

MINUTES OF THE MEETING OF THE HUMAN SERVICES COMMITTEE
January 19, 1983

The Human Services Committee convened on January 19, 1983, at 12:30 p.m. in Room 224A with Chairman Marjorie Hart presiding with all members present. Chairman Hart opened the meeting to executive action beginning with HOUSE BILL 28.

EXECUTIVE ACTION:

HOUSE BILL 28 requires an informational hearing prior to the construction or occupancy of any foster or boarding home that is licensed by the state.

REP. SEIFERT moved that HOUSE BILL 28 DO PASS.

During questioning, REP. HANSON asked if this was a bill to change the hearing process. REP. FARRIS replied that this bill requires a hearing.

REP. FARRIS posed a question as to what will happen if everybody gets together and they have a difference of opinion before the home opens, e.g. what kind of fence to put up--chain link or redwood. This merely states they get together and talk. The public has no veto power. The codes protect the public so that there is nothing outrageous going on.

REP. HANSEN stated she was not in favor of this bill. The public has a right to have input but where this is a home and qualified under 24 people as a residential piece of property, you are going to preclude ever having a group home of that type in your neighborhood.

REP. KEYSER said he didn't think anybody would object to a hearing that would enable an individual to voice his opinion either for or against. There are some limitations as to who will be notified.

REP. DOZIER stated that the word "hearing" wasn't in the bill. It is an informational exchange of information. It is mandated that the Zoning Commission hold this meeting. It is not a hearing for input. It is a hearing to let people know what is happening.

REP. SWIFT said the sponsor would be amenable to the amendments. When you have a problem that the neighborhood is going to be impacted by, the individuals should be notified and then the meeting would be productive.

CHAIRMAN HART asked if the Zoning Commission had the right to determine if the home should be in the area. REP. SWIFT answered if you have eight, that takes the Zoning Commission out of it. It is in that district and it is already set.

REP. DARKO stated that when she hears the word "hearing", she feels that she is going to have input. CHAIRMAN HART recommended that we change the word "hearing" to "meeting".

REP. KEYSER moved that all four amendments to HOUSE BILL 28, introduced with the original copy of the bill by REP. KITSELMAN, be accepted.

REP. WINSLOW said he had no problem with the third amendment. He felt that in the third amendment we should strike "located in or as near as possible to the neighborhood" and insert "." after "building".

REP. KEYSER approved the amendment to the amendment. The motion of the amendments carried with REPS. FARRIS and HANSEN voting no.

CHARIMAN HART asked if there were any other amendments that the Committee wanted to suggest.

REP. DARKO moved to amend the word "hearing" to "meeting" throughout the bill. The vote was carried unanimously.

There was discussion as to what a meeting would cost and to whom the notices should be sent. The cost of the meeting is to be borne by the home owner; and regarding notification, even if someone in another town has to be notified, it would only involve the cost of a letter.

REP. KEYSER moved HOUSE BILL 28 DO PASS AS AMENDED. The motion passed with nine (REPS. BRAND, DARKO, KEYSER, JONES, MENAHAN, SEIFERT, SOLBERG, SWIFT, WINSLOW) voting yes and seven (REPS. FARRIS, BROWN, CONNELLY, DOZIER, DRISCOLL, HANSEN and CHAIRMAN HART) voting no.

HOUSE BILL 128. REP. DOZIER moved that HOUSE BILL 128 DO PASS. IT PASSED unanimously.

HOUSE BILL 153. REP. MENAHAM moved we amend the \$5,000 to \$10,000 because it would allow more of the senior citizens to participate in the Legacy Legislature.

REP. BRAND moved that we amend page 2, line 17, to read "one-to-two (organization to department)".

REP. WINSLOW said this bill will end up in Appropriations and he does not want to risk losing the whole thing by our raising the \$5,000 to \$10,000.

Some individuals felt that since the senior citizens only asked for \$5,000 the bill should be left as it is. Others felt that giving them \$10,000 would allow them to work up some bills in the Legacy Legislature which would eliminate the senior citizens from coming to the individual legislators.

REP. HANSON asked if we were to remove the ceiling, would that make it more difficult. REP. WINSLOW replied that there would have to be a definite amount.

REP. SWIFT said he supported REP. WINSLOW. If the senior citizens said they needed only \$5,000, then we should only give them \$5,000.

A roll call vote was taken on the amendment to change \$5,000 to \$10,000 with all committee members voting yes except REPS. FARRIS, FABREGA, KEYSER, SOLBERG, SWIFT and WINSLOW voting no.

A vote was called on the second amendment which would amend page 2, line 17, to read "one-to-two (organization to department)" and all members voted yes except REPS. WINSLOW, FARRIS, KEYSER, JONES and SWIFT who voted no.

CHAIRMAN HART called for discussion on the original bill.

REP. FARRIS stated that she likes the Legacy Legislature but what is to prevent a group of farmers, a special women's group or a group of low income people deciding that they want to have a legislature. Do we have, as a state, an interest in funding one group's special view of Montana over anybody else's group?

REP. DOZIER stated he will be with the legacy group some day and felt the Committee should support legislation to keep them occupied and thinking.

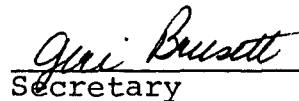
REP. JONES stated he didn't think they would have asked for more than they expected.

REP. SWIFT pointed out that this vote on the bill will move it to Appropriations.

REP. BRAND moved HOUSE BILL 153 DO PASS AS AMENDED. The motion passed with all committee members voting yes except REP. FARRIS who voted no.

The meeting adjourned at 1:30 p.m.


CHAIRMAN MARJORIE HART


Secretary