

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: Chair Art Wittich, on April 13, 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. Carolyn Pease-Lopez (D)
Rep. Gordon Pierson Jr (D)
Rep. Alan Redfield (R)
Rep. Vince Ricci (R)

Members Excused: Rep. Forrest Mandeville (R)
Rep. Albert Olszewski (R)

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: SJ 22, 4/9/2015; HJ 25, 4/9/2015
Executive Action: SB 411

HEARING ON SJ 22**Opening Statement by Sponsor:**

00:00:56 Sen. Roger Webb (R), SD 23, opened the hearing on SJ 22, Request interim study of state guardianship programs for elderly.

Proponents' Testimony:

00:02:28 Matt Kuntz, National Alliance on Mental Illness (NAMI)
00:03:30 Alisha Smith, National Alliance on Mental Illness (NAMI)
00:04:13 Bernadette Franks-Ongoy, Disability Rights Montana
00:04:57 Mike Foster, Montana's Catholic Hospitals

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:00 Rep. Hayman
00:06:36 Sen. Webb
00:07:38 Rep. Karjala
00:08:20 Bernadette Franks-Ongoy, Disability Rights Montana
00:09:58 Chairman Wittich
00:10:25 Sen. Webb
00:10:38 Chairman Wittich
00:10:59 Sen. Webb
00:11:33 Claudia Clifford, American Association of Retried People (AARP)

EXHIBIT(huh74a01)

00:12:18 Alisha Smith, National Alliance on Mental Illness (NAMI)

Closing by Sponsor:

00:12:37 Sen. Webb

HEARING ON HJ 25**Opening Statement by Sponsor:**

00:14:11 Rep. Daniel Zolnikov (R), HD 45, opened the hearing on HJ 25, Interim study on homelessness, mental illness, substance abuse, & incarceration.

Proponents' Testimony:

00:18:22 Dr. Gary Mihelish, Advocate for People With Severe Mental Illness
00:20:42 Matt Kuntz, National Alliance on Mental Illness (NAMI)
00:22:09 Bernadette Franks-Ongoy, Disability Rights Montana
00:22:50 Alisha Smith, National Alliance on Mental Illness (NAMI)
00:25:28 Mike Foster, Montana's Catholic Hospitals
00:27:04 Aimee Grmoljez, Billings Clinic and Rimrock Foundation

EXHIBIT(huh74a02)

00:30:45 Jon Esp. Montana Association of Counties (MACo)
00:31:45 Bill Warden, Benefis, St. Peters Hospital and Bozeman Deaconess Hospital

00:32:27 Shane Morigeau, Salish and Kootenai Tribes
 00:33:24 Jean Branscum, Montana Medical Association (MMA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:34:30 Rep. Mandeville
 00:35:13 Rep. Zolnikov
 00:35:31 Rep. Karjala
 00:36:19 Aimee Grmoljez, Billings Clinic and Rimrock Foundation
 00:39:15 Rep. Karjala
 00:39:36 Aimee Grmoljez, Billings Clinic and Rimrock Foundation
 00:40:37 Rep. Eck
 00:41:16 Rep. Zolnikov
 00:41:29 Chairman Wittich

Closing by Sponsor:

00:41:40 Rep. Zolnikov

EXECUTIVE ACTION ON SB 411

00:44:10 **Motion:** Rep. Wagoner moved that **SB 411 BE CONCURRED IN.**

00:44:31 **Motion:** Rep. Wagoner moved that **SB 411 BE AMENDED.**
[**EXHIBIT\(huh74a03\)**](#)

Discussion:

00:45:30 Rep. Wagoner
 00:47:20 Rep. Doane
 00:47:32 Rep. Wagoner
 00:47:40 Rep. Eck
 00:48:12 Sue O'Connell, LSD
 00:48:54 Rep. Eck
 00:49:02 Sue O'Connell, LSD
 00:49:10 Rep. Eck
 00:49:27 Sue O'Connell, LSD
 00:50:46 Rep. Harris
 00:51:21 Rep. Wagoner
 00:51:56 Rep. Harris
 00:52:38 Rep. Wagoner
 00:53:01 Rep. Harris
 00:53:26 Rep. Wagoner
 00:53:47 Rep. Hill
 00:54:09 Chairman Wittich
 00:54:45 Sue O'Connell, LSD
 00:55:21 Chairman Wittich
 00:55:33 Sue O'Connell, LSD
 00:55:42 Chairman Wittich

00:56:05 Rep. Wagoner
00:56:34 Chairman Wittich
00:56:59 Rep. Wagoner
00:57:24 Chairman Wittich
00:57:47 Rep. Wagoner
00:58:09 Chairman Wittich
00:58:16 Rep. Wagoner
00:58:28 Chairman Wittich

00:58:44 **Vote:** Motion failed 6-11 by roll call vote with Rep. Berglee, Rep. Doane, Rep. Olszewski, Rep. Redfield, Rep. Ricci and Rep. Wagoner voting aye. Rep. Olszewski and Rep. Pierson voted by proxy.

00:59:58 **Motion:** Rep. Wagoner moved that **SB 411 BE AMENDED.**
[EXHIBIT\(huh74a04\)](#)

Discussion:

01:00:53 Rep. Wagoner
01:02:01 Rep. Eck
01:02:28 Sue O'Connell, LSD
01:03:47 Chairman Wittich
01:03:54 Rep. Karjala
01:04:11 Chairman Wittich
01:05:02 Sue O'Connell, LSD
01:05:31 Chairman Wittich
01:05:41 Sue O'Connell, LSD
01:06:23 Rep. Wagoner
01:06:53 Rep. Harris
01:07:50 Rep. Wagoner
01:08:15 Rep. Jacobson
01:08:46 Rep. Wagoner
01:09:13 Rep. Jacobson
01:10:05 Rep. Wagoner
01:10:30 Rep. Jacobson
01:11:05 Rep. Wagoner
01:11:25 Rep. Jacobson
01:11:36 Rep. Wagoner
01:11:42 Rep. Jacobson
01:13:08 Rep. Wagoner
01:13:55 Rep. Harris
01:15:03 Chairman Wittich
01:15:22 Sue O'Connell, LSD

01:15:34 **Vote:** Motion failed 6-11 by roll call vote with Rep. Doane, Rep. Olszewski, Rep. Redfield, Rep. Ricci, Rep. Wagoner and Rep. Wittich voting aye. Rep. Olszewski and Rep. Pierson voted by proxy.

01:17:00 **Motion:** Rep. Wagoner moved that **SB 411 BE AMENDED.**
[EXHIBIT\(huh74a05\)](#)

Discussion:

01:17:30 Sue O'Connell, LSD
 01:17:44 Rep. Wagoner
 01:19:40 Rep. Doane
 01:19:55 Rep. Wagoner
 01:21:14 Rep. Doane
 01:21:23 Rep. Wagoner
 01:22:06 Rep. Harris
 01:23:34 Rep. Wagoner
 01:23:53 Chairman Wittich
 01:24:04 Rep. Wagoner
 01:24:34 Chairman Wittich
 01:25:07 Rep. Wagoner

01:25:33 **Substitute Motion:** Rep. Wittich made a substitute motion that **AMENDMENT SB041104.ASO BE SEGREGATED AND PARAGRAPHS 1, 7 AND 13 BE VOTED ON, PARAGRAPHS 3, 4, 5, 6, 9, 10, 11 AND 12 BE VOTED ON, AND PARAGRAPH 14 BE VOTED ON SEPARATELY.**

Discussion:

01:26:14 Rep. Eck
 01:26:23 Chairman Wittich
 01:26:39 Sue O'Connell, LSD
 01:27:57 Chairman Wittich
 01:28:14 Sue O'Connell, LSD
 01:28:32 Chairman Wittich
 01:28:56 Rep. Eck
 01:29:09 Chairman Wittich

01:29:35 **Vote:** Amendment SB041104.ASO Paragraphs 1, 7 and 13. Motion failed 6-11 by roll call vote with Rep. Berglee, Rep. Mandeville, Rep. Olszewski, Rep. Redfield, Rep. Wagoner and Rep. Wittich voting aye. Rep. Olszewski and Rep. Pierson voted by proxy.

01:30:55 Chairman Wittich
 01:31:09 Rep. Doane
 01:31:38 Rep. Wagoner
 01:32:14 Rep. Jacobson
 01:32:22 Rep. Wagoner
 01:32:50 Rep. Hill
 01:33:30 Chairman Wittich

01:33:47 **Substitute Motion:** Rep. Doane made a substitute motion that **PARAGRAPH 14 OF THE AMENDMENT BE SEGREGATED AND JUST SUB SECTION B BE VOTED ON.**

Discussion:

01:34:38 Rep. Harris
 01:35:09 Rep. Hill
 01:35:33 Rep. Wagoner

- 01:35:54 Rep. Redfield
01:36:17 Chairman Wittich
- 01:36:32 **Vote:** Motion carried 9-8 by roll call vote with Rep. Eck, Rep. Harris, Rep. Hayman, Rep. Hess, Rep. Hill, Rep. Karjala, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Olszewski and Rep. Pierson voted by proxy.
- 01:39:12 Chairman Wittich
- 01:39:28 **Vote:** Amendment SB041104.ASO the rest of paragraph 14. Motion failed 2-15 by roll call vote with Rep. Olszewski and Rep. Wagoner voting aye. Rep. Olszewski and Rep. Pierson voted by proxy.
- Vote:** Amendment SB041104.ASO Paragraphs 3,4,5,6,9,10,11 and 12. Motion failed 3-14 by roll call vote with Rep. Olszewski, Rep. Redfield and Rep. Wagoner voting aye. Rep. Olszewski and Rep. Pierson voted by proxy.

01:40:38 **Motion:** Rep. Wagoner moved that **HB 411 BE AMENDED.**
[EXHIBIT\(huh74a06\)](#)

Discussion:

- 01:41:12 Rep. Wagoner
- 01:42:26 **Vote:** Motion failed 4-13 by roll call vote with Rep. Olszewski, Rep. Redfield, Rep. Ricci and Rep. Wagoner voting aye. Rep. Olszewski and Rep. Pierson voted by proxy.

01:43:40 **Motion:** Rep. Wagoner moved that **SB 411 BE AMENDED.**
[EXHIBIT\(huh74a07\)](#)

Discussion:

- 01:44:15 Rep. Wagoner
01:45:18 Rep. Harris
01:45:50 Rep. Wagoner
01:46:29 Rep. Doane
01:46:59 Chairman Wittich
01:47:10 Rep. Doane
01:47:24 Sue O'Connell
01:47:52 Rep. Eck
01:48:12 Rep. Wagoner
01:48:24 Sue O'Connell
01:48:37 Chairman Wittich
- 01:48:41 **Vote:** Motion carried 9-8 by roll call vote with Rep. Eck, Rep. Hayman, Rep. Hill, Rep. Jacobson, Rep. Karjala, Rep. Mandeville, Rep. Pease-Lopez and Rep. Pierson voting no. Rep. Olszewski and Rep. Pierson voted by proxy.

01:49:47 **Motion:** Rep. Wagoner moved that **SB 411 BE AMENDED.**
[EXHIBIT\(huh74a08\)](#)

Discussion:

- 01:50:27 Sue O'Connell, LSD
 01:50:36 Rep. Wagoner
 01:52:41 Rep. Eck
 01:52:53 Rep. Wagoner
 01:53:17 Chairman Wittich
 01:53:26 Rep. Wagoner
 01:53:42 Rep. Eck
 01:54:00 Rep. Wagoner
 01:54:05 Rep. Karjala
 01:54:21 Chairman Wittich
 01:54:58 Rep. Karjala
 01:55:16 Rep. Hill
 01:56:16 Chairman Wittich
 01:56:23 Rep. Hill
 01:57:17 Rep. Wagoner
 01:58:06 Sue O'Connell, LSD
 01:58:34 Rep. Harris
 01:59:19 Sue O'Connell, LSD
 02:00:05 Rep. Harris
 02:00:38 Rep. Eck
 02:00:58 Sue O'Connell
 02:01:18 Chairman Wittich
 02:01:37 Rep. Eck
- 02:02:06 **Substitute Motion/Vote:** Rep. Jacobson moved that **AMENDMENT SB041109.ASO BE TABLED**. Motion carried 9-8 by roll call vote with Rep. Berglee, Rep. Eck, Rep. Karjala, Rep. Olszewski, Rep. Pease-Lopez, Rep. Pierson, Rep. Wagoner and Rep. Wittich voting no. Rep. Olszewski and Rep. Pierson voted by proxy.
- 02:05:27 **Motion:** Rep. Wittich moved to **RECONSIDER ACTION**.
- 02:06:09 Chairman Wittich
 02:06:16 Rep. Hayman
 02:06:26 Rep. Wittich
- 02:07:10 **Vote:** Motion carried 11-6 by roll call vote with Rep. Doane, Rep. Mandeville, Rep. Olszewski, Rep. Redfield, Rep. Ricci and Rep. Wagoner voting no. Rep. Olszewski voted by proxy.
- 02:08:32 **Motion/Vote:** Rep. Wittich moved that **TO REMOVE AMENDMENT SB0411.ASO Paragraph 14 Subsection b**. Motion carried 10-7 with Rep. Doane, Rep. Jacobson, Rep. Mandeville, Rep. Olszewski, Rep. Redfield, Rep. Ricci and Rep. Wagoner voting no. Rep. Olszewski and Rep. Pierson voted by proxy.
- 02:10:25 **Motion:** Rep. Wagoner moved that **SB 411 BE CONCURRED IN AS AMENDED**.

02:10:50 **Motion:** Rep. Eck moved that **AMENDMENT SB041109.ASO BE TAKEN OFF THE TABLE.**

Discussion:

02:12:20 Rep. Doane

02:12:34 Rep. Karjala

02:13:01 Rep. Wittich

02:13:12 **Vote:** Motion failed 5-10 by roll call vote with Rep. Eck, Rep. Karjala, Rep. Pease-Lopez, Rep. Wagoner and Rep. Wittich voting aye. Rep. Olszewski and Rep. Pierson were excused.

02:14:12 Rep. Hayman

02:16:50 Rep. Harris

02:18:11 Rep. Karjala

02:20:12 Rep. Jacobson

02:21:29 Rep. Redfield

02:22:35 Rep. Wagoner

02:24:45 Chairman Wittich

02:26:06 Rep. Wagoner

02:26:35 **Vote:** Motion carried 13-4 by roll call vote with Rep. Hayman, Rep. Pierson, Rep. Redfield and Rep. Wagoner voting no. Rep. Olszewski and Rep. Pierson voted by proxy. Rep. Harris will carry the bill.

ADJOURNMENT

Adjournment: 02:28:50

Phoebe Williams, Secretary

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Additional Documents:

EXHIBIT([huh74aad.pdf](#))