

HOUSE JOINT RESOLUTION NO. 65

INTRODUCED BY YARDLEY, BARDANOUVE, ELLIS,  
HOLMES, DUSSAULT, METCALF, LUND

IN THE HOUSE

March 31, 1979	Introduced and referred to Committee on Prisons.
April 6, 1979	Rereferred to Committee on Appropriations.
April 9, 1979	Committee recommend bill do pass as amended. Report adopted.
April 10, 1979	Printed and placed on members' desks.
April 11, 1979	Second reading, do pass as amended.
April 12, 1979	Correctly engrossed.
April 13, 1979	Third reading, passed. Transmitted to second house.

IN THE SENATE

April 16, 1979	Introduced and referred to Committee on Judiciary.
April 18, 1979	Committee recommend bill be concurred in as amended. Report adopted.
April 19, 1979	Second reading, no affirmative action taken.
April 20, 1979	Second reading concurred in.  On motion rules suspended. Bill placed on Calendar for third reading this day.  Third reading, concurred in as amended.

IN THE HOUSE

April 20, 1979

Returned from second house.  
Concurred in as amended.

Second reading, amendments  
adopted.

Third reading, amendments  
adopted. Sent to enrolling.

Reported correctly enrolled.

*House* JOINT RESOLUTION NO. *65*

INTRODUCED BY ~~Handley~~ *Burton Ellis*  
*Holmes* *Missouri* *Mitcalfe* *Grund*

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING ASSIGNMENT OF AN INTERIM STUDY OF CORRECTIONS POLICY AND PRISON NEEDS.

WHEREAS, there are currently more than 300 inmates housed at the old prison facility in Deer Lodge; and

WHEREAS, it is intended that the old prison be closed upon completion of the two new medium security buildings at the new prison; and

WHEREAS, it is vital that the planned closure of the old prison occur because it cannot meet minimum health standards; and

WHEREAS, a maximum of 718 inmates can be housed in the new facilities, using double bunking whenever possible; and

WHEREAS, the total prison population is likely to exceed 718 in the near future; and

WHEREAS, this projected prison population increase indicates a need for the construction of additional prison space and auxiliary facilities; and

WHEREAS, there is a need to develop a long-term policy on construction and replacement of juvenile correctional and

evaluation facilities; and

WHEREAS, long-term needs for replacement of facilities at juvenile institutions must be identified; and

WHEREAS, there are alternatives to the construction of additional prison facilities such as the development of additional prerelease centers and proper community facilities; and

WHEREAS, the Legislature should relate overall corrections policy to facility needs and develop a long-range prison facilities plan to most economically meet the state's long-term prison needs.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That an interim committee be assigned to study Montana's corrections policy and related prison needs.

(2) That the committee include in its study a consideration of at least the following:

- (a) the prison release and furlough programs;
- (b) prerelease programs and facilities;
- (c) questions about the maximum size of a prison facility that should be built in one location;
- (d) the proper use of community programs and the relationship of such programs to prison needs;
- (e) the long-term need for prison facilities in the

*HJR 65*  
INTRODUCED BILL

1 state; and

2 (f) the long-term needs for juvenile correction and  
3 evaluation facilities.

4 (3) That the committee submit to the 47th Legislature  
5 a report of its findings together with recommendations for  
6 future corrections policy in Montana and recommendations for  
7 the construction of additional prison facilities, the  
8 location of such facilities, and other pertinent  
9 recommendations.

Approved by Comm.  
on Appropriations

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13                  upon completion of the two new medium security buildings at  
14                  the new prison; and  
15                  WHEREAS, it is vital that the planned closure of the  
16                  old prison occur--because--it--cannot--meet--minimum--health  
17                  standards; and  
18                  WHEREAS, a maximum of 718 inmates can be housed in the  
19                  new facilities, using double bunking whenever possible; and  
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21                  exceed 718 in the near future; and  
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23                  indicates a need for the construction of additional prison  
24                  space and auxiliary facilities; and  
25                  WHEREAS, there is a need to develop a long-term policy

1                  on construction and replacement of juvenile correctional and  
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10                  corrections policy to facility needs and develop a  
11                  long-range prison facilities plan to most economically meet  
12                  the state's long-term prison needs.  
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16                  (1) That an interim committee be assigned to study  
17                  Montana's corrections policy and related prison needs.  
18                  (2) That the committee include in its study a  
19                  consideration of at least the following:  
20                  (a) the prison release and furlough programs;  
21                  (b) prerelease programs and facilities;  
22                  (c) questions about the maximum size of a prison  
23                  facility that should be built in one location;  
24                  (d) the proper use of community AND FOREST WORK CAMP  
25                  programs and the relationship of such programs to prison

1 needs;

2 (e) the long-term need for prison facilities in the  
3 state; and

4 (f) the long-term needs for juvenile correction and  
5 evaluation facilities.

6 (3) That the committee submit to the 47th Legislature  
7 a report of its findings together with recommendations for  
8 future corrections policy in Montana and recommendations for  
9 the construction of additional prison facilities, the  
10 location of such facilities, and other pertinent  
11 recommendations.

-End-

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 13                  upon completion of the two new medium security buildings at  
 14                  the new prison; and  
 15                  WHEREAS, it is vital that the planned closure of the  
 16                  old prison occur ~~because it cannot meet minimum health~~  
 17                  standards; and  
 18                  WHEREAS, a maximum of 718 inmates can be housed in the  
 19                  new facilities, using double bunking whenever possible; and  
 20                  WHEREAS, the total prison population is likely to  
 21                  exceed 718 in the near future; and  
 22                  WHEREAS, this projected prison population increase  
 23                  indicates a need for the construction of additional prison  
 24                  space and auxiliary facilities; and  
 25                  WHEREAS, there is a need to develop a long-term policy

1                  on construction and replacement of juvenile correctional and  
 2                  evaluation facilities; and  
 3                  WHEREAS, long-term needs for replacement of facilities  
 4                  at juvenile institutions must be identified; and  
 5                  WHEREAS, there are alternatives to the construction of  
 6                  additional prison facilities such as FOREST WORK CAMPS,  
 7                  MAKING BETTER USE OF AVAILABLE SPACE AT THE NEW PRISON,  
 8                  MAKING USE OF SPACE AT OTHER STATE INSTITUTIONS, THE  
 9                  POSSIBILITY OF CONTRACTING SERVICES WITH PRIVATE NONPROFIT  
 10                  CORPORATIONS, USE OF FACILITIES SUCH AS HALFWAY HOUSES, AND  
 11                  the development of additional prerelease centers and proper  
 12                  OTHER community facilities; and  
 13                  WHEREAS, the Legislature should relate overall  
 14                  corrections policy to facility needs and develop a  
 15                  long-range prison facilities plan to most economically meet  
 16                  the state's long-term prison needs.  
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 18                  NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
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 24                  (a) the prison release and furlough programs;  
 25                  (b) prerelease programs and facilities;

1 (c) questions about the maximum size of a prison  
2 facility that should be built in one location;

3 (d) the proper use of community AND FOREST WORK CAMP  
4 programs and the relationship of such programs to prison  
5 needs;

6 (e) the long-term need for prison facilities in the  
7 state; and

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9 evaluation facilities.

10 (3) That the committee submit to the 47th Legislature  
11 a report of its findings together with recommendations for  
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-End-



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3 HOLMES, DUSSAULT, METCALF, LUND

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5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
6 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING  
7 ASSIGNMENT OF AN INTERIM STUDY OF CORRECTIONS POLICY AND  
8 PRISON NEEDS.

9  
10 WHEREAS, there are currently more than 300 inmates  
11 housed at the old prison facility in Deer Lodge; and

12 WHEREAS, it is intended that the old prison be closed  
13 upon completion of the two new medium security buildings at  
14 the new prison OR AS SOON THEREAFTER AS PRACTICAL; and

15 WHEREAS, it is vital that the planned closure of the  
16 old prison occur AS EARLY AS REASONABLY PRACTICAL ~~because it~~  
17 ~~cannot meet minimum health standards~~; and

18 WHEREAS, ~~a maximum~~ AN ASSUMED LIMIT of 718 inmates can  
19 be housed in the new facilities, using double bunking  
20 whenever possible; and

21 WHEREAS, the total prison population is likely to  
22 exceed 718 in the near future; and

23 WHEREAS, this projected prison population increase  
24 indicates a need for the construction of additional prison  
25 space and auxiliary facilities OR OTHER ALTERNATIVES; and

1 WHEREAS, there is a need to develop a long-term policy  
2 on construction and replacement of juvenile correctional and  
3 evaluation facilities; and

4 WHEREAS, long-term needs for replacement of facilities  
5 at juvenile institutions must be identified; and

6 WHEREAS, there are alternatives to the construction of  
7 additional prison facilities such as FOREST WORK CAMPS,  
8 MAKING BETTER USE OF AVAILABLE SPACE AT THE NEW PRISON,  
9 MAKING USE OF SPACE AT OTHER STATE INSTITUTIONS, THE  
10 POSSIBILITY OF CONTRACTING SERVICES WITH PRIVATE NONPROFIT  
11 CORPORATIONS, USE OF FACILITIES SUCH AS HALFWAY HOUSES, AND  
12 the development of ~~additional~~ prerelease centers and proper  
13 OTHER community facilities; and

14 WHEREAS, the Legislature should relate overall  
15 corrections policy to facility needs and develop a  
16 long-range prison facilities plan to most economically meet  
17 the state's long-term prison needs.

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19 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
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25 (a) the prison release and furlough programs;

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2 (c) questions about the maximum size of a prison  
3 facility that should be built in one location;  
4 (d) the proper use of community ~~AND FOREST WORK CAMP~~  
5 programs and the relationship of such programs to prison  
6 needs;  
7 (e) the long-term need for prison facilities in the  
8 state; end  
9 (f) the long-term needs for juvenile correction and  
10 evaluation facilities; AND  
11 (6) HEALTH CARE OF PRISONERS;  
12 (3) THE DEPARTMENT OF INSTITUTIONS SHALL CONSULT WITH  
13 THE COMMITTEE IN THE DEVELOPMENT OF THE COMPREHENSIVE PLAN  
14 SET FORTH IN HB 483 RELATING TO THE APPROPRIATION OF \$3  
15 MILLION AS SET FORTH IN ITEM 7 OF THE APPROPRIATIONS TO THE  
16 DEPARTMENT'S CENTRAL OFFICE.  
17 ~~(3)~~(4) That the committee submit to the 47th  
18 Legislature a report of its findings together with  
19 recommendations for future corrections policy in Montana and  
20 recommendations for the construction of additional prison  
21 facilities, the location of such facilities, and other  
22 pertinent recommendations.

-End-

April 18, 1979

SENATE STANDING COMMITTEE REPORT  
(Judiciary)

That House Joint Resolution No. 65, third reading bill, be amended as follows:

1. Page 1, line 14.

Following: "prison"

Insert: "or as soon thereafter as practical"

2. Page 1, line 16.

Following: "occur"

Insert: "as early as reasonably practical"

3. Page 1, line 18.

Following: "WHEREAS,"

Strike: "a maximum"

Insert: "an assumed limit"

4. Page 1, line 24.

Following: "facilities"

Insert: "or other alternatives"

5. Page 3, line 7.

Strike: "and"

6. Page 3, line 9.

Following: "facilities"

Insert: "; and

(g) health care of prisoners.

(3) The department of institutions shall consult with the committee in the development of the comprehensive plan set forth in HB483 relating to the appropriation of \$3 million as set forth in item 7 of the appropriations to the department's central office."

Renumber: subsequent subsection.