

health program in that given area. They would make a request to the city that they would like to establish a group home in that particular location. Of course they would have to come to the city and get permission.

SENATOR NICHOL: Who would be a group that might propose this?

SENATOR SIECK: I would say the community health service people that are under this jurisdiction. I call it, in this particular area it is, Lancaster Association of Mentally Retarded.

SENATOR NICHOL: All right, let's suppose that they pick out a lot where they want to put this. Let's suppose the city council does not want that facility on that lot. Who has the final say so?

SENATOR SIECK: If there would be a lot, I think that we found in the past that generally the homes are already established I mean it is a home that takes care of that many individuals and we will find very, very few people that will want to build a new home. I mean the cost of that facility would be prohibitive.

SENATOR NICHOL: Okay, let's say that they find a home or a house that they would like to buy for this purpose. The city council or the zoning organization of that city found that this would, in their opinion, not be suitable for this. Does this law make the city council or the zoning commission of lesser statute than those that wanted to place the home there and they could place it there regardless of the city council or the zoning organizations opinion?

SENATOR SIECK: As I look at this, again this would be under the Department of Health, I mean they would have to license this and they would have to go through that licensing procedure and if the zoning says that it is a family type home I can't see how they could stop that individual from building a home if it comes under that zoning jurisdiction.

SENATOR NICHOL: So what you are saying is that this law does have precedence and power over city council or city zoning organizations.

SENATOR SIECK: This is correct and in that category, up to that limit that I mentioned in the bill.

SENATOR NICHOL: I understand that, so the thrust of this is that we are thrusting this on the community whether they like it or not according to their own local government.

SENATOR SIECK: You could say that but I still feel that the city council has some jurisdiction and any time an individual