

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: By **CHAIRMAN ERNEST BERGSAGEL**, on February 18, 1997, at 7:00 a.m., in Room 317 of the State Capitol.

ROLL CALL

Members Present:

Rep. Ernest Bergsagel, Chairman (R)
Sen. Thomas A. "Tom" Beck, Vice-Chairman (R)
Sen. John "J.D." Lynch (D)
Rep. Matt McCann (D)
Rep. Tom Zook (R)

Members Excused: none

Members Absent: none

Staff Present: Nan LeFebvre, Legislative Fiscal Division
Debbie Rostocki, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: **HOUSE BILLS 5 and 14** - Dept.
of Corrections: Women's
Correctional Center and Pine
Hills

Executive Action: **HOUSE BILL 300** - tabled
HOUSE BILL 5 - amended

HEARING ON HOUSE BILLS 5 AND 14 - CONT. DEPT. OF CORRECTIONS

Women's Correctional Center (WCC) Long-Range Building proposal

An agenda for the week was distributed. **EXHIBIT 1**

Mr. Bob Anderson, DOC Facility Construction Manager, gave a short introduction.

{Tape: 1; Side: A; Approx. Time Count: 0.8-3.6}

Ms. Jo Acton, WCC Warden, reviewed the Long-Range Building Program projects being proposed to address the issues at the WCC. **Mr. Anderson** explained **HJR 24's** role in the plans to build a chapel; discussion took place.

{Tape: 1; Side: a; Approx. Time Count: 3.7-17.9}

Ms. Acton reviewed cost estimates and the architect's plans for the facility (See EXH. 13; 2/14/97). She explained the rationale for the proposed remodeling and detailed why more land was needed for additional parking. **Mr. Tom O'Connell**, Architecture and Engineering Division (A & E) Administrator, Dept. of Administration, explained the policy regarding budgeting for art. Discussion took place.

{Tape: 1; Side: a; Approx. Time Count: 18.0-28.2}

Phase II of the project was outlined; questions were asked.

{Tape: 1; Side: a; Approx. Time Count: 28.3-34.3}

HEARING ON DOC Pine Hills Long-Range Building proposal

Mr. Anderson gave a short review of the plans for Pine Hills.

Mr. Steve Gibson, Pine Hills Superintendent, then gave a short history of the institution, an overview of operations, and a synopsis of current trends in juvenile crime. **EXHIBITS 2 and 3**

{Tape: 1; Side: a; Approx. Time Count: 34.4-Tape 1:b:6.1}

Mr. Gibson discussed their proposals for extended jurisdiction, length of stay guidelines, the sex offender program, etc. and how the facility plan addressed these areas. Questions were asked.

{Tape: 1; Side: b; Approx. Time Count: 6.2-14.7}

Mr. Gibson reviewed the proposed building and program relocation plans for the campus. Discussion took place and questions were asked about length of stay, sex offenders, difficulties in determining recidivism rates, and what kinds of programs are available at Pine Hills. **Mr. Gibson** described the facilities used for the "maximum security" inmates. In response to **REP. MCCANN**, **Mr. Gibson** explained that the sex offender program at Pine Hills had been discontinued because staff, space and resources became insufficient after two housing units were taken out of service. **Mr. Gibson** explained that the sex offenders were currently housed in various facilities in the region; actual numbers were difficult to determine because not all sex offenders were placed by the DOC.

{Tape: 1; Side: b; Approx. Time Count: 14.8-end of side b}

Mr. Gibson outlined the variables involved in determining how many juveniles the facility would be required to handle, which included differences between the various judicial districts' directives; length of stay guidelines; availability of community programs, transition centers and parole officers; and the possible effects of pending legislation.

CHAIRMAN BERGSAGEL summarized that the proposal would be adding 24 beds for sex offenders, who would be staying 14-18 months or longer, plus 15 additional beds: 65 beds would be available for kids staying on a non-long-term basis. Discussion continued regarding the actual total number of juvenile offenders and the

arbitrary nature of the process for determining the appropriate and/or available options for dealing with them.

{Tape: 2; Side: a; Approx. Time Count: 0.0-18.1}

Mr. Rick Day, DOC Director, stated that costs would be lower if sex offenders were at Pine Hills vs. outside placements, and would result in a \$19 million savings over twenty years. He rose in support of the effectiveness of the cognitive, behavioral approach in the treatment of sex offenders.

{Tape: 2; Side: a; Approx. Time Count: 18.2-26.1}

Ms. Mary Ellerd, Executive Secretary of the Montana Juvenile Probation Officers Association, spoke in support of the proposed expansion of Pine Hills. **EXHIBIT 4**

Mr. O'Connell explained how the cost estimate for the building project came to be reduced by \$1 million: the square footage cost had been reduced to \$165/square foot. Mr. Gibson explained how additional savings of \$70,000 - \$90,000 per year (not including salaries) in repair and maintenance costs would be realized if the building project was approved.

{Tape: 2; Side: a; Approx. Time Count: 26.2-33.7}

Discussion: DOC Population Management

Mr. Day reviewed how DOC had responded to the Criminal Justice and Corrections Advisory Council's recommendations from 1988 and 1990. **EXHIBITS 5 and 6** He outlined DOC's long-term corrections population management plan **EXHIBIT 7**, which proposes an incremental capacity increase via a combination of state, local and private services. \$15.5 million is projected to provide for a new cook/chill facility and doubled capacity at Montana State Prison (MSP). Up to 500 additional beds are projected to be in a private facility. Inmates currently housed in Texas would remain there until the new services and facilities are in place.

REP. ROYAL JOHNSON, HD 10, pointed out that although the cost to house inmates in Texas was the same as at MSP, building costs at MSP had not been factored in.

Mr. Day distributed documents comparing the costs of a private contract vs. housing at MSP and updated cost estimates for the DOC building proposals. **EXHIBITS 8 and 9** Discussion took place regarding the cost-effectiveness of privatization. In response to SEN. LYNCH, Mr. Day said the prison population projected to be housed at Warm Springs would not be long-term, for the most part.

{Tape: 2; Side: a; Approx. Time Count: 33.8-Tape 2:b:19.8}

Mr. Day reviewed the plans for the Boot Camp, going over the advantages and disadvantages of locating it at MSP vs. Swan River. In response to CHAIRMAN BERGSAGEL, Mr. Day said the projected increase in Boot Camp participants was based on the program being located nearer to the prison as well as a projected overall increase in the number of inmates. Questions were asked.

Mr. Day distributed an institutional population report and a document giving classification counts. **EXHIBITS 10 and 11** Questions and discussion took place regarding the role of treatment programs. The possible effects of the 4th offense DUI law on projected inmate numbers was discussed.

{Tape: 2; Side: b; Approx. Time Count: 19.9-Tape 3:a:4.0}

Mr. Day reviewed the management plan for the female institutional population (**EXH. 7**). He cautioned that the projected expansion at WCC would probably bring the total cost to above the bonding authorized in the 1991 legislative session for a new facility.

SEN. LYNCH suggested relocating the WCC. Mr. Day said the present campus was large enough to provide for an expansion of up to 154 beds; he suggested considering establishing regional facilities in the future. **SEN. BECK** said he would like to see an agreement in place with the City of Billings regarding parking requirements before any expansion of the WCC was approved. **Ms. Jo Acton**, WCC Warden, said they were very confident the City was willing to negotiate. Mr. Day pointed out that part of the problem with increased population at WCC was related to the delays they have been experiencing in utilizing the women's prerelease centers.

{Tape: 3; Side: a; Approx. Time Count: 4.1-8.4}

Mr. Day reviewed the contents of **EXH. 9**. The reduction in the bonding program totals was due to the authorization of a federal grant based on the concept of regional prisons.

{Tape: 3; Side: a; Approx. Time Count: 8.5-13.3}

Mr. Day distributed copies of a response to population management plan questions. **EXHIBIT 12**

EXECUTIVE ACTION ON HOUSE BILL 300

Motion/vote: REP. ZOOK moved to table HB 300; motion carried unanimously.

{Tape: 3; Side: a; Approx. Time Count: 14.4-14.7}

EXECUTIVE ACTION ON HOUSE BILLS 5 AND 14

Discussion: Ms. LeFebvre passed out several documents: an agenda **EXHIBIT 13**; a capital projects fund balance projection **EXHIBIT 14**; a Long-Range Building Program (LRBP) proposals initial priority listing **EXHIBIT 15**; and a LRBP priority listing including proposed amendments. **EXHIBIT 16**

{Tape: 3; Side: a; Approx. Time Count: 14.8-21.2}

Dept. of Labor LRBP proposal Governor's Budget Book, Vol. 3 - p. 74

Discussion: Ms. LeFebvre explained the amendments proposed by the Department of Labor, which reflected the breakdown of funding between state special and federal special revenue for the Missoula Job Service Elevator project. **EXHIBIT 17**

Motion: SEN. LYNCH moved to accept the amendments (EXH. 17).

Discussion: Ms. Ingrid Danielson, Dept. of Labor, explained the source of state special revenue. EXHIBIT 18

Vote: The question was called for and the motion carried unanimously.

Discussion: CHAIRMAN BERGSAGEL said the approximately \$1 million authorized for statewide projects in prior years would be reverted by the Department of Labor; no committee action was needed.

Ms. Danielson explained what the funds in the Employment Security Account are used for. She agreed to provide more information about the account for the committee.

{Tape: 3; Side: a; Approx. Time Count: 21.3-26.7}

Department of Transportation LRBP proposals
Governor's Budget Book, Vol 3 - pp. 84, 87

Discussion: An amendment requested by the Department reducing the funding for Equipment Buildings, Statewide from \$2,535,000 to \$1,910,000 was distributed. EXHIBIT 19

Motion/vote: SEN. BECK moved to accept the amendment; motion carried unanimously.

{Tape: 3; Side: a; Approx. Time Count: 26.8-28.8}

Dept. of Natural Resources and Conservation (DNRC) LRBP proposals
Governor's Budget Book, Vol. 3 - pp. 56, 67

Motion/vote: SEN. BECK moved to reduce the 1995 HB 5 Renewable Resource Grant and Loan Program account authorization by \$631,527 (excess matching funds had been allocated for the Tongue River Dam project). EXHIBIT 20 Motion carried unanimously.

{Tape: 3; Side: A; Approx. Time Count: 28.9-32.0}

Dept. of Public Health & Human Services (DPHHS) proposal
Governor's Budget Book, Vol. 3 - p. 77

Discussion: Ms. LeFebvre distributed information from Mr. Pat Estenson, Montana Veterans Home. EXHIBIT 21 Mr. Mike Hanshaw, DPHHS Senior and Long-Term Care Division Administrator, stated there was \$1.7 million in the special revenue cigarette tax account for Veterans.

{Tape: 3; Side: a; Approx. Time Count: 32.1-34.4}

Department of Military Affairs proposals
Budget Bk., Vol. 3 - pp. 37, 51, 64, 91, 94, 97, 100, 103

Discussion: Demolition of Poplar Armory: Mr. Ralph DeCunzo, Dept. of Military Affairs, said the majority of the cost of the project was for asbestos mitigation. Questions were asked.

Discussion took place about the relationship between the amount of funding appropriated for projects vs. the corresponding size of the bids to do the projects.

{Tape: 3; Side: a; Approx. Time Count: 34.5-41.8}

Motion/vote: SEN. BECK moved to reduce the appropriation for the Demolition of the Poplar Armory from \$300,000 to \$150,000; motion carried unanimously.

{Tape: 3; Side: a; Approx. Time Count: 41.9-end of side a}

Discussion: Furnace replacement, Womack Armory: Mr. DeCunzo explained what the project involved. Discussion took place about the cost of doing a government project vs. what it would cost for the private sector to do the same project. Mr. DeCunzo and Mr. O'Connell explained how cost estimates were calculated and reviewed the steps taken to ascertain what kind of work the project would actually require.

Motion/vote: REP. ZOOK moved to reduce the level of funding for the Womack Armory project from \$300,000 to \$275,000; motion carried unanimously.

{Tape: 3; Side: b; Approx. Time Count: 0.0-12.5}

Discussion: Eastern Montana State Veterans' Cemetery, Phase I: It was pointed out there was an error in the Governor's Budget Book (Vol. 3, p. 94): the VA Federal Matching and State Special Revenue amounts should be \$52,500 each. Mr. Decunzo explained the proposal.

Motion: REP. MCCANN moved to remove the funding for the Cemetery because a site had not yet been secured.

Discussion: Mr. DeCunzo explained that the Department's intent had been to plan the project concurrently with the "RFP" process. SEN. LYNCH rose in opposition to the motion.

Rescinded motion: REP. MCCANN rescinded his motion.

Discussion: CHAIRMAN BERGSAGEL submitted delaying the planning for two years would not cause a problem. REP. ZOOK stated that he believed a site would be chosen within the next two years, and providing the planning money would be appropriate.

{Tape: 3; Side: b; Approx. Time Count: 12.6-17.9}

Discussion: BOQ/BEQ, Fort Harrison: Ms. LeFebvre passed out amendments proposed by the Department: No. 2 would eliminate LRBP funding related to this facility. EXHIBIT 22

Motion/vote: SEN. BECK moved to accept amendment No. 2, EXH. 22; motion carried unanimously.

Discussion: CSMS, Ft. Harrison: Mr. DeCunzo explained the project. Questions were asked.

Motion: SEN. LYNCH moved to accept the remainder of the proposed amendments contained in EXH. 22.

Discussion: Mr. DeCunzo went through the amendments contained in EXH. 22, explaining that 75% of the repair/maintenance budget for the Armed Forces Reserve Center, Ft. Harrison, would be supported by federal funds. Ms. LeFebvre stated that the state funding being requested under amendment No. 3 was capital projects fund money; if any of the amounts were approved, DMA was requesting that the authority be given directly to the Department. CHAIRMAN BERGSAGEL stated he preferred appropriating the funds through A & E. Questions were asked. Mr. DeCunzo said the Department wouldn't be opposed to A & E receiving the \$39,578, \$137,000 and \$50,000 in spending authority first, but they preferred that federal funds be given directly to them.

{Tape: 3; Side: b; Approx. Time Count: 18.0-26.4}

Substitute motion: REP. ZOOK made a substitute motion to fund the portion of EXH. 22 that contained the three capital projects (Army Aviation Support Facility Maintenance - \$39,578; Armed Forces Reserve Center Planning, Fort Harrison - \$137,000; Bozeman Armory ADA Modifications - \$50,000), and that the funding be routed through the A & E Division of the Dept. of Administration and that the \$21.8 million and \$3 million in authority requested for federal special revenue not be granted.

Discussion: Discussion took place regarding the Armed Forces Reserve Center, Fort Harrison appropriation request (EXH. 22). Ms. LeFebvre explained that HB 14 had a \$3 million general obligation bonding request to go with the \$21.8 million request.

Mr. DeCunzo explained that the \$3 million being requested for the Armed Forces Reserve Center in Billings had been submitted after the LRBP deadline, but the \$21.8 million request had been part of the LRBP screening process. Ms. Jane Hamman, Governor's Office of Budget and Program Planning, stated that the Governor supported both the Helena and Billings Armed Forces Reserve Center funding requests.

In response to SEN. BECK, Mr. DeCunzo said the Helena project would still be viable if the \$3 million in HB 14 was not approved, provided the \$137,000 in planning money was approved. He cautioned the committee that the federal government might choose to have the building completed in two phases.

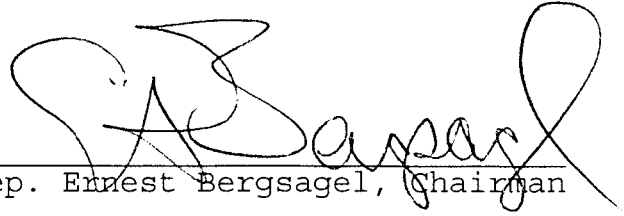
Vote: The question was called for on REP. ZOOK'S motion; motion carried with SENS. BECK and LYNCH opposed and REPS. MCCANN, ZOOK and CHAIRMAN BERGSAGEL voting "yes."

Discussion: Ms. LeFebvre stated it was her understanding that because the \$21.8 million for the Armed Forces Reserve Center at Fort Harrison had not been approved that the \$3 million relating to that project in HB 14 was also not approved. The Committee concurred. EXHIBIT 23

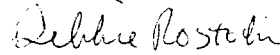
{Tape: 3; Side: b; Approx. Time Count: 26.5-33.3}

ADJOURNMENT

Adjournment: 12:00 noon.

A large, stylized handwritten signature in black ink, appearing to read "Ernest Bergsagel".

Rep. Ernest Bergsagel, Chairman

A handwritten signature in black ink, appearing to read "Debbie Rostocki".

Debbie Rostocki, Secretary

EB:DR

This meeting was recorded on three 90-minute audiocassette tapes.