

SENATE BILL NO. 220

INTRODUCED BY DANIELS

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

IN THE SENATE

January 19, 1983	Introduced and referred to Committee on Judiciary.
February 2, 1983	Committee recommend bill do pass. Report adopted.
February 3, 1983	Bill printed and placed on members' desks.
February 5, 1983	Second reading, do pass.
February 7, 1983	Correctly engrossed.
February 8, 1983	Third reading, passed. Ayes, 50; Noes, 0. Transmitted to House.

IN THE HOUSE

February 9, 1983	Introduced and referred to Committee on Judiciary.
March 2, 1983	Committee recommend bill be concurred in. Report adopted.
March 3, 1983	Second reading, concurred in.
March 4, 1983	Third reading, concurred in.

IN THE SENATE

March 5, 1983	Returned to Senate. Sent to enrolling.  Reported correctly enrolled.
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*Sen. Smith* BILL NO. 220  
*David*

INTRODUCED BY

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE WARDEN OF THE MONTANA STATE PRISON TO RESTORE GOOD TIME WITH THE APPROVAL OF THE DEPARTMENT; AMENDING SECTION 53-30-105, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-30-105, MCA, is amended to read:

"53-30-105. Good time allowance. (1) The department of institutions shall adopt rules providing for the granting of good time allowance for inmates employed in any prison work or activity. The good time allowance shall operate as a credit on his sentence as imposed by the court, conditioned upon the inmate's good behavior and compliance with the rules made by the department or the warden. The rules adopted by the department may not grant good time allowance to exceed:

(a) 10 days per month for inmates assigned to maximum, close, and medium I security classifications;

(b) 13 days per month for those classified as medium II and minimum security classifications;

(c) 15 days per month for inmates after having been

assigned as medium II or minimum security for an uninterrupted period of 1 year;

(d) 13 days per month for those inmates enrolled in school who successfully complete the course of study or who while so enrolled are released from prison by discharge or parole;

(e) 3 days per month for those inmates participating in self-improvement activities designated by the department.

(2) In the event of an attempted escape by an inmate or a violation of the rules prescribed by the department or warden, the inmate may be punished by the forfeiture of part or all good time allowances. The warden of the state prison shall advise the department of any attempted escape or violation of rules on the part of the inmate. Any punishment by forfeiture of good time allowance must be approved by the department.

(3) A person may not earn good time under this section while he is on probation or parole.

~~(4) The warden of the state prison may request that all or portions of any previously forfeited good time be restored as a result of subsequent good behavior. Any restoration of good time allowance must be approved by the department."~~

-End-

INTRODUCED BILL

-2-

SB 220

Approved by Committee  
on Judiciary

1 Senate BILL NO. 280  
2 INTRODUCED BY Davis  
3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE WARDEN OF  
6 THE MONTANA STATE PRISON TO RESTORE GOOD TIME WITH THE  
7 APPROVAL OF THE DEPARTMENT; AMENDING SECTION 53-30-105,  
8 MCA."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11           Section 1. Section 53-30-105, MCA, is amended to read:  
12           "53-30-105. Good time allowance. (1) The department of  
13           institutions shall adopt rules providing for the granting of  
14           good time allowance for inmates employed in any prison work  
15           or activity. The good time allowance shall operate as a  
16           credit on his sentence as imposed by the court, conditioned  
17           upon the inmate's good behavior and compliance with the  
18           rules made by the department or the warden. The rules  
19           adopted by the department may not grant good time allowance  
20           to exceed:

21 (a) 10 days per month for inmates assigned to maximum,  
22 close, and medium I security classifications;

23 (b) 13 days per month for those classified as medium  
24 II and minimum security classifications;

25 (c) 15 days per month for inmates after having been

1 assigned as medium II or minimum security for an  
2 uninterrupted period of 1 year;

3 (d) 13 days per month for those inmates enrolled in  
4 school who successfully complete the course of study or who  
5 while so enrolled are released from prison by discharge or  
6 parole;

7 (e) 3 days per month for those inmates participating  
8 in self-improvement activities designated by the department.

9           (2) In the event of an attempted escape by an inmate  
10 or a violation of the rules prescribed by the department or  
11 warden, the inmate may be punished by the forfeiture of part  
12 or all good time allowances. The warden of the state prison  
13 shall advise the department of any attempted escape or  
14 violation of rules on the part of the inmate. Any punishment  
15 by forfeiture of good time allowance must be approved by the  
16 department.

17           (3) A person may not earn good time under this section  
18   while he is on probation or parole.

19       141. The warden of the state prison may request that  
20       all or portions of any previously forfeited good time be  
21       restored as a result of subsequent good behavior. Any  
22       restoration of good time allowance must be approved by the  
23       department."

-End-

1 *Sen. Smith* BILL NO. *220*  
2 INTRODUCED BY *David*  
3 BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS  
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5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE WARDEN OF  
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18 rules made by the department or the warden. The rules  
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1 assigned as medium II or minimum security for an  
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3 (d) 13 days per month for those inmates enrolled in  
4 school who successfully complete the course of study or who  
5 while so enrolled are released from prison by discharge or  
6 parole;  
7 (e) 3 days per month for those inmates participating  
8 in self-improvement activities designated by the department.  
9 (2) In the event of an attempted escape by an inmate  
10 or a violation of the rules prescribed by the department or  
11 warden, the inmate may be punished by the forfeiture of part  
12 or all good time allowances. The warden of the state prison  
13 shall advise the department of any attempted escape or  
14 violation of rules on the part of the inmate. Any punishment  
15 by forfeiture of good time allowance must be approved by the  
16 department.  
17 (3) A person may not earn good time under this section  
18 while he is on probation or parole.  
19 ~~(4) The warden of the state prison may request that~~  
20 ~~all or portions of any previously forfeited good time be~~  
21 ~~restored as a result of subsequent good behavior. Any~~  
22 ~~restoration of good time allowance must be approved by the~~  
23 ~~department."~~

-End-

-2- THIRD READING

SB 220

## SENATE BILL NO. 220

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-End-

1 SENATE BILL NO. 221

2 INTRODUCED BY NORMAN, HAND

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE  
5 TRANSFER OF OWNERSHIP, OPERATION, AND CONTROL OF IMPROVEMENT  
6 DISTRICT UTILITY SERVICE FACILITIES TO A REGULATED UTILITY."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Transfer of operation, control, and  
10 ownership of improvement district facilities to a utility.  
11 Whenever a special improvement district has been created in  
12 accordance with the provisions of this part for the purpose  
13 of providing the facilities through which a regulated  
14 utility is to provide utility services to the district, the  
15 commissioners may, upon such terms and conditions as may be  
16 agreed to, transfer the operation, control, and ownership of  
17 the facilities to the regulated utility for use by the  
18 utility to provide utility services.

19 Section 2. Codification instruction. Section 1 is  
20 intended to be codified as an integral part of Title 7,  
21 chapter 12, part 21, ~~AND TITLE 7, CHAPTER 12, PART 41,~~ and  
22 the provisions of Title 7, chapter 12, part 21, ~~AND TITLE 7,~~  
23 ~~CHAPTER 12, PART 41,~~ apply to section 1.

-End-

REFERENCE BILL

SB 221