

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES

Call to Order: By CHAIRMAN DUANE GRIMES, on January 22, 1997, at
3:00 P.M., in ROOM 104.

ROLL CALL

Members Present:

Rep. Duane Grimes, Chairman (R)
Rep. Loren L. Soft, Vice Chairman (Majority) (R)
Rep. Carolyn M. Squires, Vice Chairman (Minority) (D)
Rep. Darrel Adams (R)
Rep. Chris Ahner (R)
Rep. Ellen Bergman (R)
Rep. William E. Boharski (R)
Rep. John C. Bohlinger (R)
Rep. Bill Carey (D)
Rep. Deb Kottel (D)
Rep. Billie Krenzler (D)
Rep. Brad Molnar (R)
Rep. Wes Prouse (R)
Rep. Diane Sands (D)
Rep. Bruce T. Simon (R)
Rep. Liz Smith (R)

Members Excused: Rep. Molnar & Rep. Prouse

Members Absent: None

Staff Present: David Niss, Legislative Services Division
Jaelene Racicot, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 256 & HB 27 1-18-97
Executive Action: HB 184

*{Tape: 1 ; Side: A; Approx. Time Count: .3; Comments: EXHIBIT 1
was given to the committee at the request of Rep. Sands.}*

HEARING ON HB 256

Opening Statement by Sponsor: REP. ELLEN BERGMAN, HD 4,
introduced the bill. *{Tape: 1; Side: A; Approx. Time Count: .9;
Comments: Rep. Bergman offered an amendment and submitted EXHIBIT
2.}*

Proponents' Testimony: Rose Hughes, Montana Health Care Association. {Tape: 1; Side: A; Approx. Time Count: 6.3; Comments: Ms. Hughes submitted personal testimony, see EXHIBIT 3. Ms. Hughes offered the committee additional testimony, see EXHIBITS 4 and 5.}

Dan Burkstrom, Lantis Enterprises. {Tape: 1; Side: A; Approx. Time Count: 16.8; Comments: None.}

Sylvia Gullick, St. John's Lutheran Home. {Tape: 1; Side: A; Approx. Time Count: 22.3; Comments: None.}

LaRay Collins, LPN at St. John's Lutheran Home. {Tape: 1; Side: A; Approx. Time Count: 24.7; Comments: None.}

Linda Sandman, Dept. of Health and Human Services. {Tape: 1; Side: A; Approx. Time Count: 26.1; Comments: None.}

Julie Bar, Hillbrook Care Center, Clancy. {Tape: 1; Side: A; Approx. Time Count: 27.4; Comments: None.}

Jim Ahrens, President of the Montana Hospital Association. {Tape: 1; Side: A; Approx. Time Count: 29.8; Comments: None.}

George Hagerman, AFSCME. {Tape: 1; Side: A; Approx. Time Count: 30.4; Comments: None.}

Barbara Booher, Montana Nurses Association. {Tape: 1; Side: A; Approx. Time Count: 31.5; Comments: Stated she supported the Bergman amendment.}

Secea Facione, Union Workers. {Tape: 1; Side: A; Approx. Time Count: 33.1; Comments: None.}

Martha L. Jones, President of the Montana LPN Association. {Tape: 1; Side: A; Approx. Time Count: 34.1; Comments: Ms. Jones did not testify. Her testimony was submitted to the committee. See EXHIBIT 6.}

Informational Testimony: Perry Eskridge, Dept. of Commerce. {Tape: 1; Side: B; Approx. Time Count: 34.1; Comments: See EXHIBITS 7 & 8.}

Questions From Committee Members and Responses:

{Tape: 1; Side: A; Approx. Time Count: 43.; Comments: Questions continued through Tape 1; Side B; Approx. Time Count: 22.5.}

{Tape: 1; Side: B; Approx. Time Count: 22.5 - 24.5; Comments: Chairman Grimes waited for the room to clear before starting the hearing on HB 27.}

HEARING ON HB 27

Opening Statement by Sponsor: REP. BRUCE SIMON, HD 18, introduced the bill. {Tape: 1; Side: B; Approx. Time Count: 24.5; Comments: None.}

Proponents' Testimony:

Susan Good, Montana Association of Life Underwriters and Heal Montana. {Tape: 1; Side: B; Approx. Time Count: 30.7; Comments: None.}

Jerry Loendorf, Montana Medical Association. {Tape: 1; Side: B; Approx. Time Count: 35.7; Comments: None.}

Vern Bertleson, Montana Senior Citizen Association. {Tape: 1; Side: B; Approx. Time Count: 40.9; Comments: None.}

Claudia Clifford, State Auditor's Office. {Tape: 1; Side: B; Approx. Time Count: 41.6; Comments: None.}

Jim Ahrens, Montana Hospital Association. {Tape: 2; Side: A; Approx. Time Count: .1; Comments: None.}

Andrea Merrill, Mental Health Association of Montana. {Tape: 2; Side: A; Approx. Time Count: 1.2; Comments: See EXHIBIT 9.}

Barbara Booher, Montana Nurses Association. {Tape: 2; Side: A; Approx. Time Count: 3.5; Comments: Ms. Booher handed in written testimony from Cathy Caniparoli. See EXHIBIT 10.}

Mary McCue, Montana Dental Association and the Montana Clinical Mental Health Association. {Tape: 2; Side: A; Approx. Time Count: 4.9; Comments: None.}

Glory Hermanson, Montana Psychologist Association. {Tape: 2; Side: A; Approx. Time Count: 7.1; Comments: None.}

Robert Torres, Montana CH NASW. {Tape: 2; Side: A; Approx. Time Count: 7.8; Comments: None.}

Rose Hughes, Montana Optometric Association and the Montana Podiatric Medical Association. {Tape: 2; Side: A; Approx. Time Count: 8.8; Comments: None.}

Opponents' Testimony:

Tanya Ask, Blue Cross/Blue Shield. {Tape: 2; Side: A; Approx. Time Count: 9.2; Comments: Offered an amendment. Ms. Ask wanted to go on record on the behalf of Tom Hopgood, Health Insurance of America as in support of the bill.}

Tom Ebzery, Yellowstone Community Health Plan. {Tape: 2; Side: A; Approx. Time Count: 12.9; Comments: None.}

Questions From Committee Members and Responses:

{Tape: 2; Side: A; Approx. Time Count: 14.9; Comments: Questions from the committee continued to tape count 30.2.}

Closing by Sponsor: REP. SIMON closed. {Tape: 2; Side: A; Approx. Time Count: 30.2; Comments: None.}

EXECUTIVE ACTION ON HB 128

Motion: REP. SOFT MOVED HB 128 DO PASS. {Tape: 2; Side: B; Approx. Time Count: 2.9; Comments: Rep. Soft explained to the committee the three most contentious issues.}

Discussion: REP. KOTTEL {Tape: 2; Side: B; Approx. Time Count: 8.4; Comments: Rep. Kottel asked about a technical question regarding pre-school definition. Ms. Fleming-Siebenaler responded to Rep. Kottel's concern.}

Motion: REP. KOTTEL MOVED THE AMENDMENT TO PARALLEL THE LANGUAGE FOR PRE-SCHOOL. {Tape: 2; Side: B; Approx. Time Count: 11.1; Comments: None.}

Discussion: REP. SQUIRES {Tape: 2; Side: B; Approx. Time Count: 14.2; Comments: Questioned Mr. Hudson.}

REP. SIMON {Tape: 2; Side: B; Approx. Time Count: 16.0; Comments: Questioned Rep. Kottel.}

REP. KOTTEL {Tape: 2; Side: B; Approx. Time Count: 17.2; Comments: Rep. Kottel responded to Rep. Simon's about children with special needs.}

REP. SIMON {Tape: 2; Side: B; Approx. Time Count: 17.5; Comments: Rep. Simon asked David Niss to respond pre-school issue.}

REP. KOTTEL requested to create a sub-committee to work out the details and concerns on HB 128. {Tape: 2; Side: B; Approx. Time Count: 20.9; Comments: The request was granted for the creation of a sub-committee. Rep. Soft, Rep. Kottel and Rep. Smith were appointed to work on the sub-committee. Rep. Kottel was appointed as chair to the committee.}

REP. SIMON {Tape: 2; Side: B; Approx. Time Count: 23.9; Comments: Rep. Simon asked if the committee could help resolve some of the concerns by taking up the issues today.}

REP. SQUIRES {Tape: 2; Side: B; Approx. Time Count: 24.8; Comments: She asked the committee if there was not a problem between church and state if the bill were to pass in its current form. The bill as it was currently written would not allow a parent who had a religious conviction against immunizations to bring his/her child to a licensed day care.}

Motion: REP. SIMON MOVED THE AMENDMENT. {Tape: 2; Side: B; Approx. Time Count: 28.9; Comments: Explained the Simon amendment providing for medical exemption from immunizations.}

Motion: REP. KOTTEL MOVED A SUBSTITUTE MOTION TO THE AMENDMENT. {Tape: 3; Side: A; Approx. Time Count: .2; Comments: Rep. Kottel offered a substitute motion. Motion: "and rules providing for medical & religious exemptions from immunization".} Rep. Kottel stated all the substitute motion did was to add "& religious" after medical and before exemption.}

REP SMITH {Tape: 3; Side: A; Approx. Time Count: 3.3; Comments: Questioned Becky Fleming-Siebenaler if the state was being mandated by the Federal Government to provide funding to licensed daycares that have 100% immunization. Ms. Fleming-Siebenaler stated she was not aware of any.}

REP. KOTTEL {Tape: 3; Side: A; Approx. Time Count: 4.8; Comments: Explained to the committee that federal law specifically states that one cannot preclude children from public education because they have medical or religious exemptions.}

Vote: THE MOTION CARRIED. {Tape: 3; Side: A; Approx. Time Count: 8.3.}

Motion: REP. SIMON MOVED THE AMENDMENT. {Tape: 3; Side: A; Approx. Time Count: 8.6; Comments: Explained the second set of Simon amendments.}

Discussion: REP. SOFT {Tape: 3; Side: A; Approx. Time Count: 10.5; Comments: Discussion on the amendment.}

Vote: THE MOTION CARRIED UNANIMOUSLY. {Tape: 3; Side: A; Approx. Time Count: 11.1.}

Motion: REP. SIMON MOVED TO STRIKE SECTION 6 FROM THE BILL {Tape: 3; Side: A; Approx. Time Count: 11.5.}

Discussion: REP. SOFT {Tape: 3; Side: A; Approx. Time Count: 14.0.}

Vote: THE MOTION FAILED. {Tape: 3; Side: A; Approx. Time Count: 14.5.}

Motion: REP. GRIMES MOVED TO STRIKE \$50 AND INSERT \$25. {Tape: 3; Side: A; Approx. Time Count: 15.0; Comments: REP. GRIMES was not in favor of another fee increase.}

Discussion: REP. CAREY {Tape: 3; Side: A; Approx. Time Count: 16.2.}

REP. GRIMES {Tape: 3; Side: A; Approx. Time Count: 17.0; Comments: REP. GRIMES asked Mr. Hudson to respond on the fee increase.}

Vote: THE MOTION FAILED. {Tape: 3; Side: A; Approx. Time Count: 19.0.}

Motion: REP. SIMON MOVED TO SUSPEND ACTION ON HB 128. {Tape: 3; Side: A; Approx. Time Count: 19.6.}

Vote: THE MOTION CARRIED UNANIMOUSLY. {Tape: 3; Side: A; Approx. Time Count: 19.7.}

EXECUTIVE ACTION ON HB 184

Motion: REP. SOFT MOVED HB 184 DO PASS. {Tape: 3; Side: A; Approx. Time Count: 21.0; Comments: None.}

Motion: REP. KOTTEL MOVED THE AMENDMENTS {Tape: 3; Side: A; Approx. Time Count: 21.9.}

Discussion: REP. GRIMES {Tape: 3; Side: A; Approx. Time Count: 22.5.}

REP. KOTTEL {Tape: 3; Side: A; Approx. Time Count: 22.9; Comments: Explained the amendments.}

REP. SIMON {Tape: 3; Side: A; Approx. Time Count: 24.9.}

REP. KOTTEL {Tape: 3; Side: A; Approx. Time Count: 25.5.}

REP. SANDS {Tape: 3; Side: A; Approx. Time Count: 25.7.}

REP. GRIMES {Tape: 3; Side: A; Approx. Time Count: 26.3.}

Vote: THE MOTION CARRIED. {Tape: 3; Side: A; Approx. Time Count: 28.0.}

Motion: REP. KOTTEL MOVED HB 184 DO PASS AS AMENDED. THE MOTION CARRIED UNANIMOUSLY. {Tape: 3; Side: A; Approx. Time Count: 28.1.}

ADJOURNMENT

Adjournment: 6:10 P.M.



REP. DUANE GRIMES, Chairman



JAELENE RACICOT, Secretary

DG/JR