

APPROPRIATIONS SUBCOMMITTEE ON INSTITUTIONS

February 18, 1977 - Room 225

The meeting of the Appropriations Subcommittee on Institutions was called to order at 8:00 a.m. by Chairman Gerke. Other members present were:

Senator Elmer Flynn - Vice-Chairman
Senator Mark Etchart
Representative Harry Hansen
Representative Art Lund
Representative Howard Ellis

Tom Briggs, Legislative Fiscal Analyst, was present. Also Representative Brdanouve.

The subjects of the meeting were BOARD OF VISITORS, BOARD OF PARDONS AND MENTAL HEALTH ADVISORY COUNCIL. See visitor's list attached.

BOARD OF VISITORS

Tom Briggs distributed a summary sheet on the Board of Visitors. It showed FY-76 appropriated, FY-77 appropriated, agency request for the next biennium and LFA and executive recommendations.

He said this board is under the Governor's Office for administrative purposes. LFA has recommended that a part time secretary be added, making a total of 1.5 FTE's. \$1,000 in FY-78 has been recommended for purchase of office equipment for this secretarial position. The board occupies a wing of the Power Block and since the SRS staff moved to their new building, they cannot benefit from combination of staff.

Tom Boland, attorney working for the Board of Visitors, said they requested \$51,740 total budget for FY-78 and \$50,852 for 79. The executive recommendation was \$33,000 each year. The LFA recommendation was \$41,412 and \$40,626. The basic differences are the number of visits of the board to the major institutions.

They feel the work of this board, two years old, has barely gotten started. They made one visit to Boulder and two to Warm Springs last year. There was a psychiatrist on the board at the beginning, but after he resigned, the board decided to hire outside psychiatrists to attend the visits to the institutions with the board. They are paid \$100 a day from contracted services of their budget.

Tom Boland explained to the committee the notification procedures of the board upon irregularities found during their visits. It was felt by the committee that more direct contact between the board and the supervision of the institutions is needed. There should be more cooperation between the two to obtain better care and treatment for patients.

There was a discussion of the Board of Visitor's annual report and a legislator's request for a copy.

Dr. Jack Stimpfling, member of the Board of Visitors, spoke to the committee about their notification procedures and also about the annual report.

Tom Boland said that SB 413 of this legislative session provides that the full-time patient attorney currently a legal services employee under contract with the Department of Institutions shall be placed under the Board of Visitors and paid through the board. If this bill is passed in its present form, some adjustment will have to be made in their budget, as his whole operation is not now included.

Speaking for himself, Mr. Boland feels one attorney connected with the board is sufficient, not two.

Also in SB 413 is an amendment that would state that the Board of Visitors has direct discussion with the supervision at the institutions at the conclusion of a visit.

BOARD OF PARDONS

Curt Chisholm, assistant to the director of the Department of Institutions, said they concur and support the budget request of the Board of Pardons.

The agency request was for 3.25 FTE's. LFA is recommending 2.25 FTE's. The difference is an hearings officer, who was originally from the Adult Parole and Probation program. LFA takes the position that this is an expansion of services, and that the executive secretary could fulfill these duties of the hearings officer.

Hank Burgess, chairman of the Board of Pardons, said that the executive recommendation included the hearings officer. The workload is such that this position is absolutely necessary. Because of this heavy workload, the executive secretary has been foregoing some of his duties and assisting this officer with the hearings, interviews and investigations necessary for inmates of the prison.

It was explained that an inmate is eligible for a hearing after 1/4 of his term is fulfilled less good time. This along with inmates at other locations or out-of-state inmates, causes a great deal of traveling. They presently have a backlog of 40. The board itself meets twice a month.

Doug Booker of Office of Budget and Program Planning said they feel this position of hearings officer should be allowed. This position is being paid out of contracted services under the board right now.

Karen Wilson said this is a new position for the board that was approved in the interim, and has been filled every since.

Jack Lynch, executive secretary of the board, said the duties of the hearings examiner are totally with the inmates. With his assistance, they conducted over 600 hearings last year. It is mandatory that they have both positions.

It is Tom Briggs' feeling that if this position is filled for the board, then there should be savings in Adult Parole and Probation who used to do this work until they were moved under Corrections Division.

Curt Chisholm disagreed and said that the position under the board and the position under Adult Parole and Probation were both needed.

Mr. Burgess said that this officer is able to travel to inmates not in Deer Lodge for handling of matters which is a savings against the cost of bringing inmates to Deer Lodge.

Mr. Burgess said that the travel amount would need to be increased accordingly if this position is allowed.

MENTAL HEALTH ADVISORY COUNCIL

Tom Briggs said this is another agency under the Governor's office for administration purposes. It was created under the 43rd legislature to study mental health problems now and in the future. LFA feels that expansion is not necessary as they are not a permanent council.

Nancy Lien, staff member of the advisory council, said that the council is required under federal requirements to add three members. This would add \$2700 for the biennium.

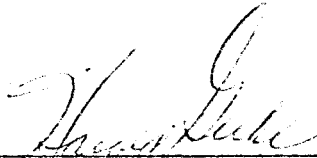
The council also feels 9 meetings per year are necessary to accomplish the mandates of the legislature, adding \$4200 for the biennium.

The Mental Health Advisory Council has been using a secretary paid by the Developmental Disabilities Advisory Council. They are requesting that .5 FTE be added for \$9520 for the biennium to split the salary of this secretary.

The position of Planner I has been a 20/80 split with DD Advisory Council. They would like to divide that equally for \$9250 for the biennium.

Joyce DeCunzo, executive director of the council, said their advisory council was created for five years which would take them through the next biennium.

Hearing closed at 10:00 a.m.



Harold Gerke, Chairman