTED.** Motion carried unanimously by voice vote.  
00:25:50 Chairman Hawk  
00:25:54 Sen. Gallus

**DP 105 FORENSIC CRIME LAB IMPROVEMENTS**

00:26:24 Ms. Gervais  
00:26:33 **Motion/Vote:** Sen. Brueggeman moved that **DP 102 BE ADOPTED.** Motion carried unanimously by voice vote.  
00:27:37 Sen. Gallus  
00:28:24 Ms. Gervais  
00:28:34 **Motion:** Sen. Gallus moved to **RECONSIDER DP 102.**  
00:28:42 Sen. Brueggeman  
00:28:58 Chairman Hawk

00:29:14 **Motion/Vote:** Sen. Gallus moved that **DP 102 BE AMENDED** to one time only. Motion TO ADOPT DP 102 AS AMENDED carried unanimously by voice vote.  
00:29:26 Ms. Gervais  
00:29:33 Chairman Hawk  
00:29:55 Ms. Gervais  
00:30:33 Sen. Bales  
00:31:05 Ms. Gervais  
00:31:24 Mr. Doig  
00:31:53 Chairman Hawk  
00:32:05 Sen. Bales  
00:32:21 Sen. Gallus  
00:32:50 Chairman Hawk

**DP 106 STOP Violence Against Women Grant**

00:33:10 **Motion/Vote:** Sen. Brueggeman moved that **DP 106 BE ADOPTED**. Motion carried unanimously by voice vote.  
00:33:20 Chairman Hawk

**DP 107 Criminal History Record Improvement Grant**

00:34:03 **Motion:** Chairman Hawk moved that **DP 107 BE ADOPTED**.

**Discussion:**

00:34:25 Sen. Bales  
00:34:47 Ms. Gervais  
00:35:15 Chairman Hawk  
00:35:17 **Vote:** Motion carried unanimously by voice vote.

**DP 108 Domestic Violence Intervention Grant**

00:35:30 Chairman Hawk  
00:35:37 **Motion:** Sen. Brueggeman moved that **DP 108 BE ADOPTED**.

**Discussion:**

00:36:13 Ms. Gervais  
00:36:40 Chairman Hawk  
00:37:16 **Vote:** Motion carried unanimously by voice vote.  
00:37:08 Chairman Hawk  
00:37:54 Ms. Gervais  
00:39:21 Sen. Brueggeman  
00:39:37 Ms. Gervais  
00:40:04 Chairman Hawk  
00:40:07 Sen. Gallus  
00:40:13 Chairman Hawk  
00:40:22 Ms. Gervais  
00:40:28 Rep. Hiner

00:40:51 Ms. Gervais  
00:41:10 Chairman Hawk  
00:41:23 Ms. Gervais  
00:41:44 Chairman Hawk  
00:42:33 Sen. Bales  
00:43:46 Chairman Hawk  
00:43:53 Sen. Bales  
00:43:59 Ms. Gervais  
00:44:18 Chairman Hawk

Additional Documents

**ADJOURNMENT**

00:58:43 Adjournment: 11:00 P.M.

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DEBBIE CARLSON, Secretary

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Additional Documents:

**EXHIBIT ([jch18aad.pdf](#))**