

HOUSE BILL NO. 266

INTRODUCED BY CONNELLY, LYBECK, J. BROWN, HAND,
NORMAN, QUILICI, B. BROWN

BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS

IN THE HOUSE

January 15, 1983	Introduced and referred to Committee on Human Services.
January 28, 1983	Committee recommend bill do pass as amended. Report adopted.
January 29, 1983	Bill printed and placed on members' desks.
January 31, 1983	Second reading, pass consideration.
February 1, 1983	Second reading, pass consideration.
February 2, 1983	On motion, taken from second reading and rereferred to Committee on Human Services.
February 5, 1983	Committee recommend bill do pass as amended. Report adopted. Statement of Intent attached.
February 7, 1983	Bill printed and placed on members' desks.
February 8, 1983	Second reading, do pass.
February 9, 1983	Considered correctly engrossed.
February 11, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 12, 1983	Introduced and referred to Committee on State Administration.
March 5, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 8, 1983	Second reading, concurred in.
March 10, 1983	Third reading, concurred in. Ayes, 48; Noes, 1.

IN THE HOUSE

March 10, 1983	Returned to House with amendments.
March 30, 1983	Second reading, amendments concurred in.
March 31, 1983	Third reading, amendments concurred in.
	Sent to enrolling.
	Reported correctly enrolled.

1 *House* BILL NO. *266*
2 INTRODUCED BY *Connelly Lybeck J. Brown Hand*
3 *Norman* BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS *Bob Brown*
4 *Zurbrugg*

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE
6 ELIGIBILITY CRITERIA FOR ADMISSION TO THE MONTANA VETERANS'
7 HOME; ELIMINATING CONVICTION OF A FELONY, CONVICTION OF A
8 CRIME OF MORAL TURPITUDE, OR ALCOHOLISM AS
9 DISQUALIFICATIONS; ADDING A REQUIREMENT REGARDING MONTANA
10 RESIDENCY AT THE TIME OF SERVICE; AMENDING SECTION 10-2-403,
11 MCA."
12

13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 10-2-403, MCA, is amended to read:

15 "10-2-403. Eligibility for residence in home. To be
16 eligible for residence in the Montana veterans' home under
17 the regulations prescribed by the department of
18 institutions, a person shall:

19 (1) be an honorably discharged veteran or the spouse
20 or surviving spouse of a veteran who served in the armed
21 forces of the United States and who entered service in a
22 Montana unit while a resident of Montana;

23 (2) be an invalid and have become unable to earn a
24 livelihood as a result of the disability;

25 (3) have resided in Montana for a period of 2 years

1 immediately prior to making application for admittance;
2 ~~(4) not have been convicted of a felony or of a crime~~
3 ~~involving moral turpitude;~~
4 ~~(5) not be an alcoholic or have a record of habitual~~
5 ~~intoxication."~~

-End-

-2- INTRODUCED BILL

HB 266

1 STATEMENT OF INTENT

2 HOUSE BILL 266

3 House Human Services Committee

4

5 House Bill 266 requires a statement of intent because
6 it authorizes the Department of Institutions to establish
7 admission requirements to the Montana Veterans' Home. The
8 Legislature contemplates that the rules should address the
9 following subjects as well as others:

- 10 1. Establishment of a minimum age for admission.
11 2. Written criteria for describing the severity of
12 mental disturbance for which the Home is able to provide
13 treatment.
14 3. Written criteria establishing the degree of
15 physical disability or acute illness the Home can
16 appropriately accommodate.
17 4. Procedures that will consider the Home's ability to
18 meet the overall needs of the Veteran.
19 5. Procedures that will consider the Veteran's gender
20 as it relates to availability of appropriate living space.
21 6. Procedures that will allow for consideration of the
22 Veteran's ability or inability to locate suitable
23 alternative living accommodations relative to his status on
24 a prioritized waiting list.
25 7. Procedures that will allow for consideration of the

- 1 applicant's residence in Montana relative to his status on a
2 prioritized waiting list.

On motion taken from second
reading & rereferred to
Human Services Comm.

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10 DISQUALIFICATIONS; ADDING A REQUIREMENT REGARDING MONTANA
11 RESIDENCY AT THE TIME OF SERVICE; RESIDENCY REQUIREMENTS;
12 AND DISABILITY REQUIREMENTS; AUTHORIZING THE DEPARTMENT OF
13 INSTITUTIONS TO ESTABLISH ADDITIONAL ADMISSION REQUIREMENTS;
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21 institutions, a person shall:
22 (1) BE an honorably discharged veteran or the
23 spouse or surviving spouse of a veteran who served in the
24 armed forces of the United States; CONSIDERATION MUST ALSO
25 BE GIVEN TO:

1 (1) THE PERSON'S AGE;
2 (2) THE PERSON'S PHYSICAL AND MENTAL STATUS;
3 (3) THE PERSON'S ABILITY OR INABILITY TO LOCATE
4 SUITABLE ALTERNATIVE ACCOMMODATIONS;
5 (4) THE PERSON'S TERM OF RESIDENCE IN MONTANA;
6 (5) THE PERSON'S GENDER AS IT RELATES TO AVAILABILITY
7 OF APPROPRIATE LIVING SPACE;
8 (6) THE ABILITY OF THE MONTANA VETERANS' HOME TO MEET
9 THE PERSON'S NEEDS and who entered service in a Montana unit
10 while a resident of Montana; AND
11 (2) be an invalid and have become unable to earn a
12 livelihood as a result of the disability;
13 (3) have resided in Montana for a period of 2 years
14 immediately prior to making application for admittance;
15 (4) not have been convicted of a felony or of a crime
16 involving moral turpitude;
17 (5) not be an alcoholic or have a record of habitual
18 intoxication;
19 (2)(7) MEETS SUCH OTHER ADMISSION REQUIREMENTS AS MAY
20 BE ESTABLISHED BY THE DEPARTMENT."

-End-

Approved by Comm. on Human Services

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1 STATEMENT OF INTENT

2 HOUSE BILL 266

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4 House Bill 266 requires a statement of intent because
5 it authorizes the Department of Institutions to establish
6 admission requirements to the Montana Veterans' Home.

7 The Legislature contemplates that the rules should
8 address the following subjects, as well as others:

9 (1) Consideration of veteran's age.

10 (2) Consideration of veteran's mental and physical
11 status.

12 (3) Consideration of veteran's ability or inability to
13 locate suitable alternative accommodation.

14 (4) Consideration of ability of the Montana Veterans'
15 Home to meet the veteran's needs.

16 (5) Consideration of veteran's sex as relates to
17 availability of appropriate living space.

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18 meet the overall needs of the Veteran.
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20 as it relates to availability of appropriate living space.
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~~††(7) MEETS SUCH OTHER ADMISSION REQUIREMENTS AS MAY BE ESTABLISHED BY THE DEPARTMENT."~~

-End-

March 4, 1983

SENATE STANDING COMMITTEE REPORT
(State Administration)

That House Bill No. 266 be amended as follows:

1. Title, line 11.

Strike: "RESIDENCY REQUIREMENTS,"

2. Title, line 12.

Strike: "DISABILITY REQUIREMENTS"

Insert: "NON-DISABILITY AS DISQUALIFICATIONS;
ADDING OTHER QUALIFICATIONS; AND

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