

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

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

Call to Order: Chair Steve Gibson, on February 2, 2011 at 8:00 AM, in Room 317A
Capitol

ROLL CALL

Members Present:

Rep. Steve Gibson, Chair (R)
Rep. Randy Brodehl (R)
Sen. Steven Gallus (D)
Rep. Cynthia Hiner (D)
Sen. Edward Walker (R)

Members Excused: Sen. Ryan Zinke, Vice Chair (R)

Members Absent: None

Staff Present: Stephanie Fletcher, Committee Secretary
Pat Gervais, Legislative Branch
Brent Doig, OBPP

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: Department of Justice

00:00:56 Chairman Gibson

EXECUTIVE ACTION

Corrections:

00:04:40 **Motion:** Rep. Hiner moved that **GENERAL FUND SUPPORT OF \$50,567 IN FY 2012 AND \$50,449 IN FY 2013 FOR POSITION 64111009, 1.00 FTE HUMAN RESOURCES SPECIALIST BE RESTORED AND THAT GENERAL FUND SUPPORT OF \$28,134 IN FY 2012 AND \$28,078 IN FY 2013 FOR POSITION 64112046, 0.50 FTE HUMAN RESOURCES SPECIALIST BE REMOVED.**

Discussion:

00:05:57 Sen. Gallus

00:06:21 **Vote:** Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

EXECUTIVE ACTION

Department of Justice:

00:06:33 **Motion/Vote:** Rep. Brodehl moved that **GENERAL FUND SUPPORT FOR THE PERSONAL SERVICES BE REDUCED AS FOLLOWS:**
\$13,820 IN FY 2012 AND \$13,359 IN FY 2013 IN LEGAL SERVICES DIVISION
\$14,575 IN FY 2012 AND \$14,089 IN FY 2013 IN MOTOR VEHICLE DIVISION
\$15,046 IN FY 2012 AND \$14,544 IN FY 2013 IN DIVISION OF CRIMINAL INVESTIGATION
\$1,781 IN FY 2012 AND \$1,722 IN FY 2013 IN CENTRAL SERVICES
Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

00:07:45 **Motion/Vote:** Sen. Gallus moved that **THE ADJUSTED BASE FUNDING FOR THE MONTANA HIGHWAY PATROL BE REDUCED BY \$183,912 GENERAL FUND AND INCREASED BY A LIKE AMOUNT OF HIGHWAYS STATE SPECIAL REVENUE TO REFLECT THE ADJUSTMENT MADE IN THE DECEMBER 15TH REVISIONS TO THE EXECUTIVE BUDGET.** Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

00:08:13 **Motion/Vote:** Sen. Walker moved that **FUNDING FOR THE EXECUTIVE PROTECTION FUNCTION BE REMOVED FROM THE GENERAL FUND AND SHIFTED TO THE HIGHWAY PATROL RECRUITMENT AND RETENTION STATE SPECIAL REVENUE FUND.** Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

- 00:08:37 **Motion/Vote:** Rep. Hiner moved **APPROVAL OF DP 1302 EXECUTIVE PROTECTION 1.00 FTE FUNDED WITH STATE SPECIAL REVENUE FROM THE HIGHWAY PATROL RECRUITMENT AND RETENTION FUND RATHER THAN THE GENERAL FUND.** Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.
- 00:09:06 **Motion/Vote:** Sen. Gallus moved **APPROVAL OF DP 1301 FOR 8.00 FTE TROOPERS RATHER THAN 9.00 FTE TROOPERS FUNDED FROM THE HIGHWAY PATROL RECRUITMENT AND RETENTION STATE SPECIAL REVENUE FUND AND THAT STAFF ALLOW THE BUDGETING SYSTEM TO CALCULATE THE PERSONAL SERVICES COSTS.** Motion carried 5-1 by voice vote with Sen. Zinke voting no proxy.
- 00:09:45 **Motion/Vote:** Rep. Brodehl moved that **FUNDING FOR 1.00 FTE POSITION 41107010 TAX EXAMINER BE REMOVED INCLUDING:**
- | | |
|---|--|
| GAMBLING LICENSE FEE ACCOUNT | \$35,070 FY 2012 \$34,989 FY 2013 |
| TOBACCO SETTLEMENT STATE SPECIAL REVENUE | 1,570 FY 2012 1,567 FY 2013 |
| LIQUOR DIVISION (PROPRIETARY) | 15,703 FY 2012 15,667 FY 2013 |
| FOR A TOTAL OF | 52,344 FY 2012 52,223 FY 2013 |
- Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.
- 00:11:01 **Motion/Vote:** Rep. Hiner moved the approval of
DP 1202 IT ELECTRONIC COMMERCE
DP 1203 IT VIVS MOTOR VEHICLE LIABILITY INSURANCE FUNDED WITH \$0 IN FY 2012 AND \$486,170 STATE SPECIAL REVENUE IN FY 2013
DP 1204 IT JUST IN TIME LICENSE PLATE PRODUCTION CONTRACT,AND
DP 1205 MVD DEBT PAYMENTS DUE TO BOI - AS A BIENNIAL APPROPRIATION
 Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.
- 00:11:47 **Motion/Vote:** Sen. Gallus moved approval of
I. DP 1303 IT SMART COP AND
J. DP 1307 MHP SALARY INCREASE PER SURVEY
 Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.
- 00:12:09 **Motion/Vote:** Rep. Brodehl moved approval of
DP 1804 IT CRIMINAL JUSTICE INFO NETWORK AS A BIENNIAL, ONE TIME ONLY APPROPRIATION
DP 1805 MLEA MOTOR POOL LEASED VEHICLE RETURN
DP 1806 CRIMINAL RECORDS IDENTIFICATION SECTION FTE
 Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

00:12:42 **Motion/Vote:** Sen. Walker moved **DP 2906 ITSD BASE ADJUSTMENTS**
Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

00:13:02 **Motion/Vote:** Sen. Walker moved
 DP 3201 FORENSIC SCIENCE DIVISION EQUIPMENT AS A ONE TIME
 ONLY BIENNIAL APPROPRIATIONS AND
 DP 3202 FORENSIC SCIENCE DIVISION BASE ADJUSTMENTS
Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

00:13:25 **Motion/Vote:** Rep. Hiner moved **DP 55012 MAJOR LITIGATION AS A**
 BIENNIAL APPROPRIATION AND THAT ALL FUNDING, INCLUDING THE
 BASE BUDGET FOR MAJOR LITIGATION BE PROVIDED AS A RESTRICTED
 APPROPRIATION.
Motion carried unanimously by voice vote. Sen. Zinke voted by proxy.

00:13:51 **Motion:** Sen. Gallus moved **FUNDING FOR THE PRESCRIPTION DRUG**
 DIVERSION UNIT TO INCLUDE 3.00 FTE INVESTIGATORS AND OPERATING
 COSTS TOTALING \$297,298 GENERAL FUND IN FY 2013.

Discussion:

00:14:08 Sen Gallus

00:14:33 **Vote:** Motion carried 5-1 by voice vote with Sen. Zinke voting no by proxy.

00:14:46 **Motion:** Rep. Brodehl moved **FUNDING FOR THE CHILD SEXUAL**
 PREDATOR UNIT TO INCLUDE 1.00 FTE INVESTIGATORS AND OPERATING
 COSTS TOTALING \$97,459 GENERAL FUND IN FY 2013.

Discussion:

00:15:04 Chairman Gibson

00:15:11 **Vote:** Motion carried 5-1 by voice vote with Sen. Zinke voting no by proxy.

00:15:24 Chairman Gibson

00:15:48 Pat Gervais, Legislative Fiscal Division (LFD)

00:16:02 Chairman Gibson

ADJOURNMENT

00:16:54 Chairman Gibson adjourned the meeting.

Stephanie Fletcher, Secretary

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Additional Documents:

EXHIBIT([jch26aad.pdf](#))