

2009 SENATE JUDICIARY

SB 2029

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. SB 2029

Senate Judiciary Committee

Check here for Conference Committee

Hearing Date: 01/07/09

Recorder Job Number: 6641

Committee Clerk Signature

Diane Davis

Minutes: **Senator Nething, Chairman**

John Bjornson – Legislative Council introduces bill from the Alternatives to Incarceration Commission. He explains what this commission has done in past interims and who has made up this commission in the past. He said it has been a successful commission. He discusses what this bill would do. It extends the commissioners term from 3 to 4 years to allow them to continue working. He mentions some of those in law enforcement who have held positions on this commission. He says they have worked well and recommended they keep going for 4 more years to continue to make recommendations to keep people from being incarcerated and staying in their communities. There is an emergency clause on the bill because the original legislation would have had this expire on June 30, 2009 and legislation that is not an appropriation takes effect August 1st. So to keep this in place the emergency clause would have to carry over the gap of a month.

Senator Nething said without the emergency clause his commission would expire. The emergency clause must exist.

There was discussion about changing the date that it goes through to correct the problem.

John Bjornson explained that the Legislative Council pays expense reimbursement for the legislative members and for the non-state office holders. The fiscal impact would be less than the 50,000 for fiscal note so therefore no fiscal note.

Senator Fiebiger moves to amend the effective date to July 31st from June 30th.

Senator Lyson seconds.

Roll call taken – amendment passes

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. 2029

Senate Judiciary Committee

Check here for Conference Committee

Hearing Date: January 19, 2009

Recorder Job Number: 7203 refer to #9:41

Committee Clerk Signature

Diane Davis

Minutes: **Senator Nething, Chairman**

Committee work – refer to #9:41 on recording

Discussed the amendment, the Intern read the memo

Voted on do pass as amended

Senator Lyson motioned do pass

Senator Nelson seconded

Vote – 6 yes 0 no

Senator Schneider will carry

PROPOSED AMENDMENTS TO SENATE BILL NO. 2029

insert immediately thereafter
Page 1, line 7, overstrike "June 30," and after ~~"2009"~~ insert "August 1,"
2 *ie - 6*

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2029: Judiciary Committee (Sen. Nething, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2029 was placed on the Sixth order on the calendar.

Page 1, line 7, overstrike "June 30" and insert immediately thereafter "August 1"

Renumber accordingly

2009 HOUSE JUDICIARY

SB 2029

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Bill/Resolution No. SB 2029

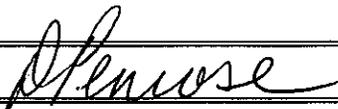
House Judiciary Committee

Check here for Conference Committee

Hearing Date: 3/2/09

Recorder Job Number: 9884

Committee Clerk Signature



Minutes:

Chairman DeKrey: We will open the hearing on SB 2029.

Jon Bjornson, Legislative Counsel Staff: Neutral, explained the bill. This bill also comes from the Commission on Alternatives to Incarceration. This commission was established four years ago, and was due to expire on June 30th of this year. The bill proposes to extend the life of the commission until August of 2013. It also contains an emergency clause because it will expire before the law would go into effect. That way they can continue with operations without interruption. The Commission looks for ways to lower recidivism and to keep people from being incarcerated whether it's on the front end or on the back end. They make recommendations to the Governor and the Attorney General. They also made the recommendation that \$500,000 set aside for the biennium for faith based programs, that's essentially to continue programs like the Teen Challenge program, etc.

Rep. Delmore: Do you have a list with the names of the people that are on this Commission.

Jon Bjornson: I can bring those in for you.

Rep. Delmore: There is no actual pay, just expenses correct.

Jon Bjornson: The pay for the six appointed members comes from the LC budget, the other members get paid through their department budgets. Non-governmental people get mileage and expenses from the LC budget.

Rep. Delmore: Does the Commission meet outside of the interim.

Jon Bjornson: The commission has not, but it could. It is an ongoing commission so that they could continue with their work.

Rep. Koppelman: There isn't a fiscal note?

Jon Bjornson: No.

Rep. Koppelman: What about costs, it must cost something.

Jon Bjornson: The costs come from interim committee costs.

Rep. Kretschmar: I was always under the impression that a title to a statute isn't a law.

Jon Bjornson: Yes, a few years back, some of these temporary titles in the captions, there was a move to put the effective dates and expiration dates in the caption, and rather than having to go back and amend the session laws from four years ago, when it was amended, they put that rule in place.

Rep. Klemin: I just wanted to point out that the program that we have now for electronic home detention and GPS monitoring came through this Commission also.

Chairman DeKrey: Thank you. Further testimony in support. Testimony in opposition. We will close the hearing. What are the committee's wishes in regard to SB 2029.

Rep. Delmore: I move a Do Pass.

Rep. Wolf: Second.

13 YES 0 NO 0 ABSENT

DO PASS

CARRIER: Rep. Klemin

Date: 3/2/09
Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2029

HOUSE JUDICIARY COMMITTEE

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP DNP DP AS AMEND DNP AS AMEND

Motion Made By Rep. Delmore Seconded By Rep. Wolf

Representatives	Yes	No	Representatives	Yes	No
Ch. DeKrey	✓		Rep. Delmore	✓	
Rep. Klemin	✓		Rep. Griffin	✓	
Rep. Boehning	✓		Rep. Vig	✓	
Rep. Dahl	✓		Rep. Wolf	✓	
Rep. Hatlestad	✓		Rep. Zaiser	✓	
Rep. Kingsbury	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	✓				

Total (Yes) 13 No 0

Absent 0

Floor Carrier: Rep. Klemin

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2029, as engrossed: Judiciary Committee (Rep. DeKrey, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2029 was placed on the Fourteenth order on the calendar.