

STATE ADMINISTRATION  
MARCH 6, 1981  
RM 436

The meeting of the House State Administration Committee was called to order at 8:00 a.m. on March 6, 1981, with Chairman Jerry Feda presiding. All members were present except Representative Azzara, Dussault and O'Connell who were absent.

Chairman Feda opened the meeting to a hearing on SB 395.

SENATE BILL 395-SPONSOR, Senator Steve Brown, introduced this bill to the committee. This bill, requested by the Legislative Audit Committee, reestablishes for six additional years the six-member Board of Veterinarians that is scheduled to terminate July 1, 1981. The bill removes the Board's authority to license veterinary technicians, permits the Board to schedule license examinations when necessary but at least once each year, and repeals those sections defining and regulating veterinary technicians.

#### PROPOSERS

BRENDA ST. CLAIR, Administrative Assistant, Board of Veterinarians, appeared in behalf of the Board of Veterinarians who were unable to be present at the hearing. A copy of her brief statement is attached and is EXHIBIT 1 of the minutes.

#### OPPOSERS

ORLEY ARTHUR, Veterinarian, stated that he is not opposed to the concept of the bill but opposes the section that would remove the authority to license veterinary technicians. He said that the public has the right to know that these people are qualified to do the work they do.

#### QUESTIONS BY THE COMMITTEE:

Representative Spilker asked Mr. Seacat (Legislative Audit staff) to give background information on Veterinary technicians.

Scott Seacat said that there are about 60 technicians in the state now. The law is not clear as to the functions that a technician can perform. There has never been any complaints concerning veterinary technicians.

Kropp: Senator Brown, can you tell us why this recommendation was made?

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SB 395 (cont.)

Brown: There is no consistency for requirements or functions of veterinary technicians. It varies according to the individual veterinarian who employs the technician.

Senator Brown closed the hearing on SB 395.

SENATE BILL 406-SPONSOR, Senator Hims1, introduced this bill to the committee at the request of the Legislative Audit Committee. This bill reestablishes for six additional years the Board of Cosmetologists that is scheduled to terminate July 1, 1981. The bill also adds another member to the Board who is a representative of the public and revises provisions relating to qualifications of applicants for licenses to teach cosmetology, licensing reciprocity with other states, inspection of cosmetology establishments, fees, and exemptions from licensure as an electrologist.

PROPOSERS

ALEC HANSEN, Cosmetology Assoc., stated that the association of about one thousand members supports SB 406.

OPPOSERS

There were no opposers present.

QUESTIONS BY THE COMMITTEE:

Mueller: Is there a danger to the public if a cosmetologist opens a shop after completing the training but is not working under an experienced management.

Hims1: I think the only danger would be the economic one to the person opening the shop!

Senator Hims1 closed the hearing on SB 406.

SENATE BILL 394-SPONSOR, Senator Steve Brown, introduced this bill at the request of the Legislative Audit Committee which reestablishes for six additional years the Board of Chiropractors that is scheduled to terminate July 1, 1981. The bill also provides for one member of the Board to be a member of the public and removes the continuing education requirement for annual renewal of licenses.

SB 394 (cont.)

PROPOSERS

HAROLD GURKE, representing the Montana Chiropractic Assoc., offered an amendment to the bill which is attached and is EXHIBIT 2 of the minutes.

MARY LOU CRAWFORD, representing the Board of Chiropractors, appeared in behalf of the board. A copy of her statement is attached and is EXHIBIT 3 of the minutes.

GARY BLOM D.C., Montana Chiropractic Assoc., stated support of the bill with the amendments.

REPRESENTATIVE KANDUCH, stated that he would like to support the bill as amended. His own personal chiropractor, he said, supports this bill.

OPPOSERS

There were none.

QUESTIONS BY THE COMMITTEE:

Kropp: Why was the education requirement amended out in the first place?

Brown: There was a bill in the Senate that would allow for all boards to have continued education but that bill died in the Senate.

Crawford: The association also wanted the part that stated only doctors of Chiropractics could give the education courses amended out of the bill. They would like to have the courses taught by doctors with a variety of medical backgrounds.

Senator Brown closed the hearing on SB 394.

SENATE BILL 393-SPONSOR, Senator Steve Brown, introduced this bill, requested by the Legislative Audit Committee, which abolishes the three-member Board of Osteopathic Physicians and transfers the functions of the Board to the Board of Medical Examiners. The bill also contains transition provision for continuing licensure of current licensees, transferring funds and records, and continuing existing rules. Senator Brown said that there are currently 16 people licensed by this board. The average age of these osteopathic physicians is 74 and none are licensed physicians that perform surgery or administer drugs. Most

SB 393 (cont.)

present day osteopaths are graduates of a licensed medical profession and must be licensed by the the Board of Medical Examiners. Senator Brown also noted that there have been no licenses issued by the Board of Osteopathic Physicians since 1972.

PROPONENTS

BRENDA ST. CLAIR, submitted written testimony of the Board of Osteopathic Physicians by Ed Carney. A copy of this testimony is attached and is EXHIBIT 4 of the minutes.

There were no proponents present to testify.

OPPONENTS

There were none.

QUESTIONS BY THE COMMITTEE:

There were no questions by the committee.

Senator Brown closed the hearing on SB 393.

SENATE BILL 354-SPONSOR, Senator Steve Brown, introduced this bill at the request of the Legislative Audit Committee. The bill abolishes the three-member Board of Athletics that is authorized to regulate boxing, sparring, and wrestling matches in the state. He stated that the Audit Committee found that the Board was not doing its job. It was adopting some rules that were beyond their authority, not following the license requirements and not following up on complaints. Senator Brown said that the committee may want to request that Senate Bill 442, which would set up regulations for boxing and wrestling at the local level, be referred to the State Administration Committee.

PROPONENTS

MARY LOU CRAWFORD: (see her statement under opponents)

OPPONENTS

MARY LOU CRAWFORD, speaking in behalf of the Board, stated that the Board is especially concerned about the qualifications of participants particularly the officials involved in these sports. She said that part of the reason they have not been able to carry out all their duties properly is because of their low budget.

SB 354 (cont.)

Speaking on behalf of myself, she stated, I do not think we need a Board. The Board has not had a meeting for two years. I have done most of the work myself. I think, however, that it could be regulated at the state level instead of at a local level. We already have a list of rules and regulations. The department will probably be spending a lot of time and money educating someone at the local level to handle this regulation.

QUESTIONS BY THE COMMITTEE:

Spilker: Are there other occupations that are regulated by the Department of Occupational Licensing without a Board?

Crawford: Yes, private investigators and security people.

Spilker: Why wasn't regulation at the state level considered by the Audit Committee?

Brown: The local government has no objection to this regulation and they will have the opportunity to tax the proceeds. However, if the committee wants to consider putting the regulation at the state level, such as in the Department of Occupational Licensing, some work can be done on this idea. It would still be up to the local authorities to enforce these regulations.

Senator Brown closed the hearing on SB 354.

EXECUTIVE SESSION:

Representatives Azzara, O'Connell, Dussault and McBride were absent for executive session.

SENATE BILL 354

BE CONCURRED IN

Representative Spilker moved that SB 354 BE CONCURRED IN. Following brief discussion a vote was taken and carried with 13 YES, 2 NO and 4 absent. Representatives Pistoria and Kennerly voted no.

Representative McBride was assigned to carry SB 354 in the House.

EXECUTIVE SESSION (cont.)

SENATE BILL 393

BE CONCURRED IN

Representative Phillips moved that SB 393 BE CONCURRED IN.  
A vote was taken and carried unanimously with those present.

Representative Sales was assigned to carry SB 393 in the House.

SENATE BILL 394

BE CONCURRED IN  
AS AMENDED

Representative Sales moved the amendments. See EXHIBIT 2.  
A vote carried unanimously.

Representative Mueller moved that SB 393 BE CONCURRED IN  
AS AMENDED. A vote carried unanimously.

Representative Kanduch was assigned to carry SB 393 in the House.

SENATE BILL 395

BE CONCURRED IN

Representative Spilker moved that SB 395 BE CONCURRED IN.  
A vote was taken and carried unanimously.

Representative McBride was assigned to carry SB 395 in the House.

SENATE BILL 406

BE CONCURRED IN

Representative Mueller moved that SB 406 BE CONCURRED IN.  
A vote was taken and carried unanimously with those present.

Representative McBride was assigned to carry SB 406 in the House.

A motion was made to adjourn at 9:30 a.m.

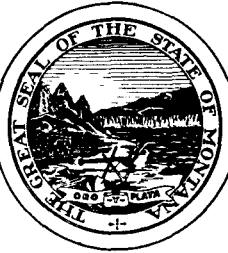
Respectfully submitted,

  
\_\_\_\_\_  
G. C. "JERRY" FEDA, Chairman

Cathy Martin-Secretary

3/16

BOARD OF VETERINARIANS EXHIBIT 1  
DEPARTMENT OF PROFESSIONAL & OCCUPATIONAL LICENSING



~~THOMAS J. JUDGE GOVERNOR~~

STATE OF MONTANA

(406) 449-3737

LALONDE BUILDING  
42½ NORTH MAIN  
HELENA, MONTANA 59601

March 5, 1981

To: House State Administration Committee  
Representative Jerry Feda, Chairman

From: Brenda St. Clair, *Brenda St. Clair*  
Administrative Assistant

Re: Senate Bill 395

I have been requested by the Board of Veterinarians to appear before your committee on Senate Bill 395. The members are sorry that they were unable to be present at this hearing.

The Board of Veterinarians concur with the proposed legislation as amended.

BOARD OF CHIROPRACTORS  
DEPARTMENT OF PROFESSIONAL & OCCUPATIONAL LICENSING

TED SCHWINDEN, GOVERNOR  
[REDACTED]LALONDE BUILDING  
42½ N. LAST CHANCE GULCH

STATE OF MONTANA

HELENA, MONTANA 59601

March 5, 1981

TO: State Administration Committee  
House of Representatives

FROM: BOARD OF CHIROPRACTORS

The Board of Chiropractors supports S.B. 394 to re-establish the Board.

However, the Board recommends the continuing education requirement deleted in error in S.B. 394 be amended back into the current statutes, except for reference to lines 21,22 and part of line 23 on page 7 of this bill in reference to instructors qualifications remain deleted.

Thank you for you support of the Board of Chiropractors.



EXHIBIT 4

STATE OF MONTANA  
DEPARTMENT OF PROFESSIONAL & OCCUPATIONAL LICENSING  
HELENA, MONTANA 59601

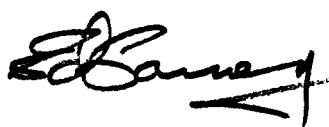
Ted Schwinden  
~~THOMAS L. JUDGE~~  
GOVERNOR



ED CARNEY  
DIRECTOR  
LALONDE BUILDING  
(406) 449-3737

March 5, 1981

To: Jerry Feda, Chairman  
House State Administration Committee

From: Board of Osteopathic Physicians by Ed Carney 

Re: Senate Bill No. 393

I have talked with Dr. Lester Howard, Chairman of the Board of Osteopathic Physicians yesterday and he does not believe he will be able to attend the hearing on March 6th.

This is a written note for the Board of Osteopathic Physicians stating that they support Senate Bill No. 393 in its present form. The bill will terminate the Board of Osteopathic Physicians and transfer the licensing and regulation to the Board of Medical Examiners for those individuals presently licensed under Title 37, Chapter 5.

If you need additional information, kindly let me know.

REPRESENTATIVE McBRIDE

YOU HAVE BEEN ASSIGNED TO CARRY SENATE BILL S: 354, 395, & 406

JERRY FEDA, cm, Chairman

REPRESENTATIVE SALES

YOU HAVE BEEN ASSIGNED TO CARRY SENATE BILL 393.

JERRY FEDA, cm, Chairman

REPRESENTATIVE KANDUCH

YOU HAVE BEEN ASSIGNED TO CARRY SENATE BILL 394.

JERRY FEDA, cm, Chairman

REPRESENTATIVE \_\_\_\_\_

YOU HAVE BEEN ASSIGNED TO CARRY SENATE BILL \_\_\_\_\_.

\_\_\_\_\_, Chairman

## VISITORS' REGISTER

HOUSE      STATE ADMINISTRATION      COMMITTEE

BILL SB 394

Date 3/6/81

SPONSOR S. BROWN

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

HOUSE      STATE ADMINISTRATION      COMMITTEE

BILL SB 406

Date 3/6/81

SPONSOR HIMSL-BROWN

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

HOUSE STATE ADMINISTRATION

COMMITTEE

BILL SB 395

Date 3/6/81

SPONSOR S. BROWN

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

## VISITORS' REGISTER

HOUSE STATE ADMINISTRATION

COMMITTEE

BILL SB 354

Date 3/6/81

SPONSOR S. Brown

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.