

MINUTES OF THE MEETING

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

March 28, 1977

The thirty-third 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 Monday, March 28, at approximately 11:00 A.M.

ROLL CALL: All members were present.

EXECUTIVE ACTION on the following bills:

ACTION ON HOUSE BILL 694: After Chairman Stephens read the report offered the Committee by Attorney Conklin (see Exhibit "A") and Senator Watt moved the amendment (see Standing Committee Report) - said amendment adopted on a voice vote. Senator Watt then moved HB694 BE CONCURRED IN, AS AMENDED - motion passed 6 - 2. (Senator Watt will carry on Senate floor.)

ACTION ON HOUSE BILL 298: This bill was acted on, on Friday, March 25, receiving an adverse Committee report at that time. Senator Roberts, at the close of that meeting, asked Senator Stephens to hold the bill in Committee until he could bring late amendments in and have the bill reconsidered.

Senator Roberts today made a motion to reconsider HB298 - motion carried on a roll call vote. Senator Rasmussen then presented the amendments proposed by Mr. Hall, head of the Sheltered Workshop in Billings. Mr. Ken Rohyns, of AIDS, explained the amendments and answered questions. Senator Rasmussen moved the amendments (see Exhibit "B") - motion for amendments' adoption failed by a tie vote (see roll call vote). Further discussion - Then Senator Roberts moved his amendment be adopted (see Standing Committee Report) which carried on a voice vote.

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

Senator Rasmussen then asked Chairman Stephens if the Committee would reconsider the bill, in order to plug in his amendments so it would go to the floor with those amendments in. By a 4-4 vote, the Senator's motion failed. The bill will go to the floor with the one amendment of Senator Roberts. (See roll call.)

ACTION ON HOUSE BILL 772: Representative Dussault was present to answer questions concerning her bill and proposed amendments. After considerable discussion, Senator Watt moved Dussault's amendments (see Exhibit "C") - amendments adopted by roll call vote. Senator Norman also moved his amendment changed "normally" to "usually" (see Exhibit "D") - amendment adopted by voice vote.

Senator Roberts moved HB772, AS AMENDED, BE CONCURRED IN.

March 28, 1977

Senator Roberts withdrew this motion when further discussion revealed the Committee's concern about portions of the bill, one specific problem was repealing the repealer - after which Chairman Stephens asked the Committee if they would concur with the idea Senator Norman (acting as Chairman), Senator Roberts and Senator Olson meet with fiscal analysts, Tom Briggs and Mike Koehnke. The Subcommittee would report back to the Committee on Wednesday so action could be taken on this bill on that date.

ACTION ON HOUSE BILL 338: After very short discussion, Senator Rasmussen moved the bill - motion carried 7 - 0, with one Senator abstaining. (Senator Norman will carry HB338 on Senate floor.)

ACTION ON HOUSE BILL 480: The Committee considered this bill for some time - Senator Norman said his concern was in the area of property owners' taxed to cover funds needed to support the de-institutionalization program currently underway in Montana for some patients in our mental hospitals. The Senator said the Feds start taking care of the mental health patients, then put them out into the communities, and now the funding is put on the property owners (without a vote). It was also the Senator's feeling that the mandatory clause in this bill would mean more FTEs being requested next session - escalating bureaucracy. This type funding causes the patient suffering and the property tax owner to suffer - that is going on right now and getting worse, and this bill would tend to make it even worse. The pull-back of federal monies is certainly something to consider. According to a Tribune article by Frank Adams in a recent issue, there are currently 63 full time paid employees in this program in Helena alone. Senator Roberts said, however, that in Libby, the program is being handled exceedingly well, for the most part. Senator Norman said he feels that, unless this bill is substantially amended, it should not pass.

Senator Norman moved HB480 BE CONCURRED IN - motion failed.

Senator Rasmussen moved HB480 BE NOT CONCURRED IN - motion carried 6 - 1, with one Senator abstaining. (See roll call votes.)

ADJOURNMENT: With no further business at this time, the meeting was adjourned by Chairman Stephens at 12:30 P.M.



STAN STEPHENS, Chairman

ROLL CALL

PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE

45th LEGISLATIVE SESSION - 1977

DATE: 3/28

[illegible]

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date: Mar. 23 Bill No. 694 Time 11:00

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

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Senator Watt moved HB 694
as amended, Be Concurred In.

(Passed) - Sen. Watt will carry.

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

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45TH LEGISLATIVE SESSION - 1977.

Date March 28 Bill No. 298 Time 11:00

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

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Sen. Roberts made motion
to reconsider HB 298.

(passed)

(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 Mar. 29 Bill No. 308 Time 11:20

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

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Sen. Rasmussen's Amendment
for HB 398 moved by
Sen. Rasmussen
(failed on tie vote)

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

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45th LEGISLATIVE SESSION - 1977.

Date Mar. 28 Bill No. 298 Time 11:35

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: Senator Roberts moved bill
with his amendments (put in by voice vote)
Be Concurred In
(without Recommendation) Sen. Rasmussen will
carry
(include enough information on motion—put with yellow copy of

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45TH LEGISLATIVE SESSION - 1977.

Date March 28 Bill No. 298 Time 11:28

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
to reconsider bill so he
could put Amendments in.
(bill failed)

(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 28 Bill No. 773 Time 11:30

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:

Amendments' adoption
Moved by Sen. Watt

(2 yes)

(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 23 Bill No. 773 Time

NAME S:

YES

NO

LEE, Robert	<i>NO VOTE</i>	LEE
RASMUSSEN, Tom		RASMUSSEN
OLSON, Stuart		OLSON
HIMSL, Matt		HIMSL
WATT, Robert		WATT
ROBERTS, Joe		ROBERTS
NORMAN, Bill - V. Chm.		NORMAN
STEPHENS, Stan - Chairman		STEPHENS

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: See Roberts moved bill
with amendments Be. Concurred in

Motion withdrawn - See minutes

(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 Mar. 28 Bill No. 338 Time 11:35

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	abstain	ROBERTS
NORMAN, Bill - V. Chm.	6	NORMAN
STEPHENS, Stan - Chairman	7	STEPHENS

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Sen. Rasmussen moved.
Be Concurred In

(passed) Sen. Norman will carry.

(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 28 Bill No. 480 Time 1:10

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

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Sen. Norman moved. H.D. 480
Be Concurred In

(Failed - see next roll call)

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

ROLL CALL

VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE AND SAFETY

45TH LEGISLATIVE SESSION - 1977.

Date Mar. 28 Bill No. 430 Time 1:20

NAME S:

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

Joyce (Kelly) Allen
Secretary

STAN STEPHENS
Chairman

Motion: Sen. Roberts moved
Be Not Concurred In

(adversely reported out)

(include enough information on motion put with yellow copy of

STANDING COMMITTEE REPORT

MARCH 28

77
19

PRESIDENT

PUBLIC HEALTH, WELFARE AND SAFETY

We, your committee on

HOUSE

694

having had under consideration

Bill No.

respectfully report as follows: That

Bill No. 694

third reading bill, be amended as follows:

1. Amend page 3, section 2, line 23.

Following: "of the"

Insert: "current"

2. Amend page 3, section 2, line 24.

Following: "standard"

Strike: "ANSI-97.1-1972"

3. Amend page 5, section 3, line 16.

Following: "of"

Strike: "ANSI-97.1-1972"

Insert: "the current American national standards institute standard"

D, AS SO AMENDED, BE CONCURRED IN.

PASS

STANDING COMMITTEE REPORT

MARCH 29

19 77

PRESIDENT

MR.

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

HOUSE

having had under consideration

Bill No. **298**

HOUSE

Respectfully report as follows: That

Bill No. **298**

third reading bill, be amended as follows:

1. Amend title, line 6.

Following: "REQUIRE"

Insert: "STATE"

2. Amend title, line 7.

Following: "INSTITUTIONS"

Strike: ", "

Insert: "AND"

Following: "AGENCIES"

Strike: ", AND ANY OTHER POLITICAL SUBDIVISION OF THE STATE OF MONTANA"

DO NOT PASS



page 2

AMENDMENTS TO HB-298

March 29, 1977

SENATE PUBLIC HEALTH, WELFARE AND SAFETY

3. Amend page 4, section 4, line 8.

Following: "requirements."

Strike: "Departments"

Insert: "state departments"

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

Following: "institutions"

Strike: ", "

Insert: "and"

Following: "agencies"

Strike: ", and all other political subdivisions of the state"

AND, AS SO AMENDED, WITHOUT RECOMMENDATION.

STAN STEPHENS, Chairman

STANDING COMMITTEE REPORT

MARCH 28

19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE Bill No. 338

respectfully report as follows: That HOUSE Bill No. 338
third reading bill;

BE CONCURRED IN.



STAN STEPHENS,

Chairman.

STANDING COMMITTEE REPORT

MARCH 28 19 77

MR. PRESIDENT

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration HOUSE Bill No. 480

Respectfully report as follows: That HOUSE Bill No. 480

BE NOT CONCURRED IN.

ENCLOSURE




EXHIBIT "A"

To Senator Stephens and Members of
the Senate Public Health Committee

Re: H. B. 694

After reviewing the Architectural Glazing Materials Standard adopted by the National Consumer Product Safety Commission, I have come to the conclusion that it is similar to H. B. 694, although different in one significant respect. The national standard does adopt a safety glass requirement for hazardous locations. However, instead of prohibiting the use of regular plate glass at hazardous locations, the federal approach prohibits manufacturers and fabricators from making glass doors, etc., from anything other than safety glass. There is no prohibition against installing such a door, only fabricating it. In other words, the federal regulation is not a building standard, but a manufacturing standard. Builders would still be able to install regular plate glass doors if they could obtain them, perhaps as used items. The building code approach of H.B. 694 seems more comprehensive than the federal approach.

I talked by telephone with an attorney for the Consumer Product Safety Commission. He stated that the national standard would take precedence over state law, but felt state laws were still needed because federal enforcement of the federal standard would be very minimal. The Commission has only a limited staff of field investigators which cannot possibly give meaningful enforcement for the entire nation. For that reason, I respectfully recommend that H.B. 694 be passed in order to give adequate protection to the citizens of our state.

William Couplin

2032-32nd St. So.

Great Falls, MT. 59405

E X H I B I T "B"

PROPOSED AMENDMENTS TO H.B. 298

1. Page 3. Section 3. line 10

Following: line 10

Insert: " A product or service shall be removed from the list approved for facilities whenever the committee ascertains that the product or service exceeds 20% of the gross sales of any single Montana Corporation producing that product or providing that service."

2. Page 3. Section 3. line 24

Following: line 24

Insert: . "and a percentage of gross sales to fund the activities of the non-profit organization specified in (2)(a), (2)(b) and (2)(c) above."

Strike: Page 3. line 25 and Page 4. lines 1, 2, 3 and 4.

THURSDAY, JANUARY 6, 1977

PART V



CONSUMER PRODUCT SAFETY COMMISSION

ARCHITECTURAL GLAZING MATERIALS

Establishment of Safety Standards

EXHIBIT "C"

PROPOSED AMENDMENTS TO HB 772

1. Amend page 3, section 1, line 11.
Following: line 10
Insert: "(5) 'Planning and advisory council' means the developmental disabilities planning and advisory council created in 71-2406."
2. Amend page 5, section 3, lines 5 through 8 and 9.
Following: "(1)"
Strike: "The department shall control developmental disabilities programs which receive any state assistance by adopting rules, for providing developmental disabilities facilities and services."
Insert: "The department may adopt rules necessary for the proper administration of this chapter."
(2) The department may contract for programs for developmental disabilities services. Contracts entered into by the department shall contain specific conditions for performance by the contractor."
Re-number: subsequent subsections accordingly.
3. Amend page 5, section 3, line 10.
Following: "qualifications"
Strike: "1"
4. Amend page 5, section 3, lines 10 and 11. *3/12: Sponsor*
Following: "and"
Strike: "compensation scales, and personnel policies" *Submitted verbally.*
6. Amend page 6, section 3, line 1. *→* 5. Amend page 5, section 3, line 22:
Following: "assist"
Strike: "in the administration of medication to"
Insert: "and supervise" *Following: "rules"*
Insert: "in cooperation with the board of nursing"
7. Amend page 6, section 3, line 2.
Following: "facility"
Insert: "in taking medication."
8. Amend page 6, section 4, line 9.
Following: line 8
Strike: "82A-110"
Insert: "the provisions of this section"
9. Amend page 6, section 4, line 10.
Following: "twenty-one +"
Strike: "21"
Insert: "22"
10. Amend page 6, section 4, line 19.
Following: "psychology,"
Strike: "and"
Following: "social work"
Insert: ", and special education"
11. Amend page 7, section 4, line 17.
Following: "(c)"
Strike: "Seven"
Insert: "Eight"

11. Amend page 8, section 4, line 3.

Following: line 2

Insert: "(5) The council may adopt rules governing its own organization and procedures.

(6) A majority of the members of the council constitutes a quorum for the transaction of business.

(7) The council may employ and fix the compensation and duties of necessary staff.

(8) A council member, unless he is a full-time salaried officer or employee of this state or any of the political subdivisions of this state, is entitled to be paid in an amount to be determined by the council, not to exceed \$25 for each day in which he is actually and necessarily engaged in the performance of council duties. A council member is also entitled to be reimbursed for travel expenses incurred while in the performance of council duties, as provided for in 59-538, 59-539, and 59-801. Members who are full-time salaried officers or employees of this state or any political subdivisions of this state are not entitled to be compensated for their service as members but are entitled to be reimbursed for travel expenses, as provided for in 59-538, 59-539, and 59-801."

Renumber: subsequent subsections accordingly

12. Amend page 8, section 4, line 13.

Following: "department"

Insert: "for administrative purposes only and, unless inconsistent with the provisions of this section, the provisions of 82A-108 apply"

E X H I B I T "D"

AMENDMENT to HB772

AMEND PAGE 6, SECTION 3, LINE 2.

Following: "is"

Strike: "normally"

Insert: "usually"