

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON INSTITUTIONS

Call to Order: By CHAIRMAN FELAND, on February 18, 1997, at 8:07 A.M., in Room 405.

ROLL CALL

Members Present:

Rep. Gary Feland, Chairman (R)
Sen. Arnie A. Mohl, Vice-Chairman (R)
Sen. B.F. "Chris" Christiaens (D)
Rep. William T. "Red" Menahan (D)
Sen. Mike Taylor (R)
Rep. Steve Vick (R)

Members Excused: None

Members Absent: None

Staff Present: Skip Culver, Legislative Fiscal Division
Joanne Chance, Legislative Fiscal Division
Hope Spriggs, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: DEPARTMENT OF CORRECTIONS
(PUBLIC TESTIMONY)
2/18/97; 2/14/97

Executive Action: DEPARTMENT OF JUSTICE

DEPT OF MILITARY AFFAIRS

DEPT OF LABOR AND INDUSTRY

EXECUTIVE ACTION ON DEPARTMENT OF JUSTICE

Dean Roberts, Administrator, Motor Vehicles Division, DOJ
{Tape: 1; Side: A; Approx. Time Count: 0.8; Comments: Comments on
Performance Based Budgeting and possible privatization of driver
licensing.}

EXHIBIT 1

The COMMITTEE asked Mr. Roberts questions on the development of the driver licensing model, establishing a reward system for the performance based budget and financial sources for the study groups.

{Tape: 1; Side: A; Approx. Time Count: 9.5;..}

MOTION/VOTE: REP. VICK moved that the Department of Justice is directed to study the issue of privatization of drivers licensing services and report to the 1999 Legislature. The Motor Vehicles Division will have a pilot program in place at the end of the 1999 biennium. Motion CARRIED unanimously.

{Tape: 1; Side: A; Approx. Time Count: 12.5;..}

Dennis Taylor, Department of Justice

Jan Dee May, Department of Justice

Answered REP. VICK'S questions about the Automated Fingerprint Identification System (AFIS).

{Tape: 1; Side: A; Approx. Time Count: 13.8;..}

MOTION: REP. VICK moved to remove \$ 360,000 of general funds from the Automated Fingerprint Identification System (Law Enforcement Services Division).

{Tape: 1; Side: A; Approx. Time Count: 17.4; Comments: Discussion followed by Mr. Taylor.}

The COMMITTEE asked Mr. Taylor questions on other sources of funding for AFIS, what the costs for the system cover and if decreased federal funding will be subsidized.

{Tape: 1; Side: A; Approx. Time Count: 20.6;..}

REP. VICK WITHDREW MOTION and issue to be revisited.

REP. VICK asked Mr. Taylor to explain Program 18 (Law Enforcement Services Division) overtime costs.

{Tape: 1; Side: A; Approx. Time Count: 32.1;..}

EXECUTIVE ACTION ON DEPARTMENT OF MILITARY AFFAIRS

Doug Booker, Director, Dept of Military Affairs

{Tape: 1; Side: A; Approx. Time Count: 34.7; Comments: Spoke on requested language in regard to performance based budgeting.}

MOTION/VOTE: SEN. TAYLOR moved to accept language as requested on performance based budgeting for the Montana Air National Guard. Motion **CARRIED** unanimously.

{Tape: 1; Side: A; Approx. Time Count: 36.0; .}

Mr. Booker

Informed the Committee on the Dept. of Military Affairs plans to appear before full appropriations committee to request statutory language authorizing the increase of the Governor's Disaster Fund, allowing them to respond to possible spring flooding.

{Tape: 1; Side: A; Approx. Time Count: 36.3; .}

EXECUTIVE ACTION ON DEPARTMENT OF LABOR AND INDUSTRY

Joanne Chance, LFA

{Tape: 1; Side: A; Approx. Time Count: 39.2; Comments: Overview.}

JOB SERVICE

Brian McCullough, Department of Labor and Industry

{Tape: 1; Side: A; Approx. Time Count: 41.8; Comments: Request to approve suggested language for JTPA program.}

{Tape: 1; Side: B; Approx. Time Count: 4.0; Comments: Mr. McCullough continued.}

EXHIBIT 2

MOTION/VOTE: SEN. TAYLOR moved to approve suggested language which increases grant authority to spend federal funds for the JTPA program. Motion **CARRIED** unanimously.

{Tape: 1; Side: B; Approx. Time Count: 5.5; .}

Mary Blake, Office of Community Service

Answered REP. VICK'S question about the Martin Luther King Jr. celebration funds.

{Tape: 1; Side: B; Approx. Time Count: 5.9; .}

MOTION: REP. VICK moved to remove funding from Present Law Adjustment, Item # 11 (MLK Jr. Celebration).

{Tape: 1; Side: B; Approx. Time Count: 7.8; Comments: Discussion followed.}

VOTE: Motion **FAILED** 3-3, with SEN. MOHL and REPS. VICK and FELAND voting yes.

EMPLOYMENT RELATIONS DIVISION

Chuck Hunter, Administrator, Employment Relations Division
{Tape: 1; Side: B; Approx. Time Count: 10.3; Comments: Commented on cost increase from performance based budgeting (Item 4 in narrative).}

The COMMITTEE asked questions of Mr. Hunter about performance based goals, need for funds, and possibility of removing 40 presentations annually as required by the present performance goals.

{Tape: 1; Side: B; Approx. Time Count: 11.6;.}

MOTION/VOTE: SEN. TAYLOR moved to remove Item # 2 in Wage and Hour Regulation Unit goals and objectives performance measures, eliminating the requirement of 40 presentations per year. Motion CARRIED unanimously.

{Tape: 1; Side: B; Approx. Time Count: 16.3;.}

Mr. Hunter

Addressed approval of Present Law Adjustments, Items # 13-15 (Contractor Registration, Independent Contractor Unit and Independent Contractors Unit). Adjusted requested funds for # 13 are in the amount of \$ 36,207 per year.

{Tape: 1; Side: B; Approx. Time Count: 17.5; Comments: Discussion followed by committee.}

MOTION/VOTE: SEN. CHRISTIAENS moved to adopt Item # 13 at \$ 36,207 each year of the biennium, and Items # 14 and 15 as written. Motion FAILED 2-4, with SEN. CHRISTIAENS and REP. MENAHAN voting yes.

{Tape: 1; Side: B; Approx. Time Count: 27.1;.}

Ms. Chance

Requested to clarify previous adoption of a performance based budget (PBB) within the Employment Relations Division. She suggested a motion to designate the PBB for a lump sum biennial appropriation for the Wage and Hour Unit.

{Tape: 1; Side: B; Approx. Time Count: 28.1; Comments: Motion followed.}

MOTION: REP. MENAHAN moved to adopt language allowing a lump sum biannual appropriation to the Employment Relations Division's performance based budget of the Wage and Hour Unit.

Discussion by COMMITTEE on funds for lump sum.

Mr. Hunter commented on need for language.

VOTE: Motion CARRIED unanimously.

{Tape: 1; Side: B; Approx. Time Count: 32.3;.}

EXECUTIVE ACTION ON THE HUMAN RIGHTS COMMISSION

Anne MacIntyre, Administrator, Human Rights Commission
{Tape: 1; Side: B; Approx. Time Count: 32.9; Comments:
Explanation of effects of cuts on commission.}

EXHIBIT 3

{Tape: 2; Side: A; Approx. Time Count: 0.0; Comments: Ms.
MacIntyre continued.}

The COMMITTEE asked questions of Ms. MacIntyre on caseload numbers presented and actual, FTE numbers, and how many cases were instigated by HRC employees.

{Tape: 2; Side: A; Approx. Time Count: 4.7;.}

MOTION: REP. MENAHAN moved to approve \$ 38,087 in FY 98 and \$ 38,397 in FY 99 to restore full funding to the remaining 11.5 FTE.

{Tape: 2; Side: A; Approx. Time Count: 13.4; Comments:
Clarification of funding at time count: 30.8.}

Ms. Chance

{Tape: 2; Side: A; Approx. Time Count: 14.6; Comments:
Clarification of funds needed for 11.5 FTE.}

EXHIBIT 4

VOTE: Motion CARRIED unanimously.

{Tape: 2; Side: A; Approx. Time Count: 19.6;.}

Ms. Chance

Summarized changes to the Performance Measures for the HRC (page D-118).

Ms. MacIntyre

{Tape: 2; Side: A; Approx. Time Count: 21.5;.}

MOTION: SEN. TAYLOR moved to change Item # 1 of the Performance measures to close 375-425 cases per year.

{Tape: 2; Side: A; Approx. Time Count: 22.6; Comments: Discussion
of other items on the HRC performance base budgeting followed.}

SUBSTITUTE MOTION/VOTE: SEN. CHRISTIAENS moved to eliminate performance based budgeting from the Human Rights Commission.
Motion CARRIED unanimously.

{Tape: 2; Side: A; Approx. Time Count: 32.5;.}

Mr. McCullough .

Discussed the Displaced Homemaker Program.

{Tape: 2; Side: A; Approx. Time Count: 33.5;.}

PUBLIC TESTIMONY: DEPARTMENT OF CORRECTIONS

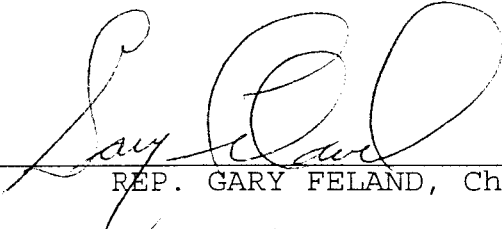
Betty Waddell, Montana Association of Churches

{Tape: 2; Side: A; Approx. Time Count: 36.0; Comments: Testimony:
Proponent of juvenile programs.}

{Tape: 2; Side: B; Approx. Time Count: 3.8-11.8; Comments: Ms.
Waddell continued.}

ADJOURNMENT

Adjournment: 10:23 A.M.



REP. GARY FELAND, Chairman



HOPE SPRIGGS, Secretary

GF/hs

This meeting was recorded on two 90 minute audio-cassette tapes.