

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

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

**Call to Order:** Chair Matt Regier, on February 18, 2019 at 9:00 A.M., in Room 317A  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Matt Regier, Chair (R)  
Sen. David Howard, Vice Chair (R)  
Rep. Ryan Lynch (D)  
Sen. Nate McConnell (D)

**Members Excused:** Rep. Kimberly Dudik (D)  
Rep. Carl Glimm (R)  
Sen. Ryan Osmundson (R)

**Members Absent:** None

**Staff Present:** Robyn Brown, Committee Secretary  
Kris Wilkinson, 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: Section D portion of HB 2 - Judicial Branch, Department of Justice, Public Service Commission, Department of Corrections and Office of State Public Defender Budgets

**Committee Business:**

09:03:06 Chair Regier

09:03:30 The Committee recessed.

10:07:00 The Committee reconvened.

10:07:33 Chair Regier

**EXECUTIVE ACTION ON JUDICIAL BRANCH BUDGETS**

**EXHIBIT(jch34a01)**

10:07:52 **Motion/Vote:** Sen. Osmundson moved that **THE JUDICIAL BRANCH DP1, DP2 AND DP3 BE ADOPTED, WHERE APPLICABLE.** Motion carried unanimously by voice vote.

10:08:44 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP101 BE ADOPTED.** Motion carried unanimously by voice vote.

10:09:59 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP102 BE ADOPTED.** Motion carried unanimously by voice vote.

10:11:30 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP403 BE ADOPTED AND THAT THE PRETRIAL PROGRAM SHALL REPORT ON NUMBER OF PROGRAM PARTICIPANTS AND RELATED COSTS TO THE LAW AND JUSTICE INTERIM COMMITTEE ANNUALLY IN SEPTEMBER OF EACH YEAR.** Motion carried unanimously by voice vote.

10:12:19 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP103 BE ADOPTED.** Motion carried unanimously by voice vote.

10:13:02 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP104 BE ADOPTED.** Motion carried unanimously by voice vote.

10:13:14 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP402 BE ADOPTED.** Motion carried unanimously by voice vote.

10:13:21 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP404 BE ADOPTED.** Motion carried unanimously by voice vote.

10:14:21 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP55 BE ADOPTED.** Motion carried unanimously by voice vote.

10:15:23 **Motion/Vote:** Sen. Osmundson moved that **SUPREME COURT DP211 BE ADOPTED.** Motion carried unanimously by voice vote.

10:16:26 **Motion/Vote:** Sen. Osmundson moved that **LAW LIBRARY DP301 BE ADOPTED.** Motion carried 6-1 by voice vote with Rep. Dudik voting no.

- 10:17:46 **Motion/Vote:** Sen. Osmundson moved that **LAW LIBRARY DP302 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:18:06 **Motion/Vote:** Sen. Osmundson moved that **DISTRICT COURT DP401 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:18:41 **Motion/Vote:** Sen. Osmundson moved that **DISTRICT COURT DP402 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:19:07 **Motion/Vote:** Sen. Osmundson moved that **DISTRICT COURT DP50 BE ADOPTED**. Motion failed 2-5 by roll call vote with Rep. Glimm and Sen. Osmundson voting aye.
- 10:21:01 **Motion/Vote:** Sen. Osmundson moved that **DISTRICT COURT DP55 BE ADOPTED**. Motion carried 6-1 by voice vote with Rep. Glimm voting no.
- 10:22:33 **Motion/Vote:** Sen. Osmundson moved that **WATER COURTS DP55 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:24:13 **Motion/Vote:** Sen. Osmundson moved that **WATER COURTS DP1001 BE ADOPTED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON DEPARTMENT OF JUSTICE BUDGETS**

**EXHIBIT(jch34a02)**

- 10:24:47 **Motion/Vote:** Sen. Osmundson moved that **DEPARTMENT OF JUSTICE DP1, DP2 AND DP3 BE ADOPTED, AS APPLICABLE**. Motion carried unanimously by voice vote.
- 10:25:06 **Motion/Vote:** Sen. Osmundson moved that **LEGAL SERVICES DIVISION DP101 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:26:23 **Motion/Vote:** Sen. Osmundson moved that **DEPARTMENT OF JUSTICE DP55 BE ADOPTED, AS APPLICABLE**. Motion carried unanimously by voice vote.
- 10:27:03 **Motion/Vote:** Sen. Osmundson moved that **MONTANA HIGHWAY PATROL DP301 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:27:43 **Motion/Vote:** Sen. Osmundson moved that **MONTANA HIGHWAY PATROL DP302 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:28:13 **Motion/Vote:** Sen. Osmundson moved that **MONTANA HIGHWAY PATROL DP303 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:29:16 **Motion/Vote:** Sen. Osmundson moved that **JUSTICE INFORMATION AND TECHNOLOGY SERVICES DIVISION DP406 BE ADOPTED**. Motion carried unanimously by roll call vote.

- 10:31:04 **Motion/Vote:** Sen. Osmundson moved that **JUSTICE INFORMATION AND TECHNOLOGY SERVICES DIVISION DP407 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:31:35 **Motion/Vote:** Sen. Osmundson moved that **DIVISION OF CRIMINAL INVESTIGATION DP507 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:32:32 **Motion/Vote:** Sen. Osmundson moved that **DIVISION OF CRIMINAL INVESTIGATION DP508 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:33:04 **Motion/Vote:** Sen. Osmundson moved that **DIVISION OF CRIMINAL INVESTIGATION DP305 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:34:01 **Motion/Vote:** Sen. Osmundson moved that **DIVISION OF CRIMINAL INVESTIGATION DP306 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:34:25 **Motion/Vote:** Sen. Osmundson moved that **GAMBLING CONTROL DIVISION DP1 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "GAMBLING CONTROL DIVISION SHALL REPORT TO THE LEGISLATIVE FINANCE COMMITTEE ANNUALLY IN SEPTEMBER AS TO THE SOLVENCY OF THE GAMBLING LICENSE FEE ACCOUNT (2074)"**. Motion carried unanimously by voice vote.
- 10:36:28 **Motion/Vote:** Sen. Osmundson moved that **FORENSIC SCIENCE DIVISION DP802 BE ADOPTED**. Motion carried 6-1 by voice vote with Rep. Glimm voting no.
- 10:37:38 **Motion/Vote:** Sen. Osmundson moved that **FORENSIC SCIENCE DIVISION DP805 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:38:55 **Motion/Vote:** Sen. Osmundson moved that **FORENSIC SCIENCE DIVISION DP804 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:39:09 **Motion/Vote:** Sen. Osmundson moved that **MOTOR VEHICLE DIVISION DP802 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:39:40 **Motion/Vote:** Sen. Osmundson moved that **MOTOR VEHICLE DIVISION DP803 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:40:23 **Motion/Vote:** Sen. Osmundson moved that **MOTOR VEHICLE DIVISION DP901 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:40:33 **Motion/Vote:** Sen. Osmundson moved that **CENTRAL SERVICES DIVISION DP1001 BE ADOPTED**. Motion carried unanimously by voice vote.

10:41:41 **Motion/Vote:** Sen. Osmundson moved that **POST DP305 AND POST DP306 BE ADOPTED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON PUBLIC SERVICE COMMISSION BUDGETS**

**EXHIBIT(jch34a03)**

10:42:42 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP1 BE ADOPTED**. Motion carried unanimously by voice vote.

10:42:53 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP2 BE ADOPTED**. Motion carried unanimously by voice vote.

10:43:05 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP3 BE ADOPTED**. Motion carried unanimously by voice vote.

10:43:24 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP6 BE ADOPTED**. Motion carried unanimously by voice vote.

10:43:53 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP7 BE ADOPTED**. Motion carried unanimously by voice vote.

10:44:19 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP9 BE ADOPTED**. Motion carried unanimously by voice vote.

10:49:01 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP501 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "CONSULTING CONTINGENCY MAY BE USED ONLY FOR LITIGATION EXPENSES PROVIDED THROUGH CONTRACTED SERVICES"**. Motion carried unanimously by voice vote.

10:52:07 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP101 BE ADOPTED CONTINGENT UPON PASSAGE OF COMMITTEE BILL**. Motion carried 5-2 by voice vote with Rep. Dudik and Sen. Howard voting no.

10:53:14 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC SERVICE COMMISSION DP55 BE ADOPTED**. Motion carried 6-1 by voice vote with Rep. Glimm voting no.

**EXECUTIVE ACTION ON OFFICE OF STATE PUBLIC DEFENDER**

**EXHIBIT(jch34a04)**

10:54:44 **Motion/Vote:** Sen. Osmundson moved that **OFFICE OF STATE PUBLIC DEFENDER DP01 BE ADOPTED FOR ALL PROGRAMS**. Motion carried unanimously by voice vote.

- 10:55:16 **Motion/Vote:** Sen. Osmundson moved that **OFFICE OF STATE PUBLIC DEFENDER DP3 BE ADOPTED FOR ALL PROGRAMS**. Motion carried unanimously by voice vote.
- 10:55:32 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC DEFENDER DIVISION DP4 BE ADOPTED**. Motion carried unanimously by voice vote.
- 10:56:29 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC DEFENDER DIVISION DP7 BE ADOPTED**. Motion carried 6-1 by voice vote with Sen. Howard voting no.
- 10:57:21 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC DEFENDER DIVISION DP5 BE ADOPTED**. Motion carried 5-2 by roll call vote with Rep. Glimm and Sen. Howard voting no.
- 10:58:35 **Motion/Vote:** Sen. Osmundson moved that **PUBLIC DEFENDER DIVISION DP404 BE ADOPTED**. Motion carried 6-1 by voice vote with Sen. Howard voting no.
- 10:59:36 **Motion/Vote:** Sen. Osmundson moved that **APPELLATE DEFENDER DIVISION DP7 BE ADOPTED**. Motion carried 6-1 by voice vote with Sen. Howard voting no.
- 10:59:59 **Motion/Vote:** Sen. Osmundson moved that **APPELLATE DEFENDER DIVISION DP5 BE ADOPTED**. Motion carried 5-2 by roll call vote with Rep. Glimm and Sen. Howard voting no.
- 11:00:20 **Motion/Vote:** Sen. Osmundson moved that **CONFLICT COORDINATOR DIVISION DP4 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:00:48 **Motion/Vote:** Sen. Osmundson moved that **CONFLICT COORDINATOR DIVISION DP7 BE ADOPTED**. Motion carried 6-1 by voice vote with Sen. Howard voting no.
- 11:01:03 **Motion/Vote:** Sen. Osmundson moved that **CONFLICT COORDINATOR DIVISION DP5 BE ADOPTED**. Motion carried 5-2 by voice vote with Rep. Glimm and Sen. Howard voting no.
- 11:01:23 **Motion/Vote:** Sen. Osmundson moved that **CONFLICT COORDINATOR DIVISION DP404 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:01:41 **Motion/Vote:** Sen. Osmundson moved that **CENTRAL SERVICES DIVISION DP2 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:01:59 **Motion/Vote:** Sen. Osmundson moved that **CENTRAL SERVICES DIVISION DP55 BE ADOPTED**. Motion carried 6-1 by voice vote with Rep. Glimm voting no.

11:03:17 Sen. McConnell  
11:03:25 Rep. Lynch

**EXECUTIVE ACTION ON DEPARTMENT OF CORRECTIONS BUDGETS**

**EXHIBIT(jch34a05)**

- 11:04:07 **Motion/Vote:** Sen. Osmundson moved that **DEPARTMENT OF CORRECTIONS DP1, DP2, DP3 BE ADOPTED, AS APPLICABLE**. Motion carried unanimously by voice vote.
- 11:04:27 **Motion/Vote:** Sen. Osmundson moved that **DEPARTMENT OF CORRECTIONS DP55 BE ADOPTED, AS APPLICABLE**. Motion carried 6-1 by voice vote with Rep. Glimm voting no.
- 11:04:47 **Motion/Vote:** Sen. Osmundson moved that **DIRECTOR'S OFFICE DP103 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "DIRECTOR'S OFFICE CONTINGENCY FUNDING MAY BE EXPENDED IN FISCAL YEAR 2021 ONLY AFTER THE BUDGET DIRECTOR CERTIFIES THAT COUNTY JAIL HOLDS ARE MAINTAINED AT AN AVERAGE OF 250 OR LESS FOR THE PREVIOUS SIX MONTHS"**. Motion carried unanimously by voice vote.
- 11:05:02 **Motion/Vote:** Sen. Osmundson moved that **DIRECTOR'S OFFICE DP102 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "WORKLOAD STUDY AND TRAINING MAY BE USED ONLY TO CONDUCT A CASELOAD/WORKLOAD STUDY OF PROBATION AND PAROLE OFFICERS AND MUST INCLUDE AN ORGANIZATIONAL ASSESSMENT OF THE SUPERVISION STRUCTURE AND ALLOCATION OF OFFENDER CASELOADS ACROSS PROBATION AND PAROLE STAFF. THE ALLOCATION OF CASELOADS MUST BE BASED ON OFFENDER RISK LEVELS DETERMINED THROUGH THE MONTANA INCENTIVES AND INTERVENTIONS GRID"**. Motion carried unanimously by voice vote.
- 11:08:21 **Motion/Vote:** Sen. Osmundson moved that **DIRECTOR'S OFFICE DP101 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "HOUSING FUNDING MAY BE USED ONLY TO PROVIDE HOUSING VOUCHERS FOR ELIGIBLE APPLICANTS"**. Motion carried 6-1 by voice vote with Sen. Howard voting no.
- 11:08:50 **Motion/Vote:** Sen. Osmundson moved that **DIRECTOR'S OFFICE DP110 BE ADOPTED**. Motion carried 4-3 by roll call vote with Rep. Dudik, Rep. Lynch and Sen. McConnell voting no.
- 11:09:23 **Motion/Vote:** Sen. Osmundson moved that **PROBATION AND PAROLE DIVISION DP203 BE ADOPTED (RESTRICTED)**. Motion carried unanimously by voice vote.
- 11:11:00 **Motion/Vote:** Sen. Osmundson moved that **PROBATION AND PAROLE DIVISION DP202 BE ADOPTED**. Motion carried unanimously by voice vote.

- 11:12:31 **Motion/Vote:** Sen. Osmundson moved that **PROBATION AND PAROLE DIVISION DP204 BE ADOPTED WITH THE FOLLOWING LANGUAGE:** "PROBATION AND PAROLE CAREER LADDER IN FISCAL YEAR 2020 IS CONTINGENT ON THE DEPARTMENT: (1) REVIEWING THE FILES OF ALL PROBATIONERS AND PAROLEES UNDER ITS SUPERVISION TO DETERMINE IF THEY ARE ELIGIBLE FOR CONDITIONAL DISCHARGE FROM SUPERVISION; AND (2) NOTIFYING ALL ELIGIBLE PROBATIONERS AND PAROLEES AND THEIR COUNSEL IN WRITING OF THEIR ELIGIBILITY FOR CONDITIONAL DISCHARGE FROM SUPERVISION. THE DEPARTMENT SHALL REPORT TO THE LEGISLATIVE FINANCE COMMITTEE BY DECEMBER 31, 2019, ON THE NUMBER OF FILES REVIEWED AND THE NUMBER OF PROBATIONERS AND PAROLEES ELIGIBLE FOR CONDITIONAL DISCHARGE FROM SUPERVISION. FUNDING MAY BE EXPENDED IN FISCAL YEAR 2020 ONLY AFTER THE BUDGET DIRECTOR CERTIFIES THAT THE DEPARTMENT HAS COMPLETED THE EVALUATION OF ALL PAROLE FILES AND HAS NOTIFIED ALL ELIGIBLE PROBATIONERS AND PAROLEES. PROBATION AND PAROLE CAREER LADDER IN FISCAL YEAR 2021 IS CONTINGENT ON THE DEPARTMENT (1) COMPLETING A WORKLOAD STUDY OF PROBATION AND PAROLE OFFICERS THAT INCLUDES AN ORGANIZATIONAL ASSESSMENT OF THE SUPERVISION STRUCTURE AND ALLOCATION OF OFFENDER CASELOADS ACROSS PROBATION AND PAROLE STAFF THAT IS BASED ON OFFENDER RISK LEVELS DETERMINED THROUGH THE MONTANA INCENTIVES AND INTERVENTIONS GRID; AND (2) DEVELOPING A PLAN TO IMPLEMENT TRAINING ON THE OFFENDER MANAGEMENT INFORMATION SYSTEM. THE DEPARTMENT SHALL REPORT TO THE LEGISLATIVE FINANCE COMMITTEE BY SEPTEMBER 30, 2020, ON THE RESULTS OF THE WORKLOAD STUDY AND ALLOCATION OF OFFENDER CASELOADS AND THE PLAN TO IMPLEMENT TRAINING FOR THE OFFENDER MANAGEMENT INFORMATION SYSTEM. FUNDING MAY BE EXPENDED IN FISCAL YEAR 2021 ONLY AFTER THE BUDGET DIRECTOR CERTIFIES THAT THE DEPARTMENT HAS COMPLETED THE EVALUATION OF ALL PAROLE FILES AND HAS NOTIFIED PROBATIONERS AND PAROLEES". Motion carried 6-1 by voice vote with Rep. Glimm voting no.
- 11:14:03 **Motion/Vote:** Sen. Osmundson moved that **DEPARTMENT OF CORRECTIONS DP301 BE ADOPTED WITH THE FOLLOWING LANGUAGE:** "IT IS THE INTENT OF THE LEGISLATURE THAT RATES FOR THE DAWSON COUNTY CORRECTIONAL FACILITY, CASCADE COUNTY REGIONAL PRISON, AND MISSOULA ASSESSMENT & SANCTION CENTER BE CAPPED AT THE FISCAL YEAR 2019 RATE PLUS INFLATION". Motion carried unanimously by voice vote.
- 11:15:05 **Motion/Vote:** Sen. Osmundson moved that **PROBATION AND PAROLE DIVISION DP501 BE ADOPTED.** Motion carried 5-2 by roll call vote with Rep. Glimm and Sen. Howard voting no.

- 11:16:47 **Motion/Vote:** Sen. Osmundson moved that **PROBATION AND PAROLE DIVISION DP211 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:18:12 **Motion/Vote:** Rep. Dudik moved that **DEPARTMENT OF CORRECTIONS DP102A BE ADOPTED AND TWO (2) POSITIONS BE REMOVED FROM THE BASE BUDGET FOR PROBATION AND PAROLE IN MANAGEMENT NON-COLLECTIVE BARGAINING UNIT POSITIONS TO BE REPURPOSED IN PROBATION AND PAROLE WITH THE INTENT THAT THESE POSITIONS BE REPURPOSED TO CONDUCT THE OMIS TRAINING AND ORGANIZE DATA COLLECTION FOR THE DIVISION**. Motion carried unanimously by voice vote.
- 11:19:38 **Motion/Vote:** Sen. Osmundson moved that **SECURE CUSTODY FACILITIES DP301 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "IT IS THE INTENT OF THE LEGISLATURE THAT RATES FOR THE DAWSON COMMUNITY CORRECTIONAL FACILITY, CASCADE COUNTY REGIONAL PRISON, AND MISSOULA ASSESSMENT & SANCTION CENTER BE CAPPED AT THE FISCAL YEAR 2019 RATE PLUS INFLATION"**. Motion carried unanimously by voice vote.
- 11:21:02 **Motion/Vote:** Sen. Osmundson moved that **SECURE CUSTODY FACILITIES DP303 AND DP304 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "JAIL HOLD RATES INCLUDE FUNDING TO HOUSE INMATES IN COUNTY JAILS. IT IS THE INTENT OF THE LEGISLATURE THAT THE DEPARTMENT OF CORRECTIONS PAY NO MORE THAN \$69.28 PER DAY IN FISCAL YEAR 2020 AND \$69.63 PER DAY IN FISCAL YEAR 2021 FOR INMATES"**. Motion carried unanimously by voice vote.
- 11:22:29 **Motion/Vote:** Sen. Osmundson moved that **SECURE CUSTODY FACILITIES DP305 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "PROVIDER RATE: FOR-PROFIT PROVIDERS INCLUDES GENERAL FUND MONEY IN FISCAL YEAR 2020 AND FISCAL YEAR 2021 THAT MAY BE USED ONLY FOR PROVIDER RATE INCREASES FOR CONTRACTED BEDS OPERATED BY PRIVATE FOR-PROFIT PROVIDERS"**. Motion carried 5-2 by roll call vote with Rep. Dudik and Sen. McConnell voting no.
- 11:23:10 **Motion/Vote:** Sen. Osmundson moved that **SECURE CUSTODY FACILITIES DP307 BE ADOPTED WITH THE FOLLOWING LANGUAGE: "IT IS THE INTENT OF THE LEGISLATURE THAT THE MONTANA STATE CORRECTIONAL TREATMENT CENTER BE CLOSED AND THAT THE FACILITY BE UTILIZED AS AN OPERATING HOUSING UNIT OF THE MONTANA STATE PRISON. THE MONTANA STATE PRISON WARDEN MAY PRIORITIZE PLACEMENT OF OFFENDERS IN THIS FACILITY"**. Motion carried unanimously by voice vote.
- 11:24:05 **Motion/Vote:** Sen. Osmundson moved that **SECURE CUSTODY FACILITIES DP501 BE ADOPTED**. Motion carried unanimously by voice vote..

- 11:24:56 **Motion/Vote:** Sen. Osmundson moved that **SECURE CUSTODY FACILITIES DP401 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:25:25 **Motion/Vote:** Sen. Osmundson moved that **SECURE CUSTODY FACILITIES DP05 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:25:40 **Motion/Vote:** Sen. Osmundson moved that **YOUTH SERVICES DP501 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:26:38 **Motion/Vote:** Sen. Osmundson moved that **CLINICAL SERVICES DIVISION DP601 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:28:00 **Motion/Vote:** Sen. Osmundson moved that **CLINICAL SERVICES DIVISION DP602 BE ADOPTED**. Motion carried 4-3 by roll call vote with Rep. Dudik, Rep. Lynch and Sen. McConnell voting no.
- 11:30:15 **Motion/Vote:** Sen. Osmundson moved that **CLINICAL SERVICES DIVISION BUDGET BE MADE BIENNIAL**. Motion carried unanimously by voice vote.
- 11:31:11 **Motion/Vote:** Sen. Osmundson moved that **BOARD OF PARDONS AND PAROLE DP701 BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:32:20 **Motion/Vote:** Sen. Osmundson moved that **DEPARTMENT OF CORRECTIONS PROPRIETARY RATES FOR MCE FOOD FACTORY BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:33:20 **Motion/Vote:** Sen. Osmundson moved that **DEPARTMENT OF CORRECTIONS PROPRIETARY RATES FOR VOCATIONAL EDUCATION BE ADOPTED**. Motion carried unanimously by voice vote.
- 11:33:41 **Motion/Vote:** Sen. Osmundson moved that **THE FOLLOWING LANGUAGE BE ADDED TO PROBATION AND PAROLE DIVISION DP203: "EVALUATIONS BASED ON OFFENDER RISK MAY BE USED ONLY FOR PLACEMENTS THAT ARE BASED UPON A RISK/NEEDS SCORE AND OFFENDER RISK TO THE COMMUNITY"**. Motion carried unanimously by voice vote.
- 11:34:19 **Motion/Vote:** Sen. Osmundson moved that **PROPRIETARY RATES FOR DEPARTMENT OF JUSTICE FOR INTERNAL SERVICES AND ENTERPRISE FUNDS BE ADOPTED AS REQUESTED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON COMPANION BILLS**

**EXHIBIT(jch34a06)**

- 11:36:28 **Motion/Vote:** Sen. Osmundson moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A HB 2 COMPANION BILL TO ESTABLISH TWO STATE SPECIAL REVENUE ACCOUNTS: 1. PRE-TRIAL DIVERSION SERVICES FOR THE JUDICIAL BRANCH; AND 2. COMMITTEES AND ACTIVITIES FOR THE LEGISLATIVE BRANCH. FURTHER, THE BILL SHALL TRANSFER \$1,853,000 FROM THE CONSUMER EDUCATION SETTLEMENT ACCOUNT INTO THE TWO NEWLY CREATED ACCOUNTS BY JULY 1, 2019.** Motion carried unanimously by voice vote.
- 11:37:05 **Motion/Vote:** Sen. Osmundson moved that **MOVE THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A HB 2 COMPANION BILL TO ELIMINATE THE WORKING INTERDISCIPLINARY NETWORK OF GUARDIANSHIP STAKEHOLDERS (DP 301 WINGS PROGRAM) AND THE RELATED PUBLIC GUARDIANSHIP GRANT PROGRAM.** Motion carried 5-2 by roll call vote with Rep. Dudik and Rep. Lynch voting no.
- 11:38:04 **Motion/Vote:** Sen. Osmundson moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A HB 2 COMPANION BILL TO TRANSFER YOUTH PAROLE FROM THE DEPARTMENT OF CORRECTIONS TO THE JUDICIAL BRANCH (HB 111).** Motion carried unanimously by voice vote.
- 11:38:43 **Motion/Vote:** Sen. Osmundson moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A COMMITTEE BILL TO ADDRESS SHORTFALLS IN THE FUNDING OF THE MONTANA HIGHWAY PATROL RETIREMENT TRUST.** Motion carried unanimously by voice vote.
- 11:39:28 **Motion/Vote:** Sen. Osmundson moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A COMMITTEE BILL TO REDUCE GENERAL FUND FOR STATUTORY APPROPRIATIONS TO THE HIGHWAY PATROL RETIREMENT CONTRIBUTIONS AND INCREASE STATE SPECIAL REVENUE FROM THE HIGHWAY PATROL PAY AND RECRUITMENT ACCOUNT.** Motion carried unanimously by voice vote.
- 11:40:14 **Motion/Vote:** Sen. Osmundson moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A HB 2 COMPANION BILL TO REQUIRE THAT THE DEPARTMENT OF JUSTICE ADMINISTER THE FUNCTIONS OF THE PUBLIC SAFETY OFFICER AND TRAINING COUNCIL (POST).** Motion carried unanimously by voice vote.
- 11:41:31 **Motion/Vote:** Sen. Osmundson moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A COMMITTEE BILL TO MODIFY ENTITLEMENT SHARE PAYMENTS TO LOCAL GOVERNMENTS.** Motion carried unanimously by voice vote.

- 11:48:33      **Motion/Vote:** Sen. Osmundson moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A HB 2 COMPANION BILL TO MAKE PRESENTENCE INVESTIGATIONS OPTIONAL BASED ON A DETERMINATION BY THE JUDGE.** Motion carried unanimously by voice vote.
- 11:50:01      **Motion/Vote:** Sen. Osmundson moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A HB 2 COMPANION BILL TO CLARIFY THAT PAYMENTS CANNOT EXCEED THE AMOUNT ESTABLISHED FOR THE MONTANA MEDICAID PROGRAM.** Motion carried unanimously by voice vote.
- 11:50:33      **Motion/Vote:** Rep. Dudik moved that **THE HOUSE APPROPRIATIONS COMMITTEE REQUEST A HB 2 COMPANION BILL TO REMOVE THE TERMINATION DATE FOR THE CHILD ABUSE DIVERSION PROJECT.** Motion carried unanimously by voice vote.
- 11:52:00      Chair Regier

**ADJOURNMENT**

Adjournment: 11:53:00

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Robyn Brown, Secretary

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Additional Documents:

**EXHIBIT**([jch34aad.pdf](#))