

February 18, 1977

Chairman Brand called the meeting to order at 8:25 a.m., all members were present.

Dick Hargesheimer submitted his summary, see attachment #1.

HJR 65-Rep. Brand, sponsor--Rep. Brand, having turned the Chair over to Vice-Chairman Lien, explained that the resolution was a necessary accompaniment to HB 726 as official notification to outline the rules and scope of the transfer of the prison property.

JIM BLODGET, City of Deer Lodge--A similar resolution was introduced last session, providing support from the Montana legislature to the Congress of the US--which is a necessary step for the state to take in such transfers. This specifically indicates the reasons to transfer the old prison site to the city of Deer Lodge.

LEO BERRY, Commissioner of State Lands--My department supports this. It will clarify the matter in conjunction with HB 726, which is a specific law. HB 494 is a general provision which provides for the disposition of property no longer used for state purposes. We recommend combining the provision of 726 into the joint resolution, rather than passing 726.

MULAR-In your testimony, you stated that 726 should be incorporated into the resolution, could you clarify this? BERRY-HB 726 transfers the prison itself, and the resolution provides the specific conveyance. TURNER-How many years do they need to use the old prison? BRAND-The city only wants it if there's no further usage for the state of Montana.

HB 726-Rep. Brand, sponsor--Two years ago, I introduced the same things, I worked with the Department of State Lands last time. This time, I did not contact them.

JIM BLODGET, City of Deer Lodge--Two things I want understood - that I need action from Congress. It will be taken off the state of Montana land records. Some other places they have abandoned, i.e. the Governor's mansion - were abandoned, and then later appropriations had to be made to keep it going. We want the state to be out of it completely, and the city of Deer Lodge to handle it.

Blodget presented the committee with pamphlets explaining some of the intentions of the city of Deer Lodge, see attachment #2. He stated that Deer Lodge's primary intent is the proper preservation of the prison, not commercial exploitation.

HB 771-Rep. Dussault, sponsor--She stated that this bill is designed to look at one service for the disabled. It is important that three amendments be made also, to provide for adequate transition. They are as follows: (1) delayed effective date-July 1, 1978; (2) the designation of SRS; (3) the cut of service level people to Boulder or Eastmont. She also felt that something should be put in regarding the contracts during the transition period. "The intent is to get the dead wood off the top."

BOB LOHN, Governor's Staff Attorney--At this time the Governor's office is neither for or against the bill.

OPPONENTS

DON JUDGE, AFL-CIO--This bill does more than transfer funds into SRS. The bill provides authority to both departments. It places individuals in institutions. The

only place it would save money is through the abuse of employees. SRS is a merit system agency--will this constitute testing or are we going to be able to continue under the same policy as we have. Our problem with this bill is it's attempt to correct administrative hassles between the two agencies. I do not think that SRS will eat up people from Boulder.

DUSSAULT--There are approximately 60 to 80 persons who are disabled at Warm Springs due to inappropriate admission laws. Title 38 deals with commitment. This bill should not be community services versus the institution. We want to get continuing services to the people. I am getting sick and tired of administrators determining what we will do with the people, rather than professional staff. I really resent the fact that we are trying to get the employees rather than trying to help the clients.

LOHN--The governor designates the funds, and picks which agency they will go to. The federal government has different rules. If the bill said yes, make the transition, we want to make sure we can do it right.

REP. BRAND-Something should be done to help relieve the situation. The judge in Deer Lodge is very upset over the time it takes to deal with this situation.

EXECUTIVE SESSION

HJR 65-BRAND-The city does not want the prison as long as there is a need for it to the state. The community wants it to the state's desire. All this resolution is doing is giving the Congress the authority to grant Deer Lodge the land.

Ryan moved DO PASS, and the motion passed unanimously.

HB 726-Ryan moved to amend lines 17 and 18 by changing "institutions" to the "state of Montana". BRAND-The transfer is also subject to the old prison being no longer needed by the state.

The amendments were carried unanimously. Meyer moved AS AMENDED DO PASS, and the motion carried with Smith and Kropp voting no.

HB 771-BRAND-There are three amendments--effective date, designation of the select committee, and contracts with labor. Turner moved DO NOT PASS, the motion carried 7 - 5, with Kanduch, Brand, Mular, Robbins, and Menahan voting no.

HB 788-Feda moved DO NOT PASS, and the motion carried 10 - 1, with Lien voting no.

MEETING ADJOURNED - 10:15 a.m.


Joe Brand, Chairman


Anita C. Sierke, Secretary