



Law and Justice Interim Committee

61st Montana Legislature

SENATE MEMBERS

JOHN ESP
GREG HINKLE
LARRY JENT
CAROL JUNEAU
LYNDA MOSS
JIM SHOCKLEY

HOUSE MEMBERS

SHANNON AUGARE--Chair
RON STOKER--Vice Chair
BOB EBINGER
DAVID HOWARD
MIKE MENAHAN
KEN PETERSON

COMMITTEE STAFF

SHERI HEFFELFINGER, Research Analyst
VALENCIA LANE, Staff Attorney
DAWN FIELD, Secretary

DRAFT AGENDA

(as of 6/18/10)

June 29-30, 2010

Law and Justice Interim Committee: Meeting #6

Room 137, Capitol, Helena

Please note: all times are approximate

TUESDAY, JUNE 29, 2010

* * * * *

8:00 a.m. Roll Call
Welcome, overview, and acknowledgment of CFHHS members
ACTION: Approve minutes from April 5-6, 2010

Committee Bills Last Session

8:05 a.m. Staff review of 2007-2008 interim work by LJIC on HB 130, HB 131, HB 132 session actions, funding, administrative rules, and budget cuts
→ **Sheri Heffelfinger**, Legislative Research
→ **Lisa Mecklenberg** Jackson, Legal Staff, CFHHS
→ **Lois Steinbeck**, Legislative Fiscal Division

8:30 a.m. Panel: Implementation progress when budget cuts were implemented, future plans
→ **Anna Whiting Sorrell**, Director, DPHHS
→ **Lou Thompson**, Administrator, Addictive and Mental Disorders Division
→ **Deb Matteucci**, Behavioral Health Facilitator DOC/DPHHS

9:00 a.m. Panel: Local county grant applicant concerns - prospects for the future
→ **Bill Kennedy**, (invited) Yellowstone County
→ **MarCee Neary**, (invited) Billings Crisis Center
→ **TBD**, (invited) Ravalli County
→ **Paul Meyer**, (invited) Western Montana Mental Health

9:45 a.m. BREAK

10:00 a.m. Public comment - HB 130, HB 131, HB 132

10:30 a.m. Staff review of statutory jurisdiction of Law and Justice and Children, Families, Health and Human Services Interim Committees, **Sheri Heffelfinger**, Research Analyst

ACTION: Committee instructions to staff re: HB 130, HB 131, HB 132?

DRAFT AGENDA
Law and Justice Interim Committee: Meeting #6

TUESDAY, JUNE 29, 2010 (continued)

* * * * *

- 10:45 a.m. LJIC work on HB 60-jail suicide prevention, session actions, **Sheri Heffelfinger**
- 11:00 a.m. Committee questions on jail suicide prevention progress report by **David Niss**
- 11:30 a.m. Montana Sheriff's and Peace Officers' Association response to staff report
- 11:45 p.m. Public comment related to jail suicide prevention
- 12:15 p.m. Committee discussion - **ACTION: Committee followup on jail suicide prevention?**
- 12:30 p.m. LUNCH

SJR 29 - Preservation and Storage of Biological Evidence

- 1:30 p.m. Staff review of working group discussions - preliminary bill draft LCdna1
→ **Sheri Heffelfinger**, Legislative Research Analyst
- 1:45 p.m. Panel: Defense attorney and victim advocate recommendations
→ **Jessie McQuillan**, Exec. Dir., Montana Innocense Project
→ **Kelsen Young**, Exec. Dir., Coalition Against Domestic and Sexual Violence
→ **Wendy Holton** (*invited*), Montana Association of Criminal Defense Lawyers
→ **Jon Moog** (*invited*), Office of State Public Defender
- 2:30 p.m. Panel: Law enforcement and county perspectives
→ **Mark Murphy**, Montana County Attorney Association
→ **Sheriff David Castle** (*invited*), Montana Sheriffs' and Peace Officers' Association
→ **Anne Jacobson**, Evidence Technician, Helena
→ **Phil Kinsey** (*invited*), State Crime Lab,
→ Montana Association of Counties (*written comments will be provided*)
- 3:15 p.m. Public comment
- 3:45 p.m. Committee discussion - **ACTION: Committee bill on the SJR 29 issues?**

Agency Oversight

- 4:15 p.m. Department of Corrections
→ **Joe Murray**, Legislative Audit Division, audit findings on Dept. of Corrections contract management
→ **TBD**, Dept. of Corrections response
→ Questions from committee
- 4:45 p.m. **Pat Gervais**, Fiscal Analyst, review of Legislative Finance Committee initiatives related to agency budget reductions that may affect the Dept. of Corrections, Dept. of Justice, Office of the Public Defender, and Judicial Branch
→ Committee Discussion
→ **ACTION: Appointment of delegates to LFC subcommittee**
- 5:00 p.m. Rule review report, Valencia Lane, Staff Attorney
- 5:05 p.m. Recess until 8:00 a.m., Wednesday, June 30

DRAFT AGENDA
Law and Justice Interim Committee: Meeting #6

WEDNESDAY, JUNE 30, 2010

* * * * *

8:00 a.m. Roll Call
 Welcome and overview

SJR 39 - DUI Laws

8:05 a.m. **Art Lusse**, Billings Attorney - proposed DUI law changes
 → mandatory minimum probation with specified conditions
 → penalty for refusal if offender is ultimately convicted of DUI

8:45 a.m. **Rebecca Sturdevant**, Mothers Against Drunk Driving (MADD)
 → drugged driving and other information and recommendations

9:05 a.m. Public Comment
 → **Superior High School Students**
 → other public comment - not specific to the DUI bills listed below

Underage drinking and sales and service training

9:45 a.m. LC1j01 - Driver's license sanctions for youthful drug or alcohol offenders (Sen. Hinkle)
 → Any new information from sponsors or staff
 → Public hearing
 → **Committee work session**

10:15 a.m. BREAK

10:45 a.m. LC1j02 - Allow game wardens to issue drug or alcohol citations to youth (Sen. Shockley)
 → Any new information from sponsors or staff
 → Public hearing
 → **Committee work session**

11:15 a.m. LC1j03 - Mandatory alcohol server and sales training (Sen. Juneau)
 → Any new information from sponsors or staff
 → Public hearing
 → **Committee work session**

11:45 a.m. LUNCH

Evidence and determination of impairment

1:00 p.m. LC1j04 - On-call judge for blood alcohol test search warrant (Sen. Shockley)
 → Any new information from sponsors or staff
 → Public hearing
 → **Committee work session**

1:30 p.m. LC1j05 - Any amount of dangerous drug is impaired driving per se
 → Any new information from staff
 → Public hearing
 → **Committee work session**

DRAFT AGENDA
Law and Justice Interim Committee: Meeting #6

WEDNESDAY, JUNE 30 (continued)

* * * *

Courts and sentencing alternatives

- 2:00 p.m. LC1j06 - Incentives for DUI courts (Rep. Menahan)
→ Any new information from sponsors or staff
→ Public hearing
→ **Committee work session**
- 2:30 p.m. LC1j07 - Provide that cities may establish courts of record (Sen. Shockley)
→ Any new information from sponsors or staff
→ Public hearing
→ **Committee work session**
- 3:00 p.m. BREAK
- 3:15 p.m. LC1j08 - Strengthen Assessment, Course, and Treatment provisions (Rep. Menahan)
→ Any new information from sponsors or staff
→ Public hearing
→ **Committee work session**
- 3:45 p.m. LC1j09 - Mandate residential treatment for certain BAC offenses (Rep. Peterson)
→ Any new information from sponsors or staff
→ Public hearing
→ **Committee work session**
- 4:15 p.m. LC1j10 - One year jurisdiction for misdemeanor DUI/BAC offenses (Rep. Menahan)
→ Any new information from sponsors or staff
→ Public hearing
→ **Committee work session**
- 4:45 p.m. LC1j11 - Eliminate the 5-year "look-back" (Rep. Menahan)
→ Any new information from sponsors or staff
→ Public hearing
→ **Committee work session**
- 5:15 p.m. **ACTION: Are there any additional bill draft proposals from committee members?**
- 5:45 p.m. Wrap up
Instructions to staff
Next meeting
- 6:00 p.m. Adjournment

The Montana Legislative Services Division will make reasonable accommodations for people with special needs. If you plan to attend the meeting and will need special services or accommodations, please contact Sheri Heffelfinger at least 5 working days before the meeting at 406-444-3596 or by email at sheffelfinger@mt.gov.