

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

Call to Order: Chair Ryan Osmundson, on February 16, 2013 at 8:00 AM, in Room 350 Capitol

ROLL CALL

Members Present:

Rep. Ryan Osmundson, Chair (R)
Sen. Alan Olson, Vice Chair (R)
Sen. Edward Buttrey (R)
Rep. Champ Edmunds (R)
Rep. Kelly McCarthy (D)
Sen. David E. Wanzenried (D)

Members Excused: None

Members Absent: None

Staff Present: Mark Bruno, OBPP
Marissa Stockton, 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 on Department of Labor and Department of Administration

00:25:46 Chair Osmundson
 00:26:08 Kris Wilkinson, LFD
[EXHIBIT\(jgh35a01\)](#)
[EXHIBIT\(jgh35a02\)](#)
[EXHIBIT\(jgh35a03\)](#)
 00:27:57 Sen. Buttrey
 00:29:20 Chair Osmundson
 00:29:32 Sheila Hogan, Department of Administration (DOA)
 00:30:02 Sen. Buttrey
 00:30:25 Sheila Hogan
 00:30:26 Sen. Buttrey
 00:30:40 Chair Osmundson

Executive Action on the Department of Labor - Work Force Services Division

00:31:09 **Motion/Vote:** Rep. Edmunds moved **TO ADOPT THE LEGAL FUNDING SWITCH GLOBALLY WITHIN THE DEPARTMENT OF LABOR AND INDUSTRY.** Motion carried unanimously by voice vote.

00:31:24 **Motion/Vote:** Rep. Edmunds moved that **PRESENT LAW ADJUSTMENT 00051 BE ADOPTED GLOBALLY.** Motion carried unanimously by voice vote.

00:31:39 **Motion/Vote:** Rep. Edmunds moved that **PRESENT LAW ADJUSTMENT 00052 GLOBALLY AS ADOPTED BY THE GENERAL GOVERNMENT, NATURAL RESOURCES AND TRANSPORTATION SUB-COMMITTEES.** Motion carried unanimously by voice vote.

00:31:54 **Motion/Vote:** Rep. Edmunds moved that **PRESENT LAW ADJUSTMENT 00053 BE ADOPTED.** Motion carried unanimously by voice vote.

00:32:08 **Motion/Vote:** Rep. Edmunds moved that **PRESENT LAW ADJUSTMENT 00105 BE ADOPTED.** Motion carried unanimously by voice vote.

00:32:45 **Motion:** Sen. Buttrey moved to **INCLUDE PROVISIONS IN THE BILL TO IMPLEMENT HB 2 LANGUAGE TO EXPAND USES OF THE FUND IN THE EMPLOYMENT SECURITY ACCOUNT TO THE JOBS FOR MONTANA GRADUATES PROGRAM. IN ADDITION TO ADD CAREER GUIDANCE AND ACADEMIC COUNSELING PROGRAMS THAT HELP STUDENTS MAKE DECISIONS RELATING TO CAREER PREPARATION AS PART OF THE RESEARCH ANALYSIS FUNCTION FOR THE DEPARTMENT.**

Discussion:

00:33:11 Chair Osmundson
 00:33:13 Sen. Buttrey
 00:33:49 Mark Bruno, OBPP
 00:34:31 Kris Wilkinson, LFD
 00:36:22 Sen. Buttrey
 00:36:44 Sen. Wanzenried

00:37:05 Sen. Buttrey
00:37:28 Chair Osmundson
00:37:32 Kris Wilkinson, LFD
00:37:50 Chair Osmundson
00:37:55 Sen. Buttrey withdrew his motion.
00:38:12 Kris Wilkinson

00:38:32 **Motion/Vote:** Sen. Buttrey moved that **PRESENT LAW ADJUSTMENT 000104 BE ADOPTED.** Motion carried unanimously by voice vote.

00:38:54 Sen. Wanzenried
00:39:11 Kris Wilkinson, LFD

00:39:16 **Motion:** Sen. Wanzenried moved that **NEW PROPOSAL 00106 HB 2 BE ADOPTED.**

Discussion:

00:39:27 Sen. Olson
00:40:08 Sen. Wanzenried
00:40:11 Sen. Olson
00:40:17 Sen. Buttrey
00:40:33 Chair Osmundson
00:40:46 Sen. Wanzenried withdrew his motion.

00:40:49 **Motion/Vote:** Sen. Buttrey moved **APPROVAL OF THE RATES FOR THE MONTANA CAREER INFORMATION SYSTEM RATES AS SHOWN ON PAGE A-234 FOR THE WORK FORCE SERVICE DIVISION.** Motion carried unanimously by voice vote.

00:41:22 Chair Osmundson

Executive Action on the Unemployment Insurance Division

00:41:31 Kris Wilkinson, LFD
00:41:36 Sen. Buttrey
00:41:42 Chair Osmundson
00:41:56 Sen. Olson
00:42:14 Kris Wilkinson, LFD

00:42:21 **Motion/Vote:** Sen. Buttrey moved **APPROVAL OF THE RATES AS SHOWN ON PAGE A-244 FOR THE COMMISSIONER'S OFFICE.** Motion carried unanimously by voice vote.

00:42:44 Chair Osmundson
00:42:53 Sen. Buttrey
00:42:57 Chair Osmundson

00:43:02 **Motion/Vote:** Sen. Buttrey moved that **PRESENT LAW ADJUSTMENT 00402 BE ADOPTED.** Motion carried unanimously by voice vote.

00:43:20 Chair Osmundson

Executive Action on the Business Standards Division

00:43:41 **Motion/Vote:** Sen. Olson moved that **NEW PROPOSAL 00506 BE ADOPTED.**
Motion carried unanimously by voice vote.

00:43:58 **Motion/Vote:** Sen. Olson moved that **NEW PROPOSAL 00508 BE ADOPTED.**
Motion carried unanimously by voice vote.

00:44:14 **Motion/Vote:** Sen. Olson moved that **PRESENT LAW ADJUSTMENT 00503 BE ADOPTED.** Motion carried unanimously by voice vote.

00:44:27 **Motion/Vote:** Sen. Olson moved that **PRESENT LAW ADJUSTMENT 00504 BE ADOPTED.** Motion carried unanimously by voice vote.

00:44:42 Sen. Olson
00:45:03 Kris Wilkinson, LFD

00:45:31 **Motion/Vote:** Sen. Olson moved that **PRESENT LAW ADJUSTMENT 00502 BE ADOPTED.** Motion carried unanimously by voice vote.

00:45:49 Sen. Wanzenried
00:45:55 Chair Osmundson
00:46:05 Sen. Olson
00:46:23 Chair Osmundson

Executive Action on the Office of Community Services

00:46:35 **Motion:** Sen. Wanzenried moved that **NEW PROPOSAL 00701 BE ADOPTED.**

00:46:45 Sen. Olson

00:47:14 **Vote:** Motion failed 2-4 by roll call vote with Rep. McCarthy and Sen. Wanzenried voting aye.

00:47:43 **Motion/Vote:** Sen. Buttrey moved that **PRESENT LAW ADJUSTMENT 00702 BE ADOPTED.** Motion carried unanimously by voice vote.

Executive Action on Workers Compensation Court

00:48:02 **Motion/Vote:** Sen. Olson moved that **PRESENT LAW ADJUSTMENT 00901 BE ADOPTED.** Motion carried unanimously by voice vote.

00:48:41 Meeting recessed.
00:52:54 Meeting resumed.

00:52:57 Kris Wilkinson, LFD

[EXHIBIT\(jgh35a04\)](#)

00:53:30 Chair Osmundson
00:53:33 Kris Wilkinson, LFD

00:54:00 **Motion:** Sen. Olson moved that **THE SUBCOMMITTEE ON GENERAL GOVERNMENT CREATE A COMMITTEE BILL TO ADDRESS MCA 30-12-203 AND RAISE THE FEES ONE THESE WEIGHING DEVICES.**

Discussion:

00:54:32 Kris Wilkinson, LFD
00:54:52 Sen. Olson
00:54:57 Kris Wilkinson
00:55:08 Sen. Olson
00:55:12 Kris Wilkinson
00:55:14 Sen. Olson
00:55:24 Sen. Wanzenried
00:55:40 Sen. Olson
00:55:54 Sen. Wanzenried
00:56:06 Kris Wilkinson, LFD
00:56:38 Chair Osmundson
00:56:42 Sen. Olson
00:58:33 Chair Osmundson
00:58:37 Sen. Wanzenried
00:58:58 Chair Osmundson
00:59:00 Sen. Olson
00:59:10 Sen. Buttrey
00:59:24 Kris Wilkinson, LFD
00:59:49 Chair Osmundson
00:59:58 Kris Wilkinson, LFD
01:00:09 Sen. Buttrey
01:00:23 Chair Osmundson

01:00:30 **Vote:** Motion carried unanimously by voice vote.

01:00:42 Chair Osmundson
01:01:05 Sen. Buttrey
01:01:26 Kris Wilkinson, LFD

Executive Action on the Department of Administration

01:02:30 Chair Osmundson
01:02:54 Sen. Wanzenried
01:03:17 Kris Wilkinson, LFD
01:03:59 Chair Osmundson

01:04:08 **Motion:** Sen. Buttrey moved to **RECONSIDER THE MOTION TO APPROVE CENTRAL STORES FEE GROUPS A FOR CENTRAL STORES SUPPLIES AT 25%. HE FURTHER MOVED TO APPROVE CENTRAL STORES FEE GROUPS A FOR CENTRAL STORES SUPPLIES AT 2% AS SHOWN IN FIGURE 13 PAGE A-146 OF THE BUDGET ANALYSIS THUS APPROVING THE BUREAU'S PROPOSAL TO ELIMINATE 7.0 FTE AND \$9.2 MILLION IN PROPRIETARY FUNDS. IN ADDITION, THIS INCLUDES THE DEPARTMENT OF ADMINISTRATION'S REQUEST TO DEVELOP A STATEWIDE CONTRACT FOR OFFICE SUPPLIES WITH THE EXCEPTION OF COARSE PAPER, JANITORIAL SUPPLIES AND FOOD SERVICE DISPOSABLES. IT IS THE LEGISLATURES INTENT THAT THE DEPARTMENT OF ADMINISTRATION DEVELOP CONTRACTS SEPARATELY FOR COARSE PAPER, JANITORIAL SUPPLIES AND FOOD SERVICE DISPOSABLES IN ADDITION TO THE STATEWIDE CONTRACT FOR OFFICE SUPPLIES AND THAT THE 2% RATE APPLY TO ALL CONTRACTS.**

[EXHIBIT\(jgh35a05\)](#)

Discussion:

01:05:10 Chair Osmundson

01:05:12 Sen. Buttrey

01:05:42 **Vote:** Motion carried unanimously by voice vote.

01:05:55 **Motion:** Sen. Buttrey moved that **THE JOINT SUBCOMMITTEE RECOMMEND THAT IN THE INTERIM THE LEGISLATIVE FINANCE COMMITTEE MONITOR PROGRESS BY THE STATE ACCOUNTING DIVISION IN LOWERING THE FEES FOR THE LOCAL GOVERNMENT AND REPORTING PROGRAM INCLUDING A REDUCTION OF EXCESS FUND BALANCE IN THE RELATED PROPRIETARY FUND AND FEES COMMENSURATE WITH THE COSTS OF OPERATING THE PROGRAM.**

[EXHIBIT\(jgh35a06\)](#)

Discussion:

01:06:23 Chair Osmundson

01:06:27 Sen. Buttrey

01:06:46 Kris Wilkinson, LFD

01:07:13 Sen. Wanzenried

01:07:56 Kris Wilkinson, LFD

01:08:38 Sen. Buttrey

01:08:59 Kris Wilkinson, LFD

01:09:11 Sen. Buttrey

01:09:14 Sen. Wanzenried

01:09:31 Kris Wilkinson, LFD

01:09:34 Sen. Wanzenried

01:10:10 Kris Wilkinson, LFD

01:10:36 **Motion:** Sen. Buttrey moved that **THE JOINT SUBCOMMITTEE ON GENERAL GOVERNMENT RECOMMEND THAT IN THE INTERIM THE LEGISLATIVE FINANCE COMMITTEE MONITOR PROGRESS BY THE STATE AND THAT THOSE RESULTS BE REPORTED TO THE GENERAL GOVERNMENT COMMITTEE ON JOINT APPROPRIATIONS FOR THE 2015 LEGISLATURE.**

Discussion:

01:10:57 Chair Osmundson

01:11:05 **Vote:** Motion carried unanimously by voice vote.

01:11:09 **Motion/Vote:** Sen. Buttrey moved that **THE JOINT SUBCOMMITTEE RECOMMEND THAT IN THE INTERIM THE LEGISLATIVE FINANCE COMMITTEE MONITOR PROGRESS BY THE AGENCY LEGAL COUNSEL IN THE COMMISSIONER OF POLITICAL PRACTICES INCLUDING INCREASES IN THE NUMBER OF INVESTIGATION AND DECISIONS ISSUED, REDUCTIONS IN THE TIME TO RESOLVED COMPLAINTS AND REDUCTION IN THE TIME TO PROVIDE DECISIONS AND REPORT BACK TO THE GENERAL GOVERNMENT APPROPRIATIONS SUB-COMMITTEE IN THE 2015 LEGISLATIVE SESSION.** Motion carried unanimously by voice vote.

EXHIBIT(jgh35a07)

01:12:08 Kris Wilkinson, LFD

01:12:51 Chair Osmundson

01:13:01 **Motion:** Sen. Olson moved to **APPROPRIATE THE ADMINISTRATIVE COSTS TO THE STATE EMPLOYEE GROUP HEALTH PLAN IN HB 2 AS SHOWN IN FIGURE 2 INCLUDING FULL TIME EMPLOYEES AND PERSONAL SERVICES OPERATING EXPENSES, BENEFITS AND CLAIMS AND RELATED PROPRIETARY FUNDING.**

EXHIBIT(jgh35a08)

Discussion:

01:13:26 Sen. Wanzenried

01:13:36 Mark Bruno, OBPP

01:14:09 Kris Wilkinson, LFD

01:15:05 Sen. Wanzenried

01:15:19 Kris Wilkinson, LFD

01:15:25 Sen. Wanzenried

01:15:30 Kris Wilkinson, LFD

01:15:43 Sen. Wanzenried

01:15:52 Kris Wilkinson, LFD

01:16:27 Sen. Wanzenried

01:16:43 Kris Wilkinson, LFD

01:16:53 Rep. Edmunds

01:17:04 Kris Wilkinson, LFD

01:17:30 **Vote:** Motion carried 5-1 by voice vote with Sen. Wanzenried voting no.

01:17:42 **Motion:** Sen. Olson moved to **ADOPT THE FOLLOWING LANGUAGE FOR THE EMPLOYEE BENEFITS PROGRAM - BECAUSE STATE EMPLOYEE BENEFIT PLANS REQUIRE A LARGE NUMBER OF INDIVIDUAL CONTRIBUTIONS FOR A VARIETY OF BENEFIT OPTIONS, BECAUSE THE PORTION OF THE CONTRIBUTION PAID BY THE STATE IS STATUTORILY ESTABLISHED IN 2-18-703, AND BECAUSE THE EMPLOYEE AND RETIREE-PAID PORTION OF THOSE CONTRIBUTIONS MUST BE ADJUSTED FROM TIME TO TIME TO MEET THE REQUIREMENTS OF 2-18-812(1) TO MAINTAIN STATE EMPLOYEE GROUP BENEFIT PLANS ON AN ACTUARIALLY SOUND BASIS, THE LEGISLATURE DEFINES "RATES AND FEES" FOR STATE EMPLOYEE PROGRAMS TO MEAN THE STATE CONTRIBUTION TOWARD EMPLOYEE GROUP BENEFITS PROVIDED IN 2-18-703 AND THE STATE EMPLOYEE CONTRIBUTION TOWARD GROUP BENEFITS NECESSARY TO MEET THE REQUIREMENTS OF 2-18-812(1).**

[EXHIBIT\(jgh35a09\)](#)

Discussion:

01:18:54 Kris Wilkinson, LFD
 01:19:22 Chair Osmundson
 01:19:24 Sen. Wanzenried
 01:20:00 Chair Osmundson
 01:20:14 Sen. Olson
 01:20:39 Sen. Wanzenried
 01:20:52 Sen. Olson

01:21:10 **Vote:** Motion carried 5-1 by voice vote with Sen. Wanzenried voting no.

Executive Action on Risk Management and Torte Division in the Department of Administration

01:21:21 Chair Osmundson
 01:21:25 Kris Wilkinson, LFD
 01:22:54 Chair Osmundson
 01:23:02 Kris Wilkinson, LFD

01:23:21 **Motion/Vote:** Sen. Olson moved to **APPROVE THE RATES AS SHOWN IN FIGURE 28 FOR THE AUTO, AVIATION AND PROPERTY.** Motion carried unanimously by voice vote.

01:23:40 **Motion:** Sen. Olson moved **A 20% INCREASE IN THE GENERAL LIABILITY PREMIUMS.**

Discussion:

01:24:15 Sen. Wanzenried
 01:24:20 Mark Bruno, OBPP

01:25:24 **Vote:** Motion carried 4-2 by voice vote with Rep. McCarthy and Sen. Wanzenried voting no.

01:25:41 Kris Wilkinson, LFD
01:25:51 Sen. Wanzenried
01:26:03 Kris Wilkinson, LFD
01:27:17 Sen. Wanzenried
01:27:22 Chair Osmundson
01:27:25 Sen. Buttrey
01:27:42 Kris Wilkinson, LFD
01:28:07 Sen. Buttrey
01:28:18 Sen. Wanzenried
01:28:34 Kris Wilkinson, LFD
01:28:42 Sen. Olson
01:28:53 Sen. Buttrey
01:29:09 Kris Wilkinson, LFD
01:29:59 Chair Osmundson
01:30:05 Rep. McCarthy
01:30:24 Chair Osmundson
01:30:29 Rep. McCarthy

EXHIBIT(jgh35a10)

01:30:45 Chair Osmundson
01:31:09 Rep. McCarthy
01:33:48 Sen. Buttrey
01:34:00 Rep. McCarthy
01:34:11 Sen. Buttrey
01:34:13 Rep. McCarthy
01:34:15 Sen. Buttrey
01:34:31 Rep. McCarthy
01:34:53 Sen. Buttrey
01:35:06 Rep. McCarthy
01:35:15 Rep. Edmunds
01:36:16 Rep. McCarthy
01:38:17 Rep. Edmunds
01:38:35 Chair Osmundson
01:38:43 Sen. Buttrey
01:39:01 Chair Osmundson
01:39:05 Rep. Edmunds
01:39:09 Rep. McCarthy
01:39:25 Chair Osmundson
01:39:43 Rep. Edmunds
01:40:40 Sen. Olson
01:41:15 Kris Wilkinson, LFD

01:41:25 **Motion:** Sen. Olson moved to **CONSIDER A COMMITTEE BILL TO ACQUIRE FUNDING FOR MONTANA TECH'S FOUNDATION FOR STUDENT SCHOLARSHIPS.**

Discussion:

01:42:23 Chair Osmundson
01:42:26 Kris Wilkinson, LFD
01:42:38 Chair Osmundson
01:42:49 Sen. Olson

01:43:05 Chair Osmundson
01:43:07 Kris Wilkinson, LFD

01:43:13 **Substitute Motion:** Sen. Olson made a substitute motion to **CONSIDER A COMMITTEE BILL FOR AN APPROPRIATION TO MONTANA TECH OF THE UNIVERSITY OF MONTANA SYSTEM FOUNDATION FOR STUDENT SCHOLARSHIPS.**

Discussion:

01:43:44 Kris Wilkinson
01:43:51 Sen. Olson
01:44:01 Chair Osmundson
01:44:05 Sen. Buttrey
01:44:17 Kris Wilkinson
01:44:26 Rep. Edmunds
01:44:41 Sen. Olson
01:45:21 Chair Osmundson
01:45:25 Sen. Olson
01:45:35 Sen. Wanzonried
01:45:47 Sen. Olson
01:45:56 Rep. Edmunds
01:46:08 Sen. Olson
01:46:10 Rep. Edmunds
01:46:23 Sen. Olson

01:46:38 **Vote:** Motion carried unanimously by voice vote.

01:46:50 Chair Osmundson
01:46:51 Kris Wilkinson, LFD
01:47:00 Chair Osmundson

ADJOURNMENT

Adjournment: 01:47:07

Marissa Stockton, Secretary

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Additional Documents:

EXHIBIT([jgh35aad.pdf](#))