

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

JOINT APPROPS SUBCOM ON JUDICIAL BRANCH, LAW ENFORCEMENT, AND JUSTICE

Call to Order: Chair Randy Brodehl, on February 5, 2015 at 9:00 AM, in Room 335
Capitol

ROLL CALL

Members Present:

Rep. Randy Brodehl, Chair (R)
Sen. Kristin Hansen, Vice Chair (R)
Rep. Kenneth Holmlund (R)
Sen. David Howard (R)
Sen. Cynthia Wolken (D)

Members Excused: Rep. Kimberly Dudik (D)

Members Absent: None

Staff Present: Greg DeWitt, Legislative Branch
Sally Speer, Committee Secretary

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 and Public Service Regulation
Subcommittee work session to discuss budget items for Board of Crime Control

00:00:39 Chair Brodehl
00:00:45 Rep. Dudik entered the meeting.
00:01:29 Greg DeWitt, Legislative Fiscal Division (LFD)

[EXHIBIT\(jch26a01\)](#)

[EXHIBIT\(jch26a02\)](#)

[EXHIBIT\(jch26a03\)](#)

00:02:32 Chair Brodehl

Department of Justice

00:03:05 Chair Brodehl
00:03:14 Greg DeWitt, LFD
00:03:59 Chair Brodehl

00:04:14 **Motion/Vote:** Rep. Dudik moved **TO REDUCE GENERAL FUND BY \$313 AND INCREASE STATE SPECIAL REVENUE BY \$586 IN FY 2016 AS RESTRICTED AND BIENNIAL TO ADJUST FUNDING FOR LEGISLATIVE AUDIT FIXED COSTS TO THE LEVEL CORRESPONDING TO THE RATES APPROVED BY THE SECTION A SUBCOMMITTEE.** Motion carried unanimously by roll call vote. (#1 DOJ)

00:04:20 Chair Brodehl

00:05:59 **Motion/Vote:** Rep. Dudik moved **TO FUND FIXED COSTS AND INFLATION/DEFLATION AT THE LEVELS INDICATED IN THE FOLLOWING TABLE.** (Exhibit #4) Motion carried unanimously by roll call vote. (#2 DOJ)

[EXHIBIT\(jch26a04\)](#)

00:06:05 Chair Brodehl

00:06:17 **Motion/Vote:** Rep. Holmlund moved **TO FUND THE ADJUSTMENTS TO THE PREVIOUSLY APPROVED STATE SHARE OF HEALTH INSURANCE WITH THE ADJUSTMENTS THAT ARE SHOWN IN THE FOLLOWING TABLE.** (Exhibit #5) Motion carried unanimously by roll call vote. (#3 DOJ)

[EXHIBIT\(jch26a05\)](#)

00:06:23 Chair Brodehl

00:06:48 **Motion/Vote:** Rep. Dudik moved **TO FUND THE ADJUSTMENTS TO THE PREVIOUSLY APPROVED FULLY FUND 2015 LEGISLATIVELY AUTHORIZED FTE WITH THE ADJUSTMENTS THAT ARE SHOWN IN THE FOLLOWING TABLE.** (Exhibit #6) Motion carried unanimously by roll call vote. (#4 DOJ)

[EXHIBIT\(jch26a06\)](#)

00:07:28 Chair Brodehl

00:07:37 **Motion:** Sen. Howard moved **TO INCREASE STATE SPECIAL REVENUE BY \$226,697 IN FY 2016 AND BY \$226,697 IN FY 2017 TO FUND STATUTORY SALARY ADJUSTMENTS FOR MONTANA HIGHWAY PATROL TROOPERS (AGENCY PRESENTATION DECISION POINT 11) AND TO REDUCE THE FY 2015 BASE FUNDING FOR THE DUPLICATIVE FUNDING THAT WAS ALSO IN HB 13 (AGENCY PRESENTATION DECISION POINT 13).**

Discussion:

00:08:13 Chair Brodehl

00:08:35 Sen. Wolken

00:08:41 Chair Brodehl

00:08:45 Greg DeWitt, LFD

00:08:51 Chair Brodehl

00:09:02 **Vote:** Motion carried unanimously by roll call vote. (#5 DOJ)

00:09:14 Chair Brodehl

00:09:21 **Motion/Vote:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$1,114,810 IN FY 2016 AND BY \$1,135,491 IN FY 2017 AND TO INCREASE STATE SPECIAL REVENUE BY \$743,207 IN FY 2016 AND BY \$756,994 IN FY 2017 TO FUND THE DRIVER'S LICENSE CONTRACT REPLACEMENT IN THE MOTOR VEHICLE DIVISION. I FURTHER MOVE THAT THE FUNDS BE DESIGNATED AS RESTRICTED TO ONLY BE USED TO FUND COSTS ASSOCIATED WITH DRIVER'S LICENSE CONTRACT REPLACEMENT.** Motion carried unanimously by roll call vote. (#6 DOJ)

00:09:51 Chair Brodehl

00:10:22 **Motion/Vote:** Sen. Hansen moved **TO APPROVE FUNDING ASSOCIATED WITH REORGANIZATIONS AND PROGRAM TRANSFERS MADE DURING THE 2015 BIENNIUM THAT NET TO NO CHANGE IN TOTAL FUNDING ACROSS THE AGENCY AND AS SHOWN ON THE FOLLOWING TABLE.** (Exhibit #7) Motion carried unanimously by roll call vote. (#7 DOJ)

EXHIBIT(jch26a07)

00:10:34 Chair Brodehl

00:11:02 **Motion/Vote:** Rep. Dudik moved **TO INCREASE FEDERAL SPECIAL REVENUE BY \$144,517 IN FY 2016 AND BY \$144,517 IN FY 2017 TO FUND CRIME VICTIMS PAYMENTS IN THE LEGAL SERVICES DIVISION (AGENCY'S PRESENTATION DECISION POINT 5).** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#8 DOJ)

00:12:04 Chair Brodehl

- 00:12:11 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$189,302 IN FY 2016 AND BY \$189,302 IN FY 2017 TO FUND THE ADDITION OF 3.00 FTE REMOVED BY THE 2013 LEGISLATURE IN THE 4% VACANCY SAVINGS REDUCTION TO THE LEGAL SERVICES DIVISION (AGENCY'S PRESENTATION DECISION POINT 7)**. Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#9 DOJ)
- 00:13:04 Chair Brodehl
- 00:13:18 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$509,198 IN FY 2016 AND BY \$543,160 IN FY 2017 TO FUND THE ADDITION OF 4.00 FTE NARCOTIC INVESTIGATORS FOR THE BAKKEN IN THE DIVISION OF CRIMINAL INVESTIGATION**. Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#10 DOJ)
- 00:13:53 Chair Brodehl
- 00:14:34 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$254,599 IN FY 2016 AND BY \$271,580 IN FY 2017 TO FUND THE ADDITION OF 2.00 FTE NARCOTIC INVESTIGATORS FOR THE BAKKEN IN THE DIVISION OF CRIMINAL INVESTIGATION (AGENCY'S PRESENTATION DECISION POINT 15)**. Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#11 DOJ)
- 00:15:38 Chair Brodehl
- 00:15:58 **Motion/Vote:** Rep. Dudik moved **TO INCREASE STATE SPECIAL REVENUE BY \$100,000 IN FY 2016 AND BY \$100,000 IN FY 2017 TO FUND MONTANA HIGHWAY PATROL OFFICER OVERTIME (AGENCY'S PRESENTATION DECISION POINT 10)**. Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#12 DOJ)
- 00:16:14 Chair Brodehl
- 00:16:34 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$20,000 IN FY 2016 AND BY \$20,000 IN FY 2017 TO FUND DIVISION OF CRIMINAL INVESTIGATION INVESTIGATOR OVERTIME (AGENCY'S PRESENTATION DECISION POINT 14)**. Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (# 13 DOJ)
- 00:17:20 Chair Brodehl
- 00:17:40 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$125,501 IN FY 2016 AND BY \$99,911 IN FY 2017 TO FUND THE ADDITION OF 1.00 FTE INVESTIGATOR FOR THE MONTANA DEVELOPMENT CENTER IN BOULDER IN THE DIVISION OF CRIMINAL INVESTIGATION (AGENCY'S PRESENTATION DECISION POINT 16)**. I FURTHER MOVE TO DESIGNATE **\$25,400 OF THE FY 2016 FUNDING AS ONE-TIME-ONLY**. Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (# 14 DOJ)

00:18:31 Chair Brodehl
00:18:42 Greg DeWitt, LFD

00:19:18 **Motion:** Sen. Hansen moved **TO RECONSIDER THE MOTION TO REDUCE GENERAL FUND BY \$313 AND INCREASE STATE SPECIAL REVENUE BY \$586 IN FY 2016 AS RESTRICTED AND BIENNIAL TO ADJUST FUNDING FOR LEGISLATIVE AUDIT FIXED COSTS TO THE LEVEL CORRESPONDING TO THE RATES APPROVED BY THE SECTION A SUBCOMMITTEE.**

Discussion:

00:19:34 Chair Brodehl
00:19:42 Greg DeWitt, LFD
00:19:54 Sen. Hansen
00:20:02 Chair Brodehl

00:20:15 **Vote:** Motion carried unanimously by voice vote.

00:20:45 Chair Brodehl

00:20:51 **Motion/Vote:** Rep. Dudik moved (correction to previous motion) **TO REDUCE GENERAL FUND BY \$313 AND INCREASE STATE SPECIAL REVENUE BY \$586 \$5,958 IN FY 2016 AS RESTRICTED AND BIENNIAL TO ADJUST FUNDING FOR LEGISLATIVE AUDIT FIXED COSTS TO THE LEVEL CORRESPONDING TO THE RATES APPROVED BY THE SECTION A SUBCOMMITTEE.** Motion carried unanimously by voice vote.

00:20:59 Chair Brodehl
00:21:06 Sen. Wolken
00:21:27 Chair Brodehl
00:21:31 Sen. Wolken
00:22:11 Chair Brodehl

00:23:43 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND FOR THE SUPPORT OF SEXUAL ASSAULT, AND STATE AND TRIBAL RELATIONS TRAINING; AND UPGRADE VEHICLE LEASES, MAINTENANCE, AND SUPPORT COSTS FOR CASE MANAGEMENT SYSTEMS AT \$76,209 IN FY2016 AND \$76,584 IN FY2017.**

Discussion:

00:24:55 Chair Brodehl
00:24:00 Sen. Wolken
00:25:00 Chair Brodehl
00:25:06 Rep. Dudik
00:25:31 Chair Brodehl

00:25:39 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#15 DOJ)

00:26:00 Chair Brodehl

0026:06 **Motion/Vote:** Rep. Dudik moved **THE DEPARTMENT'S DECISION POINT 1 DOJ GLOBAL IMPLEMENTATION OF 2015 PAY INCREASE**. Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#16 DOJ)

00:26:08 Chair Brodehl

Public Service Commission

00:28:46 Chair Brodehl

00:29:10 **Motion/Vote:** Rep. Dudik moved **TO APPROVE \$586 STATE SPECIAL REVENUE IN FY 2016 AS RESTRICTED AND BIENNIAL TO ADJUST FUNDING FOR LEGISLATIVE AUDIT FIXED COSTS TO THE LEVEL CORRESPONDING TO THE RATES APPROVED BY THE SECTION A SUBCOMMITTEE**. Motion carried unanimously by voice vote.

00:29:15 Chair Brodehl

00:29:25 **Motion/Vote:** Sen. Wolken moved **TO REDUCE STATE SPECIAL REVENUE BY \$3,759 IN FY 2016 AND BY \$3,818 IN FY 2017 FOR FIXED COSTS AND INFLATION AT THE LEVELS CORRESPONDING TO THE RATES APPROVED BY THE SECTION A SUBCOMMITTEE**. Motion carried unanimously by voice vote.

00:29:35 Chair Brodehl

00:30:14 **Motion/Vote:** Sen. Hansen moved **TO APPROVE STATE SPECIAL REVENUE IN THE AMOUNTS OF \$63,948 IN FY 2016 AND \$41,807 IN FY 2017 TO FUND VARIOUS PRESENT LAW ADJUSTMENTS ASSOCIATED WITH MOVEMENT TO THE FY 2015 BASE**. Motion carried unanimously by voice vote.

00:30:25 Chair Brodehl

00:30:45 **Motion/Vote:** Rep. Holmlund moved **TO APPROVE \$50,000 STATE SPECIAL REVENUE IN FY 2016 AS RESTRICTED, BIENNIAL, AND ONE-TIME-ONLY TO FUND RETIREMENT PAYOUTS FOR THE 2017 BIENNIUM**. Motion carried unanimously by voice vote.

00:31:09 Chair Brodehl

00:32:34 Recessed

00:40:10 Reconvened

Board of Crime Control

00:40:21 Chair Brodehl

00:40:47 Greg DeWitt, LFD

00:42:13 Chair Brodehl

00:42:16 Greg DeWitt, LFD
00:43:45 Chair Brodehl
00:44:06 Greg DeWitt, LFD
00:45:05 Chair Brodehl
00:45:29 Amy Sassano, Office of Budget and Program Planning (OBPP)
00:46:40 Greg DeWitt, LFD
00:47:39 Sen. Hansen
00:47:46 Chair Brodehl
00:47:47 Sen. Hansen
00:48:01 Greg DeWitt, LFD
00:48:13 Sen. Hansen
00:48:22 Greg DeWitt, LFD
00:48:29 Sen. Hansen
00:49:15 Greg DeWitt, LFD
00:49:25 Sen. Hansen
00:49:43 Chair Brodehl
00:50:22 Sen. Howard
00:50:35 Chair Brodehl
00:50:45 Sen. Howard
00:50:49 Chair Brodehl
00:51:36 Greg DeWitt, LFD
00:51:59 Chair Brodehl
00:52:12 Rep. Dudik
00:52:15 Chair Brodehl
00:52:19 Sen. Hansen
00:52:40 Chair Brodehl
00:52:54 Rep. Dudik
00:53:15 Chair Brodehl
00:53:48 Sen. Hansen
00:53:52 Rep. Dudik
00:53:54 Greg DeWitt, LFD
00:54:38 Sen. Hansen
00:55:00 Chair Brodehl
00:55:26 Greg DeWitt, LFD
00:56:22 Chair Brodehl
00:56:26 Greg DeWitt, LFD
00:56:48 Chair Brodehl
00:57:21 Greg DeWitt, LFD
00:57:55 Chair Brodehl
00:57:59 Greg DeWitt, LFD
00:58:15 Chair Brodehl
00:58:30 Greg DeWitt, LFD
00:58:34 Chair Brodehl
00:58:43 Deb Matteucci, Executive Director, Montana Board of Crime Control (BCC)
00:59:31 Chair Brodehl
00:59:35 Deb Matteucci, BCC
00:59:55 Chair Brodehl

Questions from committee and responses:

00:59:50 Chair Brodehl

00:59:53 Sen. Hansen
01:00:42 Chair Brodehl
01:00:46 Amy Sassano, OBPP
01:01:43 Sen. Hansen
01:02:09 Amy Sassano, OBPP
01:02:29 Chair Hansen
01:02:35 Amy Sassano, OBPP
01:02:40 Chair Brodehl
01:02:53 Sen. Hansen
01:03:27 Greg DeWitt, LFD
01:03:55 Chair Brodehl
01:04:15 Greg DeWitt, LFD
01:04:45 Chair Brodehl
01:05:31 Rep. Dudik
01:05:38 Chair Brodehl
01:05:44 Sen. Hansen
01:05:53 Chair Brodehl
01:06:01 Sen. Hansen
01:06:08 Chair Brodehl
01:07:20 Sen. Howard
01:07:59 Chair Brodehl
01:08:01 Greg DeWitt, LFD
01:08:22 Chair Brodehl
01:08:25 Sen. Howard
01:08:40 Chair Brodehl
01:09:25 Sen. Howard
01:09:51 Chair Brodehl
01:10:15 Rep. Dudik
01:10:41 Chair Brodehl
01:10:46 Deb Matucci, BCC
01:11:18 Chair Brodehl
01:11:49 Greg DeWitt, LFD
01:12:06 Chair Brodehl
01:12:30 Sen. Howard
EXHIBIT(jch26a08)
01:15:06 Chair Brodehl
01:15:35 Rep. Dudik
01:17:06 Chair Brodehl
01:17:40 Rep. Dudik
01:17:53 Chair Brodehl

ADJOURNMENT

Adjournment: 01:17:56

Sally Speer, Secretary

ss

Additional Documents:

EXHIBIT([jch26aad.pdf](#))