

Memo

From: Anita Roessmann, Staff Attorney with Disability Rights Montana

Re: Mental Health Legislative Update

Date: April 10, 2009

Hello everyone,

And congratulations to the many of you who have been writing and calling and communicating your support, because as of today, there is enough one-time funding in HB 2, with a little help in HB 645, to begin implementing community crisis services during this biennium.

The session isn't over until it's over, but for the moment, the three crisis bills are funded with \$3.18 million. If you'll recall, the Department has estimated the cost of all three bills at between \$5.3 million and \$7 million, depending on how fast they were implemented, so \$3.18 is about half of that estimate. But it's a start!

Two things became really clear yesterday: The \$4 million appropriated for the crisis demonstration project in HB 645 was going to be cut by 75%, leaving only \$500,000 per year. This cut happened on a party-line vote, led by the Republican majority. And the money for the crisis demonstration grant would have to be "found," perhaps in several different places, before today's Senate debate on HB 2.

Advocates asked Sen. Wanzenried to carry an amendment appropriating \$1.5 million per year of the biennium from the tobacco tax special revenue fund, which is also known as the I-149 fund or the Health and Medicaid Initiatives account. That effort failed on a 23-27 party-line vote. It turns out that Republican lawmakers had agreed among themselves on a package of amendments to amend the three bills.

The first of these amendments, by Sen. Dan McGee of Laurel, took \$238,000 away from the Legislative Services Division that had been appropriated to pay Montana's dues to the National Council of State Legislatures. That motion passed 28-22. Sen. Mike Cooney moved an amendment to remove funding from the Council of State Governments, which failed.

Then Sen. Jesse Lazlovich of Anaconda brought three motions to move money. The two that succeeded eliminated funding for an appellate mediator and reduced the appropriation for a new attorney position in the Department of Agriculture, for a total appropriation of \$440,000 for the three crisis bills. These motions passed 47-3 and 45-5.

Finally, Sen. Joe Balyeat of Bozeman made a motion to strike DP 201, which gave the Montana Attorney General's office authority to distribute certain class action settlement proceeds, and appropriated \$1 million per year from settlements funds to the three crisis bills. This passed 39-11.

At this point Sen. Balyeat suggested that perhaps “this telethon to raise money for the three crisis bills” could be brought to a close. Sen. McGee agreed that \$3.18 million was a good start. The advocates listening in the hall and gallery got up off the floor where they had fallen in amazement.

One Senator commented later that it was a Pyrrhic victory. As Sen. Carol Juneau said during the debate--displaying her trademark common sense--lawmakers could simply fully fund these bills if they wanted to, rather than stealing from other programs, but the Governor’s office and the Republican leadership remain in agreement that there must be a \$250 million ending fund balance.

Shortly before adjourning, the Senate also made its final vote on HB 634, Rep. Dave McAlpin’s transportation bill, which will create a voluntary, county-funded service for patients traveling to and from the State Hospital. That bill is “budget neutral” because—after some startup costs—it will be self-supporting.

Because they are appropriations bills, HB 130, 131 and 132 have been referred to the Senate Finance and Claims Committee where they will have one more review before returning to the Senate Floor for third reading and the final legislative vote. That hearing hasn’t been scheduled yet.

One final observation: Today’s Senate debate about how to fund the crisis bills really brought home whose bills these are. They are the work and the priority of the Law and Justice Interim Committee, and by extension, of the Legislature, which is Montana’s policy-making body. These bills have had overwhelming bipartisan support in every committee and now in both chambers of the legislature, and the message is hard to miss. Montana is going to have a community-based system of mental health care, including secure emergency care and short-term hospitalization, at long last.

Please join in thanking the Montana Senate! You don’t need to say much: a simple thank you is plenty eloquent. Don’t put this off too long, but on the other hand, if you want to send a nice card, snail mail will be fast enough. Legislators are on Easter break now, until 1:00 p.m. on Tuesday. These are difficult times for our lawmakers. Your words of appreciation will mean a lot.

Here’s how to send say thanks:

- Look up Senators here: <http://leg.mt.gov/css/sessions/61st/roster.asp?HouseID=0&SessionID=94> If you click on their names, their legislative face page will open up and you can send emails to their personal accounts or send a card to their home address.
- Use the on-line legislative message system: <http://leg.mt.gov/css/sessions/61st/legwebmessage.asp> . These messages are

printed out and delivered to Senators several times a day.

- You can also leave a brief message at 406-444-4800.
- Fax a letter to 406-444-4875
- Mail a letter to Montana Senate, P.O. Box 200500, Helena, MT 59620-0500.
- Click on the email address for the Senator in the table below. (This method is great for many Senators, but some do not check their personal email very often, and sometimes, their laptops break down. The most sure-fire way to get your message across is the on-line message form.)

Senate Judiciary Committee	Hometown
Gary L Perry , Chair perrysd35@aol.com	Manhattan
Jim Shockley , Vice Chair No personal email address.	Victor
Aubyn Curtiss aubyna@interbel.net	Fortine
John Esp johnesp2001@yahoo.com	Big Timber
Greg Hinkle No personal email address.	Thompson Falls
Dan McGee No personal email address.	Laurel
Terry Murphy murphter5@yahoo.com	Cardwell
Larry Jent larry@imt.net	Bozeman
Carol C Juneau csjuneau@3rivers.net	Browning
Cliff Larsen cliff@larsenusa.com	Missoula
Jesse Laslovich jesselaz@yahoo.com	Anaconda
Lynda Moss lyndamoss@imt.net	Billings

Senate Finance Committee	Hometown
Keith Bales , Chairman senbales@wbaccess.net	Otter
Dave Lewis , Vice-Chair davelewis@aol.com	Helena
Gregory D Barkus gbarkus@gmail.com	Kalispell
Debby Barrett grt3177@smtel.com	Dillon
John Brenden No personal email address.	Scobey
John Brueggeman john@senatorjohn.net	Polson
John Esp johnesp2001@yahoo.com	Big Timber
Rick Laible ricklaible@aol.com	Darby
Jim Peterson jpranch@mtintouch.net	Buffalo
Rick Ripley No personal email address.	Wolf Creek
Ryan Zinke ryan@zinkeforsenate.com	Whitefish
Mike Cooney cooneyemail@aol.com	Helena
Steven Gallus steve.gallus@gmail.com	Butte
Ken (Kim) Hansen hansen_kenneth@email.com	Harlem

<u>Bob Hawks</u> <u>r_hawks@imt.net</u>	Bozeman
<u>Trudi Schmidt</u> <u>trudischmidt@q.com</u>	Great Falls
<u>Mitch Tropila</u> <u>tropila@mt.net</u>	Great Falls
<u>David E Wanzenried</u> <u>daveew@gmail.com</u>	Missoula
<u>Carol Williams</u> <u>cwilliams@montanadsl.net;jms@bresnan.net</u>	Missoula

Please call me on my cell phone if you have any questions, 406-461-5350, or write to me at anita@disabilityrightsmt.org .

Thank you for all you do for people with disabilities.