

Montana State Legislature

2015 SESSION

ADDITIONAL DOCUMENTS
May include the following:

Business Page

[Signed by Chairman]

Roll Call

Standing Committee Reports

Tabled Bills

Fiscal Reports

Rolls Call Votes

Proxy Forms

Visitor Registrations

***Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

***Witness Statements that were not presented as exhibits.**

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2015 Legislative

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BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
64th LEGISLATURE - REGULAR SESSION**

HOUSE STATE ADMINISTRATION COMMITTEE

Date: Tuesday, March 24, 2015
Place: Capitol

Time: 8:00 AM
Room: 455

BILLS and RESOLUTIONS HEARD:

HJ 23 - Interim study of Montana's election process - Rep. Debra Lamm

EXECUTIVE ACTION TAKEN:

HB 464	Do pass as amended
HB 566	Do pass as amended
HB 574	Do pass as amended
HB 601	Tabled
SB 168	Be concurred in as amended
SB 191	Be concurred in as amended
SB 195	Be concurred in as amended
SB 220	Be concurred in as amended
SB 235	Be concurred in
SB 238	Be concurred in as amended
SB 283	Tabled
SB 286	Tabled
SB 293	Tabled
SB 364	Be concurred in as amended
SJ 6	Be concurred in

Comments:



REP. Jeff Essmann, Chair



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMINISTRATION COMMITTEE

ROLL CALL

DATE: Tuesday March 24, 2015

NAME	PRESENT	ABSENT/EXCUSED
REP. BILL HARRIS, VICE CHAIRMAN	✓	
REP. CASEY SCHREINER, VICE CHAIRMAN	✓	
REP. BRYCE BENNETT	✓	
REP. BOB BROWN	✓	
REP. MOFFIE FUNK	✓	
REP. FRANK GARNER	✓	
REP. EDWARD GREEF	✓	
REP. DENISE HAYMAN	✓	
REP. JESSICA KARJALA	✓	
REP. AUSTIN KNUDSEN		✓ - exc.
REP. DEBRA LAMM	✓	
REP. FORREST MANDEVILLE	✓	
REP. WENDY MCKAMEY	✓	
REP. DALE MORTENSEN	✓	
REP. JEAN PRICE	✓	
REP. RAY SHAW	✓	
REP. KATHY SWANSON	✓	
REP. SUSAN WEBBER		✓ - exc.
REP. ART WITTICH		✓ - exc.
REP. JEFF ESSMANN, CHAIRMAN	✓	

20 MEMBERS



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **House Bill 566** (first reading copy -- white) **do pass as amended.**

Signed: _____

Representative Jeff Essmann, Chair

And, that such amendments read:

1. Title, page 1, line 6.

Strike: "COMPOSITION"

Insert: "SELECTION"

2. Page 1, line 16.

Strike: "six"

Insert: "five"

3. Page 1, line 19 through line 23.

Strike: ", and the" on line 19 through "supreme court" on line 23

4. Page 1, line 24.

Following: "~~commission.~~"

Insert: "Within 40 days after their designation, the four commissioners shall select the fifth member, who shall serve as chairman of the commission."

- END -

Committee Vote:

Yes 12, No 8

Fiscal Note Required X

HB0566001SC.hbb

AL
8/24/15
12:30



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 3

Mr. Speaker:

We, your committee on **State Administration** recommend that **House Bill 464** (first reading copy -- white) **do pass as amended.**

Signed: _____

Representative Jeff Essmann, Chair

And, that such amendments read:

1. Title, page 1, line 4.

Strike: "THE DEVELOPMENT OF"

Insert: "A VOLUNTARY"

2. Title, page 1, line 5.

Strike: "STANDARDS AND CREATING THE HIGH-PERFORMANCE COMPLIANCE"

3. Title, page 1, line 7.

Strike: "GRANTING RULEMAKING AUTHORITY;"

4. Page 1, line 13.

Strike: "compliance"

5. Page 1, line 14.

Strike: "-- rulemaking authority"

6. Page 1, line 15.

Strike: "and adopt by rule"

Insert: "a voluntary"

7. Page 1, line 16.

Strike: "standards of"

Insert: "program for the"

Strike: "for"

Insert: "of"

Strike: "these"

Committee Vote:

Yes 20, No 0

Fiscal Note Required X

*OK
3/24/15
2:30*

8. Page 1, line 17.

Strike: "standards"

Insert: "this program"

9. Page 1, line 23.

Strike: "compliance"

10. Page 1, line 27.

Following: "(1)"

Insert: "(a)"

Following: "year, each"

Insert: "state"

Following: "agency"

Insert: ", other than the university system,"

11. Page 1, line 28.

Strike: "compliance"

12. Page 1, line 29.

Strike: "(2)"

Insert: "(1)(b)"

13. Page 1, line 29 through line 30.

Strike: "utility" on line 29 through "agency" on line 30

Insert: "operating expenses for building maintenance"

14. Page 2, line 1.

Strike: "(2)"

Insert: "(b)"

15. Page 2, line 2.

Following: "(1)"

Insert: "(a)"

16. Page 2, line 5.

Strike: "(3)"

Insert: "(c)"

Strike: "(2)"

Insert: "(1)(b)"

17. Page 2, line 6.

Strike: "(4)"

Insert: "(3)"

18. Page 2, line 7.

Strike: "(4)"

Insert: "(2)"

Strike: "For each fiscal year, the"

Insert: "The"

19. Page 2, line 8.

Following: "17-2-102(4)"

Insert: "(e)"

Strike: "pursuant to subsection (1)"

Insert: "for each educational unit participating in the program established under [section 1]"

Following: "."

Insert: "At the end of each fiscal year, a participating educational unit may transfer to the unit's subfund the unit's unspent utility funds. All interest and income earned on the money in the subfund must remain in the subfund. The educational unit may use the money in the unit's subfund for the purposes described in subsection (3)."

20. Page 2, line 9.

Strike: "(5)"

Insert: "(3)"

21. Page 2, line 10.

Strike: "(4)"

Insert: "(2)"

22. Page 2, line 11.

Strike: "compliance"

Insert: "of university buildings"

- END -



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 3

Mr. Speaker:

We, your committee on **State Administration** recommend that **House Bill 574** (first reading copy -- white) **do pass as amended.**

Signed: _____

Representative Jeff Essmann, Chair

And, that such amendments read:

1. Page 2, line 10 through line 11.

Following: "overtime payments" on line 10

Strike: " , "

Insert: "and"

Strike: " , shift" on line 10 through "annual leave" on line 11

2. Page 2, line 12 through line 13.

Following: "overtime payments" on line 12

Strike: " , "

Insert: "and"

Strike: " , shift" on line 12 through "annual leave" on line 13

3. Page 2, line 16 through line 17.

Following: "overtime" on line 16

Strike: " , "

Insert: "payments and"

Strike: " , shift" on line 16 through "annual leave" on line 17

4. Page 2, line 19.

Following: "(i)"

Insert: "(i)"

5. Page 2, line 20.

Following: "~~annual leave~~"

Committee Vote:

Yes 19, No 1

Fiscal Note Required X

HB0574001SC.hbb

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3/24/15
9:30*

Insert: "shift differential payments, compensatory time payments,
and payments in lieu of sick leave and annual leave;"

Renumber: subsequent subsections

6. Page 3, line 24.

Strike: "the base"

7. Page 4, line 11 through line 12.

Following: "overtime payments" on line 11

Strike: "└"

Insert: "and"

Strike: ", shift" on line 11 through "sick leave" on line 12

8. Page 4, line 13 through line 14.

Following: "overtime payments" on line 13

Strike: "└"

Insert: "and"

Strike: ", shift" on line 13 through "sick leave" on line 14

9. Page 4, line 18 through line 19.

Following: "overtime payments" on line 18

Strike: "└"

Insert: "and"

Strike: ", shift" on line 18 through "sick leave" on line 19

Following: ";"

Insert: "or"

10. Page 4, line 21.

Following: "overtime"

Insert: "payments"

11. Page 4, line 25.

Following: "overtime"

Insert: "payments"

12. Page 4, line 29.

Following: "~~(i)~~"

Insert: "(i)"

13. Page 4, line 30.

Following: "~~sick leave~~"

Insert: "shift differential payments, compensatory time payments,
and payments in lieu of sick leave;"

Renumber: subsequent subsections

14. Page 6, line 17.

Strike: "the base"

- END -



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 2

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 168** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Representative Jeff Essmann, Chair

To be carried by Representative Wendy McKamey

And, that such amendments read:

1. Title, page 1, line 6.

Strike: "AND"

2. Title, page 1, line 7.

Following: "DUTY"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 2, line 8.

Strike: "CONSIDER"

4. Page 2, line 16.

Strike: "ASSIGNING AS"

Insert: "assign"

Following: "FINAL"

Insert: "passing"

5. Page 2, line 16 through line 17.

Following: the first "COURSE" on line 16

Strike: "THE STUDENT'S" through "DUTY," on line 17

6. Page 2, line 19.

Strike: "ASSIGNING"

Insert: "assign"

Committee Vote:

Yes 20, No 0

Fiscal Note Required X

AL
3/24/15
2:30

7. Page 2, line 21.

Strike: "ALLOWING"

Insert: "allow"

8. Page 3.

Following: line 21

Insert: "NEW SECTION. **Section 8. Effective date.** [This act]
is effective August 1, 2015."

- END -



HOUSE STANDING COMMITTEE REPORT

March 24, 2015
Page 1 of 2

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 191** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Representative Jeff Essmann, Chair

To be carried by Representative Ryan Lynch

And, that such amendments read:

1. Title, page 1, line 5.

Following: "CONCERNING"

Insert: "CAPITAL IMPROVEMENTS AT"

2. Page 1, line 30.

Strike: "14"

Insert: "20"

Following: "years"

Insert: "if a capital improvement is made, subject to subsection (5)."

3. Page 2.

Following: line 6

Insert: "(5) A contract under subsection (2)(e) must require the concessionaire to provide a business plan offering a reasonable estimation that the cost of any capital improvement by the concessionaire will be repaid within the life of the contract, or that where a proprietary interest is held, the concessionaire's interest in any capital improvement may be sold at appraised value to a subsequent concessionaire when the contract concludes."

4. Page 2, line 16 through line 18.

Strike: "for concessions" on line 16 through "years" on line 18

Committee Vote:

Yes 20, No 0

Fiscal Note Required

SB0191001SC15256.hbb

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3/24/15
12:30*

Insert: "pursuant to 18-4-313(2)(e)"

- END -



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 2

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 195** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Representative Jeff Essmann, Chair

To be carried by Representative Ray Shaw

And, that such amendments read:

1. Title, page 1, line 6.

Strike: "AND"

2. Title, page 1, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 5.

Following: line 1

Insert: "COORDINATION SECTION. **Section 6. Coordination**

instruction. If both House Bill No. 68 and [this act] are passed and approved and if both amend 10-1-1003, then the sections amending 10-1-1003 are void and 10-1-1003 must be amended as follows:

"10-1-1003. Definitions. Unless the context requires otherwise, as used in this part, the following definitions apply:

(1) "Department" means the department of labor and industry established in 2-15-1701.

(2) "Elected official" means an official duly elected or appointed to any state or local judicial, legislative, or executive elective office of the state, a district, or a political subdivision of the state, including a school district or any other local district.

(3) (a) "Employer" means any public or private person or

Committee Vote:

Yes 20, No 0

Fiscal Note Required

SB0195001SC15144.hbb

*OK
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lpm*

entity providing employment in Montana.

(b) The term does not include the United States.

(4) "Federally funded military duty" means duty, including training, performed pursuant to orders issued under Title 10 or Title 32 of the United States Code and the time period, if any, required pursuant to a licensed physician's certification to recover from an illness or injury incurred while performing the duty.

(5) "Member" means a member of the state's organized militia provided for in 10-1-103 or a member of the national guard of another state.

(6) "Military service" includes both federally funded military duty and state active military duty.

(7) (a) "State active military duty" means duty performed by a member ~~when a disaster or an emergency has been declared by the proper authority of the state pursuant to Article VI, section 13, of the Montana constitution, the authority of the governor of any other state, or 10-1-505 to include and~~ the time period, if any, required pursuant to a licensed physician's certification to recover from an illness or injury incurred while performing the active state military duty.

(b) The term does not include federally funded military duty.""

Insert: "NEW SECTION. Section 7. Effective date. [This act] is effective on passage and approval."

- END -



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 220** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Representative Jeff Essmann, Chair

To be carried by Representative Jeff Essmann

And, that such amendments read:

1. Title, page 1, line 5.

Following: "BOARD;"

Insert: "REQUIRING A REPORT TO THE STATE ADMINISTRATION AND VETERANS' AFFAIRS INTERIM COMMITTEE;"

2. Page 2, line 21.

Following: "agencies;"

Strike: "and"

3. Page 2, line 23.

Following: "legislature"

Insert: "; and

(9) prepare and submit to the state administration and veterans' affairs interim committee by September 15 in the year preceding the regular legislative session and in the manner provided in 5-11-210 a report including but not necessarily limited to a summary of the board's activities, a review of the electronic government program established under part 11 of this chapter, and any key findings and recommendations that the board presented to the department."

- END -

Committee Vote:

Yes 20, No 0

Fiscal Note Required

SB0220001SC12836.hbb

*A
3/24/15
1 pm*



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 235** (third reading copy -- blue) be concurred in.

Signed: _____

Representative Jeff Essmann, Chair

To be carried by Representative Debra Lamm

- END -

Committee Vote:

Yes 12, No 8

Fiscal Note Required

SB0235001SC16508.hbb

*U
3/24/15
12:30*



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 2

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 238** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Representative Jeff Essmann, Chair

To be carried by Representative Frank Garner

And, that such amendments read:

1. Page 1, line 19 through line 20.
Strike: ", including any" on line 19 through "postretirement adjustments" on line 20
2. Page 3, line 22.
Following: "adjustment"
Insert: "on that benefit"
Following: "chapter"
Insert: ", subject to subsection (3)"
3. Page 3, line 24.
Following: "adjustment"
Insert: "on that benefit"
4. Page 3, line 25.
Following: "chapter"
Insert: ", subject to subsection (3)"
5. Page 3, line 27 through line 28.
Strike: subsection (3) in its entirety
Insert: "(3) The postretirement benefit adjustment applied pursuant to (2)(b)(i) and pursuant to (2)(b)(ii) must commence on January 1 immediately following the member's

Committee Vote:

Yes 20, No 0

Fiscal Note Required X

*OK
3/24/15
lgm*

retirement and does not apply to the member's DROP benefit."

6. Page 4, line 20.

Strike: "subsection (2)(b)"

Insert: "subsections (2)(b) and (4)"

7. Page 4.

Following: line 30

Insert: "(4) If a member participated in the DROP and did not continue employment in a covered position after the member's participation, the guaranteed annual benefit adjustment provided for in this section must commence on January 1 immediately following the member's retirement and does not apply to the member's DROP benefit."

Renumber: subsequent subsection

- END -

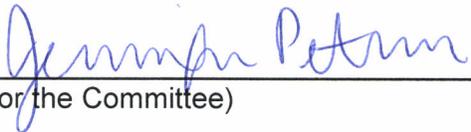
BILL TABLED NOTICE

HOUSE STATE ADMINISTRATION COMMITTEE

The HOUSE STATE ADMINISTRATION COMMITTEE TABLED

- ✓ HB 601 - Revise term limits for legislators - Rep. Tom Berry
- ✓ SB 283 - Revise laws related to constituent accounts for legislators - Sen. John Brenden
- ✓ SB 286 - Limit agency rule making if it burdens property rights - Sen. Cary Smith
- ✓ SB 293 - Eliminate statutory term limits on the legislative environmental quality council - Sen. Bradley Hamlett

by motion, on **Tuesday, March 24, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Chief Clerk of the House)
9:15 , 3/25/15
(Time) (Date)

March 24, 2015 (7:36pm)

Jennifer Petersen, Secretary

Phone: 444-4666



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER SB 283

DATE 3/24/15

MOTION to amend SB 283 - sh028301.asc

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN	1 ✓		
REP. CASEY SCHREINER, VICE CHAIRMAN		✓	1
REP. BRYCE BENNETT		✓	2
REP. MOFFIE FUNK		✓	3
REP. DENISE HAYMAN		✓	4
REP. JESSICA KARJALA		✓	5
REP. JEAN PRICE		✓	6
REP. KATHY SWANSON		✓	7
REP. SUSAN WEBBER		✓	8
REP. AUSTIN KNUDSEN	2 ✓		✓
REP. BOB BROWN	3 ✓		
REP. EDWARD GREEF	4 ✓		
REP. FRANK GARNER	5 ✓		
REP. DEBRA LAMM	6 ✓		
REP. FORREST MANDEVILLE	7 ✓		
REP. WENDY MCKAMEY	8 ✓		
REP. DALE MORTENSEN	9 ✓		
REP. ART WITTICH	10 ✓		
REP. RAY SHAW	11 ✓		
REP. JEFF ESSMANN, CHAIRMAN	12 ✓		

10-8

20 MEMBERS

4



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER SB 283

DATE 3/24/15

MOTION to amend SB 283 - sub motion to segregate #1 from 2-5

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN	1 ✓		
REP. CASEY SCHREINER, VICE CHAIRMAN		✓	1
REP. BRYCE BENNETT		✓	2
REP. MOFFIE FUNK		✓	3
REP. DENISE HAYMAN		✓	4
REP. JESSICA KARJALA		✓	5
REP. JEAN PRICE		✓	6
REP. KATHY SWANSON		✓	7
REP. SUSAN WEBBER		✓	8
REP. AUSTIN KNUDSEN	2 ✓		✓
REP. BOB BROWN	3 ✓		
REP. EDWARD GREEF		✓	9
REP. FRANK GARNER	4 ✓		
REP. DEBRA LAMM	5 ✓		
REP. FORREST MANDEVILLE	6 ✓		
REP. WENDY MCKAMEY	7 ✓		
REP. DALE MORTENSEN	8 ✓		
REP. ART WITTICH	9 ✓		
REP. RAY SHAW	10 ✓		
REP. JEFF ESSMANN, CHAIRMAN	11 ✓		

11-9

20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER 283

DATE 3/24/15

MOTION to amend SB 283 - line 26, 27, 29, 30 - change to \$170

Table with 4 columns: NAME, AYE, NO, PROXY. Lists 20 representatives and their voting status.

6-14

20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER SB 035

DATE 3/24/15

MOTION do cancel

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN	✓		
REP. CASEY SCHREINER, VICE CHAIRMAN		✓	1
REP. BRYCE BENNETT		✓	2
REP. MOFFIE FUNK		✓	3
REP. DENISE HAYMAN		✓	4
REP. JESSICA KARJALA		✓	5
REP. JEAN PRICE		✓	6
REP. KATHY SWANSON		✓	7
REP. SUSAN WEBBER		✓	8
REP. AUSTIN KNUDSEN	2 ✓		✓
REP. BOB BROWN	3 ✓		
REP. EDWARD GREEF	4 ✓		
REP. FRANK GARNER	5 ✓		
REP. DEBRA LAMM	6 ✓		
REP. FORREST MANDEVILLE	7 ✓		
REP. WENDY MCKAMEY	8 ✓		
REP. DALE MORTENSEN	9 ✓		
REP. ART WITTICH	10 ✓		
REP. RAY SHAW	11 ✓		
REP. JEFF ESSMANN, CHAIRMAN	12 ✓		

12 ✓
20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 601

DATE 3/24/15

MOTION to amend 601 - hb 060101.ate

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN		✓	1
REP. CASEY SCHREINER, VICE CHAIRMAN	✓		
REP. BRYCE BENNETT	2 ✓		
REP. MOFFIE FUNK	3 ✓		
REP. DENISE HAYMAN		✓	2
REP. JESSICA KARJALA		✓	3
REP. JEAN PRICE	4 ✓		
REP. KATHY SWANSON	5 ✓		
REP. SUSAN WEBBER	6 ✓		✓
REP. AUSTIN KNUDSEN		✓	4 ✓
REP. BOB BROWN		✓	5
REP. EDWARD GREEF		✓	6
REP. FRANK GARNER		✓	7
REP. DEBRA LAMM		✓	8
REP. FORREST MANDEVILLE	7 ✓		
REP. WENDY MCKAMEY		✓	9
REP. DALE MORTENSEN		✓	10
REP. ART WITTICH		✓	11
REP. RAY SHAW		✓	12
REP. JEFF ESSMANN, CHAIRMAN	8 ✓		

8 - 12
20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 601

DATE 3/24/15

MOTION do pass

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN		✓	1
REP. CASEY SCHREINER, VICE CHAIRMAN	1 ✓		
REP. BRYCE BENNETT		✓	2
REP. MOFFIE FUNK	2 ✓		
REP. DENISE HAYMAN		✓	3
REP. JESSICA KARJALA	3 ✓		
REP. JEAN PRICE		✓	4
REP. KATHY SWANSON	4 ✓		
REP. SUSAN WEBBER	5 ✓		✓
REP. AUSTIN KNUDSEN		✓	5 ✓
REP. BOB BROWN		✓	6
REP. EDWARD GREEF		✓	7
REP. FRANK GARNER		✓	8
REP. DEBRA LAMM		✓	9
REP. FORREST MANDEVILLE	6 ✓		
REP. WENDY MCKAMEY		✓	10
REP. DALE MORTENSEN	7 ✓		
REP. ART WITTICH		✓	11
REP. RAY SHAW	8 ✓		
REP. JEFF ESSMANN, CHAIRMAN		✓	12

8-12
20 MEMBERS





The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 566

DATE 3/24/15

MOTION to amend HB 566 - hb0566 01.95 C

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN	✓		
REP. CASEY SCHREINER, VICE CHAIRMAN		✓	1
REP. BRYCE BENNETT		✓	2
REP. MOFFIE FUNK		✓	3
REP. DENISE HAYMAN		✓	4
REP. JESSICA KARJALA		✓	5
REP. JEAN PRICE		✓	6
REP. KATHY SWANSON		✓	7
REP. SUSAN WEBBER		✓	8
REP. AUSTIN KNUDSEN	2 ✓		✓
REP. BOB BROWN	3 ✓		
REP. EDWARD GREEF	4 ✓		
REP. FRANK GARNER	5 ✓		
REP. DEBRA LAMM	6 ✓		
REP. FORREST MANDEVILLE	7 ✓		
REP. WENDY MCKAMEY	8 ✓		
REP. DALE MORTENSEN	9 ✓		
REP. ART WITTICH	10 ✓		
REP. RAY SHAW	11 ✓		
REP. JEFF ESSMANN, CHAIRMAN	12 ✓		

12-8
20 MEMBERS

(F)



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 566

DATE 3/24/15

MOTION Do Pass as amended

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN	1 ✓		
REP. CASEY SCHREINER, VICE CHAIRMAN		✓	1
REP. BRYCE BENNETT		✓	2
REP. MOFFIE FUNK		✓	3
REP. DENISE HAYMAN		✓	4
REP. JESSICA KARJALA		✓	5
REP. JEAN PRICE		✓	6
REP. KATHY SWANSON		✓	7
REP. SUSAN WEBBER		✓	8
REP. AUSTIN KNUDSEN	2 ✓		✓
REP. BOB BROWN	3 ✓		
REP. EDWARD GREEF	4 ✓		
REP. FRANK GARNER	5 ✓		
REP. DEBRA LAMM	6 ✓		
REP. FORREST MANDEVILLE	7 ✓		
REP. WENDY MCKAMEY	8 ✓		
REP. DALE MORTENSEN	9 ✓		
REP. ART WITTICH	10 ✓		
REP. RAY SHAW	11 ✓		
REP. JEFF ESSMANN, CHAIRMAN	12 ✓		

20 MEMBERS

2



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER SB 364

DATE 3/24/15

MOTION to adopt patient amendment

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN		✓	1
REP. CASEY SCHREINER, VICE CHAIRMAN		✓	2
REP. BRYCE BENNETT		✓	3
REP. MOFFIE FUNK		✓	4
REP. DENISE HAYMAN		✓	5
REP. JESSICA KARJALA		✓	6
REP. JEAN PRICE	1 ✓		
REP. KATHY SWANSON		✓	7
REP. SUSAN WEBBER		✓	8
REP. AUSTIN KNUDSEN		✓	9 ✓
REP. BOB BROWN	2 ✓		
REP. EDWARD GREEF		✓	10
REP. FRANK GARNER		✓	11
REP. DEBRA LAMM		✓	12
REP. FORREST MANDEVILLE		✓	13
REP. WENDY MCKAMEY	3 ✓		
REP. DALE MORTENSEN		✓	14
REP. ART WITTICH	4 ✓		
REP. RAY SHAW		✓	15
REP. JEFF ESSMANN, CHAIRMAN		✓	16

4-16

20 MEMBERS





The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER SB 364

DATE 3/24/15

MOTION to conceptually amend

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN	1 ✓		
REP. CASEY SCHREINER, VICE CHAIRMAN	2 ✓		
REP. BRYCE BENNETT	3 ✓		
REP. MOFFIE FUNK	4 ✓		
REP. DENISE HAYMAN	5 ✓		
REP. JESSICA KARJALA	6 ✓		
REP. JEAN PRICE	7 ✓		
REP. KATHY SWANSON	8 ✓		
REP. SUSAN WEBBER	9 ✓		
REP. AUSTIN KNUDSEN	10 ✓		✓
REP. BOB BROWN	11 ✓		✓
REP. EDWARD GREEF	12 ✓		
REP. FRANK GARNER	13 ✓		
REP. DEBRA LAMM	14 ✓		
REP. FORREST MANDEVILLE	15 ✓		
REP. WENDY MCKAMEY		✓	1
REP. DALE MORTENSEN	16 ✓		
REP. ART WITTICH	17 ✓		
REP. RAY SHAW	18 ✓		
REP. JEFF ESSMANN, CHAIRMAN	19 ✓		

19-1
20 MEMBERS

8

Table 1

HB

601

SB 283

SB 286

SB 293



HOUSE STANDING COMMITTEE REPORT

March 24, 2015

Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Bill 364** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Representative Jeff Essmann, Chair

To be carried by Representative Forrest Mandeville

And, that such amendments read:

1. Title, page 1, line 5.

Strike: "ALLOWING"

Insert: "REQUIRING"

2. Page 2, line 21.

Strike: "may"

Insert: "must"

- END -

Committee Vote:

Yes 18, No 2

Fiscal Note Required X

SB0364001SC16509.hbb

*OK
3/24/15
2:15*



HOUSE STANDING COMMITTEE REPORT

March 24, 2015
Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **Senate Joint Resolution 6** (third reading copy -- blue) **be concurred in.**

Signed: _____

Representative Jeff Essmann, Chair

To be carried by Representative Andrew Person

- END -

Committee Vote:

Yes 20, No 0

Fiscal Note Required

SJ0006001SC16518.hbb

OK
3/24/15
12:30



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER SB 286

DATE 3/24/15

MOTION to table

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN		✓	1
REP. CASEY SCHREINER, VICE CHAIRMAN	1 ✓		
REP. BRYCE BENNETT	2 ✓		
REP. MOFFIE FUNK	3 ✓		
REP. DENISE HAYMAN	4 ✓		
REP. JESSICA KARJALA	5 ✓		
REP. JEAN PRICE	6 ✓		
REP. KATHY SWANSON	7 ✓		
REP. SUSAN WEBBER	8 ✓		✓
REP. AUSTIN KNUDSEN		✓	2 ✓
REP. BOB BROWN		✓	3 ✓
REP. EDWARD GREEF	9 ✓		
REP. FRANK GARNER	10 ✓		
REP. DEBRA LAMM		✓	4
REP. FORREST MANDEVILLE		✓	5
REP. WENDY MCKAMEY		✓	6
REP. DALE MORTENSEN		✓	7
REP. ART WITTICH		✓	8
REP. RAY SHAW	11 ✓		
REP. JEFF ESSMANN, CHAIRMAN	12 ✓		

12-8
20 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

STATE ADMIN. COMMITTEE

ROLL CALL VOTE

BILL NUMBER SB 293

DATE 3/24/15

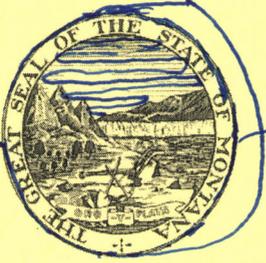
MOTION Do Concur

NAME	AYE	NO	PROXY
REP. BILL HARRIS, VICE CHAIRMAN		✓	1
REP. CASEY SCHREINER, VICE CHAIRMAN	1 ✓		
REP. BRYCE BENNETT	2 ✓		
REP. MOFFIE FUNK	3 ✓		
REP. DENISE HAYMAN	4 ✓		
REP. JESSICA KARJALA	5 ✓		
REP. JEAN PRICE	6 ✓		
REP. KATHY SWANSON	7 ✓		
REP. SUSAN WEBBER	8 ✓		✓
REP. AUSTIN KNUDSEN		✓	2 ✓
REP. BOB BROWN		✓	3
REP. EDWARD GREEF		✓	4
REP. FRANK GARNER		✓	5
REP. DEBRA LAMM		✓	6
REP. FORREST MANDEVILLE	9 ✓		
REP. WENDY MCKAMEY		✓	7
REP. DALE MORTENSEN		✓	8
REP. ART WITTICH		✓	9
REP. RAY SHAW		✓	10
REP. JEFF ESSMANN, CHAIRMAN		✓	11

9-11

20 MEMBERS





The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

AUTHORIZED COMMITTEE PROXY

I request to be excused from the State Administration Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Casey Schreiner

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO BILL/AMENDMENT AYE NO

• HB046404 ASC	X	
• HB046403 ASC	X	
• HB 464 as Amended	X	
• HB056601 ASC		X
• HB0566 as Amended		X
• HB057403 ASC		X
• HB 574 as Amended	X	
• HB060101 ATE	X	
• HB0601	X	
• HB SB016803 ASC	X	
• SB016802 ASC	X	
• SB 168 Do as mander Concur	X	
• SB019103 ASC	X	
• SB 191 AS Amended DO Concur	X	

• SB019501 ASC	X	
• SB 195 DO Concur as Amended	X	
• SB022001 ASC	X	
• SB 220 DO Concur as amended	X	
• SB 235 DO Concur		X
• SB023802 ASC	X	
• SB0238 DO Concur as Amendment	X	
• SB028302 ASC		X
• SB SB028301 ASC 2 Item		X
• SB028304 ASC @ 170		X
• Table 283	X	
• SB 286 (Table)	X	NO ← AYE
• SB 293	X	
• SB 293 (Table)	X	



Rep. [Signature]
(Signature)

Date 3/24/2015



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

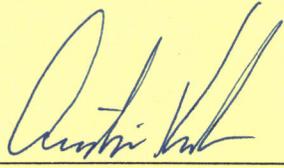
AUTHORIZED COMMITTEE PROXY

I request to be excused from the State Admin

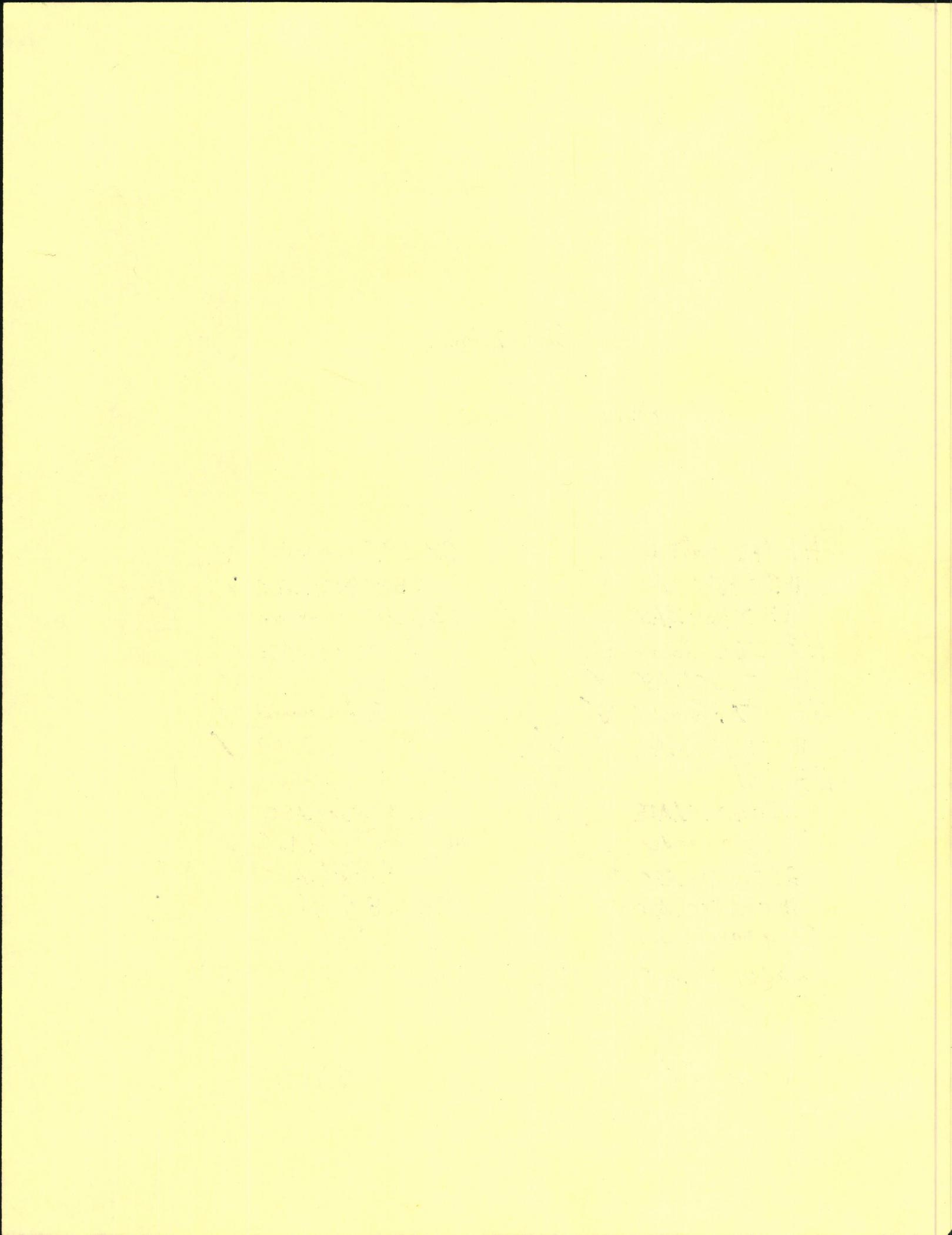
Committee because of other commitments. I desire to leave my proxy vote with:
Rep. Harris

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 464 ^{as} amended	✓		SB 195 as amended	✓	
HB 046404ASC	✓		SB 019501.ASC	✓	
HB 046403ASC	✓		SB 220 as amended	✓	
HB 566 ^{as} amended	✓		SB 022001.ASC	✓	
HB 056601.ASC	✓		SB 235	✓	
HB 574 ^{as} amended	✓		SB 238 as amended	✓	
HB 057403.ASC		✓	SB 023802.ASC	✓	
HB 601		✓	SB 283-table	✓	Table
HB 060101.ASC		✓	SB 028301.ASC	✓	
SB 168 as amended	✓		#1 ^{to amend} 028304.ASC	✓	
SB 016803.ASC	✓		#2 ^{to amend} 028304.ASC	✓	✓
SB 016802.ASC	✓		SB 286 Table		✓
SB 191 as amended	✓		SB 293		✓ Table
SB 019103.ASC	✓		SB 293-table	✓	

Rep. 
(Signature)

Date 3/12/15



LEGISLATIVE AUDIT DIVISION

Tofi Hunthausen, Legislative Auditor
Deborah F. Baker, Legal Counsel



Deputy Legislative Auditors:
Cindy Jorgenson
Angus Mueller

September 5, 2013

**ADDITIONAL
DOCUMENTS**

Representative Kirk Wagoner
4 Mission Mountain Rd
Montana City, MT 59634-9634

Dear Rep. Wagoner:

In response to your Montana Public Records request, dated August 27, 2013, I have attached a memorandum categorically explaining the types of allegations we receive on state government fraud, waste and abuse. As the memorandum indicates, if we refer the allegation to audit, any work we conduct to verify the likelihood of occurrence is protected within our privileged work papers until such time we report to the Legislative Audit Committee, as appropriate. If an allegation is referred outside of our office, any corrective action, if documented, is held by the agency in question.

A number of our allegations come directly from state agency employees. While employment protection is provided in statute, we further protect by not releasing information that can be directly associated with the employee, allowing continued audit communication as necessary.

Sincerely,

Tofi Hunthausen, CPA
MT Legislative Auditor

Enclosure (2)

S:\Admin\Inquiries\2013\MONTANA\13-074-Wagoner_email-response_09-05-13

LEGISLATIVE AUDIT DIVISION

Tori Humthausen, Legislative Auditor
Deborah F. Butler, Legal Counsel



Deputy Legislative Auditor
Cindy Jorgensen
Angus Shriver

MEMORANDUM

TO: Tori Humthausen, Legislative Auditor
FROM: Deborah Butler, Legal Counsel *DB*
DATE: August 28, 2013
RE: Representative Wagoner's public records request
ATTACHMENT: HLPV Summary

In response to Representative Wagoner's public records request I have attached a Hotline/Penal Violation Database summary worksheet. It contains the information requested regarding allegations received through phone call, email, USPS, or hand delivery for 2010 through August 2013.

Pursuant to statute (§5-13-311, MCA), the Legislative Auditor is required to maintain a toll-free telephone number for Montana residents to report fraud, waste, and abuse in state government. All allegations are reviewed and transferred to a secure confidential database. The information received is held as confidential and the caller's anonymity is preserved. Each allegation is analyzed for disposition:

- ▶ Request Agency Take Internal Action/Referred to Agency
 - The allegation is sent to the agency that is the subject of the allegation. The Agency is required to take adequate and appropriate action to investigate and remedy any fraud, waste, or abuse discovered as a result of the referral, and report in writing to the legislative auditor the results of its investigation and any measures taken. Agencies respond with a summary explanation due to the fact that most of the referrals relate to privileged personnel matters. The Legislative Auditor determines whether additional follow-up work is warranted.
- ▶ Referred for Audit
 - The allegation is referred to an audit team and the information and individual's identity becomes part of the confidential internal work papers; any information obtained while conducting an audit is privileged. The public information is reported in our "Blue Cover" report or in summary fashion, reported to the Legislative Audit Committee.
- ▶ Closed
 - Audit has no jurisdiction over the allegation and person reporting the allegation did not leave any contact information.
 - Referred to a federal, state (other than Montana), local government, or non-governmental entity
- ▶ Open
 - Agencies have a statutory requirement to report penal violations and audit teams consider these reports in the context of their audits.

SAAdmin_Butler@dpl.mt.gov | 13AUG13 | Tori Humthausen memo.doc

Agency	Disposition	Relate Title
Auditor (State)	Requested Agency Take Internal Action	Falsifying Records
Board of Investments	Referred to Agency	Misuse-State Funds
Commerce	Referred to Audit	Misuse-State Funds
Commerce	Requested Agency Take Internal Action	Misuse-State Funds
Commerce	Referred to agency	Misuse-State Benefit
Corrections	Closed	No Jurisdiction
Corrections	Closed	No Jurisdiction
Corrections	Referred to Audit	Solicitation for Bid
Corrections	Closed	No Jurisdiction
Corrections	Referred to Audit	Misuse-State Equipment
Corrections	Referred to Audit	Misuse-State Equipment
Corrections	Referred to Agency	Misuse-Leave
Corrections	Referred to Agency	Unprofessional Conduct
Corrections	Referred to Agency	Misuse-Leave
Corrections	Referred for Audit	Unprofessional Conduct
Corrections	Referred for Audit	Other
Corrections	Referred for Audit	Unlawful Hiring
Corrections	Referred for Audit	Unprofessional Conduct
Corrections	Referred to Agency	Unlawful Hiring
Corrections	Referred for Audit	Misuse-State Funds
Corrections	Open	Unprofessional Conduct
Corrections	Referred for Audit	Misuse-State Funds
DEQ	Referred to Audit	Misuse-State Funds
DEQ	Closed	No Jurisdiction
DEQ	Referred for Audit	Misuse-Leave
DLI	Referred to Agency	Misuse-State Benefit
DLI	Referred to Agency	Misuse-State Benefit
DLI	Referred to Audit	Retention Practices
DLI	Referred to Agency	Unlawful Hiring
DLI	Referred to Agency	Unprofessional Conduct
DLI	Referred to Agency	Misuse-State Benefit
DLI	Referred for Audit	Misuse-State Funds
DLI	Referred Caller to Agency	Other
DLI	Referred to Agency	Conflict Of Interest
DLI	Referred for Audit	Misuse-State Equipment
DLI	Requested Agency Take Internal Action	Conflict Of Interest
DLI	Requested Agency Take Internal Action	Other
DLI	Requested Agency Take Internal Action	Unprofessional Conduct
DLI	Referred to Agency	Unprofessional Conduct
DLI	Referred to Agency	Misuse-Leave
DNRC	Open	Theft - Equipment
DNRC	Referred for Audit	Misuse-State Funds
DNRC	Referred to Audit	Misuse-State Benefit
DNRC	Referred for Audit	Misuse-State Benefit
DOA	Referred to Agency	Unlawful Hiring
DOA	Open	Theft - Inventory

DOA	Referred to Audit	Unprofessional Conduct
DOA	Open	Theft - Inventory
DOA	Referred for Audit	Unlawful Hiring
DOA	Closed	No Jurisdiction
DOA	Open	Other
DOJ	Referred to Agency	Unprofessional Conduct
DOJ	Referred to Agency	Misuse-State Benefit
DOJ	Referred to Agency	Information Systems
DOJ	Referred to Agency	Misuse-State Vehicle
DOJ	Open	Theft - Cash
DOR	Referred to Agency	Misuse-State Equipment
DOR	Open	Theft - Equipment
DOR	Requested Agency Take Internal Action	Falsifying Records
DOR	Closed	No Jurisdiction
DOR	Open	Other
DOT	Referred to Audit	Unlawful Hiring
DOT	Open	Theft - Equipment
DOT	Referred to Audit	Unlawful Hiring
DOT	Referred to Audit	Unlawful Hiring
DOT	Referred to Audit	Unlawful Hiring
DOT	Referred to Audit	Unlawful Hiring
DOT	Open	Theft - Inventory
DOT	Referred to Agency	Nepotism
DOT	Closed	Unlawful Hiring
DOT	Open	Theft - Equipment
DOT	Referred to Agency	Misuse-State Funds
DOT	Referred to Audit	Information Systems
DOT	Requested Agency Take Internal Action	Misuse-State Funds
DOT	Referred to Agency	Unlawful Hiring
DOT	Open	Theft - Equipment
DOT	Referred for Audit	Unlawful Hiring
DOT	Referred to Agency	Unlawful Hiring
DOT	Requested Agency Take Internal Action	Misuse-State Funds
DOT	Open	Theft - Equipment
DOT	Referred for Audit	Unlawful Hiring
DOT	Referred for Audit	Unlawful Hiring
DOT	Referred to Agency	Unlawful Hiring
DOT	Referred for Audit	Unlawful Hiring
DOT	Referred to Agency	Unlawful Hiring
DOT	Referred for Audit	Unlawful Hiring
DOT	Referred for Audit	Nepotism
DOT	Referred to Agency	Falsifying Records
DOT	Referred to Agency	Unlawful Hiring
DOT	Referred to Agency	Misuse-State Funds
DOT	Referred to Agency	Falsifying Records
DOT	Open	Vandalism
DOT	Open	Theft - Equipment

DOT	Open	Theft - Equipment
DPHHS	Closed-referred to private entity	Misuse-State Benefit
DPHHS	Requested Agency Take Internal Action	Misuse-State Benefit
DPHHS	Referred to Agency	Misuse-State Benefit
DPHHS	Referred to Agency	Misuse-State Benefit
DPHHS	Referred to Agency	Misuse-State Benefit
DPHHS	Referred to Agency	Misuse-State Benefit
DPHHS	Referred to Agency	Misuse-State Benefit
DPHHS	Requested Agency Take Internal Action	Falsifying Records
DPHHS	Open	Theft - Cash
DPHHS	Referred to Agency	Misuse-State Benefit
DPHHS	Open	Theft - Equipment
DPHHS	Referred to Agency	Unprofessional Conduct
DPHHS	Referred Caller to Agency	Falsifying Records
DPHHS	Referred to Agency	Misuse-State Benefit
DPHHS	Referred Caller to Agency	Misuse-State Benefit
DPHHS	Open	Falsifying Records
DPHHS	Referred to Audit	Unlawful Hiring
DPHHS	Referred to Agency	Unlawful Hiring
DPHHS	Referred to Agency	Falsifying Records
DPHHS	Closed	No Jurisdiction
DPHHS	Requested Agency Take Internal Action	Misuse-State Benefit
DPHHS	Open	Theft - Supplies
DPHHS	Referred to Agency	Falsifying Records
DPHHS	Requested Agency Take Internal Action	Misuse-State Equipment
DPHHS	File Only	Misuse-State Benefit
DPHHS	File Only	Unprofessional Conduct
DPHHS	Open	Theft - Inventory
DPHHS	Requested Agency Take Internal Action	Misuse-State Funds
DPHHS	Referred to Agency	Unprofessional Conduct
DPHHS	Requested Agency Take Internal Action	Misuse-Leave
DPHHS	File Only	Unprofessional Conduct
DPHHS	Requested Agency Take Internal Action	Misuse-Leave
DPHHS	Requested Agency Take Internal Action	Nepotism
DPHHS	Requested Agency Take Internal Action	Falsifying Records
DPHHS	Open	Theft - Equipment
DPHHS	Open	Vandalism
DPHHS	Referred to Agency	Theft - Cash
DPHHS	Open	Theft - Equipment
DPHHS	Open	Theft - Equipment
DPHHS	Referred to Agency	Misuse-State Vehicle
DPHHS	Open	Theft - Supplies
DPHHS	Closed	No Jurisdiction
DPHHS	Requested Agency Take Internal Action	Misuse - state funds
DPHHS	Open	Theft - Equipment
DPHHS	Open	Theft - Equipment
DPHHS	Closed	No Jurisdiction

MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Inventory
MSU	Open	Theft - Supplies
MSU	Open	Theft - Inventory
MSU	Open	Theft - Equipment
MSU	Open	Theft - Inventory
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Cash
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Inventory
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Equipment
MSU	Open	Theft - Cash
MSU	Open	Misuse - State Funds
MSU	Open	Theft - Cash
MSU	Open	Theft - Cash
MSU	Open	Theft - Cash
MSU	Open	Theft - Cash
MSU	Open	Theft - Supplies
MSU	Open	Theft - Cash
MSU	Open	Theft - Cash
MSU	Open	Theft - Equipment
MSU Ag Exp	Open	Theft - Equipment
MSU Billings	Open	Theft - Supplies
MSU Billings	Open	Theft - Cash
MSU Billings	Open	Theft - Supplies
MSU Billings	Open	Theft - Cash
MSU Billings	Open	Theft - Equipment
MSU Billings	Open	Theft - Equipment
MSU Billings	Open	Theft - Equipment
MSU Billings	Open	Theft - Equipment
MSU Billings	Open	Theft - Inventory
MSU Billings	Open	Theft - Equipment
MSU Billings	Open	Theft - Inventory
MSU Billings	Requested Agency Take Internal Action	Falsifying Records
MSU Billings	Open	Theft - Equipment
MSU Billings	Open	Theft - Equipment
MSU Billings	Open	Theft - Equipment
MSU Billings	Open	Theft - Supplies

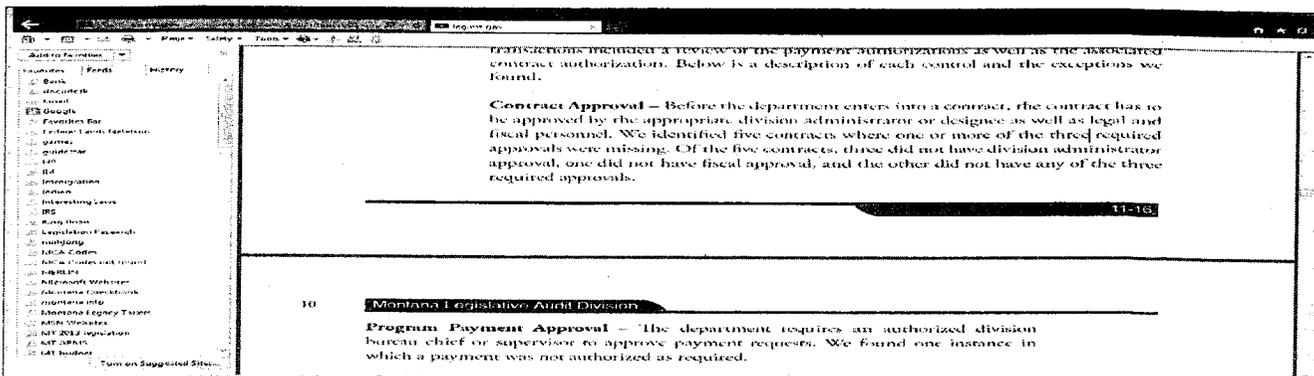
MSU Northern	Open	Theft - Cash
MSU Northern	Open	Theft - Cash
No Specific	Closed	No Jurisdiction
No Specific	Closed	No Jurisdiction
No Specific	Closed	No Jurisdiction
No Specific	Closed	No Jurisdiction
No Specific	Closed	No Jurisdiction
No Specific	Referred Caller to Agency	Unprofessional Conduct
No Specific	Closed	No Jurisdiction
No Specific	Closed	No Jurisdiction
No Specific	Referred for Audit	Misuse of funds
No Specific	closed	No Jurisdiction
No Specific	Closed	No Jurisdiction
OCHE	Open	Theft - Equipment
OCHE	File Only	Falsifying Records
OCHE	Referred to Agency	Misuse-Leave
OPD	Open	Theft - Cash
OPI	Closed	No Jurisdiction
OPI	Closed	No Jurisdiction
OPI	Referred for Audit	Misuse-State Equipment
Political Practices	Referred for Audit	Misuse-State Equipment
Political Practices	Referred for Audit	Misuse-State Funds
Political Practices	Referred for Audit	Misuse-Leave
Political Practices	Referred for Audit	Misuse-Leave
Public Emp Bd	Referred to Agency	Unprofessional Conduct
State Fund	Referred to Agency	Misuse-State Benefit
State Fund	Referred to Agency	Misuse-State Benefit
State Fund	Referred to Agency	Misuse-State Benefit
State Fund	Requested Agency Take Internal Action	Falsifying Records
State Fund	Open	Theft - Equipment
Teachers Ret	Requested Agency Take Internal Action	Falsifying Records
UM	Open	Theft - Equipment
UM	Open	Theft - Equipment
UM	Open	Theft - Equipment
UM	Open	Theft - Cash
UM	Open	Theft - Supplies
UM	Open	Theft - Cash
UM	Referred to Audit	Unprofessional Conduct
UM	Open	Theft - Inventory
UM	Referred to Audit	Lost Documents
UM	Open	Theft - Equipment
UM	Closed	No Jurisdiction
UM	Open	Theft - Equipment
UM	Open	Theft - Inventory
UM	Open	Theft - Equipment
UM	Open	Theft - Equipment
UM	Open	Theft - Cash

UM MT Tech	Open	Theft - Equipment
UM MT Tech	Open	Other
UM MT Tech	Open	Theft - Cash
UM MT Tech	Open	Theft - Equipment
UM MT Tech	Open	Theft - Equipment
UM Western	Open	Theft - Equipment
UM Western	Open	Theft - Equipment
UM Western	Requested Agency Take internal Action	Other
UM Western	Open	Theft - Equipment
UM Western	Open	Theft - Equipment
UM Western	Open	Theft - Inventory

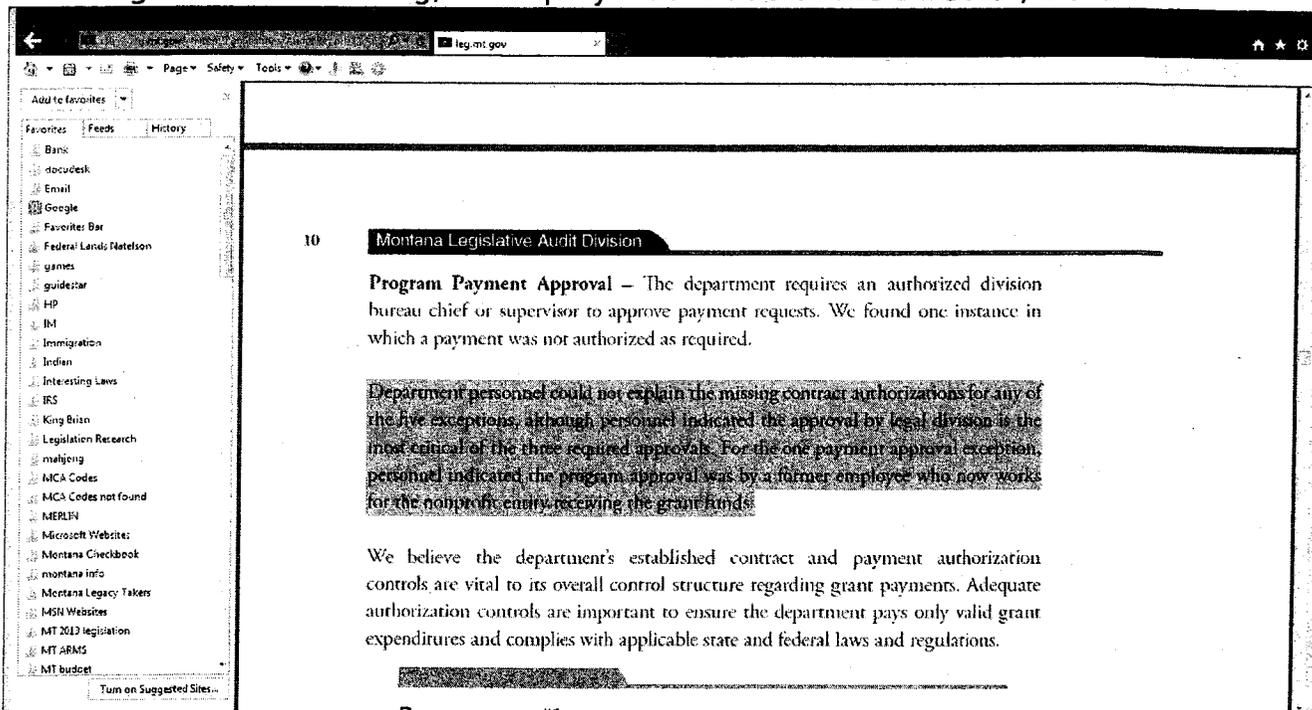
BACKGROUND

The State of Montana awards taxpayer money in the form of federal grants, as a pass through or state grants to other agencies, private corporations, associations or individuals. Montana Statute provides limited oversight and public transparency of grant awards, the purpose and the outcome. With the examples outlined below whether Montana has "control" of the expended funds to these organizations may be in doubt.

For Example as noted in the January 2012 State Audit, *the [Commerce] department expended over \$107 million and \$82 million respectively in grants from state and federal sources in fiscal years 2010 and 2011 from six of the department's nine programs. The audit found deficiencies in the following:*



During the audit hearing, an inquiry was made of the Director, Dore



Schwinden, as to the circumstances of a former state employee approving a

grant for their own non-profit entity. Although this was an audit finding and a violation of Montana statute, Director Schwinden, did not know who the person was, nor did the committee pursue the issue with the Audit staff. Had this information been pursued, the former employee and her non-profit would have been connected to a further audit finding; illustrating the lack of sub-recipient monitoring of grant reimbursements. The former employee, Deborah Swingley approved the grant award to her own nonprofit when she was employed by state as the Executive Director for the Developmental Disabilities Planning and Advisory Council. She left state employment on January 9, 2004 and her nonprofit, MCDD, received the first disbursement/payment on January 14, 2004. The Advocacy Grant was not offered competitively, so no other nonprofit applied.

The State audit found Commerce does not have adequate controls in place to ensure federal reimbursements to MCDD are allowable under federal regulations and the state plan. MCDD, refers to the Montana Council on Developmental Disabilities, Deborah Swingley is the Executive Director.

The department is designated in both state and federal law as the state agency to receive funds under the Developmental Disabilities Basic Support and Advocacy Grant. During the audit period, the [Commerce] department disbursed approximately \$750,000 of these funds to MCDD, a private nonprofit corporation. The unanswered question is why was there an eight year lag, between the violation

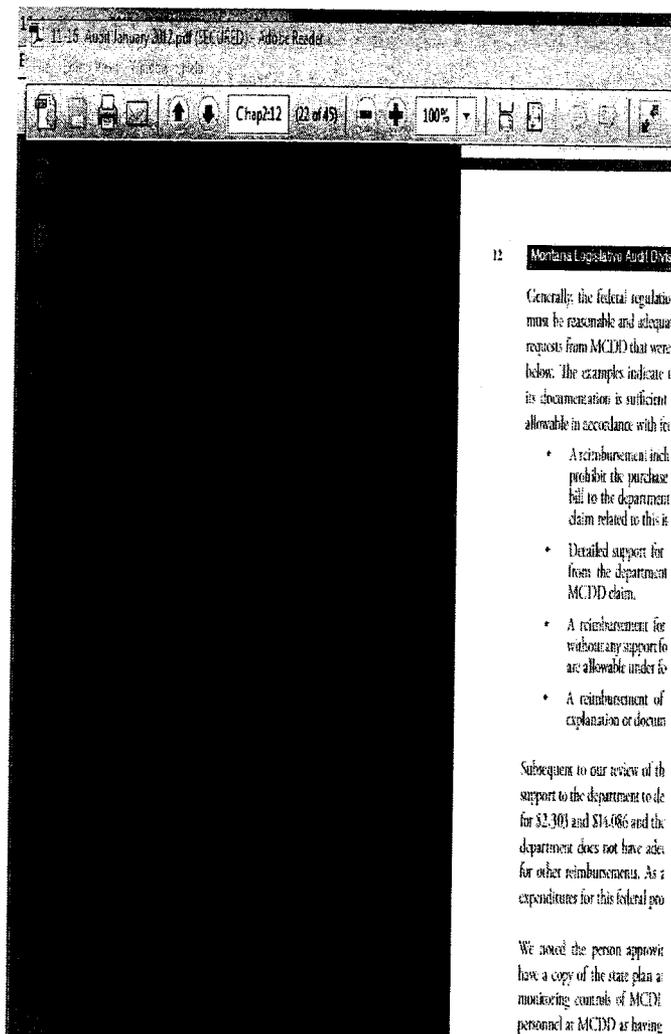
of the law and the chance discovery of MCDD, it appears obvious other Commerce employees were aware of the events.

The 2009 Legislature authorized and directed the Department of Commerce through appropriation language in House Bill 645 to make disbursements to school districts totaling \$20 million. The appropriation language required the school districts to use the funds for deferred maintenance and energy efficient improvements.

After each school district signed an assurance document with the Governor's Office the department entered into contracts and disbursed 90 percent of the funds. To receive the final 10 percent disbursement, the school districts were required to submit a final closeout report with a narrative of the project objectives and information on who they paid with the contract funds. The Commerce department did not verify any information on the closeout reports (ie obtain receipts or other documentation) prior to making the final 10 percent payment and did not perform any

specific monitoring for contract compliance for this program.

When questioned by the Legislative Audit Committee, there was acknowledgement that OPI had provided no documentation and the school grants had not been audited. The Department of Commerce relied on the "common sense discussions" between the Office of Public Instruction and the schools.



In addition to the Commerce Department, the Disaster and Emergency Service Division has had previous audit findings, both at the state and federal level, regarding recipient monitory and disbursements.

As noted in the Federal Office of Inspector General Audit, *the Montana Disaster and Emergency Services did not comply with federal requirements for financial grant management. We noted deficiencies which included (1) incomplete subgrantee file information regarding award letters and supporting documentation for reimbursement requests and (2) inadequate coordination between the State Administrative Agency and the supporting administrative office responsible for paying subgrantee invoices submitted for payment. As a result, Montana was not in compliance with federal financial management requirements, was not aware of the status of grant awards and expenditures, and could not assess the true costs of program performance.*

The State audit found similar deficiencies: , Subrecipient Monitoring *The department did not monitor any of its Homeland Security subrecipients in fiscal years 2009 or 2010. Over the past three years the department received Homeland Security grant awards amounting to approximately \$19 million, of which all but approximately \$0.5 million was granted to state agencies and local governments. The previous audit recommended the department implement effective monitoring controls to ensure subrecipients comply with federal requirements. The department established monitoring controls; however, it did not monitor any of its subrecipients. Federal regulations require the department to monitor subrecipients to ensure that federal awards are used for authorized purposes in compliance with laws, regulations, and grant agreements. Without adequate monitoring, there is an increased risk Homeland Security funds are not being spent in accordance with federal laws, regulations or the grant agreement, creating unallowable costs. Department personnel indicated they did not have adequate staff to perform monitoring in fiscal year 2009. In fiscal year 2010, the department hired new staff and established monitoring controls, but did not implement the monitoring controls due to staff reorganization.*

In fiscal year 2010, the [Disaster and Emergency Services] department did not obligate the required minimum 80 percent of Homeland Security funds to local governments. The department wanted to award \$64,227 of local government funds to a group that did not meet the definition of a local government. Rather than awarding the funds to the group, the department expended \$11,365 on behalf of the group on a state credit card. The department should not have expended these funds. ("On Behalf Of" payments violate federal regulations.)

In August of 2013, citizens in Silver Bow County brought to the attention of their City County Commission a Grant Modification, modifying a grant that did not exist, signed off by Department of Transportation employees who no longer worked at

that department (this grant was supposed to from Disaster and Emergency Services), using two different grant years, and promising a Congressional Earmark for another city (violation of federal regulations) to Silver Bow County. Even after identifying these problems the City County Commission signed off on the agreement, when Disaster and Emergency Services simply supplied Silver Bow County with another grant number. After numerous inquiries by citizens, finally working their way up to Adjutant General Quinn; he acknowledged the grant was not proper.

The monumental task of overseeing the astounding amount of taxpayer funds may be overwhelming for some of the agencies. There are currently no consequences for mismanaging taxpayer funds and under the current system it is impossible to follow the money. This bill will establish a foundation for transparency and allow citizens, state employees and others to view the money flow of the money, to alert the Audit Division, the Attorney General or the involved Department to idiosyncrasies in tax payer funded grants, in a more timely manner instead of years later.