

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**SELECT COMMITTEE ON CORRECTIONS**

**Call to Order:** By CHAIRMAN BERGSAGEL, on January 17, 1997, at  
3:07 p.m., in Room 325.

**ROLL CALL**

**Members Present:**

Rep. Ernest Bergsagel, Chairman (R)  
Rep. William T. "Red" Menahan, Vice Chairman (D)  
Rep. Gary Feland (R)  
Rep. Royal C. Johnson (R)  
Rep. Betty Lou Kasten (R)  
Rep. Matt McCann (D)  
Rep. Daniel W. McGee (R)  
Rep. Steve Vick (R)  
Rep. Diana E. Wyatt (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Susan Fox, Legislative Services Division  
Mike Wingard, Legislative Audit Division  
Skip Culver, Legislative Fiscal Division  
Meg Angell, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 138 (1/7/97);  
HB 113 (1/7/97)  
Executive Action: None

**HEARING ON HB 138**

**Sponsor:** REP. ROYAL JOHNSON

*{Tape: 1; Side: A; Approx. Time Count: 1.2; Comments: Rep. R.  
Johnson introduced the bill.}*

**Proponents:**

**LOIS ADAMS**, Legal Counsel, Department of Corrections **EXHIBIT 1**

**EXHIBIT 2**

*{Tape: 1; Side: A; Approx. Time Count: 3.0; Comments: None.}*

**MARY FAY**, Probation and Parole Bureau Chief, Department of Corrections  
{Tape: 1; Side: A; Approx. Time Count: 9.1; Comments: None.}

**DAVID GATES**, Juvenile Probation Officers' Association  
{Tape: 1; Side: A; Approx. Time Count: 12.0; Comments: None.}

**CHAIRMAN ERNEST BERGSAGEL**  
{Tape: 1; Side: A; Approx. Time Count: 14.6; Comments: Chairman Bergsagel questioned Mr. Gates.}

**DAVID GATES**, continued  
{Tape: 1; Side: A; Approx. Time Count: 15.3; Comments: None.}

**DENNIS TAYLOR**, Department of Justice **EXHIBIT 3**  
{Tape: 1; Side: A; Approx. Time Count: 20.6; Comments: None.}

Opponents: None

Informational Testimony:

**JOHN LARSON**, District Judge, 4th Judicial District  
{Tape: 1; Side: A; Approx. Time Count: 24.0; Comments: None.}

{Tape: 1; Side: A; Approx. Time Count: 26.8; Comments: Judge Larson questioned Ms. Adams.}

**JOHN LARSON**, continued  
{Tape: 1; Side: A; Approx. Time Count: 27.5; Comments: None.}

**DWAIN LAVINDER**, Harlem Public School Administrator  
{Tape: 1; Side: B; Approx. Time Count: 6.2; Comments: None.}

**MIKE MIKOTA**, Harlem Public School Administrator  
{Tape: 1; Side: B; Approx. Time Count: 11.8; Comments: None.}

Questions From Committee Members and Responses:

**CHAIRMAN ERNEST BERGSAGEL**  
{Tape: 1; Side: B; Approx. Time Count: 18.1; Comments: Chairman Bergsagel questioned Mr. Mikota and requested written input for the Committee re: suggestions as to what the State can do to assist public schools re: juvenile offenders.}

**KATE STETZNER**, School Principal  
{Tape: 1; Side: B; Approx. Time Count: 26.4; Comments: General comment re: problems in public schools related to juvenile offenders, treatment suggestions.}

**REP. MATT MCCANN**  
{Tape: 1; Side: B; Approx. Time Count: 28.9; Comments: Rep. McCann questioned Judge Larson.}

**REP. DIANA WYATT**

{Tape: 2; Side: A; Approx. Time Count: 3.4; Comments: Rep. Wyatt questioned Mr. Robert Runkel, OPI.}

**CHAIRMAN ERNEST BERGSAGEL**

{Tape: 2; Side: A; Approx. Time Count: 6.4; Comments: Chairman Bergsagel questioned Mr. Runkel.}

**Closing by Sponsor: REP. ROYAL JOHNSON**

{Tape: 2; Side: A; Approx. Time Count: 7.5; Comments: None.}

**BREAK**

**HEARING ON HB 113**

**Sponsor: REP. LINDA McCULLOCH**

**EXHIBIT 4**

{Tape: 2; Side: A; Approx. Time Count: 12.3; Comments: Rep. McCulloch introduced the bill.}

**Proponents:**

**CANDY WIMMER**, Montana Board of Crime Control

{Tape: 2; Side: A; Approx. Time Count: 27.6; Comments: None.}

**JANIE McCALL**, Juvenile Justice/Mental Health Study Commission

{Tape: 2; Side: B; Approx. Time Count: 2/5; Comments: None.}

**JOHN LARSON**, District Court Judge, 4th Judicial District

{Tape: 2; Side: B; Approx. Time Count: 11.4; Comments: None.}

**ANDREA MERRILL**, Mental Health Association of Montana

**EXHIBIT 5**

{Tape: 2; Side: B; Approx. Time Count: 12.2; Comments: None.}

**RICHARD MEEKER**, Chief Juvenile Probation Officer

{Tape: 2; Side: B; Approx. Time Count: 15.6; Comments: None.}

**MARY ALICE COOK**, Lobbyist for Children and Families

{Tape: 2; Side: B; Approx. Time Count: 17.9; Comments: None.}

**Opponents:** None

**Informational Testimony:** None

**Questions From Committee Members and Responses:**

**REP. DAN MCGEE**

{Tape: 2; Side: B; Approx. Time Count: 20.4; Comments: Rep. McGee questioned Ms. McCall and Susan Fox.}

**CHAIRMAN ERNEST BERGSAGEL**

{Tape: 2; Side: B; Approx. Time Count: 26.0; Comments: Chairman Bergsagel clarified an issue re: Rep. McGee's questions.}

**REP. DAN MCGEE**

{Tape: 2; Side: B; Approx. Time Count: 26.7; Comments: Rep. McGee questioned Ms. McCall.}

**REP. "RED" MENAHAN**

{Tape: 3; Side: A; Approx. Time Count: .2; Comments: Rep. Menahan provided a statement.}

**REP. MATT McCANN**

{Tape: 3; Side: A; Approx. Time Count: 2.6; Comments: Rep. McCann questioned Ms. McCall.}

**CHAIRMAN ERNEST BERGSAGEL**

{Tape: 3; Side: A; Approx. Time Count: 4.3; Comments: Chairman Bergsagel questioned Ms. McCall.}

**REP. STEVE VICK**

{Tape: 3; Side: a; Approx. Time Count: 5.3; Comments: Rep. Vick questioned Mr. Meeker.}

**REP. "RED" MENAHAN**

{Tape: 3; Side: A; Approx. Time Count: 7.8; Comments: Rep. Menahan questioned Mr. Meeker.}

**CHAIRMAN ERNEST BERGSAGEL**

{Tape: 3; Side: A; Approx. Time Count: 9.2; Comments: Chairman Bergsagel questioned Mr. Meeker.}

**REP. DIANA WYATT**

{Tape: 3; Side: A; Approx. Time Count: 11.5; Comments: Rep. Wyatt questioned Mr. Meeker, Ms. McCall, Ms. Wittihill; Susan Fox.}

**CHAIRMAN ERNEST BERGSAGEL**

{Tape: 3; Side: A; Approx. Time Count: 19.2; Comments: Chairman Bergsagel questioned Ms. McCall.}

**REP. DAN MCGEE**

{Tape: 3; Side: A; Approx. Time Count: 23.9; Comments: Rep. McGee questioned Ms. McCall.}

**REP. "RED" MENAHAN**

{Tape: 3; Side: A; Approx. Time Count: 24.8; Comments: Rep. Menahan questioned Ms. McCall.}

**CHAIRMAN ERNEST BERGSAGEL**

{Tape: 3; Side: A; Approx. Time Count: 26.1; Comments: Chairman Bergsagel questioned Ms. McCall.}

**Closing by Sponsor: REP. LINDA McCULLOCH**

{Tape: 3; Side: A; Approx. Time Count: 27.9; Comments: None.}

**CHAIRMAN ERNEST BERGSAGEL**

{Tape: 3; Side: B; Approx. Time Count: 2.0; Comments: Chairman Bergsagel requested Ms. McCall provide copy of Assessment Sheet.}

**SUSAN FOX**

{Tape: 3; Side: B; Approx. Time Count: 2.4; Comments:  
Informational comments re: Missoula's current system and this  
bill.}

**REP. ROYAL JOHNSON**

{Tape: 3; Side: B; Approx. Time Count: 4.6; Comments: Re: HB  
138.}

ADJOURNMENT

Adjournment: 5:45 p.m.



Handwritten signature of Ernest Bergsagel in cursive script, written over a horizontal line.

REP. ERNEST BERGSAGEL, Chairman



Handwritten signature of Meg Ansell in cursive script, written over a horizontal line.

MEG ANSELL, Secretary

EB/MA

Minutes recorded on SONY BM-89T.