

MINUTES

MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION

SELECT COMMITTEE ON CORRECTIONS  
JUVENILE JUSTICE SUBCOMMITTEE

Call to Order: By CHAIRMAN ROYAL JOHNSON, on March 9, 1997, at  
1:00 p.m., in Room 317.

ROLL CALL

Members Present:

Rep. Royal C. Johnson, Chairman (R)  
Rep. Daniel W. McGee (R)  
Rep. Diana E. Wyatt (D)

Members Excused: None

Members Absent: None

Staff Present: Susan Fox, Legislative Services Division  
Meg Angell, Committee Secretary

Committee Business Summary:

CONTINUED DISCUSSION OF PROPOSED AMENDMENTS TO SB 48:

HENDERSON AMENDMENTS:

EXHIBIT 1

{Tape: 1; Side: A; Approx. Time Count: 1.5.}

MOTION: REP. MCGEE MOVED HENDERSON AMENDMENT #2. (LANGUAGE IS TO  
STRIKE "OR YOUTH'S PARENTS OR GUARDIANS.")

{Tape: 1; Side: A; Approx. Time Count: 1.6; Comments: Discussion  
continued on Tape 1, Side B.}

DISCUSSION

VOTE: Motion carried 2-1 with REP. WYATT voting no.

{Tape: 1; Side: B; Approx. Time Count: 3.3.}

MOTION/VOTE: REP. MCGEE MOVED NO ACTION ON HENDERSON AMENDMENT  
#3. Motion carried 3-0.

{Tape: 1; Side: B; Approx. Time Count: 5.8.}

MOTION/VOTE: REP. MCGEE MOVED NO ACTION ON HENDERSON AMENDMENT  
#4. Motion carried 3-0.

{Tape: 1; Side: B; Approx. Time Count: 8.6.}

MOTION/VOTE: REP. MCGEE MOVED NO ACTION ON HENDERSON AMENDMENT  
#5. Motion carried 3-0.

{Tape: 1; Side: B; Approx. Time Count: 8.9.}

HENDERSON AMENDMENTS, page 2

AMENDMENT #1

MOTION: REP. MCGEE MOVED A SUBSTITUTE AMENDMENT: STRIKE  
ASSESSMENT OFFICER THROUGHOUT THE BILL.

{Tape: 1; Side: B; Approx. Time Count: 11.4.}

DISCUSSION

VOTE: Motion failed 1-2 with REP. WYATT and CHAIRMAN JOHNSON voting no.

{Tape: 1; Side: B; Approx. Time Count: 28.8.}

AMENDMENT #2

DISCUSSION

MOTION: REP. McGEE MOVED A CONCEPTUAL AMENDMENT TO HAVE SUSAN FOX PLACE THE LANGUAGE IN THE PERFORMANCE SECTION AS APPROPRIATE. (May be Section 19, page 23. Language will include the word "SHALL.")

{Tape: 2; Side: A; Approx. Time Count: 4.4.}

DISCUSSION - Discussion continued on Tape 2, Side B.

VOTE: Motion carried 3-0.

AMENDMENT #3

MOTION/VOTE: REP. McGEE MOVED NO ACTION ON HENDERSON AMENDMENT #3. Motion carried 3-0.

{Tape: 2; Side: B; Approx. Time Count: 9.9.}

AMENDMENT #4

DISCUSSION

MOTION/VOTE: REP. McGEE MOVED NO ACTION ON HENDERSON AMENDMENT #4. Motion carried 3-0.

{Tape: 2; Side: B; Approx. Time Count: 24.1.}

MOLNAR AMENDMENTS

EXHIBIT 2

{Tape: 3; Side: A; Approx. Time Count: 0.}

DISCUSSION

AMENDMENTS 1 & 2 WERE WITHDRAWN.

{Tape: 3; Side: A; Approx. Time Count: 4.5.}

AMENDMENT #3

DISCUSSION

MOTION/VOTE: REP. McGEE MOVED TO AMEND THE AMENDMENT TO INCLUDE LANGUAGE "OR THREE MISDEMEANORS." Motion carried 2-1 with REP. WYATT voting no.

{Tape: 3; Side: B; Approx. Time Count: 11.9.}

AMENDMENTS 4 AND 5 WERE WITHDRAWN

{Tape: 3; Side: B; Approx. Time Count: 11.9.}

AMENDMENT #6

DISCUSSION

AMENDMENTS 6 AND 7 WERE PASSED BY (not moved).

{Tape: 3; Side: B; Approx. Time Count: 24.0.}

**AMENDMENT #8**

DISCUSSION

**MOTION/VOTE:** REP. McGEE MOVED MOLNAR AMENDMENT #8. Motion carried 3-0.

{Tape: 4; Side: A; Approx. Time Count: 5.5.}

AMENDMENT #9 WAS WITHDRAWN.

AMENDMENT #10 WAS PASSED BY (Not moved).

AMENDMENT #11 WAS WITHDRAWN.

AMENDMENT #12 WAS PASSED BY (Not moved).

MOLNAR AMENDMENTS (Second set):

EXHIBIT 3

{Tape: 4; Side: A; Approx. Time Count: 15.0.}

DISCUSSION

ALL AMENDMENTS IN THE SECOND SET WERE WITHDRAWN.

{Tape: 4; Side: A; Approx. Time Count: 19.0.}

DEPARTMENT OF CORRECTIONS AMENDMENT, reference SB 48, page 20, line 30: (Page 2 of DOC's original set of amendments)

**MOTION:** REP. McGEE MOVED THE DOC AMENDMENT AS ORIGINALLY WRITTEN TO INCLUDE THE WORD "MUST" TRANSFER.

{Tape: 4; Side: A; Approx. Time Count: 20.1.}

**VOTE:** Motion carried 2-1 with REP. WYATT voting no.

{Tape: 4; Side: A; Approx. Time Count: 25.9.}

DEPARTMENT OF CORRECTIONS AMENDMENTS

EXHIBITS 4 & 5

{Tape: 4; Side: A; Approx. Time Count: 28.6.}

DISCUSSION OF EXHIBIT 5

EXHIBIT 5 WAS PASSED BY (Mo motion).

DISCUSSION OF EXHIBIT 4

**MOTION/VOTE:** REP. McGEE MOVED AMENDMENT #14 OF EXHIBIT 4. Motion carried 3-0.

{Tape: 4; Side: B; Approx. Time Count: 12.6.}

DISCUSSION OF AMENDMENTS 1 - 13, EXHIBIT 4

**MOTION/VOTE:** REP. McGEE MOVED AMENDMENTS 1-13 OF EXHIBIT 4. Motion carried 309.

{Tape: 4; Side: B; Approx. Time Count: 16.8.}

KATHY COLLINS AMENDMENTS

EXHIBIT 6

{Tape: 4; Side: B; Approx. Time Count: 17.2.}

AMENDMENT #1 WAS WITHDRAWN.

AMENDMENTS #2 & 3 - NO ACTION TAKEN.

AMENDMENT #4

MOTION/VOTE: REP. MCGEE MOVED AMENDMENT #4 WITH SUBSTITUTE LANGUAGE, line 5 would read: "A PERSON MUST BE ADVISED OF OBLIGATIONS, INCLUDING POSSIBLE ASSESSMENTS AND/OR RELATED COSTS, THAT MAY ARISE UNDER THIS CHAPTER." Insert between "obligations and that." Motion carried 3-0.

{Tape: 5; Side: A; Approx. Time Count: 6.3.}

AMENDMENT #5 WAS WITHDRAWN.

AMENDMENTS 6 AND 7 WERE PASSED BY (No motion.)

AMENDMENTS 8-17 WERE WITHDRAWN.

REP. DAN MCGEE AMENDMENTS: (Copy was not provided for record)

MCGEE AMENDMENTS WERE MOVED BY REP. MCGEE.

{Tape: 5; Side: A; Approx. Time Count: 21.5.}

AMENDMENT TO DEFINE "RUNAWAY"

SUBSTITUTE MOTION/VOTE: REP. MCGEE MOVED CONCEPTUAL AMENDMENT TO DEFINE RUNAWAY IN THE ACT (Susan will define). Motion carried 3-0.

AMENDMENT #1

VOTE: Motion failed 1-2 with REP. WYATT and CHAIRMAN JOHNSON voting no.

AMENDMENT #2 WAS WITHDRAWN.

{Tape: 5; Side: B; Approx. Time Count: .8.}

AMENDMENT REFERENCE PAGES 8-9, SECTION 7 WAS WITHDRAWN.

AMENDMENT REFERENCE PAGES 9-10, SECTION 8 WAS WITHDRAWN.

AMENDMENT PAGES 12-13, SUBSECTION 8, LINE 29 WAS WITHDRAWN.

AMENDMENT REFERENCE PAGE 16, LINE 17 WAS WITHDRAWN.

AMENDMENT REFERENCE PAGE 16, LINES 22-23 WAS WITHDRAWN.

AMENDMENT REFERENCE PAGE 28, LINE 6, STRIKE "AND THE YOUTH'S FAMILY"

DISCUSSION

VOTE: Motion carried 3-0.

AMENDMENT REFERENCE PAGE 35, LINE 20 AND ELSEWHERE IN BILL AS APPROPRIATE, STRIKE "SOCIAL SUMMARY, FAMILY ASSESSMENT OR"

DISCUSSION

VOTE: Motion carried 3-0.

AMENDMENT REFERENCE PAGE 36, LINES 25,26 WAS WITHDRAWN.

AMENDMENT REFERENCE PAGE 43-44 (DOC MUST TRANSFER - concept) WAS WITHDRAWN.

AMENDMENT REFERENCE PAGE 45, LINES 5-7 WAS WITHDRAWN.

AMENDMENT REFERENCE PAGE 45-46, SECTION 40

DISCUSSION

VOTE: Motion failed 1-2 with REP. WYATT and CHAIRMAN JOHNSON voting no.

DISCUSSION OF TECHNICAL AMENDMENTS AS CLARIFIED BY SUSAN FOX:  
{Tape: 5; Side: B; Approx. Time Count: 28.7.}

MOTION/VOTE: REP. McGEE MOVED THE TECHNICAL AMENDMENTS. Motion carried 3-0.

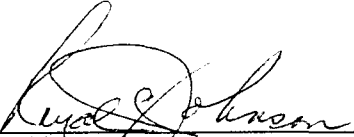
MOTION/VOTE: REP. McGEE MOVED THE SUBCOMMITTEE RECOMMEND TO THE FULL COMMITTEE ON CORRECTIONS THAT SB 48 BE APPROVED AS AMENDED BY THE SUBCOMMITTEE. Motion carried 3-0.  
{Tape: 6; Side: A; Approx. Time Count: .9.}

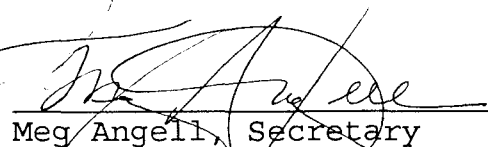
CHAIRMAN BERGSAGEL: COMMENTS RE: FULL COMMITTEE TENTATIVE AGENDA.

{Tape: 6; Side: A; Approx. Time Count: 2.1.}

Written comments from Montana Chapter of the National Association of Social Workers EXHIBIT 7

ADJOURNMENT: 6:00 P.M.

  
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Rep. Royal Johnson, Chairman

  
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Meg Angell, Secretary

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