MINUTES OF THE MEETING OF THE HOUSE COMMITTEE ON STATE ADMINISTRATION
June 22, 1982

The meeting of the House Committee on State Administration was called to order by Chairman Feda at 2:00 p.m., June 22, 1982. All committee members were present except Representative Kropp.

EXECUTIVE SESSION

House Joint Resolution 3 (attached)

REPRESENTATIVE O'CONNELL moved HJR 3 DO PASS. The motion was seconded by Representative Solberg.

REPRESENTATIVE SPILKER made a substitute motion that HJR 3 DO NOT PASS. Representative Hanson seconded the motion.

REPRESENTATIVE SPILKER said the legislature would be intervening in a management function if HJR 3 were to pass. She said the Governor has appointed a select committee to work on this issue, along with other issues, and this issue will be taken care of without the legislature's action.

MR. THOMAS E. SCHNEIDER, Montana Public Employees Association, told committee members that HJR 3 was introduced because it deals with a problem concerning the prison. This special session of the legislature was called to address the prison problems, therefore it was felt the resolution would be in order.

The substitute motion was voted on and PASSED. A roll call vote was taken. Those members of the committee present voting "aye" were: Representatives Feda, Mueller, Solberg, Phillips, Ryan, Smith, Spilker, Briggs, Gould and Hanson. All other members voted "no" except Representative Kropp, who was absent.

REPRESENTATIVE DUSSAULT moved this committee reconsider their action on HJR 3. Representative Gould seconded the motion.

The motion was voted on and PASSED unanimously.

REPRESENTATIVE DUSSAULT moved HJR 3 BE TABLED. Representative Gould seconded the motion.

The motion was voted on and PASSED unanimously.
BOB PYFER, Legislative Council, read the following amendment to HB 10 to committee members:

1. Page 2, line 3.
   Following: "maintain"
   Insert: "or contract with non-profit organizations to establish and maintain"

REPRESENTATIVE GOULD moved the amendment to HB 10 DO PASS. Representative Spilker seconded the motion.

The motion was voted on and PASSED unanimously.

REPRESENTATIVE O'CONNELL moved to further amend HB 10. Representative Pistoria seconded the motion.

The amendments are as follows:

1. Page 2, line 4.
   Following: "centers"
   Strike: "for purposes of preparing inmates"
   Insert: ". Each inmate"

2. Page 2, line 5.
   Following: "who"
   Strike: "are approaching"
   Insert: "is within 6 months of"

   Following: "discharge"
   Insert: "shall be transferred to a prerelease center for purposes of preparing him"

REPRESENTATIVE GOULD moved the amendments DO NOT PASS. Representative Spilker seconded the motion.

The motion was voted on and PASSED with all committee members present voting "aye" except Representatives O'Connell and Pistoria who voted "no".

REPRESENTATIVE GOULD moved HB 10 DO PASS AS AMENDED. Representative Mueller seconded the motion.

The motion was voted on and PASSED with all committee members present voting "aye" except Representatives O'Connell and Pistoria who voted "no".
Representative Kanduch moved HJR 2 DO NOT PASS. Representative Briggs seconded the motion.

Representative DuSault made a substitute motion that HJR 2 BE TABLED. Representative Hanson seconded the motion.

The substitute motion was voted on and PASSED unanimously.

The meeting was adjourned at 3:00 p.m.

JERRY PEDDA, Chairman

Vicki Lofthouse, Secretary
A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE DEPARTMENT OF INSTITUTIONS WITH THE DEPARTMENT OF ADMINISTRATION TO CAREFULLY REVIEW THE EMPLOYMENT CLASSIFICATIONS, POSITIONS, AND GRADES OF CORRECTIONS PERSONNEL AT THE MONTANA STATE PRISON TO ESTABLISH EQUITY AMONG POSITIONS, TO ENHANCE CAREER OPPORTUNITIES, AND TO FURTHER THE RECRUITMENT AND RETENTION OF SUPERIOR PERSONNEL.

WHEREAS, the circumstances at the Montana State Prison must be considered overall in light of the prison's goals and objectives; and
WHEREAS, one of the components of the prison which could be upgraded in a relatively inexpensive manner and which would produce results out of proportion to its cost is insuring the commitment of corrections personnel to the goals and objectives of the prison; and
WHEREAS, motivated correctional personnel are a vital component in prison improvement because such people are in day-to-day contact with prisoners, the prison administration, and the physical plant; and
WHEREAS, the recruitment and retention of superior individuals as correctional personnel cannot help but be cost effective in long-term prison operations and helpful in inmate reformation; and
WHEREAS, inadequate or inequitable situations of pay grades for various corrections positions increase corrections personnel dissatisfaction with employment conditions, thus unduly reducing their commitment to proper job performance; and
WHEREAS, the Department of Administration establishes pay grades for various positions in state government employment based in part on studies and recommendations of the employing department.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the Department of Institutions, with the assistance of the Department of Administration, is urged to carefully review the positions, classifications, and grades of correctional personnel at the Montana State Prison to the end that the pay grades of such positions are equitably established to:
(a) encourage the recruitment, motivation, and retention of personnel; and
(b) establish an orderly career path for corrections personnel by providing for rational grade increases.
1 commensurate with ability and experience.

2 (2) That copies of this resolution be sent to the

3 Director, Department of Institutions, and to the Director,

4 Department of Administration.

-End-
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A BILL FOR AN ACT ENTITLED: "AN ACT TO SPECIFICALLY AUTHORIZE THE DEPARTMENT OF INSTITUTIONS TO ESTABLISH AND MAINTAIN COMMUNITY BASED PRERELEASE CENTERS; AMENDING SECTION 53-1-203, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-1-203, MCA, is amended to read:
"53-1-203. The department shall:
(1) adopt rules for the admission, custody, transfer, and release of residents of institutions except as otherwise provided by law; however, no such rules may amend or alter the statutory powers and duties of the state board of pardons;
(2) subject to the functions of the department of administration, lease or purchase lands for use by institutions and classify those lands to determine which are of such character as to be most profitably used for agricultural purposes, taking into consideration the needs of all institutions for the food products that can be grown or produced on the lands and the relative value of agricultural programs in the treatment or rehabilitation of the persons confined in the institutions;
(3) establish and maintain community based prerelease centers for purposes of preparing inmates of the Montana state prison who are approaching parole eligibility or discharge for release into the community; the centers shall provide a less restrictive environment than the prison while maintaining adequate security; the centers shall be operated in coordination with other department correctional programs, including the supervised release program provided for in Title 46, chapter 23, part 4.

(4) utilize the staff and services of other state agencies and units of the Montana university system, within their respective statutory functions, to carry out its functions under this title;
(5) propose programs to the legislature to meet the projected long-range needs of institutions, including programs and facilities for the diagnosis, treatment, care, and aftercare of persons placed in institutions; and
(6) encourage the establishment of programs at the local level for the prevention and rehabilitation of physical and mental disability."

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval.

-End-
PROPOSED AMENDMENT TO HOUSE BILL 10

1. Page 2, line 3.
   Following: "maintain"
   Insert: "or contract with non-profit organizations to establish and maintain"
1. Page 2, line 4.
   Following: "centers"
   Strike: "for purposes of preparing inmates"
   Insert: "Each inmate"

2. Page 2, line 5.
   Following: "who"
   Strike: "are approaching"
   Insert: "is within 6 months of"

   Following: "discharge"
   Insert: "shall be transferred to a prerelease center for purposes of preparing him"
SPEAKER:

Mr. .................................................................

We, your committee on ...................................................

having had under consideration ..............................................................

HOUSE  Bill No. 10

"A BILL FOR AN ACT ENTITLED: "AN ACT TO SPECIFICALLY AUTHORIZE THE
DEPARTMENT OF INSTITUTIONS TO ESTABLISH AND MAINTAIN COMMUNITY BASED
PRERELEASE CENTERS; AMENDING SECTION 53-1-203, MCA; AND PROVIDING AN
IMMEDIATE EFFECTIVE DATE."

Respectfully report as follows: That ..............................................................

be amended as follows:

1. Page 2, line 3.
   Following: "maintain"
   Insert: "or contract with non-profit organizations to establish and maintain"

DO PASS AS AMENDED

Chairman.
JOINT RESOLUTION

INTRODUCED BY

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE DEPARTMENT OF INSTITUTIONS TO LOCATE A PRERELEASE CENTER IN GREAT FALLS, MONTANA.

WHEREAS, the Legislature has provided the Department of Institutions with funding for the establishment of community-based prerelease centers; and

WHEREAS, the city of Great Falls has held public hearings on the issue of locating a prerelease center in Great Falls, and no opposition was voiced; and

WHEREAS, there are several locations in Great Falls under consideration that would be suitable for the establishment of a prerelease center; and

WHEREAS, the city of Great Falls has established a 21-member board to prepare for the location of a prerelease center in Great Falls and to prepare a proposal for the location of a prerelease center for submission to the Department of Institutions; and

WHEREAS, the city of Great Falls has the educational, training, vocational, and employment opportunities suggested by the American Correctional Association as criteria for the location of prerelease centers.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Department of Institutions is strongly urged to locate one of the prerelease centers authorized by the Legislature in Great Falls, Montana.

-End-