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# Work Plan

Adopted 9/9/11

## ***Law and Justice Interim Committee 2011-2012***

- Table 1 - Overall Workload
- Table 2 - SJR 29 Restorative Justice Study Tasks
- Table 3 - Approach to Other Issues
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TABLE 1 - OVERALL WORKLOAD

Task No.	Issue Area	In-depth work	Moderate work	Light work	Rely on agency
1	SJR 29 - Restorative Justice	✓			
2	Medical marijuana		✓		
3	Jail suicide prevention		✓		
4	Juvenile detention alternatives and DMC		✓		
5	Involuntary commitment		✓		
6	Eminent domain		✓		
7	HB 142 - review agency councils and reports			✓	
8	SB 187 - revision of public defender, tweaks			✓	
9	DNA evidence retention			✓	
10	Social host ordinance			✓	
11	DUI <i>per se</i> drug impairment			✓	
12	24/7 sobriety program - and implementation of other DUI bills			✓	
13	Concealed weapons - reciprocity			✓	
14	Housing for released offenders			✓	
15	DOC - review bill proposals				✓
16	DOJ - review bill proposals				✓
17	MBCC- review bill proposals				✓
18	Judicial Branch - review bill proposals				✓
19	OSPD- review bill proposals				✓

TABLE 2 - SJR 29 RESTORATIVE JUSTICE STUDY TASKS

<u>Study Phase</u>	<u>Committee Tasks</u>	<u>Staff Tasks</u>
<p><b>1 - Gather information</b> Mtg #1</p> <ul style="list-style-type: none"> <li>- <i>What is current law and practice in Montana?</i></li> <li>- <i>What do other states do?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ Ask questions</li> <li>✓ Listen to testimony</li> <li>✓ Examine the research</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Coordinate testimony from experts, stakeholders, and interested public</li> <li><input type="checkbox"/> Conduct and present research (reports and briefs)</li> </ul>
<p><b>2 - Identify Problems</b> Mtg. #2</p> <ul style="list-style-type: none"> <li>- <i>What are the strengths and weaknesses of Montana's programs?</i></li> <li>- <i>What weaknesses could be addressed through legislation?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ Ask follow-up questions</li> <li>✓ Discuss concerns with full committee</li> <li>✓ Take action as a committee to identify what specific issues should be tackled by the committee as a whole (i.e., in bi-partisan manner)</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Identify range of fiscal and policy issues</li> <li><input type="checkbox"/> Identify decision points and offer decision tools</li> <li><input type="checkbox"/> Respond to follow-up requests for information</li> <li><input type="checkbox"/> Coordinate testimony and public comment</li> </ul>
<p><b>3 - Identify and Analyze Options</b> Mtg. #3 and Mtg. #4</p> <ul style="list-style-type: none"> <li>- <i>What are the various options for addressing the selected issues?</i></li> <li>- <i>What are the fiscal and policy implications of those options?</i></li> <li>- <i>What options does the committee want to pursue further?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ Ask for research and testimony that will:                             <ul style="list-style-type: none"> <li>- help analyze the identified problems;</li> <li>- identify options; and</li> <li>- provide an analysis of the pros and cons of each option</li> </ul> </li> <li>✓ Discuss in committee what options should or should not be considered by the full committee as possible committee bills</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensure research and testimony is focused on selected options</li> <li><input type="checkbox"/> Gather research from other states, sift through testimony and input from stakeholders and interested parties, summarize options and pros and cons for the committee</li> <li><input type="checkbox"/> Prepare and present fiscal and policy analysis relevant to the selected options and based on committee's research requests</li> </ul>
<p><b>4 - Develop Recommendations</b> Mtg. #5 and Mtg. #6</p> <ul style="list-style-type: none"> <li>- <i>What recommendations and legislation should the committee make to the next Legislature?</i></li> </ul>	<ul style="list-style-type: none"> <li>✓ Weight the research, testimony, analysis, and recommendations from stakeholders</li> <li>✓ Discuss your concerns and objectives with other committee members and stakeholders</li> <li>✓ Request and mark up bill drafts</li> <li>✓ Arrive at majority or consensus bill draft(s) and recommendations</li> </ul>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Offer decision tools facilitate an efficient, effective, and fair decision-making process</li> <li><input type="checkbox"/> Draft bills as requested by committee</li> <li><input type="checkbox"/> Prepare final report to the next legislature that summarizes the committee's activities, research, options considered, and rationale for final recommendations</li> </ul>

TABLE 3 - APPROACH TO OTHER ISSUES

<b><u>MODERATE WORK</u></b>
<u>Issues</u>
<ul style="list-style-type: none"> <li>2. Medical Marijuana</li> <li>3. Juvenile detention and DMC</li> <li>4. Jail suicide prevention</li> <li>5. Involuntary commitment standards</li> <li>6. Eminent domain</li> </ul>
<u>Anticipated activities</u>
<ul style="list-style-type: none"> <li>✓ More than one legal or research brief or report</li> <li>✓ More than one panel discussion (or sets of individual speakers)</li> <li>✓ More public comment</li> <li>✓ More than one committee work session with followup opportunities</li> </ul>

<b><u>LIGHT WORK</u></b>
<u>Issues</u>
<ul style="list-style-type: none"> <li>7. HB 142 - review councils and reports</li> <li>8. SB 187 - public defender, tweaks</li> <li>9. DNA evidence retention</li> <li>10. Social host ordinance</li> <li>11. DUI <i>per se</i> drug impairment</li> <li>12. 24/7 program, other DUI bills</li> <li>13. Concealed weapons</li> <li>14. Housing for released offenders</li> </ul>
<u>Anticipated activities (as time allows)</u>
<ul style="list-style-type: none"> <li>✓ One research brief</li> <li>✓ One panel discussion (or set of individual speakers)</li> <li>✓ Less public comment</li> <li>✓ One committee work session and followup discussion</li> </ul>

<b><u>REVIEW OF AGENCY WORK</u></b>
<u>Issues - review list of bill proposals</u>
<ul style="list-style-type: none"> <li>15. Dept. of Corrections</li> <li>16. Dept. of Justice</li> <li>17. Board of Crime Control</li> <li>18. Judicial Branch</li> <li>19. Public Defender System</li> </ul>
<u>Anticipated activities</u>
<ul style="list-style-type: none"> <li>✓ Exec. Budget Proposal forms</li> <li>✓ Agency handout</li> <li>✓ Agency briefing</li> <li>✓ Time for committee questions at meeting</li> <li>✓ No follow up by legislative staff</li> </ul>

TABLE 4 - ANTICIPATED ALLOCATION OF MEETING HOURS

**\* SOFT ESTIMATES FOR GENERAL PLANNING PURPOSES ONLY**

AGENDA ITEM TOPIC	Sept 9, 2011 (Fri)	Dec 15, 2011 (Th)	Dec 16, 2011 (Fri)	Feb 24, 2012 (Th)	Feb 25, 2012 (Fri)	April 19, 2012 (Th)	April 20, 2012 (Fri)	June 21, 2012 (Th)	June 22 2012 (Fri)	Aug 31, 2012 (Fri)	TOTAL
<b>Assigned study</b>											
SJR 29 - restorative justice	3.0	3.0			3.0	1.0			2.0	1.0	13.0
<b>Statutorily-required duties</b>											
HB 142 - review statutory advisory councils and agency reports		1.0				0.5				0.5	2.0
DOC - review bill proposals							0.5				0.5
DOJ - review bill proposals								0.5			0.5
MBCC- review bill proposals						0.5					0.5
Judicial Branch - review bill proposals						0.5					0.5
OSPD- review bill proposals									0.5		0.5
Agency rule review reports	0.1		0.1		0.1		0.1		0.1	0.1	0.6
Public comment	0.5	0.5	0.5	0.5	0.5	0.5	0.5	1.0	1.0	1.0	6.5
Committee discussions & work sessions (required and optional)	1.0	0.5	0.5	1.0	1.0	1.0	1.0	1.0	1.0	1.0	9.0
<b>SUBTOTAL - REQUIRED WORK</b>	<b>4.6</b>	<b>5.0</b>	<b>1.1</b>	<b>1.5</b>	<b>4.6</b>	<b>4.0</b>	<b>2.1</b>	<b>2.5</b>	<b>4.6</b>	<b>3.6</b>	<b>33.6</b>

AGENDA ITEM TOPIC	Sept 9, 2011 (Fri)	Dec 15, 2011 (Th)	Dec 16, 2011 (Fri)	Feb 24, 2012 (Th)	Feb 25, 2012 (Fri)	April 19, 2012 (Th)	April 20, 2012 (Fri)	June 21, 2012 (Th)	June 22, 2012 (Fri)	Aug 31, 2012 (Fri)	TOTAL
<b>Other Issues</b>											
Jail suicide prevention	1.0		1.0	0.5						0.25	2.75
Involuntary commitment - standards for emergency detention vs. commitment	1.0		1.0	0.5						0.25	2.75
Medical marijuana, litigation and law enforcement issues			0	1.0			1.0	0.5		0.25	2.75
Housing for released offenders			1.0	0.5						0.25	1.75
DNA evidence retention			1.0	0.5						0.25	1.75
Juvenile detention alternatives and DMC				1.0		1.0		0.5		0.25	2.75
Concealed weapons permits - reciprocity				1.0			0.5			0.25	1.75
Eminent domain					1.0	1.0		0.5		0.25	2.75
Social host ordinance							1.0	0.5		0.25	1.75
DUI <i>per se</i> drug impairment							1.0	0.5		0.25	1.75
24/7 sobriety program, DUI bills							1.0	1.0		0.25	2.25
SB 187 - revision of public defender, tweaks									1.0	0.25	1.25
Oversight: Shelby Prison and Inmate killed at MSP <i>(added 9/9/11)</i>		1.0									
Update on MERLIN <i>(added 9/9/11 - Rep. Peterson)</i>			0.5								
Public comment	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	1.00	5.50
<b>SUBTOTAL</b>	<b>2.5</b>	<b>1.5</b>	<b>5.0</b>	<b>5.5</b>	<b>1.5</b>	<b>2.5</b>	<b>5.0</b>	<b>4.0</b>	<b>1.5</b>	<b>4.00</b>	<b>31.50</b>
<b>GRAND TOTAL</b>											
	<b>7.1</b>	<b>6.5</b>	<b>6.1</b>	<b>7.0</b>	<b>6.1</b>	<b>6.5</b>	<b>7.1</b>	<b>6.5</b>	<b>6.1</b>	<b>7.60</b>	<b>65.10</b>

TABLE 5 - SITE VISIT TOUR OPTIONS

Note: Each committee member may pick **two days** from the following options to receive pay, travel, and per diem paid by the committee.

Date	No. of Days	Tour Package	Locations	Legislators/Staff Attending
Oct. 24, 2011 (Mon)	1	Montana State Prison, Correctional Enterprises, and Boot Camp or Montana State Prison, Correctional Enterprises, and WATCH	Deer Lodge	Rep. Lavin for option 1  Sen. Murphy for option 2  Sheri Scurr, committee staff (option 1)
March 12, 2012 (Mon)	1	Montana State Hospital, WATCH, and START revocation center.	Warm Springs Anaconda	Rep. Peterson Rep. Menahan Rep. Lavin Sheri Scurr, committee staff
April 9, 2012 (Mon)	1	Elkhorn Treatment Center, Riverside Youth Correctional Facility, Helena Pre-release.	Boulder Helena	Sen. Murphy Sheri Scurr, committee staff
May 21-22, 2012 (Mon-Tues)	2 <i>(may just do one day)</i>	1-day, Mon: Montana Women's Prison and Passages Correctional Programs	Billings	Rep. More
		1-day, Tues: Pine Hills Youth Correctional Facility	Miles City	Rep. More Rep. MacDonald Sheri Scurr, committee staff
June 5-6, 2012 (Tues-Wed)	2 <i>(may just do one day)</i>	1-day, Tues: Cascade Regional Detention Center and Great Falls Pre-Release	Great Falls	
		1-day, Wed: Crossroads Correctional Center	Shelby	Rep. Peterson Sen. Hinkle Rep. Menahan Sheri Scurr, committee staff

Not yet determined: Sen. Gallus, Rep. Hill, Sen. Augare, Sen. Moss, Sen. Shockley

TABLE 6 - COSTS & BUDGET

AGENDA ITEM TOPIC	Sep 9, 2011 (Fri)	Dec 15, 2011 (Th)	Dec 16, 2011 (Fri)	Feb 24, 2012 (Th)	Feb 25, 2012 (Fri)	April 19, 2012 (Th)	April 20, 2012 (Fri)	June 21, 2012 (Th)	June 22 2012 (Fri)	Aug 31, 2012 (Fri)	TOTAL
Estimated Meeting Costs	\$ 4,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 3,000	\$ 4,000	<b>\$32,000</b>

TOTAL BUDGET:           \$46,000

Meeting costs:           \$32,000

Site visit tour costs  
(2 days):                 \$8,000

**TOTAL COST:           \$40,000**

REMAINDER  
for organizational  
meeting next interim:   \$6,000



TABLE 7 - MEMBERS AND STAFF ON OTHER COMMITTEES

<b>Member/Staff</b>	<b>Committee/Council</b>	<b>Planned Meeting Dates</b> <i>(as of 7/29/11)</i>
Sen. Augare	State-Tribal Relations	9/27/11, 1/13/12, 4/3-6/12, 7/20/12, 9/7/12
Sen. Gallus	Legislative Finance	9/26-30/11, 12/8-9/11, 3/8-9/12
Sen. Moss	Capitol Complex Advisory Council	not yet scheduled
Sen. Murphy	Capitol Complex Advisory Council Community Health Center Advisory Group Consumer Council	not yet scheduled
Rep. MacDonald Dawn Field, Secretary	Legislative Council Energy and Telecommunications Districting and Apportionment	9/15/11, 11/10/11, 1/24/12, 5/10 -11/11, 8/24/12 others not yet scheduled