

House Appropriations Committee
Second Special Session of
The 47th Legislature
June 26, 1982

The meeting of the House Appropriations Committee was called to order at 2:30 p.m. on June 26, 1982, with Vice Chairman Jack Moore presiding. The purpose of the meeting was to hold a hearing on HB 20.

REPRESENTATIVE KEEDY, sponsor of HB 20, introduced the bill to the committee and presented each member with a copy of the statement of intent. A copy is attached and is EXHIBIT 1 of these minutes. House Bill 20 is an act to amend HB 500, laws of 1981, as amended by HB 2, laws of 1981, first special session, to increase the appropriation to the Department of Institutions for the purposes of adding staff and providing facilities for the inmate treatment programs conducted at the Montana State Prison. Representative Keedy said that one thing that has been a threat to the population of the inmates at the prison is the high percentage of inmates who suffer from alcohol and drug abuse. About 80% of the inmates suffer from these problems at some time. The staff to deal with these problems is inadequate. The problems are not dealt with while they are in prison and they have the same problems after they are released. The statistics on recidivism are startling. They would be enough to convince anyone that the crimes that are being committed are not only being committed time and time again but are being committed by the same people. Representative Keedy referred to the charts in the "briefing paper" when discussing the statistics on inmates who will be eligible for parole within 12 months. Out of 142 inmates 86% have severe problems with alcohol and 50% have problems with drug abuse. These problems will have to be dealt with before they can function normally in society. It would be irresponsible for us not to act on this matter, given the data that are already available to us. I have already stated my criticism about the lack of responsibility of the Department of Institutions in their lack of emphasis in these areas in favor of building programs and more security.

Representative Moore asked Rep. Keedy if he had checked out the information given to him yesterday regarding adding three chemical counselors over at the prison.

Representative Keedy said that he did talk with the prison people and Mr. South and they admitted that they would like to have those people but there would be some practical problems because of the limited facilities.

HB 20 Cont.:

REPRESENTATIVE TONY BERGENE, arose in support of HB 20. She said she has worked with the League of Women Voters for many years and one of their main concerns is the institutions in Montana. She stated that the need for mental health staff is critical and must be addressed by the legislature.

QUESTIONS BY THE COMMITTEE:

Thoft: How can these people remain addicted to these drugs after such a long time in prison?

Keedy: There is every opportunity to get these drugs in the prison. There is a large amount of trafficking going on within the prison today. Department figures show that 9 out of 10 inmates will need close attention concerning these problems before they are released.

Sales: Does that figure hold true to the inmates at the pre-release centers?

Bengtson: Yes, those people are required to attend counseling while they are at the center.

Hurwitz: Then won't most of the parolee's go through the centers and have treatment there?

Keedy: Not all of the inmates go to the centers. Some of them serve their terms and then are released.

Moore: I suggest that someone makes an amendment that would add three more counselors to the prison staff. One of these counselors should be a member of the pre-release center.

Winslow: This bill seems to be mixing therapeutic health problems with mental health problems. We may be putting the cart before the horse. These people have to desire the treatment before a counselor can work with them.

Keedy: I would welcome an amendment if you think it would add merit to the bill.

Hemstad: In testimony we previously heard, the pre-release centers did not need nor want additional counseling staff. These people are already involved with some kind of counseling. Also, we know that this is a need at the prison, but if they don't have the space

HB 20 Cont:

I don't see how we can address this issue at this time.

Moore: This would be a good concept to consider next session.

Lory: Could you reduce the number of staff being requested and just ask for the most important positions at this time?

Keedy: Yes, we could do that. The most important need would be the full-time counselors at grade 12. If you want to make cuts somewhere I guess the addictive disease counselors could be cut since I somewhat agree with representative Winslow's comment that social workers and psychologists are a more important need at this time.

Ernst: My constituents would not agree with this bill so I cannot vote for it.

Waldron: It is unfortunate that we do not know what goes on inside the prison. Drugs and alcohol are just as available on the inside as they are on the outside. We don't do anything about this problem except try to stop contraband. We can't stop this trafficking but we can try to address the problem with a better treatment program within the prison.

Bengtson: Why does this contraband continue to flow freely in the prison?

Bardanoue: There are so many open spaces at the prison such as the ranch and the dairy. I could probably smuggle a truck in there. The visiting is so liberal too. The warden said that at this point if he tried to tighten up the system he could have a riot on his hands.

EXECUTIVE SESSION:

Representative Stobie made a motion that HB 20 DO NOT PASS.

Representative Lory made a substitute motion to amend the bill by reducing the number of staff members requested. A copy of the amendment is attached and is EXHIBIT 2 of these minutes.

A vote was taken on the motion to amend HB 20 as stated on EXHIBIT 2. The motion carried with 9 members voting

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yes and 6 voting no.

Representative Waldron made a motion that the committee make an amendment to change the appropriation language to accurately reflect the three counselors that we have amended into the bill. The fiscal analyst staff can work out the correct language for the amendment.

Conroy: I think we are wasting our time trying to amend this bill when it has already been indicated that the Senate is not going to accept this bill.

Representative Stobie said that the committee should table the bill and let the task force (HB 11) look into the problem.

Hemstad: I don't care what the Senate does with the bill after we have it but I am going to vote in favor of the bill and I suggest that we move on with the motion on the floor.

A vote was taken on Representative Lory's motion to amend HB 20. The motion carried with 9 voting yes and 6 voting no. See roll call vote sheet.


Representative Shontz made a motion that HB 20 DO NOT PASS AS AMENDED.

A roll call vote was taken and the motion carried with 8 members voting yes and 6 members voting no. HOUSE BILL 20 DO NOT PASS AS AMENDED. See roll call vote sheet.

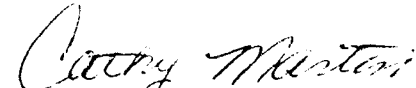
Representative Thoft moved that the committee recommend that this bill be referred to the fact finding committee.

A motion was made to adjourn at 3:40 p.m.

Respectfully submitted,



REP. JACK K. MOORE, VICE CHAIRMAN



Cathy Martin/Secretary

STATEMENT OF INTENT

LC 32 (2nd SS)

 Committee

A statement of intent is included with this bill to express the Legislature's intention on the use of additional funds appropriated to the Department of Institutions for inmate treatment programs conducted at the Montana State Prison.

The Legislature contemplates that the funds will be used to expand the number of staff members involved in the treatment programs to include the following:

- ✓ (1) 4 full-time counselors at Grade 12 on the state pay plan for fiscal year 1983;
- (2) 4 full-time addictive disease counselors at Grade 14;
- (3) 2 full-time psychologists at Grade 16; and
- (4) 1 full-time counselor at Grade 16 with expertise in the treatment of sexual offenders.

In addition, the funds should be used to provide office space, furniture, and other supplies for the additional personnel.

The Legislature also intends that participation in the treatment programs be voluntary.

AMENDMENTS TO HOUSE BILL 20
PROPOSED BY REP. LORY
6/26/82

EXHIBIT 2

1. Page 1, line 23.
Following: "including"
Strike: "four"
Insert: "two"
Following: "counselors"
Strike: ", four addictive"

2. Page 1, line 24.
Following: line 23
Strike: "disease counselors, two psychologists,"