

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT**

**Call to Order:** Chairman Bill McChesney, on January 28, 2009 at 8:30 A.M., in Room 317-B Capitol.

**ROLL CALL**

**Members Present:**

Rep. Bill McChesney, Chairman (D)  
Sen. Rick Laible, Vice Chairman (R)  
Sen. Ken (Kim) Hansen (D)  
Sen. Ryan Zinke (R)

**Members Excused:** Rep. Walter McNutt (R)  
Rep. Bill Nooney (R)  
Rep. Jon C. Sesso (D)

**Members Absent:** None.

Staff Present: Greg DeWitt, Legislative Branch  
Mitzi Grover, Committee Secretary  
Amy Sassano, OBPP  
Matt Stayner, 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: Department of Labor and Industry**

**Executive Action:**

DP 101, DP 102, DP 201, DP 203, DP 204, DP 301, DP 401, DP 402,  
DP 501, DP 502, DP 503, DP 504, DP 505, DP 506, DP 507, DP 509,  
DP 510, DP 511, DP 901, DP 902

00:00:26 Chairman McChesney

Department of Labor and Industry

**Workforce Services Division**

00:03:01 **Motion/Vote:** Chairman McChesney moved **DP 101** Workforce Service Division general operating increase **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. McNutt, Rep. Sesso vote by proxy.

00:03:12 Sen. Laible

00:03:17 Mr. Stayner

00:04:45 **Motion:** Chairman McChesney moved **DP 102** 21st Century Workforce **BE ADOPTED**.

00:04:51 Chairman McChesney withdrew motion.

00:05:04 **Motion/Vote:** Sen. Laible moved **DP 102** 21st Century Workforce **BE DEFERRED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. McNutt, Rep. Sesso voted by proxy.

00:05:26 Chairman McChesney

00:05:38 Todd Younkin, Research Bureau, Department of Labor and Industry

**Unemployment Division**

**Discussion:**

00:07:22 Sen. Laible

00:08:07 Mr. Stayner

00:08:46 Sen. Laible

00:09:07 Mr. Stayner

00:09:13 Sen. Laible

00:09:30 Chairman McChesney

00:09:57 Tammy Lavigne. Department of Labor and Industry

00:10:49 Sen. Laible

00:10:55 Ms. Lavigne

00:11:18 **Motion/Vote:** Sen. Zinke moved **DP 201** Unemployment Insurance general operating increase **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. Sesso, Rep. McNutt voted by proxy.

00:12:34 **Motion/Vote:** Sen. Laible moved **DP 203** Unemployment Insurance Funding Switch **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. Sesso, Rep. McNutt voted by proxy.

**Discussion:**

00:12:48 Mr. Stayner

00:13:45 Mr. Stayner

00:13:53 Sen. Laible

00:14:44 **Motion:** Sen. Laible moved **DP 204** Unemployment Insurance parking & building repair **BE ADOPTED**.

00:15:07 **Substitute Motion:** Sen. Laible moved **DP 204** Unemployment Insurance parking & building repair **BE ADOPTED** as biennial one time only.

00:16:01 Sen. Laible **WITHDREW** motion **DP 204**.

00:17:20 **Substitute Motion/Vote:** Sen. Laible moved **DP 204** Unemployment Insurance parking & building repair biennial one time only **BE DEFERRED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. Sesso, Rep. McNutt voted by proxy.

00:15:07 Sen. Laible

00:15:27 Roy Mulvaney, Administrator, Unemployment Insurance Division

00:16:33 Sen. Laible

00:18:17 Chairman McChesney

00:18:32 Sen. Laible

00:19:19 Amy Sassano, LFD

00:20:17 Sen. Laible

**Central Services Division**

00:20:41 Mr. Stayner

00:21:05 **Motion/Vote:** Sen. Laible moved **DP 301** Central Service Division general operating income **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. McNutt, Rep. Sesso voted by proxy.

**Employment Relations Division**

**Discussion:**

00:22:19 Mr. Stayner  
00:22:39 Sen. Laible  
00:22:50 Sr. Stayner  
00:23:13 Sen. Laible  
00:23:27 Mr. Stayner

00:23:36 **Motion/Vote:** Sen. Laible moved **DP 401** Employment Relations Division general operating increase **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. McNutt, Rep. Sesso voted by proxy.

00:24:17 **Motion/Vote:** Sen. Laible moved **DP 402** WorkSafeMT **BE DEFERRED**. Motion passed unanimously by voice vote. Rep. Sesso, Rep. McNutt, Rep. Nooney voted by proxy.

#### **Business Standards Division**

##### **Discussion:**

00:25:29 Mr. Stayner  
**EXHIBIT (jgh20a01)**

00:26:00 Sen. Zinke  
00:26:31 Mr. Stayner  
00:28:30 Sen. Zinke

00:28:52 **Motion:** Sen. Laible moved **DP 504** Health Care Licensing Bureau operating increases **BE ADOPTED**.

##### **Discussion:**

00:29:25 Sen. Laible  
00:29:34 Ms. Sassano  
00:30:04 Sen. Laible  
00:30:15 Ms. Sassano  
00:30:40 Sen. Laible  
00:30:49 Ms. Sassano  
00:31:11 Sen. Laible  
00:31:19 Ms. Sassano  
00:31:31 Mr. Stayner

00:32:13 **Motion:** Sen. Laible withdrew his motion.

00:32:46 **Motion/Vote** Sen. Laible moved **DP 503, DP 504, DP 505, DP 506 and DP 507 BE DEFERRED**. Motion passed unanimously by voice vote. Rep. Sesso, Rep. McNutt, Rep. Nooney voted by proxy.

00:34:00 Ms. Lavigne  
00:34:18 Chairman McChesney

00:34:41 **Motion/Vote:** Sen. Laible moved **DP 501** Bureau Standards Division funding switch **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. McNutt, Rep. Sesso voted by proxy.

00:35:01 Sen. Laible  
00:35:05 Mr. Stayner

00:35:34 **Motion/Vote:** Sen. Laible moved **DP 502** sunset the Athletics Licensing Program **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. Sesso, Rep. Nooney, Rep. McNutt voted by proxy.

00:36:02 **Motion/Vote:** Sen. Laible moved **DP 509** Bureau Standards Division IT Support Specialist FTE **BE DEFERRED**. Motion passed unanimously by voice vote. Rep. Nooney, Rep. Sesso, Rep. McNutt voted by proxy

00:36:53 **Motion/Vote:** Sen. Laible moved **DP 510** Bureau Standards Division Central cashier FTE **BE ADOPTED**. Motion failed unanimously by voice vote. Rep. Sesso, Rep. McNutt, Rep. Nooney voted by proxy.

00:37:20 Sen. Laible

00:38:25 **Motion/Vote** Sen. Laible moved **DP 511** Bureau Standards Division restore legal contingency fund one time only **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. Sesso, Rep. Nooney, Rep. McNutt voted by proxy.

00:39:00 Sen. Laible  
00:39:04 Mr. Stayner

### Workers Compensation Court

#### **Discussion:**

00:40:22 Mr. Stayner

00:40:52 **Motion/Vote:** Chairman McChesney moved **DP 901** Workers Comp Court operating increase **BE ADOPTED**. Motion passed unanimously by voice vote. Rep. McNutt, Rep. Sesso and Rep. Nooney voted by proxy.

00:41:37 **Motion:** Chairman McChesney moved **DP 902** Judicial Clerical Clerk FTE **BE ADOPTED**.

00:41:40 Chairman McChesney withdrew his motion on **DP 902**.

00:41:46 **Motion/Vote:** Sen. Laible moved **DP 902** Judicial Clerical Clerk FTE **BE DEFERRED**. Motion carried unanimously by voice vote. Rep. Sesso, Rep. Nooney, Rep. McNutt voted by proxy.

00:42:58 Mr. Stayner

00:44:22 Sen. Laible

00:44:44 **Motion/Vote:** Sen. Laible moved **TO ADOPT** Office of Information Technology as presented and summarized by the attached consolidation chart dated 1/20/09. Mr. Stayner will work on appropriate DP papers. Motion passed unanimously by voice vote. Rep. Nooney, Rep. McNutt, Rep. Sesso voted by proxy.

**Discussion:**

00:45:39 Ms. Sassano

00:46:06 Mr. Stayner

00:46:47 Chairman McChesney

00:47:08 Ms. Lavigne

00:48:29 Mr. Stayner

00:47:28 **Motion/Vote:** Chairman McChesney moved **TO APPROVE** rates on page 337, as adjusted. Motion passed unanimously by voice vote. Rep. Sesso, Rep. McNutt, Rep. Nooney voted by proxy.

00:48:06 Mr. Stayner

00:48:34 **Motion/Vote:** Sen. Laible moved the language "The Worker's compensation court is appropriated up to \$20,000 state special revenue for the 2011 biennium to contract for replacement judges when the worker's compensation judge must recuse himself from a case. The appropriation is contingent on passage and approval of legislation providing a process for such a substitution to occur." **BE ADOPTED**. Motion passed unanimously. Rep. Sesso, Rep. McNutt, Rep. Nooney voted by proxy.

00:50:19 Chairman McChesney

**ADJOURNMENT**

00:50:25 Adjournment: 9:20 A.M.

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Mitzi Grover, Secretary

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Additional Documents:

**EXHIBIT ([jgh20aad.pdf](#))**