

MINUTES OF THE MEETING  
FINANCE AND CLAIMS COMMITTEE  
MONTANA STATE SENATE

SPECIAL SESSION II

June 26, 1982

The fourth meeting of the Special Session II Finance and Claims Committee meeting was held at 9:05 a.m. in Room 108 on the above date with Senator Hims1 as Chairman. Roll Call is attached.

Senator Hims1 said the reason for the meeting was to hear House Bill 8 and we apparently cannot find the honorable Representative Menahan. He said he did not feel it was necessary since the bill had a hearing, but if anyone present had any further information or new information or had not had the opportunity to testify they should come forward and do so. With no proponents, no opponents present, Senator Hims1 went through the bill with the committee asking if there were any questions.

Chairman Hims1 said the bill was asking \$205,000 in equipment and expenses for the kitchen for the Department of Institutions, and testimony indicated they do have problems. Upgrading of the water system is a problem and I talked to the fellow in charge of the water system. I had assumed this bill was prepared on expansion but the man in charge said they did not have adequate back up and the back up was from the Tin Cup reservoir. The water is also used for irrigation and it could be if the conditions were right that they could have some serious problems at the prison. They could use a back up system, but it would take \$400,000 or so to do it.

Senator Boylan: Is that the reason they need the water? Is it an expanding building program or increase in jobs or do they really require more water?

Bill Thompson, maintenance service manager at the prison, said they have a storage capacity of 208,000 gallon at the prison. One source is the pump that is deteriorating and which pumps 300 gallon per minute. We have usage of 250 thousand gallon per day. The back up is contaminated and wanted for the city of Deer Lodge. We are under orders of the state board of health not to use it. The present day needs is what the bill is for. Nothing to do with expansion, it services the daily need and we need a back up plan.

Senator Smith: I understand there have been a lot of test wells drilled in the area. Thompson: Yes. 11 test wells last time before we got a producing well.

Senator Smith: If we do go ahead with that, it could be meshed with any future expansion?

Thompson: We have a central system and any new one would be tied to the central system. The plan is not to go up as before, but down toward Deer Lodge and pump water back up.

Senator Story? How much or what does this entail?

Thompson: The pipe, the pumping station and the 4" line that comes from the well to the central system, about \$400,000.

Senator Smith: Do you plan on tying into the Deer Lodge system? Thompson: No. We would go to the extreme limit of our land.

Senator Story: What is contaminating Deer Lodge water?

Thompson: The reservoir.

Senator Aklestad: Is our water the same as Deer Lodge now?

Thompson: No, we have a well and are on our own system.

Senator Aklestad: We can tie into Tin Cup water system and it is the source we are under order not to use? Deer Lodge uses it? Do they have a plant to purify it? Thompson: They use part of each and mix the water. We are looking for protection if trouble arises or if the water table keeps dropping.

Senator Aklestad: You have a fluctuation of water now? Down, why?

Thompson: We were pumping 585 gallon per minute, now we are down to 300. We are getting it by installing all new holes and shafting, etc.

Senator Aklestad: They always go down and down and then stabilize.

Thompson: We started at 585 gallon. It is progressively down to 300 now, and that has been over a period of 7 years approximately.

Senator Aklestad: The water is good where you are pumping now?

Thompson: Yes. Aklestad: Why not another well in the area then?

Thompson: The well is about 50 feet from the creek and is using creek water actually.

Senator Himsl: How deep? Thompson: 168 ft.

Senator Himsl: It would have no relation with the creek then.

Thompson: Yes, the casing is perforated.

Senator Himsl: You are really pumping out of the creek then. How do you get by free of contamination there. Just filtering out of the soil? Thompson: Yes.

Senator Aklestad: Assuming you are to hit water at the new site, if you don't hit water, you won't need the whole appropriation. If not, you don't need it, then how much would you need for the drilling of the well? Thompson: I can't tell you that answer.

Senator Himsl: They drill by the foot, I guess.

Senator Aklestad: We appropriate this money and they don't hit water, then what?

Senator Himsl: The assumption is they will drill until they hit it.

Senator Boylan: There is a good source of artesian water at the prison.

Thompson: This area was explored in 1976. That particular well is unknown to me. Montana Power hit it in looking for gas. The area is 8 to 10 miles from the prison. It is capped.

Senator Boylan: With plastic pipe, etc., 15" pipe can be had for \$5 a foot this spring.

Senator Story: Is the \$400,000 figure just thrown out or is there a breakdown for it?

Senator Himsl: I think this is to get water. I don't think that they know how much is in the drilling of this. Is this a ball park figure? Thompson: There is a reasonable breakdown. There are some figures from A & E on consensus of studying the water table in Deer Lodge Valley. Morrison & Maierle in Helena have a lot of information. We will be going to the extreme east end of the property and drill a well there.

Judy Rippingale, Director, LFA, said this money is under the Long Range Building laws. You can move money in LRB through a budget amendment.

Senator Himsl: If there was a balance, they could only transfer through a budget amendment.

Senator Smith: The way it sounds, the source of water supply is the creek. Have you explored the possibility of a treatment plant and a reservoir and then you could be assured of plenty of water?

Thompson: 75 miners inches on the creek belong to the city of Deer Lodge, the next 25 belongs to the prison for irrigation, then the next 250 miners inches to the city of Deer Lodge.

Senator Smith: Have you signed for a water permit for the well you want to drill? I suppose you can't go ahead without knowing if you could get the money.

Senator Boylan: 10 miles at \$5 a foot would be \$65,000. If you did that, there would be no maintenance from the artesian well.

Senator Smith: You would have to test the water.

Senator Thomas: I concur with the figures but you have to add digging of the ditch and the actual piping to a reservoir. This is a rolling foot-hill area. I have never seen the artesian well in operation and I was there when Montana Power went through there. The thing that makes me really skeptical is why didn't the ranch manager have it tested for irrigation at the prison? If it was there, he could have irrigated a lot of the ranch with it.

Senator Himsl: Would someone move the bill?

DISPOSITION OF HOUSE BILL 8: Motion by Senator Smith that House Bill 8 be concurred in. Voted, passed, Senator Smith to carry the bill.

Senator Himsl: This is all the bills we have in committee at the present time.

Senator Van Valkenburg: I want to offer an amendment to H.B.8 that deals with the expansion of maximum security houses. There may be some people here who have some questions as to the need for that housing. If anyone has any questions, we might take a few minutes to discuss it with the LFA staff or the warden or whatever. I think there is a general agreement as to the need for this.

Senator Smith: I have been over there on a couple of occasions. It is going to be almost impossible to vote on an appropriation to correct a problem that I don't know how to correct until we get more information. We did that once. We fouled up with it bad in building the prison. In '71 I voted against it. We did not have enough information. It was voted in '73. I don't think this time we have enough facts to assure us and the taxpayers it is necessary and right.

Senator VanValkenburg: I think the Senate Finance and Claims has worked well in trying to base our decisions on factual information. We have an extremely good staff here.

Senator Himsel: I agree. The realistic question of timing and the difficulty in getting good figures is one of the problems we face coming in this short time. I am not sure how much relief the centers will give the operators over there so that they might be able to make one or two of these units a maximum security. I think we are signed up with this conclusion you are trying to reach; but there is not enough information now. Originally, I said we did not have enough information and I voted "no". At that time, the cost was \$4 million. I think you have to forgive some of us for not jumping aboard now. We probably will do it in six months, but not now.

Senator Haffey: I would like to ask the LFA if anywhere in the green book -- I don't see anything that even leads to a dollar conclusion or leads to a conclusion in terms of a long term program.

Rippingale: We did not give you the answer or what to do with it. We gave you information on the problem to consider. On page 12, when we looked at the present situation, this information is obtained from the prison. We stuck with the same date throughout, otherwise it would change.

656 beds for housing. That is housing on everything you will have available July 1. That would be putting everyone in Alpha House, Missoula Life Skill Center and the dairy barn. Then a look at the number of prisoners and try to compare housing custody level and prison custody level, if not double bunked, they would be short in maximum and medium and a little short in minimum. There is a more significant problem in maximum and medium. You are very tight. Those figures were based on the population as it exists now. The next question: On table 10, page 13 you have the proposal for single bunking. After the new 120 man close unit and two pre-release centers that would give you 826 beds and leave you about 100 beds short by '85. If you have any inclination to think their estimates can materialize you don't have enough beds for maximum or medium, even if you build a 120-bed unit. If you make the decision now to do something, you would have a jump on about 9 months over waiting until the regular session. There are many more options if the problems were only in minimum, but a serious question as to whether you can do it in maximum or medium.

Senator Aklestad: All your figures in table 9 and 10 are single bunking? Your first column?

Rippingale: It was the top half of table 9 without double bunking and the bottom portion of table 9 is at maximum capacity.

Senator Haffey: I would like to ask the warden a question. What is the optimum sizing of additional close units? If the need is a lot greater than 120 beds under the long term, is there something special about adding units in the 100-bed range? Is there something wrong with adding larger units?

Risley: The figures in the neighborhood of 100 has been common lately because of the number of people. That many more are involved in any disturbance. It makes more problems for the prison.

Senator Haffey: If deficiency was perceived in 4 or 500? The Don Huddo's might come up with one unit that was larger.

Senator Story: My reflection from last Saturday, again depending on this classification that there was upwards of 100 people that would have been eligible from Close 1 and 2 to go down to units A, B and C, which if that bedding was available would have taken a lot of pressure off maximum.

Rippingale: We asked for the individual cost in the housing classification. We asked that they give us the classification of the house the prisoner is in. We are hopeful that we got the accurate information on the prisoner in the House that he might be sitting in.

Senator Aklestad: I would like to make a statement. 24 double bunks in maximum and close 1. If you double bunk the potential is more. If more than 24 we may have 24 double bunks. If we have 35 in maximum then we have a potential for 52. That leaves a latitude of 10 for people in there to use for maximum. That would bring it down to 14 double bunks if they wanted to put them in there.

Senator Story: This is based on projected increase?

Rippingale: The table on page 12. The population on June 10 with no increases for future at all. Senator Aklestad to answer your question. Table 7, page 10 there is a table there that shows you the 656 beds in the system if not double bunked. It takes you to a briefing paper and that is shown then at 100% double bunking or maximum is shown in column 3. Table 8 on the next page shows the housing units and what the capacity at double and single bunked. It goes from single to double to total of double bunked.

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Senator Himsl: Table 9 shows the present capacity without double and the lower portion shows if a maximum double bunking. The different figures is double bunking every place. I realize they can't do this but it would be 124 spots. Table 10 shows certain places you can't double bunk. Like maximum security.

Rep. Nelson: How large for double bunking?

Warden Risley: They will vary from 54 square feet minimum to 77 square feet maximum.

Senator Himsl: In some of the sections in A,B & C there are cells that could be double bunked by putting through the classification system some that could go in there.

Senator Story: The second problem, what about toilets? Would it be a common privy?

Senator Himsl: I am sure they could share.

Senator Himsl declared the hearing closed and the meeting was adjourned subject to the call of the chair.

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Senator Himsl, Chairman