

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**SELECT COMMITTEE ON CORRECTIONS**

**Call to Order:** By CHAIRMAN BERGSAGEL, on February 20, 1997, at 3:30 p.m., in Room 325.

**ROLL CALL**

**Members Present:**

Rep. Ernest Bergsagel, Chairman (R)  
Rep. William T. "Red" Menahan, Vice Chairman (D)  
Sen. B.F. "Chris" Christiaens (D)  
Rep. Gary Feland (R)  
Sen. Delwyn Gage (R)  
Rep. Royal C. Johnson (R)  
Rep. Betty Lou Kasten (R)  
Rep. Matt McCann (D)  
Rep. Daniel W. McGee (R)  
Sen. Charles "Chuck" Swysgood (R)  
Rep. Steve Vick (R)  
Rep. Diana E. Wyatt (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Susan Fox, Legislative Services Division  
Mike Wingard, Legislative Audit Division  
Meg Angell, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 83 (2/13/97)  
SB 99 (2/17/97)  
Executive Action: None

**ANNOUNCEMENTS:**

Chairman Bergsagel RE: Rep. McCann will serve as Chairman for today's meeting.

Rep. Royal Johnson RE: Juvenile Justice Subcommittee

{Tape: 1; Side: A; Approx. Time Count: .2.}

**HEARING ON HB 83**

**Opening Statement by Sponsor: REP. ERNEST BERGSAGEL, HD 95**

{Tape: 1; Side: A; Approx. Time Count: 2.1; Comments: Rep. Bergsagel introduced the bill.}

Proponents' Testimony:

RICK DAY, Department of Corrections EXHIBIT 1  
{Tape: 1; Side: A; Approx. Time Count: 3.2.}

GAIL JONES, Powell County EXHIBIT 2  
{Tape: 1; Side: A; Approx. Time Count: 5.8.}

CHRISTOPHER MILLER, Powell County EXHIBITS 3 & 4  
{Tape: 1; Side: A; Approx. Time Count: 8.7.}

MIKE VOELLER, Lee Newspapers EXHIBIT 5  
{Tape: 1; Side: A; Approx. Time Count: 11.0.}

REP. LIZ SMITH, HD 56 EXHIBIT 6  
{Tape: 1; Side: A; Approx. Time Count: 15.1.}

HARRY HELTON, Powell County Chamber of Commerce  
{Tape: 1; Side: A; Approx. Time Count: 18.3.}

JAN BENDER, Powell County Chamber of Commerce  
{Tape: 1; Side: A; Approx. Time Count: 18.6.}

CELE POHLE, Powell County Assessor  
{Tape: 1; Side: A; Approx. Time Count: 19.0.}

LYLE GILLETTE, Deer Lodge City Council and Silver State Post  
{Tape: 1; Side: A; Approx. Time Count: 19.2.}

LEE JEWELL, Powell County Progress  
{Tape: 1; Side: A; Approx. Time Count: 20.3.}

Opponents' Testimony:

BETTY WADDELL, Montana Association of Churches  
{Tape: 1; Side: A; Approx. Time Count: 20.8.}

SHARON HOFF, Montana Catholic Conference EXHIBIT 7  
{Tape: 1; Side: A; Approx. Time Count: 27.9.}

TERRY MINOW, Montana Federation of State Employees EXHIBIT 8  
{Tape: 1; Side: a; Approx. Time Count: 30.1.}

SCOTT CRICHTON, ACLU EXHIBIT 9  
{Tape: 1; Side: A; Approx. Time Count: 34.7.}

Informational Testimony:

CHARLES JONES, Wakenhut Correctional Corporation EXHIBIT 10  
{Tape: 1; Side: B; Approx. Time Count: .2.}

T.W. EDWARDS, Bobby Ross Group  
{Tape: 1; Side: B; Approx. Time Count: 3.7.}

Questions From Committee Members and Responses:

{Tape: 1; Side: B; Approx. Time Count: 8.2; Comments: Now presiding: Vice-Chairman "Red" Menahan.}

Closing by Sponsor: REP. ERNEST BERGSAGEL

{Tape: 1; Side: B; Approx. Time Count: 28.0; Comments: Chairman Bergsagel emphasized this bill is not about "privatization" but is designed to regulate private facilities.}

ANNOUNCEMENT: Rep. Dan McGee RE: Subcommittee meeting, Friday, February 21, 7:00 a.m.; Room 312-2.

BREAK

EXHIBIT 11

{Tape: 1; Side: B; Approx. Time Count: 29.9; Comments: Exhibit 11 presented to secretary during break.}

HEARING ON SB 99

Opening Statement by Sponsor: SEN. FRED THOMAS, SD 31

{Tape: 1; Side: B; Approx. Time Count: 30.5; Comments: Sen. Thomas introduced the bill.}

Proponents' Testimony:

JOHN LARSON, District Court Judge, Missoula  
{Tape: 1; Side: B; Approx. Time Count: 34.5.}

EXHIBITS 12-16

MIKE FERRITER, Department of Corrections  
{Tape: 2; Side: A; Approx. Time Count: 2.4.}

Opponents' Testimony: None

Questions From Committee Members and Responses:

{Tape: 2; Side: A; Approx. Time Count: 4.1.}

Closing by Sponsor: CHAIRMAN BERGSAGEL, on behalf of SEN. THOMAS

{Tape: 2; Side: A; Approx. Time Count: 14.1.}

PRESENTATION: TOBY McADAM, former Montana State Prison Inmate  
{Tape: 2; Side: A; Approx. Time Count: 14.2.}

QUESTIONS FROM COMMITTEE: None

PRESENTATION: MONTANA STATE PRISON CLASSIFICATION SYSTEM AUDIT

MIKE WINGARD, Legislative Audit Division  
{Tape: 2; Side: A; Approx. Time Count: 28.5.}

EXHIBIT 17

QUESTIONS FROM COMMITTEE:

{Tape: 2; Side: B; Approx. Time Count: 0.}

**ADJOURNMENT**

Adjournment: 6:20 p.m.



REP. ERNEST BERGSAGEL, Chairman



MEG ANGELL, Secretary

eb/ma

Minutes recorded on Sony BM 89-T.