

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON HUMAN SERVICES

**Call to Order:** Chair Art Wittich, on April 1, 2015 at 3:00 PM, in Room 152 Capitol

#### ROLL CALL

**Members Present:**

Rep. Art Wittich, Chair (R)  
Rep. Ellie Boldman Hill, Vice Chair (D)  
Rep. Kirk Wagoner, Vice Chair (R)  
Rep. Seth Berglee (R)  
Rep. Alan Doane (R)  
Rep. Jennifer Eck (D)  
Rep. Bill Harris (R)  
Rep. Denise Hayman (D)  
Rep. Stephanie Hess (R)  
Rep. Tom Jacobson (D)  
Rep. Jessica Karjala (D)  
Rep. Forrest Mandeville (R)  
Rep. Albert Olszewski (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Gordon Pierson Jr (D)  
Rep. Alan Redfield (R)  
Rep. Vince Ricci (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Sue O'Connell, Legislative Branch  
Phoebe Williams, Committee Secretary

**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:**

Hearing & Date Posted: SB 316, 3/30/2015  
Executive Action: SB 7, SB 148, SB 349, SB 344, SB, 216

**HEARING ON SB 316****Opening Statement by Sponsor:**

00:00:58 Sen. Roger Webb (R), SD 23, opened the hearing on SB 316, Generally revise laws re when certain individuals may be transferred to DOC.

**Proponents' Testimony:**

00:04:18 Niki Zupanic, American Civil Liberties Union (ACLU)

00:07:33 Patti Jacques, Self

**[EXHIBIT\(huh68a01\)](#)**

00:10:12 Beth Brenneman, Disability Rights Montana

00:14:11 Dr. Gary Mihelish, Self

00:20:35 John Wilkinson, Self

**Opponents' Testimony:**

00:23:16 Paulette Kohman, Department of Health and Human Services (DPHHS)

**[EXHIBIT\(huh68a02\)](#)****[EXHIBIT\(huh68a03\)](#)**

00:54:16 Frank Clinch, Self

**Informational Testimony:**

01:03:01 Leroy Kirkegard, Montana State Prison Warden

01:03:34 John Glueckert, Montana State Hospital

**Questions from Committee Members and Responses:**

01:09:07 Rep. Harris

01:09:42 John Glueckert, Montana State Hospital

01:10:01 Rep. Harris

01:10:10 John Glueckert, Montana State Hospital

01:11:31 Rep. Harris

01:12:04 John Glueckert, Montana State Hospital

01:12:57 Rep. Eck

01:13:35 John Glueckert, Montana State Hospital

01:14:25 Rep. Eck

01:14:34 John Glueckert, Montana State Hospital

01:14:44 Rep. Eck

01:14:52 John Glueckert, Montana State Hospital

01:14:57 Rep. Eck

01:15:42 Leroy Kirkegard, Montana State Prison

01:19:08 Rep. Eck

01:19:28 Leroy Kirkegard, Montana State Prison

01:20:45 Rep. Eck

01:21:24 Leroy Kirkegard, Montana State Prison

01:21:37 Rep. Eck

01:21:45 Leroy Kirkegard, Montana State Prison

01:22:31 Rep. Eck

01:23:09 Beth Brenneman, Disability Rights Montana

01:23:57 Chairman Wittich  
01:24:31 John Glueckert, Montana State Prison  
01:25:02 Chairman Wittich  
01:25:25 John Glueckert, Montana State Prison  
01:25:43 Chairman Wittich  
01:26:46 Paulette Kohman, DPHHS  
01:29:15 Chairman Wittich  
01:30:02 Beth Brenneman, Disability Rights Montana  
01:30:20 Chairman Wittich  
01:30:26 Beth Brenneman, Disability Rights Montana  
01:30:46 Chairman Wittich  
01:31:26 Sen. Webb  
01:31:31 Chairman Wittich

**Closing by Sponsor:**

01:32:02 Sen. Webb

**EXECUTIVE ACTION ON SB 7**

01:34:41 **Motion:** Rep. Wagoner moved that **SB 7 BE CONCURRED IN.**

**Discussion:**

01:35:02 Sue O'Connell, LSD  
01:35:21 Rep. Olszewski  
01:36:13 Chairman Wittich

01:36:21 **Vote:** Motion carried 16-1 by voice vote with Rep. Wittich voting no. Rep. Wagoner will carry the bill.

**EXECUTIVE ACTION ON SB 148**

01:36:58 **Motion:** Rep. Wagoner moved that **SB 148 BE CONCURRED IN.**

**Discussion:**

01:37:18 Sue O'Connell, LSD  
01:37:42 Rep. Pease-Lopez  
01:38:20 Chairman Wittich  
01:40:01 Rep. Jacobson  
01:41:10 Rep. Karjala  
01:42:13 Rep. Harris  
01:43:11 Chairman Wittich

01:44:22 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Wittich will carry the bill.

**EXECUTIVE ACTION ON SB 349**

01:45:46 **Motion:** Rep. Wagoner moved that **SB 349 BE CONCURRED IN.**

01:46:16 **Motion:** Rep. Wagoner moved that **SB 349 BE AMENDED.**  
**EXHIBIT(huh68a04)**

01:46:51 Sue O'Connell, LSD

01:47:08 Rep. Hill

01:47:25 Rep. Karjala

01:47:45 Rep. Wittich

01:48:10 **Vote:** Motion carried 10-7 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no.

01:49:03 **Motion:** Rep. Wagoner moved that **SB 349 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:49:10 Rep. Hill

01:49:46 Rep. Jacobson

01:50:22 Rep. Olszewski

01:51:04 Rep. Wagoner

01:51:42 Rep. Karjala

01:52:12 Chairman Wittich

01:52:23 Rep. Karjala

01:52:37 **Vote:** Motion carried 9-8 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Pease-Lopez, Rep. Pierson and Rep. Redfield voting no. Rep. Ricci will carry the bill.

**EXECUTIVE ACTION ON SB 344**

01:54:03 **Motion/Vote:** Rep. Wagoner moved that **SB 344 BE TABLED.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 216**

01:54:45 **Motion:** Rep. Wagoner moved that **SB 216 BE CONCURRED IN.**

**Discussion:**

01:55:11 Sue O'Connell, LSD

01:56:20 Rep. Eck

01:56:29 Chairman Wittich

01:56:44 Rep. Pease-Lopez

01:57:12 Sue O'Connell, LSD

01:57:38 Chairman Wittich

01:57:46 **Vote:** Motion carried 14-3 by voice vote with Rep. Eck, Rep. Karjala and Rep. Pease-Lopez voting no. Rep. Redfield will carry the bill.

01:58:24 Chairman Wittich

02:00:52 Rep. Eck

02:01:44 Rep. Wagoner

02:02:07 Chairman Wittich

**ADJOURNMENT**

Adjournment: 02:02:40

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Phoebe Williams, Secretary

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Additional Documents:

**EXHIBIT([huh68aad.pdf](#))**