

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.

House Bill 10 (attached)

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. Representa-
tive 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"

3. Page 2, line 6.
Following: "discharge"
Insert: "shall be transferred to a prerelease
center for purposes of preparing him"

REPRESENTATIVE GOULD moved the amendments DO NOT PASS. Representa-
tive 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. Representa-
tive 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".


House Joint Resolution 2 (attached)

REPRESENTATIVE KANDUCH moved HJR 2 DO NOT PASS. Representative Briggs seconded the motion.

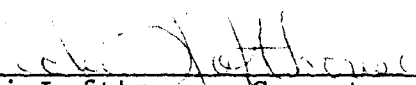
REPRESENTATIVE DUSSAULT made a substitute motion that HJR 2 BE TABLED. Representative Hanson seconded the motion.

The substitute motion was voted on and PASSED unanimously.

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



JERRY FEDAK, Chairman



Vicki Lofthouse, Secretary

House JOINT RESOLUTION NO. 3
 INTRODUCED BY *Dudgin to Senate*
Dynch *Senators* *Strach*

Special Session

1 individuals as correctional personnel cannot help but be
 2 cost effective in long-term prison operations and helpful in
 3 inmate reformation; and
 4 WHEREAS, inadequate or inequitable situations of pay
 5 grades for various corrections positions increase
 6 corrections personnel dissatisfaction with employment
 7 conditions, thus unduly reducing their commitment to proper
 8 job performance; and
 9 WHEREAS, the Department of Administration establishes
 10 pay grades for various positions in state government
 11 employment based in part on studies and recommendations of
 12 the employing department.

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

15 (1) That the Department of Institutions, with the
 16 assistance of the Department of Administration, is urged to
 17 carefully review the positions, classifications, and grades
 18 of correctional personnel at the Montana State Prison to the
 19 end that the pay grades of such positions are equitably
 20 established to:

21 (a) encourage the recruitment, motivation, and
 22 retention of personnel; and

23 (b) establish an orderly career path for corrections
 24 personnel by providing for rational grade increases

1 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 2 REPRESENTATIVES OF THE STATE OF MONTANA URGING THE
 3 DEPARTMENT OF INSTITUTIONS WITH THE DEPARTMENT OF
 4 ADMINISTRATION TO CAREFULLY REVIEW THE EMPLOYMENT
 5 CLASSIFICATIONS, POSITIONS, AND GRADES OF CORRECTIONS
 6 PERSONNEL AT THE MONTANA STATE PRISON TO ESTABLISH EQUITY
 7 AMONG POSITIONS, TO ENHANCE CAREER OPPORTUNITIES, AND TO
 8 FURTHER THE RECRUITMENT AND RETENTION OF SUPERIOR PERSONNEL.

9 WHEREAS, the circumstances at the Montana State Prison
 10 must be considered overall in light of the prison's goals
 11 and objectives; and

12 WHEREAS, one of the components of the prison which
 13 could be upgraded in a relatively inexpensive manner and
 14 which would produce results out of proportion to its cost is
 15 insuring the commitment of corrections personnel to the
 16 goals and objectives of the prison; and

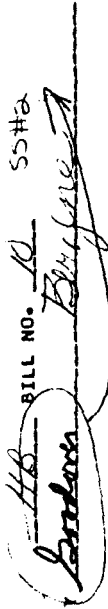
17 WHEREAS, motivated correctional personnel are a vital
 18 component in prison improvement because such people are in
 19 day-to-day contact with prisoners, the prison
 20 administration, and the physical plant; and

21 WHEREAS, the recruitment and retention of superior

- 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-

	Date: 6/22 No: HJR 3	Date: No:	Date: No:	Date: No:	Date: No:	Date: No:
	DO NOT PASS					
FEDA, Jerry	AYE					
MUELLER, Glenn	AYE					
KROPP, Paul	ABSENT					
SOLBERG, Chester	AYE					
PHILLIPS, John	AYE					
RYAN, John	AYE					
SMITH, Carl	AYE					
SPILKER, Bobby	AYE					
BRIGGS, Harold	AYE					
GOULD, Bud	AYE					
HANSON, Ben	AYE					
HOLLIDAY, Gay	NO					
KANDUCH, Joe	NO					
KENNERLY, Roland	NO					
MCBRIDE, Kathleen	NO					
O'CONNELL, Helen	NO					
PISTORIA, Paul	NO					



 HB BILL NO. 10 SS#2

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

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 7 Section 1. Section 53-1-203, MCA, is amended to read:
 8 "53-1-203. Powers and duties of department. The
 9 department shall:

10 (1) adopt rules for the admission, custody, transfer,
 11 and release of residents of institutions except as otherwise
 12 provided by law; however, no such rules may amend or alter
 13 the statutory powers and duties of the state board of
 14 pardons;

15 (2) subject to the functions of the department of
 16 administration, lease or purchase lands for use by
 17 institutions and classify those lands to determine which are
 18 of such character as to be most profitably used for
 19 agricultural purposes, taking into consideration the needs
 20 of all institutions for the food products that can be grown
 21 or produced on the lands and the relative value of

1 agricultural programs in the treatment or rehabilitation of
 2 the persons confined in the institutions;
 3 (3) establish and maintain community based prerelease
 4 centers for purposes of preparing inmates of the Montana
 5 state prison who are approaching parole eligibility or
 6 discharge for release into the community; the centers shall
 7 provide a less restrictive environment than the prison while
 8 maintaining adequate security; the centers shall be operated
 9 in coordination with other department correctional programs
 10 including the supervised release program provided for in
 11 Title 46, Chapter 23a, part 1a

12 (4) utilize the staff and services of other state
 13 agencies and units of the Montana university system, within
 14 their respective statutory functions, to carry out its
 15 functions under this title;

16 (4) propose programs to the legislature to meet the
 17 projected long-range needs of institutions, including
 18 programs and facilities for the diagnosis, treatment, care,
 19 and aftercare of persons placed in institutions; and
 20 (5) encourage the establishment of programs at the
 21 local level for the prevention and rehabilitation of
 22 physical and mental disability."

23 NEW SECTION. Section 2. Effective date. This act is
 24 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"

PROPOSED AMENDMENTS TO HB 10

Do Not Print 0

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

STANDING COMMITTEE REPORT

June 21, 19 82

MR. **SPEAKER:**

We, your committee on **STATE ADMINISTRATION**

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 **HOUSE** Bill No. **10**

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

HOUSE JOINT RESOLUTION NO. ~~20~~ 2
 INTRODUCED BY *Rep. DeLoe*


1 location of prerelease centers.
 2 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 3 OF REPRESENTATIVES OF THE STATE OF MONTANA:
 4 That the Department of Institutions is strongly urged
 5 to locate one of the prerelease centers authorized by the
 6 Legislature in Great Falls, Montana.

-End-

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

5 WHEREAS, the Legislature has provided the Department of
 6 Institutions with funding for the establishment of
 7 community-based prerelease centers; and
 8 WHEREAS, the city of Great Falls has held public
 9 hearings on the issue of locating a prerelease center in
 10 Great Falls, and no opposition was voiced; and
 11 WHEREAS, there are several locations in Great Falls
 12 under consideration that would be suitable for the
 13 establishment of a prerelease center; and

14 WHEREAS, the city of Great Falls has established a
 15 21-member board to prepare for the location of a prerelease
 16 center in Great falls and to prepare a proposal for the
 17 location of a prerelease center for submission to the
 18 Department of Institutions; and

19 WHEREAS, the city of Great Falls has the educational,
 20 training, vocational, and employment opportunities suggested
 21 by the American Correctional Association as criteria for the