

MINUTES OF THE MEETING

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

March 25, 1977

The thirty-second meeting of the Public Health, Welfare and Safety Committee was called to order in Room 405 of the State Capitol Building by Chairman Stan Stephens on Friday, March 25, for executive session.

ROLL CALL: All members of the Committee were present. (See Roll Call.)

EXECUTIVE ACTION ON THE FOLLOWING BILLS:

ACTION ON HOUSE BILL 298: After a short discussion which brought out some of the Committee members' thoughts on this proposed legislation, including but not limited to the following points - 1) The possibility this legislation would get the State into manufacturing versus private enterprise; 2) The idea that this subject could better be addressed through a Governor's directive, etc.; 3) The title does not seem to conform to the rest of the bill; 4) There is already legislation on the books to encourage this sort of State participation in workshop products - the Committee then considered Senator Himsl's motion of BE NOT CONCURRED IN - The motion carried, 4 - 2, with Senator Watt abstaining and Senator Roberts not yet present in Committee.

Senator Roberts, who was not present at the time this bill received a Be Not Concurred In vote, later asked the Chairman if the Committee would hold this bill in Committee until he could bring late amendments in for the members' consideration and reconsider the bill. The Chairman granted Senator Roberts' request and instructed Committee Secretary Allen to hold the bill.

ACTION ON HOUSE BILL 307: With almost no discussion, Senator Lee moved BE CONCURRED IN - Motion carried, 6 yes, 1 no, 1 absent. (Senator Stephens will carry on Senate floor.)

ACTION ON HOUSE BILL 360: The Committee spent considerable time discussing this bill. Questions were asked of various persons attending the meeting, namely, Chad Smith of the Hospital Association, Rod Gudgel of the Nursing Home Association, and George Fenner of the State Department of Health. 1) Senator Rasmussen asked if it was anticipated many hospitals want to get into home health care - the answer was negative. Chad Smith said hospital's objection was the additional burden of more government inspection and red tape on the licensing. 2) The question was raised as to differentiating between the profit and non-profit facilities. 3) Mr. Fenner said any new home

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health care agency would have to go through certificate of need - they would then be referred to sub-area council. 4) HB663 was talked about - Mr. Fenner said HB360 was not needed for HB663, or vice versa.

Senator Watt moved adoption of Representative Cooney's 10 amendments - motion carried on voice vote.

Senator Rasmussen moved adoption of Hospital Association's amendment (see Exhibit "A") - motion failed (see roll call vote).

Senator Lee moved HB360, AS AMENDED, BE CONCURRED IN - Senator Watt seconded the motion - motion carried 6 yes, 1 no, 1 abstain. (Senator Lee will carry the bill on Senate floor.)

ACTION ON HOUSE BILL 487: A short discussion covered the following matters: 1) This bill is a copy of a bill in the State of Oregon; 2) Pharmacists will have a variety of ways to meet this bill's continuing educational requirements; 3) A pharmacist flunking open book examination would be subject to review; 5) 1979 effective date discussed; 6) Senator Olson said he has difficulty with this bill, in that it is going to do something HB286 also addresses, through language on page 6, line 4 where it gives power to pharmacists which currently rests with doctors.

By a voice vote, the Committee adopted the amendment proposed by the Montana Pharmaceutical Association (see Standing Committee Report).

Senator Rasmussen moved the bill AS AMENDED, BE CONCURRED IN - on a 4 - 4 tie, HB487 Reported Out of Committee WITHOUT RECOMMENDATION. (Senator Rasmussen will carry on Senate floor.)

ACTION ON HOUSE BILL 585: The Committee questioned Mona Jamison and Max Botz of Health and Environmental Sciences Department, as well as Montana Petroleum Association's Don Allen, and Montana Coal Council's Jim Mockler for their reasons behind their language preferences in certain sections of this bill. Jamison said in the water quality act, it already states that this chapter applies to drainage or seepage. The Department, however, for their own safety, feels that it would serve for clarification if the word, "introduction," were used in this bill. The Department feels the word, "discharge," in present statute is vague, and "introduction" would clarify what they need. She added the intent is to address reclassification of streams which have previously been mis-classified due to lack of data (this reclassification would be done after public hearings). If they found old data wrong, the Department, under this legislation, could go across the State reclassifying.

Max Botz said this bill is not to solve any problems with the oil industry but to address "diffuse" problems. He suggested the amendments (see Standing Committee Report).

Senator Roberts moved adoption of Mr. Botz' amendments - adopted by voice vote. He then moved HB585, AS AMENDED, BE CONCURRED IN - motion carried unanimously.

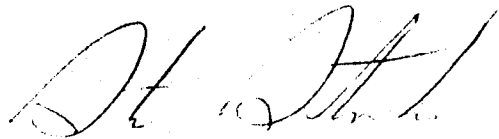
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ACTION ON HOUSE BILL 730: Discussion before acting on this bill covered the Committee's question on the actual need for this legislation, especially since it would require investigation of private homes (foster). It was suggested the initial investigation of the foster and group homes should cover everything.

An amendment (see Stnading Committee Report) was moved by Senator Norman - adopted on a voice vote.

Senator Lee then moved HOUSE BILL 730, AS AMENDED, BE CONCURRED IN - on a 4 - 4 tie vote, the Committee reported HB730 out WITHOUT RECOMMENDATION.

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



STAN STEPHENS, Chairman

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ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date March 25 Bill No. 298 Time _____

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

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Sen. Himsl moved
do not pass

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

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date March 25 Bill No. 307 Time _____

NAME	YES	NO
LEE, Robert	1	
KAMBOURIS, Van	2	
OLSON, Stuart		1
HIMSL, Matt	3	
WATT, Robert	4	
ROBERTS, Joe	absent	
NORMAN, Bill - V. Chm.	5	
STEPHENS, Stan - Chairman	6	

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Lee moved
Be Concurred In

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

ROLL CALL

VOTE

STATE OF IOWA PUBLIC HEALTH, WELFARE AND SAFETY,
45th LEGISLATIVE SESSION - 1977.

Date March 25 Bill No. 360 Time _____

NAME S:	YES	NO	
LEE, Robert	1		LEE
RASMUSSEN, Tom	2		RASMUSSEN
OLSON, Stuart		1	OLSON
HIMMEL, Matt	3		HIMMEL
WATT, Robert	4		WATT
ROBERTS, Joe	abstain		ROBERTS
NORMAN, Bill - V. Chm.	5		NORMAN
STEPHENS, Stan - Chairman	6		STEPHENS

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Lee moved
As Amended,
Be Concurred In
Senator Watt seconded motion

Provide enough information on motions - put with yellow copy of

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45TH LEGISLATIVE SESSION - 1977

Date March 25 Bill No. 360 Time _____

NAME S: Hospital Amendment YES NO

NAME S:	YES	NO
LEE, Robert		1
RASMUSSEN, Tom		2
OLSON, Stuart	1	
HIMSL, Matt		3
WATT, Robert		4
ROBERTS, Joe		5
NORMAN, Bill - V. Chm.		6
STEPHENS, Stan - Chairman		7

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Senator Rasmussen
moved adoption of amendment
proposed by Chad Smith

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

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY,
1977 LEGISLATIVE SESSION 7, 1977.

Date March 25 Bill No. 487 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	4		ROBERTS
NORMAN, Bill - V. Chm.		3	NORMAN
STEPHENS, Stan - Chairman		4	STEPHENS

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Sen Rasmussen moved
As Amended Be Concurred In,
Without Recommendation

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

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date _____ Bill No. 585 Time _____

NAME S:	YES	NO
LEE, Robert	1	LEE
RASMUSSEN, Tom	2	RASMUSSEN
OLSON, Stuart	3	OLSON
HIMSL, Matt	4	HIMSL
WATT, Robert	5	WATT
ROBERTS, Joe	6	ROBERTS
NORMAN, Bill - V. Chm.	7	NORMAN
STEPHENS, Stan - Chairman	8	STEPHENS

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Roberts moved
As Amended
Be Concurred In

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45TH LEGISLATIVE SESSION - 1977.

DATE March 25 Bill No. 730 Time _____

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

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Lee moved
as amended
Be Concurred In
Watt will carry

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

STANDING COMMITTEE REPORT

MARCH 26

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE

Bill No. 360

Respectfully report as follows: That HOUSE Bill No. 360
third reading bill, be amended as follows:

1. Amend page 3, section 2, line 2.

Following: "the"

Strike: "person"

Insert: "home health agency"

2. Amend page 3, section 3, line 12.

Following: line 12

Insert: "(2) An existing agency must be awarded a certificate of need from the department prior to an expansion of geographic area of service or the addition of a new service."

Renumber: subsequent subsections

3. Amend page 3, section 3, line 15.

Following: line 14

Strike: lines 15 through line 16

Renumber: subsequent subsections

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4. Amend page 4, section 3, line 21.

Following: ";"

Insert: "and"

5. Amend page 4, section 3, line 23.

Following: "project"

Strike: "; and"

Insert: "."

6. Amend page 4, section 3, lines 24 and 25.

Following: line 23

Strike: lines 24 and 25 in their entirety

7. Amend page 6, section 8, line 14.

Following: "1861"

Strike: "(k) and"

8. Amend page 6, section 8, line 15.

Following: "under"

Strike: "Titles"

Insert: "Title"

9. Amend page 6, section 8, line 16.

Following: line 15

Strike: "and XX"

10. Amend page 7, section 10, lines 11 and 12.

Following: "without"

Strike: "prior written approval"

Insert: "a certificate of need issued"

AND, AS SO AMENDED, BE CONCURRED IN.

STAN STEPHENS, Chairman



STANDING COMMITTEE REPORT

MARCH 25,

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE

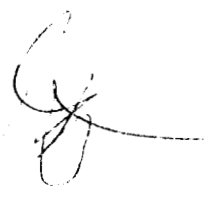
Bill No. 307

Respectfully report as follows: That HOUSE

Bill No. 307

BE CONCURRED IN.

~~XXXXXX~~



STANDING COMMITTEE REPORT

MARCH 25

19 77

PRESIDENT

MR.

PUBLIC HEALTH, WELFARE AND SAFETY

We, your committee on

HOUSE

having had under consideration

Bill No. 487

Respectfully report as follows: That.....HOUSE.....

Bill No. 487

third reading bill, be amended as follows:

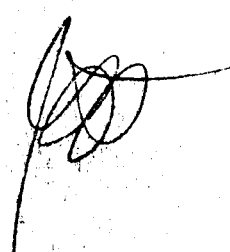
1. Amend page 5, Section 3, line 7.

Following: "hours of"

Insert: "approved"

AND, AS SO AMENDED, BE CONCURRED IN.

~~DOX PASSX~~



Chairman.

STAN STEPHENSON

STANDING COMMITTEE REPORT

MARCH 25

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE Bill No. 585

Respectfully report as follows: That HOUSE Bill No. 585

third reading bill, be amended as follows:

1. Amend page 2, Section 1, lines 17 and 18.

Following: "discharge"

Strike: "or introduction"

Insert: ", seepage, drainage, infiltration or flow"

2. Amend page 2, Section 1, line 23.

Following: "discharge"

Insert: ", seepage, drainage, infiltration or flow"

AND, AS SO AMENDED, BE CONCURRED IN.

~~DO NOT~~



STANDING COMMITTEE REPORT

MARCH 25

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE Bill No. 730

Respectfully report as follows: That HOUSE Bill No. 730

third reading bill, be amended as follows:

1. Amend page 1, Section 1, line 17.
Following: "adopt"
Indert: "operational"

AND, AS AMENDED, BE CONCURRED IN.

~~ORRASS~~



STAN STEPHENS

Chairman.