

## MINUTES

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

#### COMMITTEE ON JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

**Call to Order:** Chair Dan Bartel, on February 19, 2019 at 9:00 A.M., in Room 350  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Mike Lang, Vice Chair (R)  
Sen. Douglas (Doug) Kary (R)  
Rep. Jim Hamilton (D)  
Sen. Pat Flowers (D)  
Rep. Dan Bartel, Chair (R)

**Members Excused:**

Rep. Bill Mercer (R)  
Rep. Jonathan Windy Boy (D)

**Members Absent:** None

**Staff Present:** Katie Guenther, Legislative Branch  
Kim Meisner, 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 Revenue  
Governor's Office  
Department of Administration

**Committee Business:**

08:06:21 Chair Bartel  
08:06:27 Katie Guenther, Legislative Fiscal Division (LFD)  
[EXHIBIT\(jgh35a01\)](#)

08:10:46 Recessed  
09:10:52 Reconvened

09:10:52 Rep. Mercer entered the meeting.

**EXECUTIVE ACTION ON DEPARTMENT OF REVENUE**

09:11:06 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 01; DP 2, DP 3, DP12, AND DP 55 BE ADOPTED.** Motion carried unanimously by roll call vote. Rep. Windy Boy voted by proxy.

09:12:13 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 01; DP 50 BE ADOPTED.**

**Discussion:**

09:12:26 Rep. Hamilton  
09:12:55 Chair Bartel  
09:14:36 Rep. Hamilton  
09:14:53 Chair Bartel  
09:14:58 Stephanie Morrison, Office of Budget and Program Planning (OBPP)  
09:16:13 Rep. Hamilton  
09:17:12 Sen. Flowers  
09:17:47 Chair Bartel

09:18:20 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

09:19:12 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 03; DP 2, DP 3, DP 6, DP 7, AND DP 55 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

09:19:53 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 03; DP 50 BE ADOPTED.**

**Discussion:**

09:20:08 Rep. Hamilton  
09:20:17 Chair Bartel  
09:20:43 Rep. Hamilton  
09:20:56 Chair Bartel  
09:21:12 Rep. Hamilton  
09:21:44 Stephanie Morrison, OBPP  
09:21:56 Sen. Flowers  
09:22:09 Stephanie Morrison, OBPP

- 09:23:28 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.
- 09:24:06 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 03; DP 6 AND DP 7 BE AMENDED TO BE CLASSIFIED AS RESTRICTED ONE TIME ONLY.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.
- 09:24:38 **Motion/Vote:** Sen. Lang moved **TO AMEND THE DEPARTMENT OF REVENUE PROGRAM 03 TO INCLUDE THE LANGUAGE "ALCOHOLIC BEVERAGE CONTROL DIVISION PROPRIETARY FUNDS NECESSARY TO MAINTAIN ACCURATE INVENTORY, PAY FREIGHT CHARGES, AND TRANSFER PROFITS AND TAXES TO THE APPROPRIATE ACCOUNTS ARE APPROPRIATED TO THE LIQUOR ENTERPRISE FUND TO THE DEPARTMENT IN THE AMOUNTS NOT TO EXCEED \$154.5 MILLION IN FY 2020 AND \$154.5 MILLION IN 2021."** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.
- 09:25:32 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 05; DP 2, DP 3, AND DP 55 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.
- 09:26:30 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 05; DP 50 BE ADOPTED.**

**Discussion:**

- 09:27:17 Rep. Hamilton
- 09:28:30 Stephanie Morrison, OBPP
- 09:30:23 Rep. Hamilton
- 09:30:50 Stephanie Morrison, OBPP
- 09:30:57 Katie Guenther, LFD
- 09:31:37 Rep. Hamilton
- 09:31:55 Katie Guenther, LFD
- 09:32:05 Rep. Hamilton
- 09:32:30 Katie Guenther, LFD
- 09:32:57 Sen. Flowers
- 09:34:17 Rep. Mercer
- 09:36:31 Sen. Flowers
- 09:38:56 Gene Walborn, Director, Department of Revenue (DOR)
- 09:43:22 Rep. Hamilton
- 09:43:59 Director Walborn, DOR
- 09:44:21 Rep. Hamilton
- 09:45:36 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

09:46:22 **Motion:** Sen. Lang moved that **THE INTERNAL SERVICE FUND DECISION POINTS FOR THE DEPARTMENT OF REVENUE ON THE CITIZEN SERVICES AND RESOURCE MANAGEMENT COLLECTION SERVICE CHARGE RATE (ON PAGE A21) AS 5% FY 2018, FY 2019, FY 2020, AND 4.5% IN FY 2021 BE ADOPTED.**

**Discussion:**

09:47:53 Rep. Hamilton

09:48:09 **Vote:** Motion carried unanimously. Rep. Windy Boy voted by proxy.

09:48:22 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 07; DP 2, DP 3, AND DP 55 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

09:48:59 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 07; DP 50 BE ADOPTED.**

**Discussion:**

09:49:16 Rep. Hamilton

09:50:18 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

09:50:48 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 08; DP 2, DP 3, DP 12, AND DP 55 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

09:51:35 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF REVENUE PROGRAM 08; DP 5 BE ADOPTED.**

**Discussion:**

09:51:50 Rep. Hamilton

09:53:51 Sen. Flowers

09:54:56 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

09:55:51 Rep. Hamilton

09:56:04 Recessed

10:03:21 Reconvened

10:03:26 Rep. Hamilton

**EXECUTIVE ACTION ON THE GOVERNOR'S OFFICE**

10:03:56 **Motion/Vote:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 01; DP 2 AND DP 3 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

10:04:33 **Motion/Vote:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 01; DP 50 BE ADOPTED.** Motion carried 4-3 by voice vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

10:05:35 **Motion:** Rep. Hamilton moved that **GOVERNOR'S OFFICE PROGRAM 01; DP 101 BE AMENDED.**

**Discussion:**

10:05:54 Rep. Mercer

10:06:27 Rep. Hamilton

10:07:53 Rep. Mercer

10:08:19 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

10:08:51 **Motion/Vote:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 02; DP 1, DP 2, AND DP 3 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

10:09:29 **Motion:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 03; DP 2 BE ADOPTED.**

**Discussion:**

10:09:42 Rep. Hamilton

10:10:21 Vice Chair Lang

10:10:31 **Vote:** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

10:10:43 **Motion:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 03; DP 50 BE ADOPTED.**

**Discussion:**

10:10:55 Rep. Hamilton

10:11:05 Chair Bartel

10:11:28 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

10:12:00 **Motion/Vote:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 04; DP 2, DP 3, AND DP 55 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

10:12:31 **Motion:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 04; DP 50 BE ADOPTED.**

**Discussion:**

10:12:52 Rep. Hamilton

10:13:25 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.

10:14:14 **Motion/Vote:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 05; DP 1, DP 2, AND DP 3 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

10:14:45 **Motion/Vote:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 12; DP 1, DP 2, AND DP 3 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.

10:15:17 **Motion:** Sen. Lang moved that **THE GOVERNOR'S OFFICE PROGRAM 20; DP 2, DP 3, AND DP 4 BE ADOPTED.**

10:16:24 Recessed

10:26:03 Reconvened

10:26:03 Rep. Mercer left the meeting.

10:26:34 **Motion:** Rep. Hamilton moved that **THE GOVERNOR'S OFFICE PROGRAM 20; DP 2, DP 3, AND DP 4 BE AMENDED TO SEGREGATE DP 4 FROM DP 2 AND DP 3.**

**Discussion:**

10:27:16 Sen. Kary

10:27:24 Chair Bartel

10:27:33 Rep. Hamilton

10:27:44 Chair Bartel

10:27:51 Errolyn Lantz, Office of Budget and Program Planning (OBPP)

10:28:41 Rep. Hamilton

10:29:27 Chair Bartel

10:29:30 Rep. Hamilton

10:30:03 **Vote:** Motion failed 3-4 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting aye. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:31:27 Chair Bartel

10:31:35 **Vote:** Motion carried unanimously by roll call vote. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:32:39 Chair Bartel

**EXECUTIVE ACTION ON DEPARTMENT OF ADMINISTRATION**

10:32:43 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 01; DP 2 AND DP 4 BE ADOPTED.** Motion carried unanimously. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:33:29 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 01; DP 50 BE ADOPTED.**

**Discussion:**

10:33:43 Sen. Flowers

10:34:16 John Lewis, Director, Department of Administration (DOA)

10:36:53 Sen. Flowers

10:37:51 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:38:34 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 02; DP 201 BE ADOPTED.**

**Discussion:**

10:39:20 Sen. Flowers

10:39:54 Sen. Kary

10:40:11 **Substitute Motion/Vote:** Rep. Hamilton made a substitute motion that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 02; DP 201 BE REDUCED FROM \$100,000 TO \$75,000 OTO AND BE ADOPTED AS AMENDED.** Substitute Motion carried unanimously by voice vote. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:41:30 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 03; DP 2, DP3, AND DP 4 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:42:04 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 03; DP 50 BE ADOPTED.**

**Discussion:**

10:42:20 Sen. Flowers

10:42:47 Rep. Hamilton

10:43:26 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:44:00 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 04; DP 2, DP 3, DP 4, AND DP 55 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:44:35 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 04; DP 50 BE ADOPTED.**

**Discussion:**

10:44:49 Sen. Flowers  
10:45:29 Katie Guenther, LFD  
10:46:12 Sen. Flowers  
10:46:37 Katie Guenther, LFD

10:46:53 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:47:28 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 07; DP 1, DP 2, DP 3, AND DP 4 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:48:11 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 07; DP 7002 BE ADOPTED.**

**Discussion:**

10:48:32 Sen. Flowers  
10:49:17 Katie Guenther, LFD  
10:50:12 Sen. Flowers  
10:50:37 Tim Bottenfield, Department of Administration (DOA)

10:51:36 **Vote:** Motion carried unanimously by voice vote. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:52:04 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 14; DP 2, DP 3, DP 4, DP 1401, AN DP 55 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Mercer and Rep. Windy Boy voted by proxy.

10:52:40 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 14; DP 50 BE ADOPTED.**

**Discussion:**

10:52:55 Sen. Flowers  
10:53:39 Chair Bartel  
  
10:53:51 Recessed  
11:22:45 Reconvened

- 11:22:45 Rep. Mercer entered meeting.
- 11:23:01 Without objection, Sen. Lang withdrew the **BE ADOPTED** motion.
- 11:23:09 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 14; DP 1 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.
- 11:23:40 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 15; DP 2, DP 3, DP 4, AND DP 1501 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.
- 11:24:23 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 15; DP 50 BE ADOPTED.**
- Discussion:**
- 11:24:37 Sen. Flowers
- 11:26:19 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.
- 11:26:40 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 23; DP 2, DP 3, AND DP 4 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.
- 11:27:10 **Motion:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 23; DP 50 BE ADOPTED.**
- Discussion:**
- 11:27:21 Sen. Flowers
- 11:28:07 **Vote:** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.
- 11:28:28 **Motion/Vote:** Sen. Lang moved that **THE DEPARTMENT OF ADMINISTRATION PROGRAM 37; DP 1, DP 2, DP 3, DP 4, DP 3701, AND DP 3702 BE ADOPTED.** Motion carried unanimously by voice vote. Rep. Windy Boy voted by proxy.
- 11:29:43 **Motion:** Sen. Lang moved that **THE FOLLOWING COMMITTEE BILLS BE ADOPTED: 1. ESTABLISHING AN AUDIT SPECIALIST SERVICES RESERVE ACCOUNT FOR THE LEGISLATIVE AUDIT DIVISION. 2. STATUTORY CHANGE FROM FIVE TO EIGHT PROFESSIONAL STAFF POSITIONS IN THE BOARD OF INVESTMENTS. 3. LIMITING THE USES OF THE DEPARTMENT OF COMMERCE'S DISTRIBUTION OF THE LODGING FACILITY USE TAX.**

**AND 4. TRANSFER AUTHORITY FOR \$250,000 SAINT MARY  
REHABILITATION WATER PROJECT ACCOUNT.**

**Discussion:**

11:30:32 Rep. Hamilton  
11:31:07 Sen. Flowers  
11:31:32 Vice Chair Lang

**EXHIBIT(jgh35a02)**

11:36:57 Rep. Hamilton  
11:37:12 Vice Chair Lang  
11:38:29 Rep. Hamilton  
11:38:49 Vice Chair Lang  
11:38:57 Chair Bartel  
11:39:10 Rep. Hamilton  
11:39:21 Chair Bartel  
11:39:24 Vice Chair Lang  
11:39:40 Chair Bartel  
11:40:15 Sen. Flowers  
11:40:26 Vice Chair Lang  
11:43:45 Rep. Hamilton  
11:44:24 Rep. Mercer  
11:44:50 Chair Bartel  
11:45:23 Sen. Flowers  
11:45:32 Chair Bartel  
11:45:39 Rep. Mercer  
11:46:00 Sen. Flowers  
11:46:15 Rep. Mercer  
11:47:55 Katie Guenther, LFD  
11:48:38 Rep. Hamilton  
11:48:55 Sen. Flowers  
11:49:16 Rep. Mercer  
11:50:35 Sen. Flowers  
11:51:58 Rep. Mercer  
11:53:14 Chair Bartel

11:53:17 **Substitute Motion:** Rep. Hamilton moved that **THE FOUR PROPOSED BILLS  
BE SEGREGATED.**

11:53:37 Without objection, Sen. Lang withdrew the **BE ADOPTED** motion.

11:53:40 **Motion/Vote:** Sen. Lang moved that **ESTABLISHING AN AUDIT SPECIALIST  
SERVICES RESERVE ACCOUNT FOR THE LEGISLATIVE AUDIT DIVISION  
BE ADOPTED.** Motion carried unanimously. Rep. Windy Boy voted by proxy.

11:54:05 **Motion/Vote:** Sen. Lang moved that **STATUTORY CHANGE FROM FIVE TO  
EIGHT PROFESSIONAL STAFF POSITIONS IN THE BOARD OF  
INVESTMENTS BE ADOPTED.** Motion carried unanimously. Rep. Windy Boy  
voted by proxy.

- 11:54:32      **Motion/Vote:** Sen. Lang moved that **LIMITING THE USES OF THE DEPARTMENT OF COMMERCE'S DISTRIBUTION OF THE LODGING FACILITY USE TAX BE ADOPTED.** Motion carried 4-3 by roll call vote with Sen. Flowers, Rep. Hamilton and Rep. Windy Boy voting no. Rep. Windy Boy voted by proxy.
- 11:55:16      **Motion/Vote:** Sen. Lang moved that **TRANSFER AUTHORITY FOR \$250,000 SAINT MARY REHABILITATION WATER PROJECT ACCOUNT BE ADOPTED.** Motion carried 6-1 by roll call vote with Rep. Hamilton voting no. Rep. Windy Boy voted by proxy.
- 11:56:14      Chair Bartel

**ADJOURNMENT**

Adjournment: 11:57:26

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Kim Meismer, Secretary

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Additional Documents:

**EXHIBIT([jgh35aad.pdf](#))**