

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON JUDICIARY

Call to Order: CHAIRMAN RON STOKER, on January 14, 2009 at 8:00
A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Ron Stoker, Chairman (R)
Rep. Deborah Kottel, Vice Chairman (D)
Rep. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. David Howard (R)
Rep. Krayton Kerns (R)
Rep. Margaret MacDonald (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Mike Menahan (D)
Rep. Michael More (R)
Rep. Keith Regier (R)
Rep. Diane Sands (D)
Rep. Bob Wagner (R)
Rep. Wendy Warburton (R)

Members Excused: None

Members Absent: Rep. Ken Peterson, Vice Chairman (R)

Staff Present: Jennifer Eck, Committee Secretary
David Niss, 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:

Hearing & Date Posted: HB 60, 1/12/2009; HB 130,
1/12/2009; HB 131, 1/12/2009; HB
132, 1/12/2009

Executive Action: None

HEARING ON HB 60**Opening Statement by Sponsor:**

00:03:22 Rep. Bob Ebinger (D), HD 62, opened the hearing on HB 60, Jail mental health crisis network standards pilot program.

00:03:45 Chairman Stoker

00:04:03 Rep. Ebinger

00:08:36 Chairman Stoker

00:08:38 Rep. Ebinger

00:08:50 Chairman Stoker

00:08:55 Rep. Sands

00:09:00 Chairman Stoker

Proponents' Testimony:

00:10:17 Rep. Sands

00:09:36 Chairman Stoker

00:18:35 Aimee Grmoljez, Billings Clinic

00:12:50 Chairman Stoker

00:12:57 Carl Seilstad, Fergus County Commissioner

00:13:26 Chairman Stoker

00:13:34 Bob Olsen, Montana Hospital Association

00:14:53 Chairman Stoker

00:14:57 Anita Roessmann, Disability Rights Montana

00:17:37 Chairman Stoker

00:17:44 Mike Foster, Catholic Hospitals of Montana

00:10:30 Chairman Stoker

00:18:41 Mark Taylor, Benefis Health System, Great Falls

00:19:15 Chairman Stoker

00:19:21 Colette Gray, Great Falls

00:20:14 Chairman Stoker

00:20:07 Niki Zupanic, ACLU of Montana

00:21:18 Chairman Stoker

00:21:27 Paul Meyer, Western Montana Mental Health Center

EXHIBIT (juh08a01)

00:23:13 Chairman Stoker

00:23:33 Matt Kuntz, National Alliance for Mental Illness in Montana

00:25:26 Chairman Stoker

00:25:32 Dennis McCave, Montana Sheriffs and Police Officers Association

00:26:20 Chairman Stoker

Opponents' Testimony: None

Informational Testimony:

00:26:50 Lou Thompson, Addictive and Mental Disorders Division
00:27:06 Chairman Stoker

Questions from Committee Members and Responses:

00:27:24 Rep. McClafferty
00:27:46 Rep. Ebinger
00:28:28 Rep. McClafferty
00:28:31 Chairman Stoker
00:28:46 Rep. Bennett
00:28:53 Chairman Stoker
00:29:00 Rep. Bennett
00:29:06 Ms. Grmoljez
00:29:24 Rep. Bennett
00:29:39 Ms. Grmoljez
00:30:52 Rep. Bennett
00:30:55 Chairman Stoker
00:31:03 Ms. Grmoljez
00:31:09 Chairman Stoker
00:31:20 Mr. Kuntz
00:33:23 Chairman Stoker
00:33:47 Mr. Kuntz
00:33:56 Chairman Stoker
00:34:00 Mr. Kuntz
00:34:37 Chairman Stoker
00:34:39 Rep. Menahan
00:34:49 Ms. Thompson
00:34:53 Rep. Menahan
00:35:20 Ms. Thompson
00:35:22 Rep. Menahan
00:35:43 Ms. Thompson
00:35:46 Rep. Menahan
00:36:17 Ms. Thompson
00:36:54 Rep. Menahan
00:37:12 Ms. Thompson
00:37:26 Rep. Menahan
00:37:28 Chairman Stoker
00:37:34 Rep. More
00:38:01 Ms. Grmoljez
00:39:35 Chairman Stoker
00:40:05 Mr. Chilcott, Montana Association of Counties
00:40:29 Chairman Stoker
00:40:31 Mr. Chilcott
00:41:05 Rep. Regier
00:41:28 Ms. Roessmann
00:42:11 Rep. Regier
00:42:27 Ms. Roessmann
00:42:50 Rep. Regier

00:43:05 Carl Rosston, Suicide Prevention Coordinataor, State of
Montana
00:44:05 Rep. Regier
00:44:06 Chairman Stoker
00:44:14 Rep. Howard
00:44:25 Chairman Stoker
00:44:27 Rep. Howard
00:44:57 Mr. McCave
00:47:07 Rep. Howard
00:47:29 Mr. McCave
00:48:54 Rep. Howard
00:49:23 Mr. McCave
00:50:31 Rep. Howard
00:50:50 Mr. McCave
00:51:10 Rep. Howard
00:51:11 Chairman Stoker
00:51:32 Mr. McCave
00:52:37 Chairman Stoker
00:52:40 Rep. Wagner
00:52:55 Mr. McCave
00:53:06 Rep. Wagner
00:53:38 Mr. McCave
00:54:07 Rep. Wagner
00:54:10 Chairman Stoker
00:54:42 Mr. Rosston
00:55:02 Chairman Stoker
00:55:09 Mr. Rosston
00:55:30 Chairman Stoker
00:55:34 Mr. Rosston
00:55:50 Chairman Stoker
00:55:58 Rep. Warburton
00:56:38 Mr. McCave
00:57:27 Chairman Stoker

Closing by Sponsor:

00:57:36 Rep. Ebinger

00:59:30 Chairman Stoker
00:59:47 Rep. Kottel takes the Chair.

Recess: mics muted.

01:07:40 Vice Chairwoman Kottel

HEARING ON HB 130**Opening Statement by Sponsor:**

01:08:24 Rep. Ron Stoker (R), HD 87, opened the hearing on HB 130, Grant program for local crisis services and jail diversion for mentally ill.

[EXHIBIT \(juh08a02\)](#)

[EXHIBIT \(juh08a03\)](#)

Proponents' Testimony:

01:19:06 Vice Chairwoman Kottel

01:19:59 Dr. Sharon Mulvehill, M.D., Community Crisis Center, Billings, MT

[EXHIBIT \(juh08a04\)](#)

01:23:44 Vice Chairwoman Kottel

01:23:53 Jim Cashell, Montana Sheriffs and Police Officers Association

01:26:24 Vice Chairwoman Kottel

01:26:31 Kenneth Klevin, Cascade County

01:30:06 Vice Chairwoman Kottel

01:30:13 Leo Gallagher, Montana County Attorney's Association

01:36:46 Vice Chairwoman Kottel

01:36:52 Bill Kennedy, Chair, Yellowstone County Commission

01:41:25 Vice Chairwoman Kottel

01:41:30 Anita Roessman, Disability Rights of Montana

01:43:19 Bob Ross, Executive Director, South Central Montana Regional Health Center

01:44:38 Matt Kuntz, Executive Director, National Alliance on Mental Illness for Montana

01:45:31 Aimee Grmoljez, Billings Clinic

01:46:29 Mike Foster, Catholic Hospitals of Montana

01:48:28 Carl Seilstad, Fergus County Commissioner

01:50:34 Vice Chairwoman Kottel

01:50:45 Marcy Neary, Community Crisis Center

01:51:06 Bob Olsen, Montana Hospital Association

01:51:11 Mark Taylor, Benefits Health System, Great Falls

01:51:25 Vice Chairwoman Kottel

Opponents' Testimony: None

Informational Testimony:

01:51:42 Sheri Heffelfinger, Legislative Services

01:51:57 Lou Thompson, Addictive and Mental Disorders Division

01:52:10 Vice Chairwoman Kottel

Questions from Committee Members and Responses:

01:52:16 Rep. Menahan
01:52:47 Ms. Thompson
01:53:40 Rep. Menahan
01:53:48 Ms. Thompson
01:54:34 Rep. Menahan
01:56:09 Ms. Thompson
01:57:07 Rep. Menahan
01:57:57 Ms. Thompson
01:59:04 Vice Chairwoman Kottel
01:59:07 Rep. MacDonald
02:00:07 Mr. Kennedy
02:02:11 Vice Chairwoman Kottel
02:02:15 Rep. MacDonald
02:02:36 Mr. Kennedy
02:03:35 Vice Chairwoman Kottel
02:03:39 Rep. More
02:03:54 Vice Chairwoman Kottel
02:03:59 Rep. More
02:04:06 Mr. Klevin
02:05:54 Rep. More
02:06:04 Mr. Klevin
02:06:07 Vice Chairwoman Kottel
02:06:09 Rep. Wagner
02:06:29 Vice Chairwoman Kottel
02:06:44 Rep. Peterson
02:07:29 Ms. Thompson
02:08:03 Rep. Peterson
02:08:41 Ms. Thompson
02:08:58 Rep. Peterson
02:09:12 Ms. Thompson
02:09:36 Vice Chairwoman Kottel
02:09:40 Rep. Becker
02:09:52 Ms. Heffelfinger
02:09:54 Rep. Becker
02:10:31 Ms. Heffelfinger

EXHIBIT (juh08a05)

02:13:18 Vice Chairwoman Kottel
02:13:53 Rep. Becker
02:14:03 Ms. Heffelfinger
02:14:54 Vice Chairwoman Kottel

Closing by Sponsor:

02:15:02 Rep. Stoker
02:15:08 Vice Chairwoman Kottel

HEARING ON HB 131

Opening Statement by Sponsor:

02:15:14 Rep. Ron Stoker (R), HD 87, opened the hearing on
HB 131, State contracting for mental health emergency
detention beds.

02:15:22 Vice Chairwoman Kottel
02:15:52 Rep. Stoker
02:19:52 Vice Chairwoman Kottel

Proponents' Testimony:

02:20:05 Bob Olsen, Montana Hospitals Association
02:22:48 Vice Chairwoman Kottel
02:22:55 Paul Meyer, Executive Director, Montana Health Center
02:25:44 Vice Chairwoman Kottel
02:25:51 Jim Cashell, Montana State Police Officers Association
02:27:53 Leo Gallagher, Montana County Attorney's Association
02:29:13 Bob Ross, Executive Director, South Central Montana
Regional Health Center
02:30:21 Matt Kuntz, National Alliance on Mental Illness
02:31:53 Anita Roessman, Disability Rights of Montana
02:33:07 Carl Seilstad, Fergus County Commissioner
02:33:28 Vice Chairwoman Kottel
02:33:32 Aimee Grmoljez, Billings Clinic
02:34:16 Mike Foster, Catholic Hospitals of Montana
02:35:43 Vice Chairwoman Kottel

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:35:59 Rep. Menahan
02:37:02 Ms. Thompson
02:37:05 Rep. Menahan
02:37:42 Ms. Thompson
02:37:46 Rep. Menahan
02:38:00 Ms. Thompson
02:38:02 Rep. Menahan
02:38:41 Ms. Thompson
02:39:55 Rep. Menahan
02:40:16 Ms. Thompson
02:40:30 Vice Chairwoman Kottel

02:40:34 Rep. Bennett
02:41:09 Ms. Thompson
02:41:58 Rep. Bennett
02:42:28 Ms. Thompson
02:42:39 Rep. Bennett
02:42:41 Vice Chairwoman Kottel
02:42:42 Rep. Becker
02:43:02 Mr. Cashell
02:43:07 Rep. Becker
02:43:39 Mr. Cashell
02:45:41 Rep. Becker
02:45:44 Rep. Wagner
02:46:14 Mr. Cashell
02:47:29 Rep. Wagner
02:48:11 Vice Chairwoman Kottel
02:48:19 Rep. Wagner
02:48:31 Leo Gallagher
02:51:18 Rep. Wagner
02:51:49 Mr. Gallagher
02:51:54 Rep. Wagner
02:51:56 Vice Chairwoman Kottel
02:51:58 Rep. Howard
02:52:07 Vice Chairwoman Kottel
02:52:09 Rep. Howard
02:52:51 Mr. Cashell
02:53:15 Rep. Howard
02:53:18 Vice Chairwoman Kottel

Closing by Sponsor:

02:53:30 Rep. Stoker
02:54:08 Recess: mics muted.
03:01:53 Rep. Peterson joined meeting and took the Chair.

HEARING ON HB 132

Opening Statement by Sponsor:

03:02:07 Rep. Ron Stoker (R), HD 87, opened the hearing on HB 132, Diversion from involuntary commitment to short-term inpatient treatment.
03:06:26 Vice Chairman Peterson

Proponents' Testimony:

03:06:54 Anita Roessmann, Disability Rights Montana

03:13:20 Vice Chairman Peterson
03:13:24 Aimee Grmoljez, Billings Clinic
03:14:40 Vice Chairman Peterson
03:14:46 Jim Cashell, Montana State Police Officers Association
03:15:13 Chairman Peterson
03:15:18 Greg Chilcott, Montana Association of Counties
03:15:51 Vice Chairman Peterson
03:15:58 Paul Meyer, Executive Director of the Montana Health Center
03:17:11 Vice Chairman Peterson
03:17:16 Merle Raph, Montana County Attorneys Association
03:20:01 Vice Chairman Peterson
03:20:11 Bob Olsen, Montana Hospitals Association
03:20:34 Vice Chairman Peterson
03:20:43 Bill Kennedy, Yellowstone County Commissioner
03:22:18 Vice Chairman Peterson
03:22:25 Mike Foster, Catholic Hospitals of Montana
03:23:04 Vice Chairman Peterson

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:23:52 Rep. Menahan
03:25:59 Ms. Roessmann
03:27:33 Rep. Menahan
03:27:44 Ms. Roessmann
03:28:03 Rep. Menahan
03:30:35 Ms. Roessmann
03:31:53 Rep. Menahan
03:33:01 Ms. Roessmann
03:33:03 Rep. Menahan
03:33:40 Ms. Roessmann
03:33:44 Rep. Menahan
03:34:05 Ms. Roessmann
03:34:35 Vice Chairman Peterson
03:35:08 Ms. Roessmann
03:35:17 Vice Chairman Peterson
03:35:49 Ms. Roessmann
03:37:20 Vice Chairman Peterson
03:37:36 Ms. Roessmann
03:38:01 Vice Chairman Peterson
03:38:13 Ms. Roessmann
03:38:56 Vice Chairman Peterson
03:39:01 Ms. Roessmann
03:39:23 Vice Chairman Peterson
03:39:29 Rep. More
03:39:35 Vice Chairman Peterson

03:39:45 Rep. More
03:40:00 Ms. Roessmann
03:40:17 Vice Chairman Peterson

Closing by Sponsor:

03:40:28 Rep. Stoker

03:48:02 Vice Chairman Peterson
03:48:13 Rep. Stoker

ADJOURNMENT

03:48:20 Adjournment

JENNIFER ECK, Secretary

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Additional Exhibits:

[EXHIBIT \(juh08a06\)](#)

[EXHIBIT \(juh08a07\)](#)

Additional Documents:

[EXHIBIT \(juh08aad.pdf\)](#)