

MINUTES OF THE SPECIAL STUDY COMMITTEE ON SOCIAL AND REHABILITATIVE  
INSTITUTIONS

Held in Room 254-E at the Statehouse, at 12:30 p.m., on March 25, 1980.

Members present were:

Senator Robert Talkington, Chairman  
Representative Joe Hoagland, Vice Chairman  
Senator Mike Johnston  
Representative Phil Martin  
Representative David Heinemann

Staff present were:

Fred Carman, Revisor's Office  
Emalene Correll, Legislative Research Department  
Ray Hauke, Legislative Research Department  
Robert A. Coldsnow, Legislative Counsel

There were no conferees present.

The Chairman opened the meeting and called attention to two letters from Secretary Harder and one from Senator Reilly for the committee's consideration.

The charge to the committee of studying SRS institutional management, personnel, and liability was mentioned by the Chairman. He noted there is a management structure set-up in SRS that goes down through the institutions that seems to be proper at this time with one exception. With respect to utilization of personnel, he said there are problems in this field from administrative and management standpoints. It is possible those duties may need to be more clearly defined. He noted the state will always run some risk of liability but thought it will be greater if a change in the operation of the institutions is not accomplished.

The Chairman asked members if they needed any information from staff that has not been furnished or had any suggestions to make on the best way to proceed with deliberations. Representative Hoagland suggested members take more time, individually, to go through Secretary Harder's letters responding to questions asked by the committee on March 20 and visit with the Secretary individually. Also, more time was needed for each member to go over the materials he has received before starting deliberations.


Representative Martin asked on whose authority the Secretary's letter of March 21 was marked "Confidential". The Chairman said it was not marked "Confidential" by him, by his direction, or by the committee, but was done so by Secretary Harder. Representative Martin expressed concern that this confidentiality would turn the committee 180 degrees from its stand on the questions posed to Secretary Harder on March 20.

The matter of confidentiality was discussed. Mr. Carman stated, at this point in time, whatever the committee decided to be confidential will be confidential. Representative Hoagland noted a lot of confidential letters and memos had been received by members. He suggested that, prior to any individual releasing any of this information, the committee should

vote whether or not it should be released. The Chairman pointed out some of this information will show up in the committee report, but the actual confidential document should not be released in its entirety. With respect to Secretary Harder's letters, some items in them will have to be discussed and considered. A determination will have to be made as to confidentiality. Representative Hoagland suggested Secretary Harder's letters be treated, at this point, the same as any other confidential letter received from individuals. The Chairman noted he has not had the minutes of committee meetings approved up to now because of confidentiality. When this is done, they must be filed and made public. It was noted by staff that confidential information it has is marked that way in its files.

There was discussion regarding the deadline for committee action and recommendations. It was determined the charge to the committee as noted in the minutes of the Legislative Coordinating Council stated the committee was to report to the Council during the 1980 session and not to the legislature. The Chairman said the committee would meet as long as it took to prepare a report but hoped to accomplish this as soon as possible. The staff was requested to prepare a list of policy questions to be considered at the March 26 meeting and to start preparing a written report to the LCC patterned after the interim reports.

The meeting adjourned at 1:00 p.m.

  
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Chairman

ATTENDANCE

3-25

Name

Starns

Moore

Cameron

Somers + one

Sackman