

MINUTES OF THE MEETING
HUMAN SERVICES AND AGING COMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

The meeting of the Human Services and Aging Committee was called to order by Chairman Budd Gould on February 3, 1987 at 12:30 p.m. in room 312-D of the State Capitol.

ROLL CALL: Rep Hansen was excused, all other members were present.

CONSIDERATION OF HOUSE BILL 451

CHAIRMAN GOULD stated the sponsor, Rep Jan Brown, had asked for the proposed bill to be tabled. He called for any opponents or proponents for the legislation, and there were none present.

EXECUTIVE ACTION - HOUSE BILL 451

REP BROWN moved TO TABLE House Bill 451.

A voice vote was taken and the motion PASSED unanimously.

CONSIDERATION OF HOUSE BILL 533

REP CAMPBELL introduced the proposed legislation which would reserve 25 special antelope licenses for nonambulatory disabled individuals.

PROponents

JIM FLYNN, Department of Fish, Wildlife and Parks, read his prepared text in support of the legislation with two (2) amendments (exhibit 1), which would clarify how the licenses would be issued if more applications are received than the available quota and the need to designate areas as hunting districts available to the disabled hunters to take into consideration the biological impact of hunting, landowner tolerance, and hunter access.

OPponents

There were no opponents to the proposed legislation.

REP CAMPBELL closed the testimony on HB 533.

In responding to a question from Rep Gilbert, disabled hunters can apply for a license, but this legislation would guarantee they would receive one.

In response to an inquiry from Rep Simon, Mr Flynn noted the department would have to adopt rules with respect to the drawing procedure itself, as this would not be handled through the normal application process; a special application and certification would be required.

CONSIDERATION OF HOUSE BILL 402

REP STRIZICH introduced HB 402, which would clarify that the department of Health and Environmental Sciences may, by rule, establish record retention schedules for mental health facilities. He stated this addresses a problem faced by many mental health facilities in Montana, as there are no provisions in statute that allow for the handling of individual records by mental health facilities.

PROponents

STEVE WALDRON, representing the Community Mental Health Centers, spoke in support of the legislation. He noted the laws dealing with mental health records is ten (10) years old and had originally dealt with hospital records. When mental health facilities were developed they were included in this legislation. He stated the centers would like clarification on the retention of records due to storage problems that have evolved.

DICK HRUSKA, Great Falls Mental Health Centers, stated in their case they have records dating back to the 1950's, an accumulation of 35 years of information. He noted 1,400 new cases were opened each year, generating a substantial volume of new records. He submitted two (2) pictures of their filing problem (exhibit 2) to substantiate his testimony.

OPponents

There were no opponents to the legislation.

REP STRIZICH then closed testimony on HB 402.

LEE HEIMAN, Legislative Council, stated the Department of Health has rule making authority under Title 50 dealing with record retention, and this legislation is within the scope of that statute, as well as allows for an extension of authority on page 3 of the legislation.

In response to a question from Rep Patterson,

Mr Waldron suggested a five (5) year limit for record retention.

CONSIDERATION OF HOUSE BILL 421

REP SALES introduced HB 421 which would submit to the electors of Montana an amendment to article XII, section 3, of the Montana constitution to eliminate age as a qualification for economic assistance and governmental services.

PROPOSERS

There were no proponents to the proposed legislation.

OPPOSERS

CHARLES BRIGGS, State Aging Coordinator in the Governor's office, spoke in opposition to the legislation. He stated this constitutional statement was a declaration of commitment by the state to the welfare of children and the vulnerable and frail elderly who are at risk of destitution.

MIGNON WATERMAN, representing the Montana Association of Churches, read her prepared text (exhibit 3) in opposition to the proposed legislation.

SUE FIFIELD, Low Income Coalition, stated the legislation would take away the protection low income mothers have for their children and expressed her concern for the elderly population.

REP SALES closed and expressed his concern with the inference in the constitution that age is a qualification for public assistance, which he states never has been and never will be. He then closed testimony on HB 421.

In response to a question from Rep Cody, Mr Briggs referred to the services provided in the state that are recognized in statute, i.e. child protective service laws, adult protective services, authority for aging programs, and the Federal Older Americans Act recognizes that people at a certain age are eligible for certain kinds of services. He stated he felt there needed to be a study as to the impact of this change before being adopted in the constitution.

EXECUTIVE SESSION - HOUSE BILL 327

REP CODY moved to amend HB 327 on page 2, line 19, strike "a" and add "both parents of the infant

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objects", and direct Mr Heiman to draft wording to cover single parent and legal guardian situations.

A voice vote was taken and the motion PASSED unanimously.

REP KITSELMAN asked for the amended language to be drafted before final action was taken on the legislation.

EXECUTIVE SESSION - HOUSE BILL 421

REP NELSON made a motion TO TABLE HB 421.

A voice vote was taken and the motion PASSED, with Rep Grinde, Rep McCormick, Rep Patterson, Rep Russell, and Rep Squires voting no.

EXECUTIVE SESSION - HOUSE BILL 402

REP CODY made a motion TO PASS HB 402.

A voice vote was taken and the motion PASSED unanimously.

EXECUTIVE SESSION - HOUSE BILL 533

REP MCCORMICK made a motion to accept the amendments by the department (exhibit 1) for HB 533.


A voice vote was taken and the motion PASSED unanimously.

REP MCCORMICK made a motion that HB 533 DO PASS AS AMENDED.

A voice vote was taken and the motion PASSED unanimously.

CHAIRMAN GOULD appointed Rep Gilbert, Rep Corne', and Rep Simon to a subcommittee for HB 347.

The meeting was adjourned at 1:38 p.m.


Budd Gould, Chairman

STANDING COMMITTEE REPORT

FEBRUARY 3, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 402

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

REP. R. BUDD GOULD,

Chairman

FIRST

reading copy (WHITE)

color

STANDING COMMITTEE REPORT

FEBRUARY 3, 19 87

Mr. Speaker: We, the committee on HUMAN SERVICES AND AGING

report HOUSE BILL NO. 533

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached

REP. R. BUDD GOULD

Chairman

RESERVE 25 ANTELOPE LICENSES FOR DISABLE APPLICANTS

1. Page 1, line 24.

Strike: "applicant"

Insert: "commission. If the number of valid disabled applicants exceeds the number of licenses available, the department may hold a drawing whereby all applicants have an equal chance of being selected."

FIRST

WHITE

reading copy (_____)
color

EXHIBIT #1
DATE 2-2-87
HB # 533

HB 533
February 3, 1987

Testimony presented by Jim Flynn, Dept. of Fish, Wildlife & Parks

The department supports HB 533, with amendment.

The proposed legislation allows up to 25 disabled hunters to hunt in the area of their choice. Last year there were 25 hunting districts that had quotas of 50 licenses or less. These quotas are set after public review, which takes into consideration the biological impact of hunting, landowner tolerance and hunter access.

If all or a majority of the disabled hunters were to pick an area with a small quota, a possibility exists for overharvest and a strain on landowner/sportsmen relations. To correct this problem, we recommend the commission be given authority to finally designate hunting districts available to the disabled hunter.

It would be our intent to distribute the license to the successful applicant and ask where the applicant wished to hunt. If there were no conflicts with quotas, that first choice would be assigned. However, if there were conflicts with quotas, another district of the applicant's choice would be designated.

The second area we would like to clarify is how the licenses would be issued if more applications are received than the available quota. It is recommended a drawing be held in which all applicants would be given an equal chance.

With these two amendments, we support HB 533.

HB 533
DATE 2-2-11
HB

HB 533
INTRODUCED (WHITE) COPY

REQUESTED BY DEPARTMENT OF FISH, WILDLIFE & PARKS

1. To Page 1, Line 24:

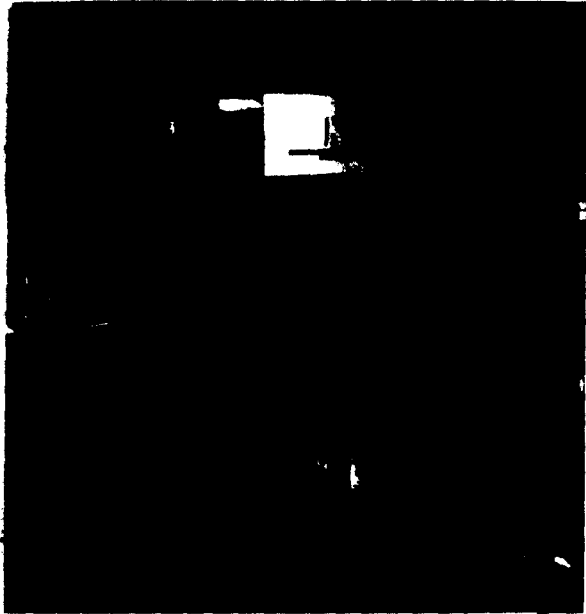
Following: "the"
Strike: "applicant"
Insert: "commission"

2. To Page 1, Line 24:

Following: "applicant"

Add: "When the number of valid disabled applicants exceeds the number of licenses available, the department may hold a drawing whereby all applicants have an equal chance of being selected."

HB 402



**GOLDEN TRIANGLE COMMUNITY
MENTAL HEALTH CENTER**
P. O. Box 3048
GREAT FALLS, MT 59403



**GOLDEN TRIANGLE COMMUNITY
MENTAL HEALTH CENTER**
P. O. Box 3048
GREAT FALLS, MT 59403

Montana
Association of
Churches



EXHIBIT _____
DATE _____
HB _____

MONTANA RELIGIOUS LEGISLATIVE COALITION • P.O. Box 745 • Helena, MT 59624

February 3, 1987

MR CHAIRMAN AND MEMBERS OF THE HUMAN SERVICES COMMITTEE
OF THE HOUSE:

WORKING TOGETHER:

I am Mignon Waterman of the Montana Association of Churches.

The Montana Association of Churches believes it is important to guarantee a decent standard of living for all Montanans regardless of age. We are concerned that by removing age as a specified reason for assistance, Montana's children and elderly may be adversely impacted. Therefore, we oppose HB421.

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-Billings

Roman Catholic Diocese
of Helena

United Church
of Christ
MT-N.WY Conference

United Methodist Church
Yellowstone Conference

Presbyterian Church (U.S.A.)
Glacier Presbytery

Presbyterian Church (U.S.A.)
Yellowstone Presbytery

VISITORS' REGISTER

HUMAN SERVICES AND AGING

COMMITTEE

BILL NO. HOUSE BILL NO. 421

DATE FEBRUARY 3, 1987

SPONSOR REP. SALES

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Margaret...	114. Corner of Church St		X
Sue T. Field	M.L.C.		X
Maria Christopher	"		X
Charles Pyrk	Governors office		X
Barbara Archer	WLF		
Sandy...	WLF		
Christy Meyer			
Thomas M....	Home		
Brode M.	Whitehall		
Ann...	Home		
Ann...	See...		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HUMAN SERVICES AND AGING

COMMITTEE

BILL NO. HOUSE BILL NO. 402

DATE FEBRUARY 3, 1987

SPONSOR REP. STRIZICH

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
DICK HAUSKA	GRETTINGUS MENTAL HEALTH CTR	X	
STEVE WALDRON	HILFEN MENTAL HEALTH CTR.	X	

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PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.