

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By Chairman Ray Hawk, on January 17, 2007 at 8:00 A.M., in Room 317a Capitol.

ROLL CALL

Members Present:

Rep. Ray Hawk, Chairman (R)
Sen. Steven Gallus, Vice Chairman (D)
Sen. Keith Bales (R)
Rep. Bill Beck (R)
Rep. Cynthia Hiner (D)
Sen. Trudi Schmidt (D)

Members Excused: None.

Members Absent: None.

Staff Present: Katie Butcher, Committee Secretary
Pat Gervais, Legislative Branch
Pam Joehler, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing:	Informational Hearing
Executive Action:	DP 501, DP 502, DP 508, DP 509 DP 510, DP 511, DP 512, DP 502 DP 505, DP 509, DP 512, DP 501 DP 503, DP 506, Reduce the Base Budget by \$5,500.00, DP 508 DP 509, DP 510, DP 512, DP 513 DP 506, Excepting the Present Law Adjustments for the Department of Corrections

Meeting with the Department of Corrections

00:00:02 Chairman Hawk
00:00:14 Mr. Doig
00:00:44 Chairman Hawk
00:00:53 Mike Ferriter, Director, Department of Corrections

EXHIBIT(jch11a01)

00:01:38 Chairman Hawk
00:03:23 Rep. Hiner
00:03:29 Chairman Hawk
00:03:37 Rep. Hiner
00:04:17 Pat Smith, Department of Corrections
00:04:24 Rep. Hiner
00:04:52 Mr. Smith
00:05:38 Rep. Hiner
00:05:48 Mr. Smith
00:05:55 Chairman Hawk
00:05:58 Rep. Hiner
00:06:36 Mr. Smith
00:07:03 Rep. Hiner
00:07:19 Mr. Smith
00:07:39 Rep. Hiner
00:07:58 Mr. Smith
00:09:46 Chairman Hawk
00:10:03 Sen. Schmidt
00:11:42 Chairman Hawk
00:11:46 Sen. Schmidt
00:12:46 Sheriff McMeekin, Missoula County
00:13:14 Sen. Schmidt
00:13:19 Sheriff McMeekin

EXHIBIT(jch11a02)

00:15:08 Sen. Schmidt
00:15:53 Sheriff McMeekin
00:16:52 Chairman Hawk
00:17:10 Rep. Hawk
00:17:29 Director Ferriter
00:18:15 Rep. Hawk
00:18:24 Pat Gervais
00:18:59 Sen. Gallus
00:19:48 Sen. Bales
00:20:33 Director Ferriter
00:21:13 Sen. Bales
00:21:51 Director Ferriter
00:22:08 Diana Koch, Department of Corrections
00:22:54 Sen. Gallus
00:23:11 Ms. Koch
00:23:40 Chairman Hawk
00:23:43 Rep. Hiner
00:24:00 Mark Baker, CCA

00:24:10 Rep. Hiner
00:24:34 Mr. Baker
00:24:59 Chairman Hawk
00:25:09 Pat Gervais

EXECUTIVE ACTION ON DP 401

00:26:04 **Motion/Vote:** Sen. Gallus moved that **DP 401 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 403

00:26:42 **Motion:** Sen. Gallus moved that **DP 403 BE ADOPTED.**

Discussion:

00:27:18 Pat Gervais

00:27:40 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 408

00:27:50 **Motion:** Sen. Gallus moved that **DP 408 BE ADOPTED.**

Discussion:

00:28:20 Sen. Bales
00:28:56 Gail Lambert, Department of Corrections
00:29:25 Sen. Gallus
00:29:44 Ms. Lambert
00:30:01 Sen. Gallus
00:30:07 Chairman Hawk
00:30:20 Ms. Lambert
00:30:31 Rep. Hawk
00:30:36 Ms. Lambert
00:30:51 Rep. Hawk
00:31:04 Rep. Beck
00:31:15 Ms. Lambert
00:31:33 Rep. Hawk
00:31:41 Chairman Hawk
00:31:49 Sen. Gallus
00:32:07 Ms. Lambert
00:32:21 Sen. Gallus
00:32:47 Chairman Hawk

00:33:00 **Vote:** Motion carried unanimously by voice vote.

Discussion:

00:33:31 Pat Gervais
00:34:37 Chairman Hawk
00:34:41 Pat Gervais
00:34:46 Ms. Lambert
00:35:09 Pat Gervais
00:35:31 Ms. Lambert
00:35:57 Pat Gervais

EXECUTIVE ACTION TO APPROVE THE RATES AS PRESENTED

00:36:37 **Motion/Vote:** Sen. Bales moved to **APPROVE THE RATES
AS PRESENTED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 501

00:38:13 **Motion:** Sen. Gallus moved that **DP 501 BE ADOPTED.**

Discussion:

00:38:26 Chairman Hawk
00:38:30 Sen. Bales
00:38:45 Chairman Hawk
00:38:55 Pat Gervais
00:39:32 Chairman Hawk
00:39:42 Rep. Hiner
00:39:49 Steve Gibson, Administrator Youth Services, Department
of Corrections
00:39:59 Rep. Hiner
00:40:04 Mr. Gibson
00:40:25 Chairman Hawk
00:40:30 Pat Gervais

00:41:05 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 502

00:41:38 **Motion/Vote:** Sen. Gallus moved that **DP 502 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 508

00:42:11 **Motion:** Sen. Gallus moved that **DP 508 BE ADOPTED.**

Discussion:

00:42:17 Pat Gervais
00:42:54 Sen. Bales
00:43:19 Pat Gervais
00:43:27 Sen. Bales
00:43:31 Mr. Gibson
00:44:25 Sen. Bales
00:44:37 Mr. Gibson
00:45:23 Sen. Bales
00:45:54 Mr. Gibson
00:46:34 Sen. Bales
00:47:05 Mr. Gibson
00:47:30 Brent Doig, OBPP
00:48:29 Sen. Bales
00:48:59 Rep. Hawk

00:49:35 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 509

00:50:22 **Motion/Vote:** Rep. Hawk moved that **DP 509 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 510

00:50:54 **Motion:** Sen. Gallus moved that **DP 510 BE ADOPTED.**

Discussion:

00:51:03 Sen. Bales
00:51:27 Pat Gervais
00:52:09 Sen. Bales

00:52:20 **Vote:** Motion carried unanimously by voice vote

EXECUTIVE ACTION ON DP 511

00:52:43 **Motion/Vote:** Sen. Gallus moved that **DP 511 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 512

00:53:27 **Motion/Vote:** Rep. Hawk moved that **DP 512 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 502

00:54:07 **Motion/Vote:** Sen. Gallus moved that **DP 502 BE ADOPTED.**

Discussion:

00:55:05 Pat Gervais
00:56:13 Sen. Gallus

EXECUTIVE ACTION ON DP 502 AND DP 505

00:56:36 **Motion:** Sen. Gallus moved that **DP 502 AND DP 505 BE ADOPTED.**

Discussion:

00:57:00 Mr. Gibson
00:57:36 Sen. Bales
00:57:44 Mr. Gibson
00:58:11 Sen. Bales
00:58:45 Mr. Gibson
00:59:33 Sen. Bales
00:59:54 Mr. Gibson
01:00:02 Chairman Hawk
01:01:50 Pat Gervais
01:02:29 Chairman Hawk
01:02:40 Sen. Bales
01:02:46 Sen. Gallus

01:03:27 **Vote:** Motion carried unanimously by voice vote.

01:04:14 Pat Gervais

EXECUTIVE ACTION ON DP 509

01:04:37 **Motion/Vote:** Rep. Hawk moved that **DP 509 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 512

01:05:18 **Motion/Vote:** Sen. Gallus moved that **DP 512 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 501

01:05:55 **Motion:** Sen. Bales moved that **DP 501 BE ADOPTED.**

Discussion:

01:06:33 Chairman Hawk

01:06:40 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 503

01:07:08 **Motion/Vote:** Sen. Gallus moved that **DP 503 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 506

01:08:04 **Motion:** Sen. Gallus moved that **DP 506 BE ADOPTED.**

Discussion:

01:08:36 Pat Gervais

01:09:25 Mr. Gibson

01:10:17 Sen. Bales

01:10:24 Mr. Gibson

01:11:27 **Vote:** Motion carried unanimously by voice vote.

01:11:37 Sen. Bales

01:11:54 Pat Gervais

EXECUTIVE ACTION TO REDUCE THE BASE BUDGET BY \$5,500.00

01:13:06 **Motion/Vote:** Sen. Bales moved to **REDUCE THE BASE BY \$5,500.00.** Motion carried 5-1 by voice vote with Sen. Gallus voting no.

EXECUTIVE ACTION ON DP 508

01:13:00 **Motion/Vote:** Sen. Gallus moved that **DP 508 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 509 AND 510

01:14:55 **Motion:** Sen. Gallus moved that **DP 509 AND DP 510 BE ADOPTED.**

Discussion:

01:14:57 Pat Gervais
01:15:27 Sen. Gallus withdrew his motion to adopt DP 509 and DP 510

EXECUTIVE ACTION ON DP 509

01:15:30 **Motion/Vote:** Sen. Gallus moved that **DP 509 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 510

01:15:53 Pat Gervais
01:16:00 Chairman Hawk
01:16:32 Pat Gervais
01:16:48 Chairman Hawk
01:16:51 Pat Gervais

01:16:56 **Motion/Vote:** Sen. Bales moved that **DP 510 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 512

01:17:45 **Motion:** Sen. Bales moved that **DP 512 BE ADOPTED.**

Discussion:

01:17:49 Rep. Hawk

01:17:52 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 513

01:18:27 Pat Gervais
01:19:09 Mr. Doig
01:19:24 Sen. Bales
01:19:27 Pat Gervais
01:19:41 Sen. Bales
01:19:50 Pat Gervais
01:20:11 Chairman Hawk

01:20:14 **Motion/Vote:** Sen. Bales moved that **DP 513 BE ADOPTED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON DP 506

01:20:44 **Motion/Vote:** Sen. Gallus moved that **DP 506 BE ADOPTED.**
Motion carried unanimously by voice vote.

Discussion:

01:21:21 Sen. Bales
01:22:16 Mr. Gibson
01:22:27 Sen. Bales
01:22:39 Chairman Hawk
01:23:58 Director Ferriter
01:24:23 Pat Gervais
01:24:36 Chairman Hawk
01:25:18 Mr. Doig
01:26:26 Director Ferriter
01:26:34 Chairman Hawk
01:27:07 Break
01:46:23 Reconvened
01:46:55 Chairman Hawk

**EXECUTIVE ACTION ON EXCEPTING THE DEPARTMENT OF CORRECTIONS
PRESENT LAW ADJUSTMENTS**

01:48:14 Rep. Hawk moved **THE PRESENT LAW ADJUSTMENTS ON PERSONAL
SERVICES FOR THE DEPARTMENT OF THE CORRECTIONS BE
ADOPTED.**

Discussion:

01:49:04 Sen. Gallus
01:49:46 Chairman Hawk
01:50:55 Sen. Bales

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01:51:12 Pat Gervais
01:52:07 Sen. Bales
01:52:19 Pat Gervais
01:52:35 Sen. Bales
01:53:06 Pat Gervais
01:53:26 Chairman Hawk

01:54:05 **Vote:** Motion carried unanimously by voice vote.

Discussion:

01:54:50 Amy Sassano, OBPP
02:00:00 Rep. Hawk
02:00:33 Ms. Sassano
02:00:59 Rep. Hawk
02:01:04 Ms. Sassano
02:01:14 Rep. Hawk
02:01:37 Ms. Sassano
02:04:16 Chairman Hawk
02:04:44 Ms. Sassano
02:05:11 Rep. Hawk
02:05:15 Ms. Sassano
02:05:21 Rep. Hawk
02:05:41 Ms. Sassano
02:06:35 Chairman Hawk
02:06:48 Sen. Bales
02:07:24 Ms. Sassano
02:09:41 Sen. Bales
02:10:10 Ms. Sassano
02:10:50 Chairman Hawk
02:11:00 Rep. Hiner
02:11:37 Mr. Doig
02:11:55 Chairman Hawk

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ADJOURNMENT

02:12:05 Adjournment

REP. RAY HAWK, Chairman

KATIE BUTCHER, Secretary

RH/kb

Additional Exhibits:

EXHIBIT ([jch11aad.pdf](#))