

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

SELECT COMMITTEE ON CORRECTIONS
JUVENILE JUSTICE SUBCOMMITTEE

Call to Order: By CHAIRMAN ROYAL JOHNSON, on February 25, 1997,
at 12:07 p.m., in Room 312-2.

ROLL CALL

Members Present:

Rep. Royal C. Johnson, Chairman (R)
Rep. Daniel W. McGee (R)
Rep. Diana E. Wyatt (D)

Members Excused: None

Members Absent: None

Staff Present: Susan Fox, Legislative Services Division
Meg Angell, Committee Secretary

Committee Business Summary:

{Tape: 1; Sides: A & B.}

INTRODUCTION: Chairman R. Johnson; Note the subcommittee will temporarily adjourn at 1:00 p.m. and reconvene at approximately 3:30 p.m. this afternoon. Distribution of Department of Corrections proposed amendments to SB 48. EXHIBIT 1

EXPLANATION OF DOC AMENDMENTS; DISCUSSION AND QUESTIONS FROM COMMITTEE:

RICK DAY, Director, DOC

LOIS ADAMS, Legal Counsel, DOC

Note: Chairman Johnson requested the Committee bypass Amendments 1-4 relative to the bill title for now.

In addition to Committee Members, input was provided by:

HOWARD GIPE, Flathead County Commissioner

DAVE GATES, Juvenile Probation

REP. BRAD MOLNAR, HD 22

SEN. CHRIS CHRISTIAENS, SD 23

REQUEST: CHAIRMAN JOHNSON requested Ms. Adams provide a written opinion from the Department of Justice re: insurance rates and liability issues pertaining to the confiscation of driver's licenses.

REQUEST: CHAIRMAN JOHNSON requested county participants consider funding issues during the break and be prepared to provide input to the Committee during the afternoon session.

TEMPORARY ADJOURNMENT: 1:05 p.m.

RECONVENE: 3:42 p.m.

{Tape: 2; Side: A.}

INTRODUCTION: CHAIRMAN ROYAL JOHNSON

FURTHER EXPLANATION/DISCUSSION OF DOC PROPOSED AMENDMENTS:

RICK DAY, Director, DOC

LOIS ADAMS, Legal Counsel, DOC

MIKE FERRITER, Administrator, Community Corrections Division, DOC

In addition to Committee Members, input was provided by:

JOE CONNELL, Juvenile Probation

DICK MEEKER, Juvenile Probation

REP. BRAD MOLNAR, HD 22

PEGGY BELTRONE, Cascade County Commissioner

HOWARD GIPE, Flathead County Commissioner

JIM SMITH, Montana Association of Group Homes and Services

SEN. CHRIS CHRISTIAENS, SD 23

COMMITTEE ACTION ON DOC AMENDMENTS:

{Tape: 2; Side: B.}

DISCUSSION OF AMENDMENT #5.

MOTION: REP. DIANA WYATT MOVED ADOPTION OF AMENDMENT #5.

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

DISCUSSION.

VOTE: Motion carried unanimously.

{Tape: 2; Side: B; Approx. Time Count: 1.5.}

(NOTE: Following further discussion, REP. McGEE went on record as opposed to adoption of Amendment #5.)

{Tape: 2; Side: B; Approx. Time Count: 10.0.}

DISCUSSION OF AMENDMENT #6.

MOTION: REP. DIANA WYATT MOVED ADOPTION OF AMENDMENT #6.

{Tape: 2; Side: B; Approx. Time Count: 1.7.}

DISCUSSION.

{Tape: 2; Side: B; Approx. Time Count: 2.0; Comments: Discussion continued on Tape 3, Sides A & B.}

DISCUSSION OF FUNDING ISSUES RELATIVE TO DOC AMENDMENT #38:

(Motion on table suspended temporarily to allow for funding issue discussion due to the hour - 5:00 p.m.)

Funding input received from Peggy Beltrone, Howard Giles, Jim Smith and Mike Ferriter. (Mr. Ferriter's explanation of what is not included in the 5.3 million funding: Detention; MYA Placements; Pine Hills placements; Secure Care for Girls (proposed facility); Parole Violators Placements; Transition Center Placements; \$116,000 for the seven Division Programs.)

DISCUSSION OF AMENDMENTS 5 & 6.

MOTION WITHDRAWN: REP. DIANA WYATT WITHDREW THE MOTION TO ADOPT AMENDMENT #6.

{Tape: 3; Side: B; Approx. Time Count: 13.6.}

MOTION/VOTE: REP. DIANA WYATT MOVED AMENDMENTS 5 & 6 BE COMBINED AND ADOPTED BY THE COMMITTEE. Motion failed 1-2 with REP. McGEE and CHAIRMAN JOHNSON voting no.

{Tape: 3; Side: B; Approx. Time Count: 14.2.}

DISCUSSION OF AMENDMENTS 7 & 9.

MOTION: REP. McGEE MOVED THE COMMITTEE COMBINE AMENDMENTS 7 AND 9 AND ADOPT SAME.

{Tape: 3; Side: B; Approx. Time Count: 15.3.}

DISCUSSION.

VOTE: Motion carried unanimously.

{Tape: 3; Side B; Approx. Time Count: 16.3.}

DISCUSSION OF AMENDMENT #8.

MOTION: REP. McGEE MOVED THE COMMITTEE BYPASS AMENDMENT 8. Motion carried unanimously.

{Tape: 3; Side: B; Approx. Time Count: 24.2.}

DISCUSSION OF AMENDMENT #10.

MOTION/VOTE: REP. WYATT MOVED THE COMMITTEE ADOPT AMENDMENT 10. Motion carried unanimously.

{Tape: 3; Side: B; Approx. Time Count: 24.5.}

DISCUSSION OF DRUG OFFENSES.

ACTION ON AMENDMENTS, continued:

{Tape: 4; Side: A.}

DISCUSSION OF AMENDMENT 11.

MOTION/VOTE: REP. McGEE MOVED THE COMMITTEE BYPASS AMENDMENT 11. Motion carried unanimously.

{Tape: 4; Side: A; Approx. Time Count: 9.7.}

DISCUSSION OF AMENDMENTS 12 & 13.

MOTION/VOTE: REP. McGEE MOVED THE COMMITTEE BYPASS AMENDMENTS 12 & 13. Motion carried unanimously.

{Tape: 4; Side: A; Approx. Time Count: 10.1.}

DISCUSSION OF AMENDMENT 14.

MOTION: REP. McGEE MOVED THE COMMITTEE ADOPT AMENDMENT 14.

{Tape: 4; Side: A; Approx. Time Count: 13.0.}

DISCUSSION.

VOTE: Motion carried 2-1 with REP. WYATT voting no.

{Tape: 4; Side: A; Approx. Time Count: 17.0.}

FURTHER DISCUSSION OF FINGERPRINTING STATUTES AND ISSUES.

DISCUSSION OF AMENDMENT 15.

MOTION/VOTE: REP. WYATT MOVED THE COMMITTEE BYPASS AMENDMENT 15.
Motion carried unanimously.

{Tape: 4; Side: A; Approx. Time Count: 20.0.}

FURTHER DISCUSSION OF 44-5-103; AND CONSIDERATION OF PHOTOS AND FINGERPRINTS RECORDS BEING SEALED. DISCUSSION OF 41-5-604, CURRENT LAW RE: SEALING RECORDS.

NEXT MEETING: Tuesday, March 4, 1997 at Noon (tentative).

ADJOURNMENT: 6:10 p.m.

{Tape: 4; Side: A; Approx. Time Count: 31.0.}



Rep. Royal Johnson, Chairman



Meg Angell, Secretary

h:\DATA\WP\JJSUBMIN.225