

MINUTES OF THE MEETING  
HUMAN SERVICES AND AGING COMMITTEE  
MONTANA STATE  
HOUSE OF REPRESENTATIVES

January 9, 1985

The meeting of the Human Services and Aging Committee was called to order by Chairperson Nancy Keenan on January 9, 1985 at 3:00 p.m. in Room 312-2 of the State Capitol building.

ROLL CALL: All members were present.

HOUSE BILL NO. 44: Hearing commenced on House Bill No. 44. Representative Steve Waldron, District #58, sponsor of the bill, stated that victims of a crime of incest or sexual intercourse without consent need some type of counseling and that the perpetrator of the crime should be responsible for the financial necessities of this crime. However, an amendment should be included which states that the perpetrator be required to pay restitution after determining the financial resources and future ability of the offender.

Proponents Karl England of the Montana Trial Lawyers Association indicated his support. John Albrecht, Teton County Justice of the Peace indicated his support. Anne Brodsky of the Women's Lobbyist Fund indicated the psychological harm on victims as is shown in Exhibit 1. Proponent Cathy Campbell of the Montana Association of Churches also supports this bill as indicated in Exhibit 2. There were no opponents to this bill. Questions were raised by Representative Connolly regarding the proposed amendment to this bill.

There being no further discussion to House Bill No. 44, the hearing was closed.

HOUSE BILL NO. 46: Hearing commenced on House Bill No. 46. Representative Bernie Swift, District #64, sponsor of the bill, stated that this bill was an act to authorize special parking permits for the parent or guardian of a handicapped child or the spouse of a handicapped person.

Proponent Diane Sabastian with the Association of Independent People indicated her support of this bill. There was one opponent to this bill being Vivian Crabtree. Chairperson Keenan requested a draft rewording of this proposal and Committee would reconsider.

There being no further proponents or opponents to this bill, Representative Keenan then excused Representative Swift.

There being no further discussion of House Bill No. 46, the hearing was closed.

HOUSE BILL NO. 52: Hearing commenced on House Bill No. 52. Representative Rex Manual, District #11, sponsor of the bill, indicated his support of an act to change the penalties that may be imposed for an unlawful possession of intoxicating substances by children, to provide a remedy for failure to comply with a sentence, and to make it an offense to cause one's child or ward to fail to comply with a sentence or a youth court order.

Proponents of the bill included Dorothy McCarter of the Attorney General's office. She indicated her support of this bill. Chuck O'Reilly of the Montana Sheriff and Peace Officers Association also indicated his support as did Steve Nelson of the Montana Board of Crime Control. Mike Murray of the Chemical Dependency Program also supports this bill. There were no opponents to this bill.

Questions were brought forth by Representative Bradley and there being no further discussion on House Bill No. 52, the hearing was closed.

HOUSE BILL NO. 49: Hearing commenced on House Bill No. 49. Sponsor of the bill was Dan W. Harrington, District #68. He indicated the need for an act to require counties and the Department of Social and Rehabilitation Services to provide senior citizens access to food stamps and other programs by establishing convenient locations other than the county welfare offices.

Proponents to the bill were Lee J. Tickle of the Montana Department of Social and Rehabilitation Services and Tom Ryan of the Senior Citizens Committee. Attached hereto is testimony from Mr. Ryan and is titled Exhibit 3. Their examples of various alternate facilities for the procurement of food stamps were senior citizen centers, application by mail for food stamps with the local welfare facilities. Mr. Tickle also indicated that the amount of extra workload which would be required of the welfare departments in the various areas must also be considered if other food stamp distribution facilities were established. Proponents Wade Wilkerson and Paul Carpio of the Montana Coalition Committee were also present. There were no further proponents or opponents present. Questions were raised on this bill by Representative Stella Jean Hansen, Phillips, Bradley, Bergene, Waldron, Wallin, Gilbert, Simons, Connolly and Hart. Chairperson Keenan proposed that this bill be discussed further in an upcoming committee meeting.

There being no further discussion on House Bill No. 49, the hearing was closed.

EXECUTIVE MEETING:

ACTION ON HOUSE BILL NO. 44: Representative Waldron made a motion that House Bill 44 DO PASS. The motion was seconded by Representative Darko. Representative Waldron made a motion that the bill be amended (See Exhibits 4 and 5) and it was then seconded. There was no discussion. Representative Waldron moved that the bill, as amended, DO PASS.

ACTION ON HOUSE BILL NO. 46: Representative Gould made a motion that House Bill 49 DO NOT PASS. Representative Waldron seconded the motion and the bill was unanimously voted to DO NOT PASS.

ACTION ON HOUSE BILL 52: Representative Wallin made a motion that House Bill 52 DO PASS. The motion was seconded by Representative Marian Hanson, and was unanimously voted to DO PASS.

Chairperson Keenan then set a rehearing date for House Bill No. 49. It is to be reheard on January 14, 1985 at 3:00 p.m. in Room 312-2.

ADJOURN: There being no further business before the Committee, the meeting was adjourned at 4:50 p.m.

Rep. Nancy Keenan  
NANCY KEENAN, Chair

DAILY ROLL CALL

HUMAN SERVICES AND AGING COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date January 9, 1985

NAME	PRESENT	ABSENT	EXCUSED
NANCY KEENAN	X		
BUDD GOULD	X		
TONI BERGENE	X		
DOROTHY BRADLEY	X		
JAN BROWN	X		
BUD CAMPBELL	X		
BEN COHEN	X		
MARY ELLEN CONNELLY	X		
PAULA DARKO	X		
BOB GILBERT	X		
STELLA JEAN HANSEN	X		
MARIAN HANSON	X		
MARJORIE HART	X		
HARRIET HAYNE	X		
JOHN PHILLIPS	X		
BRUCE SIMON	X		
STEVE WALDRON	X		
NORM WALLIN	X		

# STANDING COMMITTEE REPORT

.....January 9..... 19 35.....

MR. Speaker.....

We, your committee on Human Services and Aging.....

having had under consideration ..... House ..... Bill No. 44.....

first ..... reading copy ( white )  
color

Require payment of victim counseling by offender; rape or incest

Respectfully report as follows: That ..... House ..... Bill No. 44.....

BE AMENDED AS FOLLOWS:

- 1) Page 2, line 8  
Following: "(3),"  
Insert: "after determining the financial resources and future  
ability of the offender to pay restitution as required by  
46-18-242,"
- 2) Page 3, line 21  
Following: "(3),"  
Insert: "after determining the financial resources and future  
ability of the offender to pay restitution as required by  
46-18-242,"

AND AS AMENDED,

DO PASS

*AP-11/16/85*

STATE PUB. CO.  
Helena, Mont.

.....  
Chairman.

COMMITTEE SECRETARY

# STANDING COMMITTEE REPORT

January 9

1983

MR. Speaker

We, your committee on Human Services and Aging

having had under consideration House Bill No. 46

first reading copy ( white )  
color

Special parking permit for parent or spouse of handicapped person

Respectfully report as follows: That House Bill No. 46

\*\*\*\*\*  
DO PASS

DO NOT PASS

*JR 11/10/85*

# STANDING COMMITTEE REPORT

January 9

19 35

MR. Speaker

We, your committee on Human Services and Aging

having had under consideration House

Bill No. 52

first reading copy ( white )  
color

Youths possessing intoxicating substance; parental interference  
with order

Respectfully report as follows: That House

Bill No. 52

DO PASS

AR 1/10/55

STATE PUB. CO.  
Helena, Mont.

Chairman.

COMMITTEE SECRETARY

# WOMEN'S LOBBYIST FUND

Box 1099  
Helena, MT 59624  
449-7917



January 9, 1985

## TESTIMONY IN SUPPORT OF HB 44

*Madam Chairwoman*

~~Mr. Chairman~~ and members of the Human Services and Aging Committee:

My name is Anne Brodsky and I am speaking on behalf of the Women's Lobbyist Fund (WLF) in support of House Bill No. 44. A priority of the WLF is to work to strengthen laws which reduce or, as in this case, mitigate the impact of crimes of sexual violence against women and children. As you well know, rape and incest are some of the most serious crimes of violence, and women and children are the most frequent victims of such crimes.

The seriousness of the crimes of rape and incest is heightened by the fact that the harm done to the victim is not limited to the time of the criminal act. Instead, crimes of rape and incest often leave long lasting psychological wounds on those who have been victimized.

Rape is an act of violence. Incest is an act that is most often committed over a continuing period of time before it is put to a stop. The victims of incest are children. I need not explain here the severity of the psychological harm caused to both rape and incest victims.

House Bill No. 44 is a bill that requires the obvious to be done. It recognizes that psychological harm is inflicted on victims of rape and incest. It recognizes that counselling may be necessary because of that psychological harm. And finally, it requires the perpetrator of the crime to pay monetarily for the counselling that may be required as a result of the criminal act.

We urge you to pass House Bill No. 44.





January 9, 1985

WORKING TOGETHER:

American Baptist Churches  
of the Northwest

American Lutheran Church  
Rocky Mountain District

Christian Church  
(Disciples of Christ)  
in Montana

Episcopal Church  
Diocese of Montana

Lutheran Church  
in America  
Pacific Northwest Synod

Roman Catholic Diocese  
of Great Falls

Roman Catholic Diocese  
of Helena

United Church  
of Christ  
Montana Conference

United Methodist Church  
Yellowstone Conference

United Presbyterian Church  
Glacier Presbytery

United Presbyterian Church  
Yellowstone Presbytery

MADAM CHAIRWOMAN AND MEMBERS OF THE HOUSE HUMAN  
SERVICES COMMITTEE:

I am Cathy Campbell of Helena, representing the  
Montana Association of Churches and speaking in  
support of House Bill 44.

We've been concerned about the victims of crime  
for years, and in 1977 adopted a position statement  
supporting compensation of victims of crime. We  
feel that the financial burden should not be placed  
upon the victim.

The intent of this bill is consistent with our  
position, and acknowledges a dimension of the  
particular offenses that simple compensation doesn't.  
We would therefore like to lend our support to the  
bill.

January 9, 1985

TO : Nancy Keenan, Chairperson, Human Services Committee  
FROM: Tom Ryan, Montana Senior Citizens Association  
RE : HB 49 as introduced by Rep. Harrington.

The M.S.C.A. is supportive of this bill. Distribution of foodstamps to seniors at convenient locations is important especially during our six or seven months of winter.

It is of particular importance to those we could regard as senior "seniors" because of infirmities and advanced age. Lack of convenient, economical public transportation is another reason I support this legislation.

Proposed Amendment to House Bill 44

1. Page 2, line 8  
Following: "(3),"  
Insert: "after determining the financial resources and  
future ability of the offender to pay restitution as  
required by 46-18-242,"

Proposed Amendment to House Bill 44

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Following: "(3),"  
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future ability of the offender to pay restitution as  
required by 46-18-242,"

AMEND/hm/Gomez HB 44

## VISITORS' REGISTER

HOUSE HUMAN SERVICES AND AGING

COMMITTEE

BILL 44

Date 1/9/85

SPONSOR      Steve Waldron

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

HOUSE HUMAN SERVICES AND AGING COMMITTEE

BILL 46

Date 1/9/85

SPONSOR Bernie Swift

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

HOUSE HUMAN SERVICES AND AGING COMMITTEE

BILL HB49

Date 1/9/85

SPONSOR            Dan W. Harrington

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

HOUSE HUMAN SERVICES AND AGING COMMITTEE

BILL HB 52

Date 1/9/85

SPONSOR \_\_\_\_\_

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.