

## MINUTES OF THE MEETING

### PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

February 17, 1977

The seventeenth meeting of the Senate Public Health, Welfare and Safety Committee was called to order by Chairman Stephens in Room 405 of the State Capitol Building on Thursday, February 17, 1977, at approximately 11:00 A.M.

ROLL CALL: All members were present.

CONSIDERATION OF SENATE BILL 425: With Senator Boylan unable to present his bill, Chairman Stephens turned the meeting over to Laurine France, representing the Montana Chiropractic Association. She, in turn, presented Ed Carney from the Department of Professional and Occupational Licensing, who explained his department's interest in the bill and the chiropractors' profession. Carney then introduced Dr. Kaye of the Board of Chiropractors, Missoula.

Dr. W. J. Kaye explained the bill and its effects on the chiropractic practice in Montana (see Exhibit "A"). Kaye said this would give the Board better policing power and control of the organization.

Proponents having finished their testimony and there being no opponents, the Committee turned to questions.

The hearing was then closed on Senate Bill 425, with NO ACTION taken.

CONSIDERATION OF SENATE BILL 427: Senator Lensink introduced his bill concerning confidential health information, and then introduced J. T. Loendorf, who represented the Montana Medical Association in his testimony. Mr. Loendorf stated there are now a number of statutes on the books covering the bill's subject, but those bills constitute a patchwork approach. This bill attempts to cover the matter with one law. Loendorf then went through the bill in great detail, explaining it to the Committee.

Ronald Semple, publisher of the "Independent Record" and representing the Montana Press Association, began the opponent's testimony. Semple said his people oppose the bill in its entirety. He objected as a "third party". Mr. Semple said there would be no way to amend the bill that would be satisfactory to the press because it is too well written. The issue, of course, he said, is the citizen's right to privacy versus the public's right to know. His objection centered on the term, "written consent," in the bill - that alone would cause untold harm to newspaper reporting of obituaries, accidents, births, etc. because the papers would have to acquire parties' written consent to print. Semple closed by saying that if this law is passed, it will be a great assault on the freedom of the press.

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Sam Gilhooly, Executive Secretary, Montana Press Association, stood in complete agreement of Mr. Semple's testimony.

Jim Murray, Executive Secretary, AFL-CIO, called the Committee's attention to page 3, line 20, saying his people oppose this part of the bill. He said they are concerned that workers' medical records might be used against them in a situation, say, of job interviewing. The union is afraid an employer having access to a person's medical record would discriminate against a person having a pre-existing medical problem. (Mr. Loendorf rose to answer this testimony, saying this problem is covered by other laws.)

The hearing was concluded on Senate Bill 427.

Questions from the Committee followed. Senator Rasmussen asked why this bill is being proposed this Session - the answer was that there is, at this time, no particular problem, but peer review needs addressing. Senator Watt asked the "Independent Record" publisher for specific newspaper articles that would be threatened if the proposed bill were law. There were some questions and discussion relating to police records and availability of information from that source.

CONSIDERATION OF SENATE BILL 355: Senator Dover, sponsor of this bill, explained his bill to the Committee, saying family planning services should be expanded to provide their services to minors (without parental consent). (See testimony, Exhibit "B".)

Mrs. Frances Winder testified in support of the bill, pointing out statistics of young people in trouble who could use the family planning services if the Committee would pass this legislation (see Exhibit "C").

Dr. John Anderson of the Department of Health and Environmental Services, testified in opposition of this bill, in view of the fact that the Department preferred House Bill 544, which addresses the same problem. Anderson said that bill is more clear-cut while SB355 is ambiguous. Dr. Anderson said, according to a U.S. Supreme Court decision last year, minors no longer have to have parental consent to get family planning services. Dr. Anderson also asked for a fiscal note if SB355 is passed since the bill requests "approved" counselors. He said his department agrees with the purpose of the bills and he hopes one of the two will pass.

There were no opponents.

Amendments were given to the Committee on SB355, one from the sponsor (see Exhibit "D") and the other from the Department of Health and Environmental Sciences (see Exhibit "E").

Questions and discussion concerning the meaning of "approved" counselors, the impact of the U.S. Supreme Court decision on this matter, (the consensus of some Committee members was that the minors can, due to that Supreme Court decision, now get family planning services with-

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out parental consent) and the comment made by Mrs. Winder that her family planning services staff now have a lot of teenagers asking for help but the staff cannot without the parental consent. The family planning services have to turn the kids away.

Hearing on Senate Bill 355 was concluded with NO ACTION taken.

ACTION ON SENATE BILL 273: Chairman Stephens brought Sponsor Lee's bill back before the Committee, asking if they wished to act on the present bill or to sign a substitute bill as a Committee bill.

On a roll call vote, the Committee voted, 6 yes, 2 absent, to sign the substitute bill as a committee bill. SB273 will be tabled.

CONSIDERATION ON SENATE BILL 221: Chairman Stephens, after some discussion, asked for a roll call vote on the disposition of this bill. Senator Roberts moved that this bill be kept in Committee until Saturday, so that inquiry could be made on the disposition of a very similar bill in House Public Health Committee and the Chairman would also have time to confer with the sponsor.

CONSIDERATION ON SENATE BILL 246: NO ACTION after some discussion by the Committee of this bill. Senators Olson and Roberts reported similar bills to SB246 are in Judiciary Committee. Chairman Stephens requested the above-mentioned Senators discuss the bill with the sponsor. Committee agreed to act on bill Saturday, February 19.

ACTION ON SENATE BILL 269: After a short question and answer period with Department Counsel Teve Brown and the Committee members concerning fiscal impact, federal and state, Senator Watt moved SB269 DO PASS - motion carried 6 yes, 1 abstained (Senator Rasmussen due to the fact he was not in Committee when bill was heard) and one Senator absent.

ACTION ON SENATE BILL 341: Senator Rasmussen moved the amendments presented to Committee by Senator Dover (see Exhibit "F"). By a voice vote, motion carried. Senator Rasmussen then moved the bill, with amendments, DO PASS - motion failed, 2 to 6.

ACTION ON SENATE BILL 399: During the discussion, Senator Watt proposed three amendments. Dr. Kaye rose with an objection to the third amendment, i.e., "However, this written examination may be taken only by those licensed chiropractors who have a B.A. degree or its equivalent and have completed at least four semesters in an accredited chiropractic college". Senator Rasmussen asked if these requirements would be only for those who wish to do blood work, the answer from Senator Watt was affirmative. Dr. Kaye said it does not take a great deal of knowledge to draw blood but to diagnose the problem from that blood is the important thing. Senator Watt moved his amendments - motion failed, 2 to 5, with one Senator absent. Senator Olson then moved SB399 do not pass; Senator Rasmussen moved a substitute motion that SB399 DO PASS - by a roll call vote, motion failed, 3 to 5; Senator Roberts requested a change in his vote, to tie the voting. SB399 reported Out of Committee WITHOUT RECOMMENDATION.

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ADJOURNMENT: With no further business at this time, Chairman Stephens adjourned the meeting at 1:25 P.M.

*Stan Stephens*

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STAN STEPHENS, Chairman

SUPPORT,  
OPPOSE OR  
AMEND?

REPRESENTING:

ON BILL #

SUPPORT,  
OPPOSE OR  
AMEND?

\_\_\_\_\_

H. J. Kaye DC.	Board of Chiropractors	5425	Support.
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John Murray	Asst. Dir. of Pol.	SB 425	2-1-1941
John Murray	Asst. Dir. of Pol.	SB 427	2-1-1941

dr LC Wipe	Mont. Child. Assn	425	Support.
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Philip A. Bland	Board of Christian	5425	June
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Donald Campbell	Montana Press Assoc.	5427	op. press
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Sancti Spiritus	"	"	"	"

DATE

2-17-68

COMMITTEE ON

Health and Education

BILL NO. 355

## VISITOR'S REGISTER

NAME	REPRESENTING	Check One	
		Support	Oppos
John Anderson MD	Dept. of Health	Amend	
Daniela Capp	" "	Amend	
Elmer Parker	" "	Amend	
Eula Bertelsen	parent - St Mary PC	#425	
Mayer Combs -	Montana Chiropractic Assoc	support	
<del>Voland Pratt</del>	<del>" "</del>	<del>" "</del>	
<del>Frances France</del>	<del>MT Chiropractic Assoc</del>		
Laureen France	MT Chiropractic Assoc.	425 X	
Voland O Pratt	" " "	425	
Gary L. Walton	Montana Citizens for Better Disclosure	427	
Frances A. Kinder	Family Planning	support 355 as amended	

# ROLL CALL

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

45th LEGISLATIVE SESSION - 1977

**DATE :**

2/17/77

[illegible]

R O L L C A L L

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY,

45th LEGISLATIVE SESSION - 1977.

Date Feb 17 Bill No. 273 Time

NAME S:	YES	NO
LEE, Robert	<i>absent</i>	LEE
RASMUSSEN, Tom	1	RASMUSSEN
OLSON, Stuart	2	OLSON
HIMSL, Matt	<i>absent</i>	HIMSL
WATT, Robert	3	WATT
ROBERTS, Joe	4	ROBERTS
NORMAN, Bill - V. Chm.	5	NORMAN
STEPHENS, Stan - Chairman	6	STEPHENS

Joyce (Kelly) Allen  
Secretary

STAN STEPHENS  
Chairman

Motion: SENATOR ROBERTS MOVED THAT THIS COMMITTEE SIGN THIS

*Stan Stephens*  
BILL AS A COMMITTEE BILL.

(include enough information on motion—put with yellow copy of committee report.)



# R O L L C A L L

## VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date 2-11 Bill No. 221 Time

NAME S:	YES	NO
LEE, Robert	<i>absent</i>	LEE
RASMUSSEN, Tom	<i>1</i>	RASMUSSE
OLSON, Stuart	<i>2</i>	OLSON
HIMSL, Matt	<i>absent</i>	HIMSL
WATT, Robert	<i>3</i>	WATT
ROBERTS, Joe	<i>4</i>	ROBERTS
NORMAN, Bill - V. Chm.	<i>5</i>	NORMAN
STEPHENS, Stan - Chairman	<i>6</i>	STEPHENS

Joyce (Kelly) Allen  
Secretary

STAN STEPHENS  
Chairman

Motion: SENATOR ROBERTS MOVED THAT THIS

*SB 221*

BILL BE KEPT IN COMMITTEE UNTIL

*2-12-77*

SATURDAY.

(include enough information on motion—put with yellow copy of committee report.)

# R O L L   C A L L

## VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date Feb 17 Bill No. 269 Time \_\_\_\_\_

NAME S:	YES	NO
LEE, Robert	<i>absent</i>	LEE
RASMUSSEN, Tom <i>did not hear testimony</i>	<i>abstained</i>	RASMUSSEN
OLSON, Stuart	1	OLSON
HIMSL, Matt	2	HIMSL
WATT, Robert	3	WATT
ROBERTS, Joe	4	ROBERTS
NORMAN, Bill - V. Chm.	5	NORMAN
STEPHENS, Stan - Chairman	6	STEPHENS

Joyce (Kelly) Allen  
Secretary

STAN STEPHENS  
Chairman

Motion: SENATOR WATT MOVES "DO PASS"

WATT - 26

(include enough information on motion—put with yellow copy of committee report.)

R O L L C A L L

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date Feb 17 Bill No. 341 Time

NAME S:	YES	NO
LEE, Robert		1
RASMUSSEN, Tom	1	
OLSON, Stuart		2
HIMSL, Matt		3
WATT, Robert	2	
ROBERTS, Joe		8
NORMAN, Bill - V. Chm.		4
STEPHENS, Stan - Chairman		6

Joyce (Kelly) Allen  
Secretary

STAN STEPHENS  
Chairman

Motion: SENATOR RASMUSSEN MOVED BILL, AS AMENDED, DO PASS

# R O L L C A L L

## VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date Feb 17 Bill No. 399 Time \_\_\_\_\_

NAME S:	YES	NO
LEE, Robert		1 LEE
RASMUSSEN, Tom	1	RASMUSSEN
OLSON, Stuart		2 OLSON
HIMSL, Matt	absent	HIMSL
WATT, Robert	2	WATT
ROBERTS, Joe		3 ROBERTS
NORMAN, Bill - V. Chm.		4 NORMAN
STEPHENS, Stan - Chairman		5 STEPHE

Joyce (Kelly) Allen  
Secretary

STAN STEPHENS  
Chairman

Motion: SENATOR WATT MOVED HIS AMENDMENTS

*Watt* *5-5* *Watt*

# ROLL CALL

## VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date \_\_\_\_\_ Bill No. 399 Time \_\_\_\_\_

NAME S:	YES	NO
LEE, Robert	1	LEE
RASMUSSEN, Tom	2	RASMUSSEN
OLSON, Stuart		1 OLSON
HIMSL, Matt		2 HIMSL
WATT, Robert	3	WATT
ROBERTS, Joe <i>changed vote</i>	4 (4)	<del>3</del> ROBERTS
NORMAN, Bill - V. Chm.		3 <del>X</del> NORMAN
STEPHENS, Stan - Chairman		4 <del>X</del> STEPHENS

Joyce (Kelly) Allen  
Secretary

STAN STEPHENS  
Chairman

Motion: SENATOR RASMUSSEN'S SUBSTITUTE MOTION THAT SB399 DO PASS

*Pass 2/6*

*P. J. Allen*

(include enough information on motion—put with yellow copy of

General Explanation of Bill--

THIS BILL AFFECTS THE PRACTICE OF CHIROPRACTIC IN THIS STATE. IT PROVIDES FOR AN INCREASE IN THE RENEWAL FEE, TIGHTENING OF THE POSTGRADUATE EDUCATIONAL REQUIREMENT FOR RENEWAL, PROVIDES THAT NO LOCAL GOVERNMENT MAY IMPOSE A LICENSE FEE OR TAX ON CHIROPRACTORS, PROVIDES FOR A STATEMENT ON UNPROFESSIONAL CONDUCT AND CITES 14 EXAMPLES OF WHAT UNPROFESSIONAL CONDUCT MAY CONSIST OF AND THEY CONSTITUTE REASONS FOR REVOCATION OR SUSPENSION OF A LICENSE TO PRACTICE CHIROPRACTIC. IT IS MUCH STRONGER THAN THE PRESENT WORDING IN THE LAW AND THAT SECTION IS REPEALED.

SPECIFIC EXPLANATION OF BILL--

Section 1. Provides that the renewal shall not exceed \$50. per year, present maximum is \$25. Board needs additional money to operate and most likely will increase to \$30. to \$35. next fiscal year. Next change is in the continuing education program by deleting that this requirement may be fulfilled by attending an educational program conducted by the chiropractic assn., it now must be monitored classroom time by instructors in accredited colleges of chiropractic in subjects designated by the board.

Sub-section 2 provides that no municipality or any other political subdivision of the state may impose a license fee or tax on chiropractors. This is similar to other licensees in the dept.

Section 2. The unprofessional conduct section and is further defined as resorting to fraud, misrepresentation or deception in applying for or securing a license, taking money for curing an incurable disease, using false name, disobeying rules of the board, conviction of moral turpitude, habitual intemperance, administering or dispensing or prescribing drugs, fraudulent examination or treatment of a person or false billing to a person, company or organization, testifying in court on a contingency basis, conspiring to misrepresent physical conditions in order to increase settlement or award, aiding or abetting a person not licensed to practice chiropractic, violating chiropractic law or rules and conduct unbecoming a person licensed and detrimental to the best interests of the public.

Section 3. A new section providing for specific investigation of complaints and authority to revoke or suspend license for unprofessional conduct and other reasons. Provides detail on who may file complaints, hearing, suspension or revocation and how a license may be restored.

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Section 3. A new section providing for specific investigation of complaints and authority to revoke or suspend license for unprofessional conduct and other reasons. Provides detail on who may file complaints, hearing, suspension or revocation and how a license may be restored.

Section 4. Provides for reconsideration of board action to suspend or revoke and provides for restoration fee of \$50.

Section 5. Provides for repeal of section 66-510 which is the old section providing for reasons for revocation of license, it is not needed now with section 2 and 3 replacing this one.

TESTIMONY ON SENATE BILL 355

Mr. Chairman, members of the board, for the record I'm Harold Dover, from Senate District 24, Lewistown, Montana.

Family planning services have provided a much needed service to many of our people in Montana. The purpose of this bill is to make these services more readily available to youth under the age of 18.

United States childbearing rates are among the world's highest and Montana is right in there with their average. It has been called, "The epidemic of adolescent pregnancies in the United States."

It is estimated that more than one-half of the 21 million young people in America between the ages of 15 and 19 years old have had sexual intercourse. In addition, one-fifth of the 8 million 13 and 14 years old young people are believed to have had intercourse. These youth are from all economic levels of our country. Needless to say this has been done without parental consent.

It has resulted in many unwanted pregnancies out of wedlock.

Hasty and early marriages.

One-third of the abortions in the United States

An epidemic venereal disease among youth - Lewistown's family planning service had a 13 year old girl come in with the incurable venereal disease

High divorce rate among these early marriages.

Besides this both the adolescent who gives birth and her baby face a greater risk of death, than is the case with a woman in her twenties. There is a greater possibility of birth defects for the baby and serious health problems for the parent.

Women under 20 have about 30 percent more chance of pregnancy complications (including infant and maternal deaths) than older women.



## E X H I B I T "C"

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE-

MY NAME IS FRANCES WINDER. I AM A HOUSEWIFE AND MOTHER OF 3 CHILDREN. I AM HERE FROM LEWISTOWN TO TESTIFY REGARDING MY CONCERNS OVER THE SHOCKING FACTS OF TEENAGE PREGNANCIES AND ABORTIONS ESPECIALLY IN THIS FINE STATE. I SPEAK IN SUPPORT OF S.B. 355. MY STATEMENT INVOLVES THESE THREE ASPECTS;

1. ADDRESSING THE PROBLEM: PREGNANCIES & ABORTIONS
2. PROBLEMS ASSOCIATED WITH TEENAGE PREGNANCIES (consequences)
3. FAMILY PLANNING IS THE KEY.

### WHAT'S THE PROBLEM?

#### PREGNANCIES

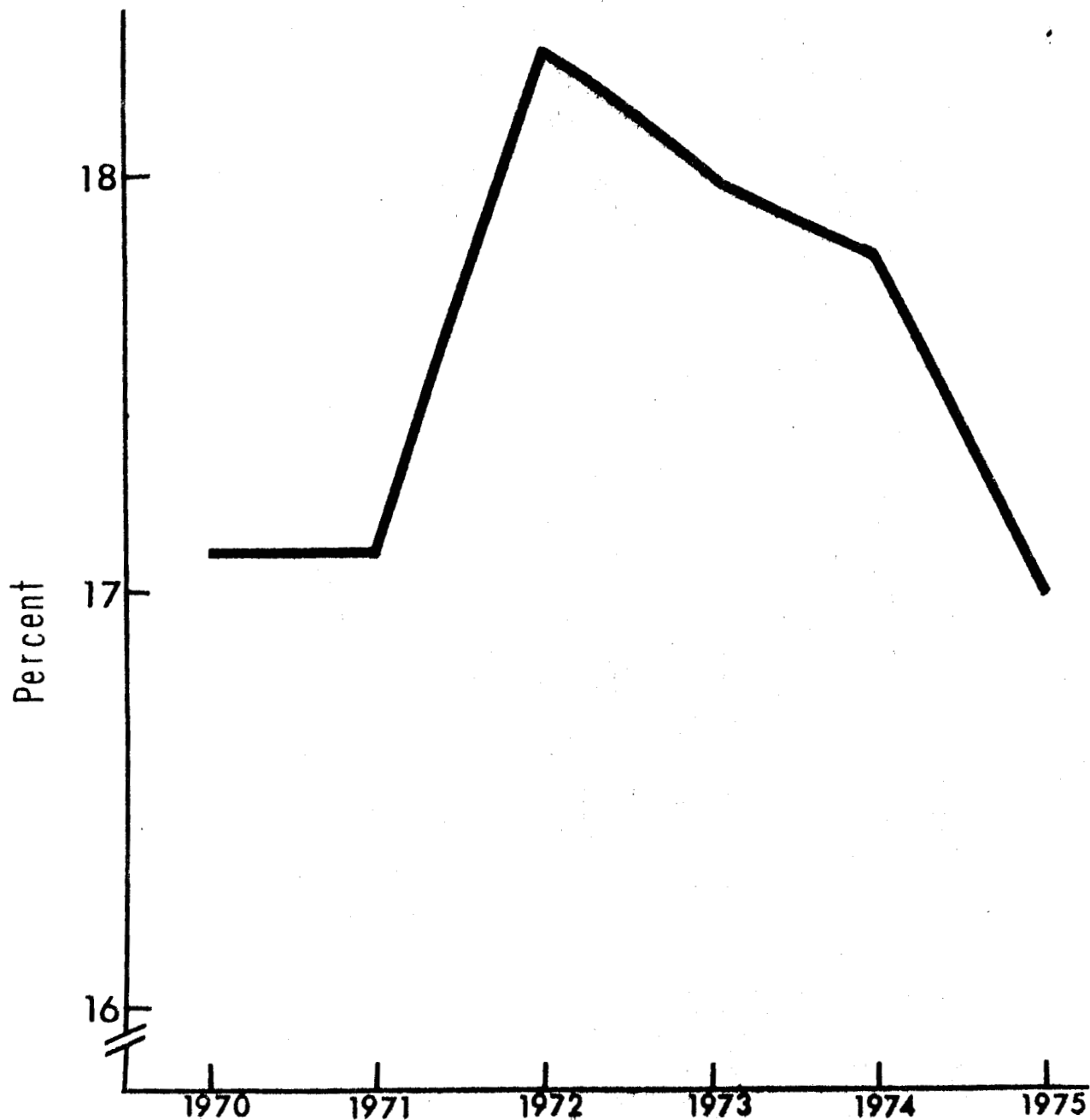
TEENAGE GIRLS ARE BECOMING PREGNANT OUT-OF-WEDLOCK IN EPIDEMIC PROPORTIONS, 700,000 LAST YEAR IN THE U.S. 30,000 OF THESE WERE UNDER 15. OF THE 12,070 BIRTHS TO MONTANA RESIDENTS IN 1975, 1,219 OR OVER 10% WERE OUT-OF-WEDLOCK. 493 WERE BORN TO MOTHERS 18 & UNDER? BIRTH RATES ARE DECLINING IN ALL AGE GROUPS EXCEPT IN THE 15 & UNDER WHERE THEY ARE RISING. THE NATIONAL UPSURGE OF TEENAGE PREGNANCIES HAS NOT DECLINED DUE TO THE ABORTION RATE THAT WHEN ADDED TO THE TERMINATED PREGNANCIES GIVE US THE FULL PICTURE. OUT-OF-WEDLOCK BIRTHS IN MONTANA ROSE FROM 404 IN 1971 TO 506 IN 1974 AND 402 IN 1975.

#### ABORTIONS

TEENAGE ABORTIONS ARE SO HIGH THEY ACCOUNT FOR ONE-THIRD OF ALL ABORTIONS IN THE U.S. 418 OF THE 1,535 INDUCED ABORTIONS REPORTED PERFORMED IN MONTANA WERE TEENAGES 18 AND UNDER, 136 OF THESE WERE 16 AND UNDER. THE HIGHEST NUMBER OF ABORTIONS FOR ANY AGE GROUP WAS THE 18 YEAR OLDS WITH 174. THESE GRAPHS WILL HELP YOU TO REALIZE THE SHOCKING FACTS OF OUR PROBLEMS RIGHT HERE IN MONTANA. THAT ARE FULLY DOCUMENTED. NEXT WE WILL TAKE A LOOK AT THE CONSEQUENCES CAUSED BY THE PROBLEMS.

**FAMILY PLANNING PROGRAM  
OF CENTRAL MONTANA**  
204 Bank Electric Bldg. Box 1100  
Lewistown, Montana 59457  
PHONE: 538-8311

**MONTANA RESIDENT LIVE BIRTHS UNDER 20 YEARS:  
1970 - 1975**



E X H I B I T "D"

AMENDMENT TO SENATE BILL NO. 355

(Senator Dover)

1. Amend page 3, section 5.

Following: line 15.

Insert: "(3) Approved counselors for the purpose of this act  
may be chosen from among local representatives of such  
professions as: physicians, nurses, and clergymen."

Renumber: subsequent subsection

## SUGGESTED AMENDMENTS TO SENATE BILL NO. 355

(Senator Dover)

1. Amend title, line 7.

Following: "SERVICES"

Insert: "AND TO AMEND SECTION 69-6101, R.C.M. 1947"

2. Amend page 3

Following: line 19

Insert: "Section 6. Section 69-6101, R.C.M. 1947, is amended to read as follows:

"69-6101. Consent of minor for health services--when valid. The consent to the provision of medical or surgical care or services by a hospital, public clinic, or the performance of medical or surgical care or services by a physician, licensed to practice medicine in this state may be given ~~by~~ a minor who professes or is found to meet any of the following descriptions:

(1) A minor who is or was ever married, or has had a child, or graduated from high school, or is emancipated; or

(2) A minor who has been separated from his parent, parents, or legal guardian for whatever reason and is supporting himself by whatever means; or

(3) A minor who professes or is found to be pregnant, or afflicted with any reportable communicable disease including venereal disease, or drug and substance abuse including alcohol. This self-consent only applies to the prevention, diagnosis, and treatment of those conditions specified in this subsection. The self-consent in the case of pregnancy, venereal disease, and drug and substance abuse also obliges the health professional, if he accepts the responsibility for treatment, to counsel the minor by himself or by referral to another health professional for counseling; or

(4) A minor who seeks family planning services as defined in (section 2 of this act);

~~(4)~~ (5) A minor who needs emergency care, including transfusions, without which his health will be jeopardized. The parent, parents, or legal guardian shall be informed as soon as practical except in conditions mentioned in subsection (1),

(2), (3), ~~or~~ (4) of this section; or

~~(5)~~ (6) A minor who has had a child may give effective consent to health service for his child; or

~~(6)~~ (7) A minor may give consent for health care for his spouse if his spouse is unable to give consent by reason of physical or mental incapacity."

February 10, 1977

AMENDMENTS TO SENATE BILL NO. 341

(Suggested by Senator Dover)

1. Amend page 2, section 2, line 18.

Following: "prurient"

Strike: ", shameful, or mobid"

2. Amend page 2, section 2, line 23.

Following: "literary,"

Strike: "governmental, educational,"

3. Amend page 3, section 4, line 14.

Following: "picture"

Insert: "in a public place"

4. Amend page 3, section 6, line 20.

Following: "has"

Insert: "received a complaint concerning a motion picture and has"

5. Amend page 4, section 6, line 6.

Following: line 5.

Strike: "(c) allege its obscene nature;"

Renumber: subsequent subsections

6. Amend page 4, section 7, line 14.

Following: "present"

Strike: "the subpoenaed motion picture to the court"

Insert: "evidence supporting probable cause and he shall inform  
the defendant of his right to be present at the probable cause  
hearing"

7. Amend page 5, section 8, line 1.

Following: "picture"

Strike: "or any resident of the community who has complained of  
the motion picture's display"

8. Amend page 5, section 9, line 4.

Following: "entitled"

Strike: ", upon request,"

9. Amend page 5, section 9, line 5.

Following: "jury."

Strike: "The district court may, upon motion or its own initiative,  
order a trial of any issue to the jury."

# STANDING COMMITTEE REPORT

FEBRUARY 19 19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration SENATE Bill No. 399

Respectfully report as follows: That SENATE Bill No. 399,  
introduced bill

WITHOUT RECOMMENDATION

~~DO PASS~~  
~~DO NOT PASS~~

# STANDING COMMITTEE REPORT

FEBRUARY 18

19 77

MR. **PRESIDENT**

We, your committee on **PUBLIC HEALTH, WELFARE AND SAFETY**

having had under consideration **SENATE** Bill No. **269**

Respectfully report as follows: That **SENATE** Bill No. **269**,  
**introduced bill**

DO PASS



# STANDING COMMITTEE REPORT

FEBRUARY 19

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration SENATE Bill No. 341

Respectfully report as follows: That SENATE Bill No. 341,

introduced bill, be amended as follows:

1. Amend page 2, Section 2, line 18.

Following: "prurient"

Strike: ", shameful, or morbid"

2. Amend page 2, Section 2, line 23.

Following: "literary,"

Strike: "governmental, educational,"

3. Amend page 3, section 4, line 14.

Following: "picture"

Insert: "in a public place"

~~DO PASS~~



4. Amend page 3, Section 6, line 20.

Following: "has"

Insert: "received a complaint concerning a motion picture and has"

5. Amend page 4, Section 6, line 6.

Following: line 5.

Strike: "(c) allege its obscene nature;"

Renumber subsequent subsections

6. Amend page 4, section 7, line 14.

Following: "present"

Strike: "the subpoenaed motion picture to the court"

Insert: "evidence supporting probable cause and he shall inform the defendant of his right to be present at the probable cause hearing"

7. Amend page 5, Section 8, line 1 and 2.

Following: "picture"

Strike: "or any resident of the community who has complained of the motion picture's display"

8. Amend page 5, Section 9, line 4 and 5.

Following: "entitled"

Strike: ", upon request,"

9. Amend page 5, Section 9, line 5 through 7.

Following: "jury."

Strike: "The district court may, upon motion or its own initiative, order a trial of any issue to the jury."

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STAN STEPHENS, Chairman

DO NOT PASS

SR