

MINUTES

MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION

SELECT COMMITTEE ON CORRECTIONS

**Call to Order:** By CHAIRMAN BERGSAGEL, on January 29, 1997, at 3:10 p.m., in Room 312-2.

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 203 (1/22/97)  
HB 100 (1/16/97)

Executive Action: None

HEARING ON HB 203

Opening Statement by Sponsor: REP. ROYAL JOHNSON EXHIBIT 1  
{Tape: 1; Side: A; Approx. Time Count: 1.2; Comments: Rep. Johnson introduced the bill and provided proposed amendments (Exhibit 1).}

JEAN WHITTINGHILL, Court Assessment Program  
{Tape: 1; Side: A; Approx. Time Count: 4.9; Comments: Further clarification of the bill.}

SHERRY MEADOR, Court Assessment Program  
{Tape: 1; Side: A; Approx. Time Count: 10.5; Comments: Further clarification of the bill.}

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**HANK HUDSON, Department of Public Health and Human Services**  
{Tape: 1; Side: A; Approx. Time Count: 24.8; Comments: Further clarification of the bill.}

**ANN GILKEY, Department of Public Health and Human Services**  
{Tape: 1; Side: A; Approx. Time Count: 24.0; Comments: Further clarification of the bill.}

**Proponents' Testimony:**

**SEN. MIGNON WATERMAN, SD 26**  
{Tape: 1; Side: A; Approx. Time Count: 34.7.}

**SEN. MIKE HALLIGAN, SD 34**  
{Tape: 1; Side: A; Approx. Time Count: 34.8; Comments: Support offered in absentia by Sen. Waterman.}

**JEFF SHERLOCK, District Court Judge**  
{Tape: 1; Side: A; Approx. Time Count: 38.7.}

**CAROLYN CLEMENS, Lewis and Clark County Attorney's Office**  
{Tape: 1; Side: A; Approx. Time Count: 39.5.}

**BOB TORRES, Montana Association of Social Workers**  
{Tape: 1; Side: A; Approx. Time Count: 43.0.}

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions From Committee Members and Responses:**  
{Tape: 1; Side: B; Approx. Time Count: 0.0.}

**Closing by Chairman:**

{Tape: 1; Side: B; Approx. Time Count: 4.1; Comments: There was discussion regarding the need for a subcommittee to pull the bill and amendments together for the Committee.}

**BREAK**

HEARING ON HB 100

Opening Statement by Sponsor: REP. LOREN SOFT, HD 12 **EXHIBIT 2**  
{Tape: 1; Side: B; Approx. Time Count: 4.9; Comments: Rep. Soft introduced the bill and provided proposed amendments (Exhibit 2).}

Proponents' Testimony:

**RICK DAY, Director, Department of Corrections**  
{Tape: 1; Side: B; Approx. Time Count: 13.6.}

**MIKE MATHEW, Montana Association of Counties/Yellowstone County**  
{Tape: 1; Side: B; Approx. Time Count: 19.5.}

**MIKE RUPPERT, State DUI Task Force**  
{Tape: 1; Side: B; Approx. Time Count: 21.8.}

**JOAN HIMEL, Helena Resident**  
{Tape: 1; Side: B; Approx. Time Count: 22.7; Comments: Ms. Himel registered as an opponent to the bill but testified as a proponent after hearing the proposed amendments to the bill.}

**JOYCE POEPPING, Helena Resident**  
{Tape: 1; Side: B; Approx. Time Count: 25.5; Comments: Ms. Poepping registered as an opponent to the bill but testified as a proponent after hearing the proposed amendments to the bill.}

Opponents' Testimony:

**JOHN MILLER, Great Falls Resident**  
{Tape: 1; Side: B; Approx. Time Count: 28.3.}

**BETTY WING, Missoula County Attorneys' Office**  
{Tape: 1; Side: B; Approx. Time Count: 31.4.}

**MIKE MENAHAN, Lewis and Clark County Attorney's Office**  
{Tape: 1; Side: B; Approx. Time Count: 39.5; Comments: Mr. Menahan's testimony continued on Tape 2, Side A.}

**SUE WILKINS, Missoula Correctional Services, Inc.**  
{Tape: 2; Side: A; Approx. Time Count: 8.4.}

**HOLLY LANE, Helena Resident**  
{Tape: 2; Side: A; Approx. Time Count: 14.4.}

**LOUANN MILLER HIMEL, Helena Resident**  
{Tape: 2; Side: A; Approx. Time Count: 16.6.}

Informational Testimony: None

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Questions From Committee Members and Responses:

{Tape: 2; Side: A; Approx. Time Count: 22.6; Comments: Committee questions and responses continued on Tape 2, Side B.}

Closing by Sponsor: REP. LOREN SOFT

{Tape: 2; Side: B; Approx. Time Count: 3.5.}

REPORT TO COMMITTEE ON THE SPUR, TEXAS PRIVATE PRISON

{Tape: 2; Side: b; Approx. Time Count: 6.0; Comments: Rep. Dan McGee and Rep. Diana Wyatt visited the Spur, Texas facility at the request of Chairman Bergsagel.}

REP. DAN McGEE

EXHIBIT 3

{Tape: 2; Side: B; Approx. Time Count: 6.2; Comments: Exhibit 3 includes a written report and photograph negatives.}

REP. DIANA WYATT

{Tape: 2; Side: B; Approx. Time Count: 12.9.}

REP. DAN McGEE

{Tape: 2; Side: B; Approx. Time Count: 21.1; Comments: RE: Criteria for inmates being transferred to the Texas facility.}

Questions and discussion of the facility by Committee Members:

{Tape: 2; Side: B; Approx. Time Count: 22.3; Comments: Committee members discussed and gained clarification regarding inmate transfers to Texas, criteria for transfer, general comparison of Montana State Prison and the Texas facility, security issues and bunking configurations.}

Close of report by Chairman Bergsagel

{Tape: 2; Side: B; Approx. Time Count: 34.0.}

CHAIRMAN ERNEST BERGSAGEL

{Tape: 2; Side: B; Approx. Time Count: 34.3; Comments: Chairman Bergsagel and Rep. Royal Johnson discussed the HB 203 process; Chairman Bergsagel also enjoined appropriate members of the Committee to complete the amendments for HB 83.}

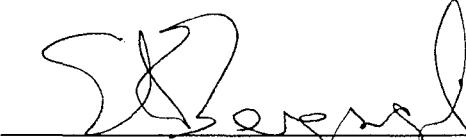
EXHIBIT 4

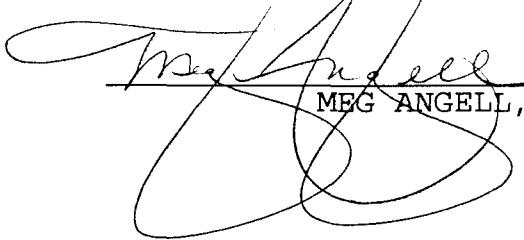
{Exhibit 4 (RE: HB 203) was given to the Committee Secretary following the conclusion of the meeting.}

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ADJOURNMENT

Adjournment: 6:00 p.m.

  
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REP. ERNEST BERGSAGEL, Chairman

  
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MEG ANGELL, Secretary

eb/ma

Minutes were taped on SONY BM 89-T.