

IN THE HOUSE

April 21, 1983

Returned to House with amendments.

On motion rules suspended to allow House to act upon Senate amendments.

On motion, Senate amendments placed on second reading this day.

Second reading, amendments concurred in.

Third reading, amendments concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 ~~Facing~~ ^{House} ~~Butelev~~ BILL NO. 909
 2 INTRODUCED BY ~~Mark Menala~~ ~~Donald Walby~~
 3 ~~Denison~~ ~~Glenn~~ ~~Stall~~ LANE ~~Don~~ ~~Stall~~
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A SELECT ~~Committee~~
 5 COMMITTEE OF THE LEGISLATURE TO PREPARE RECOMMENDATIONS FOR ~~Establishing~~
 6 PROVIDING SERVICES TO DEVELOPMENTALLY DISABLED PERSONS; ~~Wade~~
 7 PROVIDING FOR STAFFING AND THE USE OF CONSULTANTS BY THE ~~Marcel~~
 8 COMMITTEE; APPROPRIATING FUNDS FOR THE COMMITTEE; AND
 9 PROVIDING AN EFFECTIVE DATE."

POUSTAS
Stall
Smith

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Select committee on developmental
 13 disabilities services -- establishment -- organization. (1)
 14 There is established an 8-member select committee on
 15 developmental disabilities services.
 16 (2) The members of the select committee must be
 17 appointed in the following manner:
 18 (a) The speaker of the house, after consultation with
 19 the house majority and minority leaders, shall appoint four
 20 members of the house to serve on the select committee. No
 21 more than two house members on the select committee may be
 22 from the same political party.
 23 (b) The president of the senate, after consultation
 24 with the senate majority and minority leaders, shall appoint
 25 four members of the senate to serve on the select committee.

1 No more than two senate members on the select committee may
 2 be from the same political party.
 3 (3) A vacancy must be filled by appointment in the
 4 same manner as the original appointment.
 5 (4) The select committee shall elect a chairman and
 6 vice-chairman.
 7 (5) Select committee members are entitled to
 8 compensation and expenses as provided in 5-2-302.
 9 Section 2. Committee duties. The select committee on
 10 developmental disabilities services shall:
 11 (1) conduct a complete analysis of institutional
 12 services for developmentally disabled persons and
 13 alternatives to those services, including without limitation
 14 analysis of the following issues:
 15 (a) types and quality of alternative services for
 16 those persons currently enrolled in programs at Boulder
 17 River School and Hospital;
 18 (b) the comparative staffing patterns and supporting
 19 service structure and costs associated with community-based
 20 services and institutional services;
 21 (c) the role of institutions and institutional
 22 alternatives in the continuum of state-supported services to
 23 persons with developmental disabilities;
 24 (d) the proper and ultimate location of state
 25 administrative responsibility for all programs for persons

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1 with developmental disabilities; and

2 (e) the impact of closure of Boulder River School and
3 Hospital on the community;

4 (2) develop an analysis of the issues surrounding the
5 concepts of serving developmentally disabled persons in "the
6 most appropriate placement" as opposed to "the least
7 restrictive placement";

8 (3) develop a history and a projection of funding for
9 services for developmentally disabled persons, including
10 federal, state, local, and private sources;

11 (4) develop a proposed long-range plan for the state's
12 role in serving developmentally disabled persons, including
13 a clear mission statement for each functional organization
14 proposed to implement the plan;

15 (5) analyze the costs and potential benefits of
16 retrofitting or consolidating the physical plant at Boulder
17 River School and Hospital in order to make the institution
18 more cost effective and to improve services to persons
19 enrolled in programs there;

20 (6) study the feasibility of providing a training
21 program at Boulder River School and Hospital for persons who
22 will be employed in community-based programs;

23 (7) analyze means for reducing the sense of
24 polarization within the system serving developmentally
25 disabled persons in order to focus on the most appropriate

1 services for the persons served;

2 (8) in accomplishing the duties outlined in
3 subsections (1) through (7), solicit the comments, advice,
4 and testimony of professionals, consumers, legislators, and
5 state agency officials; and

6 (9) complete its final recommendations not later than
7 September 15, 1984, and publish its findings and
8 recommendations not later than December 1, 1984.

9 Section 3. Executive cooperation — subpoena power.

10 (1) The executive branch agencies shall cooperate with the
11 select committee on developmental disabilities services as
12 it conducts its investigation.

13 (2) The legislative council may exercise its authority
14 under 5-11-107 as needed to assist the committee in its
15 study.

16 Section 4. Use of consultants. The legislative
17 council, upon request of the select committee on
18 developmental disabilities services, shall retain
19 consultants as required. Costs for consultants must be paid
20 from funds appropriated for use by the select committee.

21 Section 5. Staff services. The legislative staff
22 agencies may provide staff assistance to the select
23 committee on developmental disabilities services as
24 requested by the committee. The legislative council shall
25 provide staffing assistance as specified in 5-11-105 and

1 5-11-112.

2 Section 6. Appropriation. There is appropriated for
3 the biennium ending June 30, 1985, \$15,000 from the general
4 fund to the legislative council for purposes of the select
5 committee on developmental disabilities services in carrying
6 out its functions under this act.

7 Section 7. Effective date. This act is effective July
8 1, 1983.

-End-

1 *Fudge* *Burtele* ^{House} BILL NO. 909
 2 INTRODUCED BY *Mark Menala* *Donald Walby*
Deaton *Umsstead* *LANE* *Donahue* *Shoff*
M. Hanson *Holliday* *Bryne* *Emel*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A SELECT
 5 COMMITTEE OF THE LEGISLATURE TO PREPARE RECOMMENDATIONS FOR
 6 PROVIDING SERVICES TO DEVELOPMENTALLY DISABLED PERSONS;
 7 PROVIDING FOR STAFFING AND THE USE OF CONSULTANTS BY THE
 8 COMMITTEE; APPROPRIATING FUNDS FOR THE COMMITTEE; AND
 9 PROVIDING AN EFFECTIVE DATE."

Roush
Smith

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 22 from the same political party.
 23 (b) The president of the senate, after consultation
 24 with the senate majority and minority leaders, shall appoint
 25 four members of the senate to serve on the select committee.

1 No more than two senate members on the select committee may
 2 be from the same political party.
 3 (3) A vacancy must be filled by appointment in the
 4 same manner as the original appointment.
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 6 vice-chairman.
 7 (5) Select committee members are entitled to
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 10 developmental disabilities services shall:
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 16 those persons currently enrolled in programs at Boulder
 17 River School and Hospital;
 18 (b) the comparative staffing patterns and supporting
 19 service structure and costs associated with community-based
 20 services and institutional services;
 21 (c) the role of institutions and institutional
 22 alternatives in the continuum of state-supported services to
 23 persons with developmental disabilities;
 24 (d) the proper and ultimate location of state
 25 administrative responsibility for all programs for persons

1 with developmental disabilities; and

2 (e) the impact of closure of Boulder River School and
3 Hospital on the community;

4 (2) develop an analysis of the issues surrounding the
5 concepts of serving developmentally disabled persons in "the
6 most appropriate placement" as opposed to "the least
7 restrictive placement";

8 (3) develop a history and a projection of funding for
9 services for developmentally disabled persons, including
10 federal, state, local, and private sources;

11 (4) develop a proposed long-range plan for the state's
12 role in serving developmentally disabled persons, including
13 a clear mission statement for each functional organization
14 proposed to implement the plan;

15 (5) analyze the costs and potential benefits of
16 retrofitting or consolidating the physical plant at Boulder
17 River School and Hospital in order to make the institution
18 more cost effective and to improve services to persons
19 enrolled in programs there;

20 (6) study the feasibility of providing a training
21 program at Boulder River School and Hospital for persons who
22 will be employed in community-based programs;

23 (7) analyze means for reducing the sense of
24 polarization within the system serving developmentally
25 disabled persons in order to focus on the most appropriate

1 services for the persons served;

2 (8) in accomplishing the duties outlined in
3 subsections (1) through (7), solicit the comments, advice,
4 and testimony of professionals, consumers, legislators, and
5 state agency officials; and

6 (9) complete its final recommendations not later than
7 September 15, 1984, and publish its findings and
8 recommendations not later than December 1, 1984.

9 Section 3. Executive cooperation -- subpoena power.
10 (1) The executive branch agencies shall cooperate with the
11 select committee on developmental disabilities services as
12 it conducts its investigation.

13 (2) The legislative council may exercise its authority
14 under 5-11-107 as needed to assist the committee in its
15 study.

16 Section 4. Use of consultants. The legislative
17 council, upon request of the select committee on
18 developmental disabilities services, shall retain
19 consultants as required. Costs for consultants must be paid
20 from funds appropriated for use by the select committee.

21 Section 5. Staff services. The legislative staff
22 agencies may provide staff assistance to the select
23 committee on developmental disabilities services as
24 requested by the committee. The legislative council shall
25 provide staffing assistance as specified in 5-11-105 and

1 5-11-112.

2 Section 6. Appropriation. There is appropriated for
3 the biennium ending June 30, 1985, \$15,000 from the general
4 fund to the legislative council for purposes of the select
5 committee on developmental disabilities services in carrying
6 out its functions under this act.

7 Section 7. Effective date. This act is effective July
8 1, 1983.

-End-

April 19, 1983

SENATE STANDING COMMITTEE REPORT
(Finance & Claims)

That House Bill No. 909 be amended as follows:

1. Title, lines 4 and 5.

Following: "AN ACT"

Strike: "CREATING A SELECT COMMITTEE OF THE LEGISLATURE TO"

Insert: "REQUIRING THE GOVERNOR OR HIS DESIGNEE TO STUDY AND"

2. Title, lines 7 and 8.

Strike: "PROVIDING" on line 7 through the second "COMMITTEE;" on line 8

3. Pages 1 and 2.

Following: "1." on line 12 of page 1

Strike: the remainder of line 12 on page 1 through line 8 on page 2

Insert: "Study on developmental disabilities services. The governor or his designee shall conduct a study of and propose a long range plan for the delivery of services to persons with developmental disabilities. The governor or his designee shall solicit comments from the general public and especially from residents of communities where developmental disability services are provided by the state."

4. Page 2, lines 9 and 10.

Following: "Section 2."

Strike: "Committee duties. The select committee on developmental disabilities services"

Insert: "Study areas. The governor or his designee"

5. Page 3, lines 4 through 7.

Strike: lines 4 through 7 in their entirety

Renumber: subsequent subsections

6. Page 4, line 3.

Strike: "(7)"

Insert: "(6)"

7. Page 4, line 4.

Following: "legislators,"

Insert: "the general public, architects and design experts,"

8. Page 4, line 6.

Strike: "its final"

Insert: "preliminary"

9. Page 4, line 7.

Strike: "its findings and"

Insert: "final"

10. Pages 4 and 5.

Strike: sections 3 through 6 in their entirety

Renumber: subsequent section

1 HOUSE BILL NO. 909

2 INTRODUCED BY MARKS, MENAHAN, DONALDSON, WALDRON,
3 FABREGA, BERTELSEN, ROUSH, SHONTZ, SPAETH, HANSON,
4 BENGTSOON, HEMSTAD, SCHULTZ, LANE, HOLLIDAY, OCHSNER,
5 BERGENE, THOFT, ERNST, EUDAILY, WALLIN, MANUEL
6

7 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING ~~A SELECT~~
8 ~~COMMITTEE OF THE LEGISLATURE TO~~ REQUIRING THE GOVERNOR OR
9 HIS DESIGNEE TO STUDY AND PREPARE RECOMMENDATIONS FOR
10 PROVIDING SERVICES TO DEVELOPMENTALLY DISABLED PERSONS;
11 ~~PROVIDING FOR STAFFING AND THE USE OF CONSULTANTS BY THE~~
12 ~~COMMITTEE; APPROPRIATING FUNDS FOR THE COMMITTEE; AND~~
13 PROVIDING AN EFFECTIVE DATE."

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

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17 ~~disabilities services establishment organizations; (1)~~
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19 ~~developmental disabilities services;~~

20 (2) ~~The members of the select committee must be~~
21 ~~appointed in the following manner:~~

22 (a) ~~The speaker of the house after consultation with~~
23 ~~the house majority and minority leaders, shall appoint four~~
24 ~~members of the house to serve on the select committee. No~~
25 ~~more than two house members on the select committee may be~~

1 ~~from the same political party.~~

2 (b) ~~The president of the senate after consultation~~
3 ~~with the senate majority and minority leaders, shall appoint~~
4 ~~four members of the senate to serve on the select committee.~~
5 ~~No more than two senate members on the select committee may~~
6 ~~be from the same political party.~~

7 (3) ~~A vacancy must be filled by appointment in the~~
8 ~~same manner as the original appointment.~~

9 (4) ~~The select committee shall elect a chairman and~~
10 ~~vice-chairman.~~

11 (5) ~~Select committee members are entitled to~~
12 ~~compensation and expenses as provided in 5-2-302. STUDY ON~~
13 ~~DEVELOPMENTAL DISABILITIES SERVICES. THE GOVERNOR OR HIS~~
14 ~~DESIGNEE SHALL CONDUCT A STUDY OF AND PROPOSE A LONG-RANGE~~
15 ~~PLAN FOR THE DELIVERY OF SERVICES TO PERSONS WITH~~
16 ~~DEVELOPMENTAL DISABILITIES. THE GOVERNOR OR HIS DESIGNEE~~
17 ~~SHALL SOLICIT COMMENTS FROM THE GENERAL PUBLIC AND~~
18 ~~ESPECIALLY FROM RESIDENTS OF COMMUNITIES WHERE DEVELOPMENTAL~~
19 ~~DISABILITY SERVICES ARE PROVIDED BY THE STATE.~~

20 Section 2. ~~Committee duties. The select committee on~~
21 ~~developmental disabilities services STUDY AREAS. THE~~
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24 services for developmentally disabled persons and
25 alternatives to those services, including without limitation

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2 (a) types and quality of alternative services for

3 those persons currently enrolled in programs at Boulder

4 River School and Hospital;

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6 service structure and costs associated with community-based

7 services and institutional services;

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9 alternatives in the continuum of state-supported services to

10 persons with developmental disabilities;

11 (d) the proper and ultimate location of state

12 administrative responsibility for all programs for persons

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15 Hospital on the community;

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23 (4)(3) develop a proposed long-range plan for the

24 state's role in serving developmentally disabled persons,

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1 organization proposed to implement the plan;

2 (5)(4) analyze the costs and potential benefits of

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4 River School and Hospital in order to make the institution

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11 polarization within the system serving developmentally

12 disabled persons in order to focus on the most appropriate

13 services for the persons served;

14 (8)(7) in accomplishing the duties outlined in

15 subsections (1) through (7) (6), solicit the comments,

16 advice, and testimony of professionals, consumers,

17 legislators, THE GENERAL PUBLIC, ARCHITECTS AND DESIGN

18 EXPERTS, and state agency officials; and

19 (9)(8) complete its final PRELIMINARY recommendations

20 not later than September 15, 1984, and publish its findings

21 and FINAL recommendations not later than December 1, 1984.

22 ~~Section 3, Executive cooperation, subpoena powers~~

23 ~~(1) The executive branch agencies shall cooperate with the~~

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17 ~~fund to the legislative council for purposes of the select~~
18 ~~committee on developmental disabilities services in carrying~~
19 ~~out its functions under this act.~~

20 Section 3. Effective date. This act is effective July
21 1, 1983.

-End-