

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION**

JOINT APPROP SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STEVE VICK**, on **January 11, 1999** at
8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Rep. Steve Vick, Chairman (R)
Sen. Arnie Mohl, Vice Chairman (R)
Rep. Stan Fisher (R)
Sen. Chris Christiaens (D)
Sen. Dale Mahlum (R)
Sen. Debbie Shea (D)

Members Excused: None.

Members Absent: Rep. Red Menahan (D)

Staff Present: Linsey Mortensen, Committee Secretary
Skip Culver, Legislative Branch
Mary LaFond, OBPP

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: Department of Justice,
- Forensics Lab, Highway
- Patrol, Gambling Control,
- Central Services,
- County Attorney Payroll

HEARING ON FORENSICS LAB

Informational Testimony: **Bill Unger**, administrator for the
forensics division, gave information on the history, purpose,
duties, and accomplishments of the lab. He gave details of what
each department within the lab does and what new things they would

need. The most important point touched on was about the new building proposed for the lab. **EXHIBIT(jih07a01)**
EXHIBIT(jih07a02)

Proponents: **Larry Fasbender**, representing the Department of Justice.

EXHIBIT(jih07a03)

Garrett Bakken, state leasing officer

(Tape : 1; Side : A; Approx. Time Counter : 0 - 30.1; Side : B; Approx. Time Counter : 2.7 - 30.5)

Questions from Committee Members and Responses:

Senator Christiaens asked about replacing toxilizers. **Bill Unger** replied that there are 77 out there and they are trying to replace them all. They have only been able to replace 6 or 7 a year. **Christiaens** asked if the Highway Patrol would go into the detention center. **Larry Fausbender** replied that there was no plan for them to do so. **EXHIBIT(jih07a04)**

Senator Mahlum asked if the procurement of the land was done. **Garrett Bakken** replied that the developer did finalize the purchase of the land. Also, that they have entered into a contract that is not binding.

Representative Fisher asked if there is a CPI in the lease. **Bakken** replied that it is a fifteen year lease-\$16.60 for first five years, \$17.50 for next 10 year.

Senator Mohl asked if the buildings will be designed to be added on to. **Bakken** answered no, that they will be complete structures. It is not cost effective to add on.

Mary LaFond gave clarification of positions from the budget office's stand point.

Senator Christiaens asked how much were they able to back fill. **Jandee May** answered that they use contingency money, and that they always ask for the bare minimum amount.
(Tape : 2; Side : A; Approx. Time Counter : 5.1 - 28.4)

Testimony from **Jim Smith**, MT Association for homes and children, on support for the five prosecutors to assist the county attorneys.

HEARING ON HIGHWAY PATROL DIVISION

Informational Testimony: **Craig T. Reap**, colonel with the Highway Patrol, gave information on the organization, duties, problems, and budget of the highway patrol. **EXHIBIT(jih07a05)**

EXHIBIT(jih07a06)

**Tape : 2; Side : B; Approx. Time Counter : 4.8 - 30.3; Tape : 3;
Side : A; Approx. Time Counter : 0 - 1.5)**

Questions from Committee Members and Responses:

Senator Christiaens asked if the prisoner per diem includes medical costs in the chart. **Colonel Reap** replied that it just included the day to day costs. **Senator Christiaens** asked why people are staying so long. **Colonel Reap** replied that many of it is that the prisoners have multiple offenses. **Senator Christiaens** asked if there is a way that the individual is responsible. **Colonel Reap** replied that it is in statute that the individual is responsible for reimbursement to corrections. **(Tape : 3; Side : A; Approx. Time Counter : 1.5 - 24.6; comments: many members made comments on things that needed to be looked at.)**

HEARING ON GAMBLING DIVISION

Informational Testimony: **Jim Oppedahl**, administrator for the Gambling Control division gave an overview of the department. He talked about automated accounting, the budget, rent , and liquor licensing. **EXHIBIT(jih07a07)**

**(Tape : 3; Side : B; Approx. Time Counter : 9.2 - 30.2; Tape : 4;
Side : A; Approx. Time Counter : 0 - 11.9)**

Questions from Committee Members and Responses:

Senator Menahan asked who legalizes the gambling machines. **Attorney General Mezurak** talked on how the gambling machines became legal came about.

Representative Fisher asked why was lottery and horse racing incorporated in the Department of Commerce. **Mr. Oppedahl** replied that it is because there is state sponsored advertising of the lottery.

Representative Menahan asked if you had to be a Montana resident to hold a liquor license. **Mr. Oppedahl** replied that you have to be a Montana resident or own 51% if you have an out of state partner.

Senator Christiaens asked about the tribal compacts. **Mr. Oppedahl** answered that the Northern Cheyenne compact expires in March and the Crow expired in November but got an extension. The compacts are usually 5 years. They do not have a compact with the Blackfeet.

Senator Mahlum asked what the pay off to the state is. **Mr. Oppedahl** replied that other states are higher and it varies state to state.

Senator Christiaens asked how fast are the Cabaret licenses turning around. **Mr. Oppedahl** replied that it takes under 20 days.

Senator Shea asked how many liquor licenses are in MT, and how is it determine. The reply was in excess of 2000 licenses. Most bars need to determine what they want to do. It also depends on population in a given area.

Representatives Fisher asked about taxing or fees from distributors or manufacturers. **Mr. Oppedahl** replied that there is a 2000 a year application and plus cost of investigation.

{Tape : 4; Side : A; Approx. Time Counter : 11.9 - 30.2}{Tape : 4; Side : B; Approx. Time Counter : 0 - 9}

EXHIBIT (jih07a08)

HEARING ON CENTRAL SERVICES DIVISION

Informational Testimony: **Jandee May**, administer for the central services gave information on them managing the money and people. She also talked about not wanting a vacancy savings, money for training, and the county attorney payrolls.

{Tape : 4; Side : B; Approx. Time Counter : 9 - 20.4}

Questions from Committee Members and Responses:

Senator Shea asked if the Department determines the county attorney salaries. **Jandee May** replied that it is determined by the counties, but they must pay half of the attorney's salary.

EXHIBIT (jih07a09)

{Tape : 4; Side : B; Approx. Time Counter : 20.4 - 24}

ADJOURNMENT

Adjournment: 11:05 A.M.

REP. STEVE VICK, Chairman

LINSEY MORTENSEN, Secretary

SV/LM

EXHIBIT(jih07aad)