

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **JOINT APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Call to Order:** Chair Don Roberts, on February 8, 2011 at 8:00 AM, in Room 102 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Don Roberts, Chair (R)  
Sen. Dave Lewis, Vice Chair (R)  
Rep. Tony Belcourt (D)  
Rep. Tom Burnett (R)  
Sen. Mary Caferro (D)  
Rep. John Esp (R)  
Sen. Jason Priest (R)  
Rep. Trudi Schmidt (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Marilyn Daumiller, Legislative Branch  
Miranda Keaster, Committee Secretary  
Lois Steinbeck, Legislative Branch  
Kris Wilkinson, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Executive Action: 5% Reduction Plan, Human and Community Services Division, Child and Family Services Division

Public Testimony: Child Support Enforcement Division

00:00:10 Chairman Roberts  
00:01:39 Marilyn Daumiller, Legislative Fiscal Division (LFD)

**Alternative for Funding Montana Veteran's Homes**

00:01:46 Kris Wilkinson, LFD  
00:12:39 Chairman Roberts  
00:12:44 Rep. Burnett  
00:13:01 Sen. Lewis  
00:13:52 Kris Wilkinson  
00:14:07 Sen. Lewis  
00:14:29 Mary Dalton, Department of Public Health and Human Services (DPHHS)  
00:16:43 Sen. Lewis  
00:17:36 Mary Dalton  
00:18:30 Sen. Lewis  
00:19:19 Mary Dalton  
00:19:43 Sen. Lewis  
00:20:00 Laurie Lambson, DPHHS  
00:20:31 Sen. Lewis  
00:20:53 Laurie Lambson  
00:21:01 Chairman Roberts

**Executive Action**

**Human and Community Services Division**

00:21:42 **Motion:** Rep. Esp moved that **PROPOSAL TO MOVE THE REMAINING ALLOCATION FROM THE REDUCTION OF FAMILY PLANNING IN THE GENERAL FUND TO BE MOVED TO MENTAL HEALTH CRISES BE ADOPTED.**

**Discussion:**

00:23:08 Rep. Esp  
00:23:17 Marilyn Daumiller, LFD  
00:23:42 Sen. Lewis  
00:24:10 Rep. Schmidt  
00:24:18 Marilyn Daumiller  
**EXHIBIT(jhh31a01)**  
00:25:15 Rep. Schmidt  
00:25:36 Rep. Esp

00:26:38 **Substitute Motion:** Sen. Caferro made a substitute motion **TO USE THE TOBACCO SETTLEMENT INTEREST TO FUND THE HB 120 SERIES (MENTAL HEALTH CRISES) BE ADOPTED.**  
**EXHIBIT(jhh31a02)**

**Discussion:**

00:29:03 Rep. Schmidt

00:29:15 Laurie Lambson, DPHHS  
00:29:28 Sen. Caferro  
00:29:52 Kris Wilkinson, LFD  
00:30:51 Sen. Lewis  
00:31:23 Rep. Esp  
00:32:11 Sen. Lewis  
00:32:27 Kris Wilkinson  
00:32:44 Rep. Schmidt  
00:33:03 Laurie Lambson  
00:33:37 Chairman Roberts  
00:33:46 Kris Wilkinson  
00:33:57 Chairman Roberts  
00:34:00 Kris Wilkinson  
00:34:07 Rep. Schmidt  
00:34:19 Kris Wilkinson  
00:34:23 Rep. Schmidt  
00:34:39 Kris Wilkinson  
00:34:50 Rep. Schmidt  
00:35:04 Kris Wilkinson  
00:35:37 Rep. Schmidt  
00:35:48 Kris Wilkinson  
00:36:13 Rep. Belcourt  
00:36:24 Sen. Lewis  
00:36:40 Sen. Caferro  
  
00:37:25 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.  
  
00:38:12 Rep. Belcourt  
00:38:30 Rep. Esp  
00:38:34 Rep. Schmidt  
00:38:50 Rep. Esp  
00:39:14 Rep. Schmidt  
00:39:28 Rep. Esp  
  
00:39:54 **Vote:** Motion carried 6-2 by roll call vote with Sen. Caferro and Rep. Schmidt voting no.  
  
00:40:34 **Motion:** Sen. Caferro moved **TO FUND THE REMAINING HB 130 SERIES WITH THE TOBACCO SETTLEMENT INTEREST BE ADOPTED.**

**Discussion:**

00:41:03 Rep. Esp  
00:41:17 Rep. Burnett  
00:41:50 Sen. Caferro  
00:42:29 Rep. Esp  
00:43:55 Chairman Roberts  
00:44:53 Rep. Schmidt  
00:45:05 Chairman Roberts

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00:45:12 Rep. Schmidt  
00:45:24 Sen. Lewis  
00:45:30 Rep. Schmidt  
00:45:35 Rep. Esp

00:45:53 **Vote:** Motion carried unanimously by roll call vote. Sen. Priest voted by proxy.

**PL 20009**

00:47:52 Marilyn Daumiller, LFD  
**EXHIBIT(jhh31a03)**  
00:48:40 Rep. Belcourt  
00:48:56 Hank Hudson, DPHHS  
00:49:13 Candee Krantz, DPHHS  
00:49:25 Sen. Priest entered.  
00:49:44 Sen. Caferro  
00:49:59 Hank Hudson  
00:50:04 Jamie Palagi, DPHHS  
00:50:46 Sen. Caferro  
00:50:56 Jamie Palagi

00:51:23 **Motion/Vote:** Rep. Roberts moved that **PL20009 BE ADOPTED**. Motion carried 7-1 by voice vote with Rep. Esp voting no.

**PL20012**

00:51:49 Chairman Roberts  
00:52:06 Marilyn Daumiller, LFD

00:52:27 **Motion:** Rep. Esp moved that **PL20012 BE AMENDED TO A 1% INCREASE INSTEAD OF A 3% INCREASE**.

**Discussion:**

00:52:51 Rep. Schmidt  
00:52:59 Hank Hudson, DPHHS  
00:54:12 Chairman Roberts  
00:54:16 Marilyn Daumiller  
00:55:22 Sen. Caferro  
00:55:35 Rep. Esp  
00:55:51 Sen. Caferro  
00:56:29 Rep. Esp

00:56:48 **Substitute Motion:** Sen. Caferro made a substitute motion **TO REDUCE THE LINE ITEM OF IN-DIRECTS BY 2% BE ADOPTED**.

**Discussion:**

00:58:06 Marilyn Daumiller, LFD  
00:58:27 Laurie Lambson, DPHHS

00:59:15 Marilyn Daumiller  
00:59:31 Laurie Lambson  
00:59:34 Sen. Caferro  
01:00:33 Sen. Lewis  
01:01:12 Hank Hudson, DPHHS  
01:01:17 Rep. Burnett  
01:01:25 Sen. Caferro  
01:02:21 Rep. Esp  
01:02:39 Hank Hudson

01:03:41 **Vote:** Motion carried 6-2 by roll call vote with Rep. Roberts and Rep. Schmidt voting no.

01:04:23 **Motion/Vote:** Rep. Esp moved that **PL20012 BE ADOPTED AS AMENDED.** Motion carried 5-3 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting no.

**PL20013**

01:05:32 Marilyn Daumiller, LFD

01:05:46 **Motion/Vote:** Rep. Roberts moved that **PL20013 BE ADOPTED.** Motion carried 7-1 by voice vote with Rep. Esp voting no.

**PL20015**

01:06:40 Marilyn Daumiller, LFD

01:07:13 **Motion:** Rep. Roberts moved that **PL20015 BE ADOPTED.**

**Discussion:**

01:07:23 Rep. Schmidt  
01:07:32 Marilyn Daumiller, LFD

01:07:39 **Vote:** Motion carried 6-2 by voice vote with Rep. Burnett and Rep. Esp voting no.

**PL20016**

01:08:04 Marilyn Daumiller, LFD

01:08:28 **Motion:** Rep. Roberts moved that **PL20016 BE ADOPTED.**

**Discussion:**

01:08:32 Sen. Caferro  
01:09:52 Sen. Lewis

01:10:35 **Vote:** Motion failed 3-5 by roll call vote with Rep. Belcourt, Sen. Caferro and Rep. Schmidt voting aye.

**PL20017**

01:11:30 Marilyn Daumiller, LFD

01:11:55 **Motion/Vote:** Rep. Roberts moved that **PL20017 BE ADOPTED**. Motion carried 7-1 by voice vote with Rep. Burnett voting no.

**PL20018**

01:12:39 Marilyn Daumiller, LFD

01:13:04 **Motion/Vote:** Rep. Roberts moved that **PL20018 BE ADOPTED**. Motion carried 7-1 by voice vote with Rep. Esp voting no.

**PL20019**

01:13:33 Marilyn Daumiller, LFD

01:13:50 **Motion:** Rep. Roberts moved that **PL20019 BE ADOPTED**.

**Discussion:**

01:14:04 Rep. Esp  
01:14:18 Hank Hudson, DPHHS  
01:14:26 Jim Nolan, DPHHS  
01:14:45 Rep. Esp  
01:14:52 Jim Nolan  
01:15:27 Rep. Esp  
01:16:00 Sen. Lewis  
01:16:20 Jim Nolan  
01:16:44 Rep. Schmidt  
01:17:01 Jim Nolan  
01:17:32 Chairman Roberts

01:17:46 **Vote:** Motion failed 4-4 by roll call vote with Rep. Belcourt, Sen. Caferro, Sen. Lewis and Rep. Schmidt voting aye.

**LIEAP Motion**

01:18:33 **Motion:** Rep. Burnett moved that **THE PROPOSAL TO DE-AUTHORIZE LIEAP ADVERTISEMENT FUNDS BE ADOPTED**.

**Discussion:**

01:19:13 Marilyn Daumiller, LFD  
01:19:41 Rep. Burnett

01:20:14 Chairman Roberts  
01:20:18 Sen. Caferro  
01:20:35 Hank Hudson, DPHHS  
01:21:38 Rep. Burnett  
01:21:59 Hank Hudson  
01:22:15 Chairman Roberts  
01:22:19 Sen. Lewis  
01:22:32 Rep. Burnett  
01:23:03 Sen. Caferro  
01:23:36 Hank Hudson  
01:23:51 Marilyn Daumiller  
01:24:14 Rep. Burnett  
01:24:23 Marilyn Daumiller  
01:24:42 Sen. Caferro  
01:24:50 Marilyn Daumiller

01:25:07 **Vote:** Motion carried 6-2 by roll call vote with Rep. Belcourt and Rep. Schmidt voting no.

**Additional Motion: Human and Community Services**

01:25:57 **Motion:** Sen. Caferro moved that **THE PROPOSAL THAT MONEY BE TAKEN OUT OF TANF BENEFITS LEVEL IN MOE AND A 3% INCREASE FOR WORK CONTRACTORS OUT OF TANF BLOCK GRANT BE ADOPTED.**

**Discussion:**

01:27:47 Rep. Esp  
01:27:52 Rep. Belcourt exited.  
01:27:57 Sen. Caferro  
01:28:10 Marilyn Daumiller, LFD  
01:28:38 Sen. Caferro  
01:30:01 Marilyn Daumiller  
01:30:14 Sen. Caferro  
01:30:37 Marilyn Daumiller  
01:31:20 Laurie Lambson, DPHHS  
01:31:40 Marilyn Daumiller  
01:31:54 Laurie Lambson  
01:32:10 Sen. Caferro  
01:32:48 Sen. Lewis  
01:33:30 Laurie Lambson  
01:33:46 Sen. Caferro  
01:33:54 Laurie Lambson  
01:34:06 Chairman Roberts  
01:34:10 Sen. Caferro  
01:34:47 Rep. Esp

01:35:20 **Vote:** Motion carried 6-2 by roll call vote with Rep. Burnett and Rep. Roberts voting no. Rep. Belcourt voted by proxy.

**PL30001/PL30002**

01:36:04 Chairman Roberts  
01:36:32 Marilyn Daumiller, LFD  
01:37:46 Chairman Roberts

01:37:55 **Motion/Vote:** Rep. Esp moved that **PL30001 and PL30002 BE ADOPTED.**  
Motion carried unanimously by voice vote. Rep. Belcourt voted by proxy.

**PL30003/PL30004**

01:38:54 Marilyn Daumiller, LFD

01:39:24 **Motion/Vote:** Rep. Roberts moved that **PL30003 and PL30004 BE ADOPTED.**  
Motion carried unanimously by voice vote. Rep. Belcourt voted by proxy.

01:39:51 Chairman Roberts

**PL30101**

01:40:04 Marilyn Daumiller, LFD  
01:40:43 Rep. Esp  
01:40:51 Marilyn Daumiller  
01:41:28 Rep. Belcourt  
01:42:06 Marilyn Daumiller

01:42:16 **Motion/Vote:** Rep. Roberts moved that **PL30101 BE ADOPTED.** Motion carried  
unanimously by voice vote. Rep. Belcourt voted by proxy.

01:43:05 Recess  
01:58:45 Reconvene  
01:58:46 Rep. Belcourt entered.

**Developmental Disability Services/Senior and Long-term Care Division**

01:58:51 Chairman Roberts  
01:59:11 Kris Wilkinson, LFD  
**EXHIBIT(jhh31a04)**  
01:59:55 Chairman Roberts  
02:00:26 Kris Wilkinson  
02:00:51 Sen. Caferro  
**EXHIBIT(jhh31a05)**  
02:01:40 Kris Wilkinson  
02:02:04 Rep. Esp  
02:03:27 Laurie Lambson, DPHHS  
02:04:42 Rep. Esp  
02:04:45 Laurie Lambson  
02:04:55 Rep. Esp  
02:05:02 Chairman Roberts

02:05:06      **Motion:** Sen. Caferro moved that **THE PROPOSAL TO REDUCE TOTAL FUNDS BY \$1.7 MILLION EACH YEAR IN THE OPERATIONS ACCOUNT OF THE DPHHS CHILDREN'S MENTAL HEALTH BUREAU (CMHB) AND INCREASE TOTAL FUNDS BY \$1.3 MILLION EACH YEAR IN THE CLIENT BENEFITS ACCOUNT OF THE MEDICAID BENEFITS REPORTING LEVEL REPORTING LEVEL RESTRICTING IT TO INCREASE THE RATE FOR CHILDREN'S MENTAL HEALTH TARGETED CASE MANAGEMENT BE ADOPTED.**

**Discussion:**

02:07:24      Mary Dalton, DPHHS  
02:07:48      Rep. Esp  
02:08:09      Mary Dalton  
02:08:40      Sen. Lewis  
02:08:53      Mary Dalton  
02:09:00      Sen. Lewis  
02:09:22      Mary Dalton  
02:10:13      Rep. Schmidt  
02:10:36      Chairman Roberts  
02:10:41      Sen. Caferro  
02:12:27      Rep. Burnett  
02:12:46      Sen. Lewis  
02:12:58      Rep. Schmidt  
02:13:05      Mary Dalton  
02:13:19      Sen. Caferro  
02:13:29      Rep. Esp  
02:14:15      Sen. Caferro  
02:14:47      Rep. Esp  
02:14:59      Sen. Priest  
02:15:06      Chairman Roberts

02:15:17      **Vote:** Motion carried 6-2 by roll call vote with Rep. Belcourt and Rep. Schmidt voting no.

02:16:35      Kris Wilkinson  
02:16:53      Chairman Roberts  
02:19:37      Mary Dalton

[\*\*EXHIBIT\(jhh31a06\)\*\*](#)

**Child Support Enforcement Division**

02:20:43      Lonnie Olson, Administrator, Child Support Enforcement Division, DPHHS  
02:51:02      Rep. Esp  
  
02:51:32      Lonnie Olson

**Questions and Comments:**

02:55:03      Rep. Burnett

02:55:35 Lonnie Olson, DPHHS  
02:58:30 Sen. Caferro  
02:58:32 Lonnie Olson  
02:58:47 Sen. Caferro  
02:59:07 Lonnie Olson  
02:59:21 Chairman Roberts

**Public Testimony:**

03:00:38 Terry Minow, Montana Education Association - Montana Federation of Teachers  
(MEA-MFT)

**ADJOURNMENT**

Adjournment: 03:02:20

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Miranda Keaster, Secretary

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Additional Documents:

**EXHIBIT**([jhh31aad.pdf](#))