

## 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 12, 2015 at 8:00 AM, in Room 335  
Capitol

#### ROLL CALL

**Members Present:**

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

**Members Excused:** Rep. Randy Brodehl, Chair (R)  
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:**

Subcommittee work session  
Executive Action - Office of State Public Defender, Judicial Branch and Department of  
Corrections

00:13:29 Chair Hansen

00:01:48 Recessed

01:04:39 Reconvened

01:04:46 Chair Brodehl

**Office of State Public Defender**

01:04:56 Chair Brodehl

01:05:06 **Motion/Vote:** Sen. Hansen moved **TO REDUCE GENERAL FUND BY \$15,130 IN EACH FY 2016 AND FY 2017 IN THE OFFICE OF PUBLIC DEFENDER AND INCREASE GENERAL FUND BY \$15,130 IN EACH FY 2016 AND FY 2017 IN THE OFFICE OF APPELLATE DEFENDER TO IMPLEMENT A PROGRAM TRANSFER THAT HAS NOT NET BUDGETARY IMPACT ON THE OFFICE.** Motion carried unanimously by voice vote.

**Judicial Branch**

01:05:53 Chair Brodehl

01:06:04 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$82,770 IN FY 2016 AND BY \$23,405 IN FY 2017 IN THE SUPREME COURT OPERATIONS PROGRAM TO TRANSITION PERSONAL SERVICES COSTS TO THE FY 2015 BASE.** Motion carried unanimously by voice vote.

01:06:39 Chair Brodehl

01:06:51 **Motion/Vote:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$171,404 IN FY 2016 AND BY \$188,237 IN FY 2017 IN THE SUPREME COURT OPERATIONS PROGRAM TO TRANSITION OPERATING COSTS TO THE FY 2015 BASE.** Motion carried unanimously by roll call vote. (#2 JB)

01:07:36 Chair Brodehl

01:07:40 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$22,540 IN FY 2016 AND BY \$22,540 IN FY 2017 IN THE LAW LIBRARY TO TRANSITION OPERATING COSTS TO THE FY 2015 BASE.** Motion carried unanimously by voice vote.

01:08:02 Chair Brodehl

01:08:14 **Motion/Vote:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$292,323 IN FY 2016 AND BY \$278,568 IN FY 2017 IN THE DISTRICT COURT OPERATIONS PROGRAM TO TRANSITION PERSONAL SERVICES COSTS TO THE FY 2015 BASE.** Motion carried unanimously by roll call vote. (#4 JB)

01:08:22 Chair Brodehl

01:08:54 **Motion/Vote:** Rep. Dudik moved **TO INCREASE STATE SPECIAL REVENUE BY \$9,018 IN FY 2016 AND BY \$9,007 IN FY 2017 IN THE WATER COURTS SUPERVISION PROGRAM TO TRANSITION OPERATING COSTS TO THE FY 2015 BASE.** Motion carried unanimously by voice vote.

01:09:20 Chair Brodehl

01:09:49 Sen. Hansen  
01:09:56 Chair Brodehl

01:10:37 **Motion:** Sen. Hansen moved to **RECONSIDER THE MOTION TO INCREASE GENERAL FUND BY \$96,315 IN FY 2016 AND BY \$96,315 IN FY 2017 AND TO INCREASE STATE SPECIAL REVENUE BY \$25,000 IN FY 2016 AND BY \$25,000 IN FY 2017 IN THE SUPREME COURT OPERATIONS PROGRAM TO FUND INCREASED COST OF DRUG COURTS CURRENTLY FUNDED, AND TO DESIGNATE THE STATE SPECIAL REVENUE FUNDING AS RESTRICTED ONLY TO FUNDING DRUG COURT COSTS WITH FEES FROM PARTICIPANTS.**

**Discussion:**

01:10:39 Chair Brodehl  
01:10:40 Sen. Hansen  
01:10:41 Chair Brodehl  
01:10:42 Rep. Dudik

01:10:48 Chair Brodehl

01:10:55 **Vote:** Motion carried 4-2 by voice vote with Rep. Dudik and Sen. Wolken voting no.

01:11:25 **Motion/Vote:** Sen. Hansen moved **TO INCREASE STATE SPECIAL REVENUE BY \$25,000 IN EACH FY 2016 AND FY 2017 IN THE SUPREME COURT OPERATIONS PROGRAM TO FUND INCREASED COST OF DRUG COURTS CURRENTLY FUNDED, AND MOVE TO DESIGNATE THE FUNDING AS RESTRICTED ONLY TO BE USED TO FUND DRUG COURT COSTS WITH FEES FROM PARTICIPANTS.** Motion carried unanimously by voice vote.

01:11:49 Chair Brodehl

**Department of Corrections**

01:12:24 Chair Brodehl

01:12:34 **Motion/Vote:** Sen. Howard moved **TO INCREASE GENERAL FUND BY \$3,031 IN FY 2016 IN THE DIRECTOR'S OFFICE 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.

01:12:49 Chair Brodehl

01:13:18 **Motion/Vote:** Sen. Hansen moved **TO REDUCE GENERAL FUND BY \$9,192,456 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; REDUCE GENERAL FUND BY \$86,175 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION; REDUCE GENERAL FUND BY \$8,930,105 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; REDUCE GENERAL FUND BY \$1,102,835 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$19,311,571 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO IMPLEMENT THE AGENCY REORGANIZATION.** Motion carried unanimously by roll call vote. (#2 DOC)

01:14:21 Chair Brodehl

01:14:25 **Motion/Vote:** Rep. Holmlund moved **TO INCREASE GENERAL FUND BY \$746,269 IN FY 2016 AND BY \$720,734 IN FY 2017 IN THE PROBATION AND PAROLE DIVISION TO ANNUALIZE CONTRACTED BEDS AT THE CURRENT RATES. I FURTHER MOVE TO DESIGNATE THE FUNDING AS BIENNIAL.** Motion carried unanimously by roll call vote. (#3 DOC)

01:15:18 Chair Brodehl

01:15:20 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$39,287 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; TO INCREASE GENERAL FUND BY \$204,673 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; REDUCE GENERAL FUND BY \$243,960 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION TO IMPLEMENT THE AGENCY PROGRAM TRANSFERS THAT HAD NO NET BUDGETARY IMPACTS ON THE AGENCY.** Motion carried unanimously by voice vote.

01:16:15 Chair Brodehl

01:16:18 **Motion/Vote:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$425,157 IN FY 2016 AND BY \$428,838 IN FY 2017 AND TO REDUCE STATE SPECIAL REVENUE BY \$317,357 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; TO REDUCE GENERAL FUND BY \$59,988 IN FY 2016 AND BY \$68,134 IN FY 2017 AND TO REDUCE STATE SPECIAL REVENUE BY \$686,044 IN EACH FY 2016 AND FY 2017; TO REDUCE GENERAL FUND BY \$497,625 IN FY 2016 AND BY \$494,115 IN FY 2017 AND TO REDUCE STATE SPECIAL REVENUE BY \$354 IN EACH FY 2016 AND FY 2017; TO REDUCE GENERAL FUND BY \$23,286 IN FY 2016 AND BY \$23,427 IN FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM; TO INCREASE GENERAL FUND BY \$221,601 IN FY 2016 AND BY \$223,418 IN FY 2017 AND TO REDUCE STATE SPECIAL REVENUE BY \$117,034 IN EACH FY 2016 AND FY 2017, AND TO REDUCE FEDERAL SPECIAL REVENUE BY \$15,765 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND TO INCREASE GENERAL FUND BY \$423,599 IN**

**FY 2016 AND BY \$427,984 IN FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND UNSPECIFIED BUDGET ADJUSTMENTS.** Motion carried unanimously by roll call vote. (#5 DOC)

01:18:59 Chair Brodehl

01:19:03 **Motion/Vote:** Sen. Hansen moved **TO INCREASE GENERAL FUND BY \$2,648,061 IN FY 2016 AND BY \$2,878,120 IN FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM TO ANNUALIZE CONTRACTED BEDS AT THE CURRENT RATES, AND TO DESIGNATE THE FUNDING AS BIENNIAL.** Motion carried unanimously by roll call vote. (#6 DOC)

01:19:59 Chair Brodehl

01:20:01 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$615,700 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM TO FUND PREVAILING WAGE INCREASES AT THE SHELBY PRISON, AND TO DESIGNATE THE FUNDING AS BIENNIAL.** Motion carried unanimously by voice vote.

01:20:35 Chair Brodehl

01:21:00 **Motion/Vote:** Rep. Holmlund moved **TO INCREASE STATE SPECIAL REVENUE BY \$130,116 IN FY 2016 AND BY \$130,510 IN FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM TO FUND ADDITIONAL CANTEEN PURCHASES.** Motion carried unanimously by voice vote.

01:21:09 Chair Brodehl

01:21:18 **Motion/Vote:** Sen. Wolken moved **TO REDUCE GENERAL FUND BY \$1,205 IN EACH FY 2016 AND FY 2017 AND TO INCREASE STATE SPECIAL REVENUE BY \$3,402 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; INCREASE GENERAL FUND BY \$4,131 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION; INCREASE GENERAL FUND BY \$2,095 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; INCREASE GENERAL FUND BY \$1,944 IN EACH FY 2016 AND FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM; INCREASE GENERAL FUND BY \$2,989 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$729 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION THE ADJUST FUNDING FOR THE PREVIOUSLY APPROVED STATE SHARE OF HEALTH INSURANCE.** Motion carried unanimously by roll call vote. (# 9 DOC)

01:23:01 Chair Brodehl

01:23:04 **Motion/Vote:** Sen. Howard moved **TO INCREASE GENERAL FUND BY \$61,531 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE;**

**INCREASE GENERAL FUND BY \$329,031 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION; INCREASE GENERAL FUND BY \$544,606 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; INCREASE GENERAL FUND BY \$6,965 IN EACH FY 2016 AND FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM; INCREASE GENERAL FUND BY \$123,666 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$54,624 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND CAREER INCREMENT PAY INCREASES.** Motion carried unanimously by roll call vote. (#10 DOC)

01:24:55 Chair Brodehl

01:24:58 **Motion/Vote:** Rep. Holmlund moved **TO INCREASE GENERAL FUND BY \$38,196 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; INCREASE GENERAL FUND BY \$65,784 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION; INCREASE GENERAL FUND BY \$136,081 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; INCREASE GENERAL FUND BY \$6,264 IN EACH FY 2016 AND FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM; INCREASE GENERAL FUND BY \$39,897 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$14,026 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND LONGEVITY INCREMENT PAY INCREASES.** Motion carried unanimously by roll call vote. (#11 DOC)

01:25:28 Chair Brodehl

01:26:33 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$179,014 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; INCREASE GENERAL FUND BY \$110,899 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION; INCREASE GENERAL FUND BY \$126,208 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; INCREASE GENERAL FUND BY \$5,842 IN EACH FY 2016 AND FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM; INCREASE GENERAL FUND BY \$118,489 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$172,993 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND PAY INCREASES FOR RECLASSIFICATIONS, SITUATION PAY, ETC. UNSPECIFIED.** Motion carried unanimously by roll call vote. (#12 DOC)

01:27:38 Chair Brodehl

01:27:55 **Motion/Vote:** Sen. Hansen moved **TO INCREASE GENERAL FUND BY \$374,971 IN FY 2016 AND BY \$459,709 IN FY 2017, TO INCREASE STATE SPECIAL REVENUE BY \$5,252 IN FY 2016 AND BY \$5,818 IN FY 2017, AND TO INCREASE FEDERAL SPECIAL REVENUE BY \$39,764 IN FY 2016 AND BY \$44,218 IN FY 2017 IN THE DIRECTOR'S OFFICE; INCREASE GENERAL**

**FUND BY \$12,744 IN FY 2016 AND BY \$10,264 IN FY 2017 IN THE PROBATION AND PAROLE DIVISION; REDUCE GENERAL FUND BY \$17,501 IN FY 2016 AND BY \$14,095 IN FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; INCREASE GENERAL FUND BY \$6,146 IN FY 2016 AND BY \$4,875 IN FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM; INCREASE GENERAL FUND BY \$1,671 IN FY 2016 AND BY \$1,346 IN FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$95 IN FY 2016 AND BY \$77 IN FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND FIXED COSTS AND INFLATION/DEFLATION AT THE LEVELS SET BY THE SECTION A SUBCOMMITTEE. Motion carried unanimously by roll call vote. (#13 DOC)**

01:29:33 Chair Brodehl

01:28:07 **Motion:** Rep. Holmlund moved **TO INCREASE GENERAL FUND BY \$417,461 IN FY 2016 AND BY \$407,375 FY 2017 IN THE PROBATION AND PAROLE DIVISION TO FUND THE ADDITION OF 6.00 FTE PROBATION AND PAROLE OFFICERS. (#14 DOC)**

**Discussion:**

01:30:24 Chair Brodehl

01:30:27 Sen. Wolken

01:30:37 Chair Brodehl

01:30:44 Rep. Dudik

01:30:51 Chair Brodehl

01:31:14 **Vote:** Motion carried unanimously by roll call vote.

01:31:43 Chair Brodehl

01:31:46 **Motion:** Sen. Wolken moved **MOVE TO INCREASE GENERAL FUND BY \$250,000 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION TO FUND DIVISION RENT THAT WAS PREVIOUSLY FUNDED WITH PROBATION AND PAROLE SUPERVISORY FEES STATE SPECIAL.**

**Discussion:**

01:31:58 Chair Brodehl

01:32:03 Sen. Hansen

01:32:27 Chair Brodehl

01:32:28 Greg DeWitt, Legislative Fiscal Division (LFD)

01:33:22 Chair Brodehl

01:33:27 Sen. Hansen

01:33:30 Greg DeWitt, LFD

01:33:59 Sen. Hansen

01:34:16 Greg DeWitt, LFD

01:34:21 Chair Brodehl

01:34:33 **Vote:** Motion carried unanimously by roll call vote. (#15 DOC)

01:34:55 Chair Brodehl

01:34:58 **Motion/Vote:** Sen. Hansen moved **TO INCREASE GENERAL FUND BY \$409,334 IN FY 2016 AND BY \$816,474 IN FY 2017 IN THE PROBATION AND PAROLE DIVISION TO FUND A 1% PROVIDER RATE ADJUSTMENT IN FY 2016 AND AN ADDITIONAL 1% PROVIDER RATE ADJUSTMENT IN FY 2017.** Motion carried unanimously by roll call vote. (#16 DOC)

01:35:21 Chair Brodehl

01:35:57 **Motion:** Rep. Holmlund moved **TO INCREASE GENERAL FUND BY \$125,087 IN FY 2016 AND BY \$249,491 IN FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM TO FUND A 1% PROVIDER RATE ADJUSTMENT IN FY 2016 AND AN ADDITIONAL 1% PROVIDER RATE ADJUSTMENT IN FY 2017 AT THE SHELBY PRISON, AND TO DESIGNATE THE FUNDING AS BIENNIAL.**

**Discussion:**

01:36:27 Chair Brodehl  
01:36:29 Sen. Wolken  
01:36:50 Chair Brodehl  
01:36:54 Greg DeWitt, LFD  
01:37:22 Sen. Wolken  
01:37:39 Greg DeWitt, LFD  
01:37:51 Chair Brodehl

01:38:20 **Vote:** Motion carried unanimously by roll call vote. (#17 DOC)

01:38:48 Chair Brodehl

01:38:52 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$700,000 IN FY 2016 AND BY \$1,406,466 IN FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM TO FUND CORRECTIONAL OFFICER PAY ADJUSTMENTS.**

**Discussion:**

01:39:08 Chair Brodehl  
01:39:12 Rep. Dudik  
01:39:25 Greg DeWitt, LFD  
01:39:45 Chair Brodehl  
01:39:48 Sen. Hansen  
01:40:04 Chair Brodehl  
01:40:08 Greg DeWitt, LFD  
01:40:18 Chair Brodehl  
01:40:28 Rep. Dudik  
01:40:41 Chair Brodehl  
01:41:14 Greg DeWitt, LFD  
01:41:37 Chair Brodehl  
01:41:39 Sen. Hansen  
01:42:01 Chair Brodehl

01:42:10 **Motion:** Sen. Hansen moved **TO AMEND THE MOTION.**

**Discussion:**

01:42:29 Chair Brodehl

01:42:45 Sen. Wolken

01:42:54 Chair Brodehl

01:42:56 Sen. Hansen

01:43:02 Chair Brodehl

01:43:12 Loraine Wodnik, Deputy Director, Department of Corrections (DOC)

01:43:45 Chair Brodehl

01:43:47 Sen. Hansen

01:43:54 Without objection, Sen. Hansen withdrew the **AMENDMENT TO THE PREVIOUS MOTION.**

01:44:00 Without objection, Sen. Wolken withdrew the **MOTION.**

01:44:07 **Motion:** Sen. Hansen moved **TO INCREASE GENERAL FUND BY \$700,000 IN FY 2016 AND BY \$1,406,466 IN FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM AND YOUTH SERVICES PROGRAM TO FUND CORRECTIONAL OFFICER PAY ADJUSTMENTS AND FURTHER MOVE THIS FUNDING IS RESTRICTED.**

**Discussion:**

01:44:33 Chair Brodehl

01:44:36 Sen. Wolken

01:45:42 Chair Brodehl

01:46:11 Greg DeWitt, LFD

01:46:37 Chair Brodehl

01:46:39 Sen. Hansen

01:47:12 Chair Brodehl

01:47:51 Sen. Wolken

01:47:55 Rep. Dudik

01:48:12 Chair Brodehl

01:48:42 Rep. Dudik

01:48:52 Chair Brodehl

01:49:00 Greg DeWitt, LFD

01:49:05 Chair Brodehl

01:49:07 **Vote:** Motion carried unanimously by roll call vote.

01:50:29 Chair Brodehl

01:50:31 **Motion/Vote:** Sen. Howard moved **TO APPROVE THE RATES FOR THE PROPRIETARY PROGRAMS OF THE MONTANA CORRECTIONAL ENTERPRISES AS THEY ARE DISPLAYED ON THE FOLLOWING TABLE:**  
Motion carried unanimously by voice vote.

**EXHIBIT(jch32a01)**

01:50:48 Chair Brodehl

01:51:12      **Motion:** Sen. Hansen moved **TO INCLUDE THE FOLLOWING LANGUAGE IN HB 2 FOR THE DEPARTMENT OF CORRECTIONS: ALL APPROPRIATIONS FOR PROBATION AND PAROLE DIVISION AND SECURE CUSTODY FACILITIES ARE BIENNIAL.**

**Discussion:**

01:51:24      Chair Brodehl  
01:51:27      Sen. Hansen  
01:52:00      Chair Brodehl  
01:52:22      Greg DeWitt, LFD  
01:52:48      Chair Brodehl  
01:52:54      Sen. Hansen  
01:54:04      Chair Brodehl

01:54:11      Without objection, Sen. Hansen withdrew the previous motion.

01:54:13      Chair Brodehl  
01:54:09      Greg DeWitt, LFD  
01:54:27      Chair Brodehl

01:54:29      **Motion:** Sen. Hansen moved **TO INCLUDE THE FOLLOWING LANGUAGE IN HB 2 FOR THE DEPARTMENT OF CORRECTIONS: ALL APPROPRIATIONS NOT OTHERWISE SPECIFIED IN A PARTICULAR LINE ITEM FOR PROBATION AND PAROLE DIVISION AND SECURE CUSTODY FACILITIES ARE BIENNIAL.**

**Discussion:**

01:54:25      Chair Brodehl  
01:54:27      Greg DeWitt  
01:54:28      Chair Brodehl  
01:54:30      Sen. Hansen  
01:54:39      Chair Brodehl

01:54:48      **Vote:** Motion carried unanimously by voice vote.

01:55:00      Chair Brodehl

01:55:09      Recessed  
02:06:31      Reconvened

02:06:44      Chair Brodehl  
02:06:46      Greg DeWitt, LFD  
02:08:40      Chair Brodehl  
02:08:58      Greg DeWitt, LFD  
02:09:03      Chair Brodehl  
02:09:10      Sen. Wolken  
02:09:45      Chair Brodehl  
02:10:12      Greg DeWitt, LFD  
02:10:19      Chair Brodehl

02:10:25 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$38,788 IN FY 2016 AND BY \$28,710 IN FY 2017 IN THE DIRECTOR'S OFFICE TO FUND PER DIEM OF THE BOARD OF PARDONS AND PAROLE AND CERTIFICATION FEES WITH AMERICAN CORRECTIONAL ASSOCIATION, AND TO DESIGNATE \$10,100 OF THE FY 2016 FUNDING AS ONE-TIME-ONLY.**

**Discussion:**

02:10:47 Chair Brodehl

02:10:51 Sen. Wolken

02:11:31 Chair Brodehl

02:11:39 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#23 DOC)

02:12:14 Chair Brodehl

02:12:16 **Motion:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$59,300 IN FY 2016 AND BY \$73,300 IN FY 2017 IN THE DIRECTOR'S OFFICE TO FUND REPLACEMENT OF COMPUTER AND RADIO EQUIPMENT, SOFTWARE, AND TRAINING.**

**Discussion:**

02:13:07 Chair Brodehl

02:13:10 Rep. Dudik

02:14:33 Chair Brodehl

02:14:34 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#24 DOC)

02:14:58 Chair Brodehl

02:15:00 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$104,205 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; INCREASE GENERAL FUND BY \$210,500 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION; INCREASE GENERAL FUND BY \$408,825 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; INCREASE GENERAL FUND BY \$7,867 IN EACH FY 2016 AND FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM; INCREASE GENERAL FUND BY \$143,159 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$91,220 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND THE EXECUTIVE IMPLEMENTATION OF THE PAY PLAN.**

**Discussion:**

02:15:44 Chair Brodehl

02:15:45 Rep. Dudik

02:15:50 Chair Brodehl

02:15:52 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#25 DOC)

02:25:55 Chair Brodehl

02:15:53 **Motion:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$1,153 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; INCREASE GENERAL FUND BY \$110,203 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION; INCREASE GENERAL FUND BY \$547,341 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; INCREASE GENERAL FUND BY \$258,343 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$31,360 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND CORRECTIONAL AND PROBATION OFFICER PAY MOVEMENT.**

**Discussion:**

02:16:41 Chair Brodehl  
02:16:43 Sen. Wolken  
02:17:20 Chair Brodehl  
02:17:22 Greg DeWitt, LFD  
02:17:45 Chair Brodehl  
02:17:50 Sen. Wolken  
02:18:09 Chair Brodehl  
02:18:11 Sen. Hansen  
02:18:53 Chair Brodehl  
02:18:57 Greg DeWitt, LFD  
02:19:58 Chair Brodehl  
02:20:09 Greg DeWitt, LFD  
02:20:18 Chair Brodehl

02:20:56 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#26 DOC)

02:21:01 Chair Brodehl

02:21:03 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$107,502 IN EACH FY 2016 AND FY 2017 IN THE DIRECTOR'S OFFICE; INCREASE GENERAL FUND BY \$63,548 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION; INCREASE GENERAL FUND BY \$60,416 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; INCREASE GENERAL FUND BY \$1,352 IN EACH FY 2016 AND FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAM; INCREASE GENERAL FUND BY \$21,972 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION; AND INCREASE GENERAL FUND BY \$33,609 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND 80% MARKET MOVEMENT PAY INCREASES.**

**Discussion:**

- 02:21:45 Chair Brodehl  
02:21:51 Sen. Wolken  
02:22:49 Chair Brodehl  
02:23:15 Greg DeWitt, LFD  
02:23:27 Chair Brodehl
- 02:24:30 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#27 DOC)
- 02:25:02 Chair Brodehl
- 02:25:04 **Motion:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$68,734 IN FY 2016 AND BY \$88,970 FY 2017 IN THE PROBATION AND PAROLE DIVISION; INCREASE GENERAL FUND BY \$521,036 IN FY 2016 AND BY \$595,439 IN FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM; AND INCREASE GENERAL FUND BY \$1,908 IN FY 2016 AND BY \$2,302 IN FY 2017 IN THE YOUTH SERVICES DIVISION TO FUND FOOD AND LAUNDRY RATE AND USAGE INCREASES FOR SERVICES PURCHASED FROM THE MONTANA CORRECTIONAL ENTERPRISES PROPRIETARY PROGRAMS.**

**Discussion:**

- 02:25:51 Chair Brodehl  
02:25:54 Greg DeWitt, LFD  
02:26:07 Chair Brodehl
- 02:26:12 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#28 DOC)
- 02:26:46 Chair Brodehl
- 02:26:48 **Motion/Vote:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$596,600 IN EACH FY 2016 AND FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM FOR OVERTIME AND INMATE PAY.** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#29 DOC)
- 02:27:04 Chair Brodehl
- 02:27:10 **Motion/Vote:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$15,759 IN EACH FY 2016 AND FY 2017 IN THE PROBATION AND PAROLE DIVISION FOR OVERTIME AND INMATE PAY.** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#29A - DOC)
- 02:27:35 Chair Brodehl
- 02:27:41 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$8,500 IN EACH FY 2016 AND FY 2017 IN THE MONTANA CORRECTIONAL ENTERPRISES PROGRAMS FOR OVERTIME AND INMATE PAY.**

**Discussion:**

02:27:49 Chair Brodehl  
02:27:56 Greg DeWitt, LFD  
02:28:27 Chair Brodehl  
02:28:32 Sen. Hansen  
02:28:53 Chair Brodehl

02:29:02 Recessed  
02:36:44 Reconvened

02:36:48 Chair Brodehl

02:36:54 Without objection, Rep. Dudik withdrew the prior motion.

02:37:20 Chair Brodehl

02:37:22 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$270,130 IN EACH FY 2016 AND FY 2017 AND TO REDUCE STATE SPECIAL REVENUE BY \$193,970 IN EACH FY 2016 AND FY 2017 IN THE YOUTH SERVICES DIVISION FOR OVERTIME AND INMATE PAY.**

**Discussion:**

02:37:41 Chair Brodehl  
02:37:48 Rep. Dudik  
02:37:57 Greg DeWitt, LFD  
02:38:40 Chair Brodehl

02:38:42 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#31 DOC)

02:39:17 Chair Brodehl

02:39:19 **Motion:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$312,690 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND OVERTIME AND INMATE PAY.**

**Discussion:**

02:39:26 Chair Brodehl  
02:39:43 Rep. Dudik

02:39:45 Chair Brodehl

02:39:47 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#32 DOC)

02:40:20 Chair Brodehl  
02:40:23 Sen. Wolken  
02:40:53 Chair Brodehl

02:40:55 **Motion:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$273,761 IN**

**FY 2016 AND BY \$273,100 FY 2017 IN THE SECURE CUSTODY FACILITIES PROGRAM TO FUND THE ADDITION OF 5.00 FTE CORRECTIONAL OFFICERS AT THE LEWISTOWN INFIRMARY.**

**Discussion:**

02:41:12 Chair Brodehl

02:41:16 Sen. Wolken

02:41:32 Chair Brodehl

02:41:37 **Vote:** Motion failed 2-4 with Rep. Dudik and Sen. Wolken voting aye. (#34 DOC)

02:42:06 Chair Brodehl

02:42:08 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$278,307 IN FY 2016 AND BY \$271,583 FY 2017 IN THE PROBATION AND PAROLE DIVISION TO FUND THE ADDITION OF 4.00 FTE PROBATION AND PAROLE OFFICERS.**

**Discussion:**

02:42:48 Chair Brodehl

02:42:50 Sen. Wolken

02:43:24 Chair Brodehl

02:43:26 Rep. Dudik

02:43:49 Chair Brodehl

02:43:50 **Vote:** Motion failed 2-4 with Rep. Dudik and Sen. Wolken voting aye. (#33 DOC)

02:44:17 Chair Brodehl

02:44:19 **Motion:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$274,977 IN FY 2016 AND BY \$274,255 FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND THE ADDITION OF 2.50 FTE CLINICAL STAFF FOR THE MONTANA WOMEN'S PRISON.**

**Discussion:**

02:44:36 Chair Brodehl

02:44:40 Rep. Dudik

02:45:24 Chair Brodehl

02:45:35 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#35 DOC)

02:46:03 Chair Brodehl

02:46:05 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$105,000 IN FY 2016 AND BY \$115,000 FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND THE MONTANA STATE PRISON INFIRMARY NEEDS, AND TO**

**DESIGNATE \$15,000 IN FY 2016 AND \$25,000 IN FY 2017 AS ONE-TIME-ONLY.**

**Discussion:**

02:46:22 Chair Brodehl

02:46:24 Sen. Wolken

02:46:57 Chair Brodehl

02:47:00 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#36 DOC)

02:47:33 Chair Brodehl

02:47:34 **Motion:** Rep. Dudik moved **TO INCREASE GENERAL FUND BY \$678,475 IN FY 2016 AND BY \$775,656 FY 2017 IN THE CLINICAL SERVICES DIVISION TO ANNUALIZE OUTSIDE MEDICAL FUNDING, AND TO DESIGNATE FUNDING AS BIENNIAL.**

**Discussion:**

02:47:50 Chair Brodehl

02:47:53 Rep. Dudik

02:48:16 Chair Brodehl

02:48:19 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#37 DOC)

02:48:47 Chair Brodehl

02:48:48 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$197,668 IN FY 2016 AND BY \$194,268 FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND THE ADDITION OF 1.00 FTE PSYCHIATRIST FOR THE MONTANA STATE PRISON.**

**Discussion:**

02:49:12 Chair Brodehl

02:49:14 Sen. Wolken

02:49:59 Chair Brodehl

02:50:03 Rep. Dudik

02:50:31 Chair Brodehl

02:51:23 **Vote:** Motion failed 2-4 by roll call vote with Rep. Dudik and Sen. Wolken voting aye. (#38 DOC)

02:51:54 Chair Brodehl

02:51:55 **Motion:** Rep. Dudik moved **TO INCREASE STATE SPECIAL REVENUE BY \$208,900 IN EACH FY 2016 AND FY 2017 IN THE CLINICAL SERVICES DIVISION TO FUND A MEDICAL CO-PAY PROGRAM, AND TO RESTRICT THE FUNDING ONLY FOR PAYMENTS OF MEDICAL COSTS WITH FUNDS DERIVED FROM INMATE MEDICAL CO-PAYMENTS.**

**Discussion:**

02:52:09 Chair Brodehl  
02:52:12 Sen. Wolken  
02:52:29 Chair Brodehl  
02:52:31 Greg DeWitt, LFD  
02:52:53 Chair Brodehl  
02:53:00 Sen. Hansen  
02:53:32 Chair Brodehl

02:53:35 **Vote:** Motion failed 3-3 by roll call vote with Rep. Brodehl, Rep. Dudik and Sen. Wolken voting aye. (#39 DOC)

02:54:20 Chair Brodehl

02:54:22 **Motion/Vote:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$711,000 IN FY 2016 TO FULLY FUND PAY INCREASE OF \$1 PER HOUR FOR THE BIENNIUM TO THE SECURE CUSTODY AND YOUTH SERVICE DIVISION TO FULLY FUND THE EXECUTIVE REQUEST CORRECTIONAL OFFICERS PAY INCREASE.** Motion failed 2-4 with Rep. Dudik and Sen. Wolken voting aye. (#40 DOC)

02:54:44 Chair Brodehl

02:55:39 Sen. Wolken  
02:55:53 Greg DeWitt, LFD

02:56:04 **Motion:** Sen. Wolken moved **TO INCREASE GENERAL FUND BY \$409,334 IN FY 2016 AND BY \$816,474 IN FY 2017 IN THE PROBATION AND PAROLE DIVISION TO FUND AN ADDITIONAL 1% PROVIDER RATE ADJUSTMENT IN FY 2016 AND AN ADDITIONAL 1% PROVIDER RATE ADJUSTMENT IN FY 2017. BRINGING THE TOTAL PROVIDER RATE ADJUSTMENT TO 2% IN FY 2016 AND 2% IN FY 2017.**

**Discussion:**

02:56:41 Chair Brodehl  
02:56:45 Greg DeWitt, LFD  
02:58:25 Chair Brodehl  
02:58:54 Greg DeWitt, LFD  
02:59:31 Chair Brodehl

02:59:33 **Vote:** Motion failed 2-4 with Rep. Dudik and Sen. Wolken voting aye. (# 41 DOC)

03:00:02 Chair Brodehl  
03:00:36 Greg DeWitt, LFD  
03:00:51 Chair Brodehl  
03:00:58 Sen. Howard  
03:01:02 Chair Brodehl

**ADJOURNMENT**

Adjournment: 03:01:17

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Sally Speer, Secretary

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Additional Documents:

**EXHIBIT([jch32aad.pdf](#))**