

MINUTES OF THE MEETING
PUBLIC HEALTH, WELFARE AND SAFETY COMMITTEE
MONTANA STATE SENATE

February 12, 1981

The meeting of the Public Health, Welfare and Safety Committee was called to order by Chairman Tom Hager on Thursday, February 12, 1981 at 7:30 a.m. for an executive session in Room 410 of the State Capitol Building.

ROLL CALL: All members were present. Kathleen Harrington, staff researcher, was also present.

Many visitors were in attendance. See attachment.

DISPOSITION OF HOUSE JOINT RESOLUTION 15: This resolution is calling for the Congress of the United States to propose and submit to the states an amendment to the United States Constitution that would protect innocent human life, including unborn children, and alternatively, petitioning the Congress of the United States to call a convention in accordance with Article 5 of the Constitution of the United States for the specific and exclusive purpose of preparing an amendment to the United States Constitution that would protect innocent human life, including unborn children. Representative Helen O'Connell is the chief sponsor.

Senator Halligan stated that this is a very complicated bill.

Senator Himsl stated that this resolution addresses three issues: petitioning for a constitutional convention, an amendment to the constitution and also application of the same. Senator Himsl stated that the resolution can only legally address one issue according to the book of rules of the 1981 Montana Legislature. He then stated that the idea of a Constitutional Convention frightened him. He felt the resolution should be amended to deal with only the real issue at hand.

Senator Berg stated that he agrees with the statements of Senator Himsl.

Senate Olson stated that the resolution really does deal with more than one issue.

Senator Halligan stated that he does not like to deal with something so important as this without thoroughly checking all the issues.

A motion was made by Senator Himsl to adopt the following amendments:

Page Two
Minutes of the Meeting

Title, lines 13 through 18.
Following: "CHILDREN" on line 13
Strike: the remainder of the title

Page 2, line 13 through 18.
Following: "necessary"
Strike: the remainder of lines 13 through 18

Page 3, line 3 through line 14 on page 4.
Strike subsections (2) through (5) in their entirety
Renumber: subsequent sections

Page 4, line 22 through line 1 on page 5.
Strike: subsection (7) in its entirety

Motion carried. Senator Hims1 stated that the issue at hand is left forthright to discuss. (See attachment.)

Senator Halligan asked what is "innocent human life?" He than made a motion to strike: "innocent human life, including" throughout the bill. This would address only unborn children. Motion carried.

Senator Hims1 stated that HJR 15 is a real serious issue and that he had a real concern asking for a mandatory constitutional convention, as the foundation of the government is threatened. However, with the amendments being adopted, the committee can afford to look at the real issue.

Senator Hager stated that he would have preferred to see the bill as it was.

Senator Johnson stated that there should have been two resolutions.

Senator Halligan stated that there is no need for the bill as there is already a resolution on the books dealing with the abortion issue. He then made a motion that HJR 15 receive a recommendation of BE NOT CONCURRED IN, as amended, from the committee. Motion carried. See attachment.

ADJOURNMENT: With no further business the meeting was adjourned.


Chairman Tom Hager

ROLL CALL

PUBLIC HEALTH, WELFARE & SAFETY COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date Feb 12

7:30

[illegible]

Each day attach to minutes.

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date FEBRUARY 12 HJR Bill No. 15 Time 7:55

NAME	YES	NO
TOM HAGER		✓
MATT HIMSL	✓	
S. A. OLSON	✓	
JAN JOHNSON		
BILL NORMAN		✓
HARRY K. BERG	✓	
MICHAEL HALLIGAN	✓	

Elaine Graveley
Secretary
ELAINE GRAVELEY

Tom Hager
Chairman
SENATOR TOM HAGER

Motion: A motion was made by Senator Himsl that HJR be amended
to remove the call for a Constitutional Convention. Motion
carried.

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

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date FEBRUARY 12 HJR Bill No. 15 Time 8:00

NAME	YES	NO
TOM HAGER	✓	
MATT HIMSL	✓	
S. A. OLSON	✓	
JAN JOHNSON	✓	
BILL NORMAN		✓
HARRY K. BERG	✓	
MICHAEL HALLIGAN	✓	

Elaine Graveley
Secretary
ELAINE GRAVELEY

Tom Hager
Chairman
SENATOR TOM HAGER

Motion: A motion was made by Senator Halligan that HJR 15
be amended to take out the language referring to innocent
human life. Motion carried.

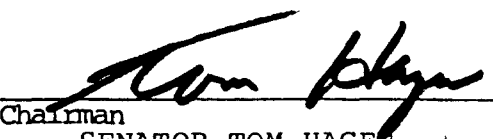
(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date FEBRUARY 12 HJR Bill No. 15 Time 8:05

NAME	YES	NO
TOM HAGER		✓
MATT HIMSL		✓
S. A. OLSON	✓	
JAN JOHNSON		✓
BILL NORMAN	✓	
HARRY K. BERG	✓	
MICHAEL HALLIGAN	✓	


Secretary
ELAINE GRAVELEY


Chairman
SENATOR TOM HAGER

Motion: A motion was made by Senator Halligan that HJR 15
receive a BE NOT CONCURRED IN as amended recommen dation from
the Committee. Motion carried.

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

DATE _____

COMMITTEE ON _____

VISITORS' REGISTER

[illegible]

MINUTES OF THE MEETING
PUBLIC HEALTH, WELFARE, AND SAFETY COMMITTEE
MONTANA STATE SENATE

February 12, 1981

The meeting of the Public Health, Welfare and Safety Committee was called to order by Chairman Tom Hager on Thursday, February 12, 1981, at 9:45 a.m. for an executive session in Room 410 of the State Capitol building.

ROLL CALL: All members were present. Kathleen Harrington, staff researcher, was also present.

DISPOSITION OF HJR 15: This is the abortion bill sponsored by Representative Helen O'Connell.

A motion was made by Senator Olson to reconsider the committee's earlier action in regard to HJR 15. Motion carried.

Senator Hager turned the chair over to vice-chairman Matt Hims1.

Senator Hager explained the rules regarding Senator Hims1's amendments, regarding dealing with more than one subject. Senator Hager stated that he did not feel that HJR 15 did not fall into the same category as bills as a resolution is a completely different thing than a bill.

Senator Hager moved to reconsider the Hims1 amendments. Motion failed.

Senator Halligan moved that HJR 15 receive a BE NOT CONCURRED IN, as amended, recommendation from the committee. Motion carried.

ANNOUNCEMENTS: The next meeting of the Public Health, Welfare, and Safety Committee will be held on Friday, February 13, at 1:00 to consider Senate Bills 374, 389, 394, 396, 397 and 398 in Room 410 of the State Capitol Building.

ADJOURNMENT: With no further business, the meeting was adjourned.


Chairman Tom Hager

ROLL CALL

PUBLIC HEALTH, WELFARE & SAFETY COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date July 12
9.45


NAME	PRESENT	ABSENT	EXCUSED
Tom Hager			
Matt Himsl			
S. A. Olson			
Jan Johnson			
Dr. Bill Norman			
Harry K. Berg			
Michael Halligan			


Each day attach to minutes.

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date FEBRUARY 12 HJR 15 Bill No. 15 Time 9:55

NAME	YES	NO
TOM HAGER		✓
MATT HIMSL		✓
S. A. OLSON		✓
JAN JOHNSON	✓	
BILL NORMAN	✓	
HARRY K. BERG	✓	
MICHAEL HALLIGAN	✓	


Secretary
ELAINE GRAVELEY


Chairman
SENATOR TOM HAGER

Motion: A motion was made by Senator Halligan that HJR 15
receive a BE NOT CONCURRED IN, as amended recommendation
from the Committee. Motion carried.

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

STANDING COMMITTEE REPORT

.....FEBRUARY 12..... 19 31.....

MR.PRESIDENT:.....

We, your committee onPUBLIC HEALTH, WELFARE, & SAFETY.....

having had under considerationHOUSE JOINT RESOLUTION..... Bill No.15.....

Respectfully report as follows: ThatHOUSE JOINT RESOLUTION..... Bill No.15.....

third reading bill, be amended as follows:

1. Title, line 12.

Following: "ALL"

Strike: "INNOCENT HUMAN LIFE, INCLUDING"

2. Title, lines 13 through 13.

Following: "CHILDREN" on line 13

Strike: the remainder of the title.

3. Page 2, lines 4 and 5.

Following: "all" on line 4.

Strike: "innocent human life, including"

4. Page 2, line 7.

Following: "all"

Strike: "innocent human life, including"

~~REPASS~~

.....(CONTINUED).....

5. Page 2, line 13 through 18

Following: "necessary"

Strike: the remainder of lines 13 through line 18

6. Page 2, line 25.

Following: "all"

Strike: "innocent human life, including"

7. Page 3, line 3 through line 14 on page 4.

Strike subsections (2) through (5) in their entirety.

Renumber: subsequent subsections

8. Page 4, line 22 through line 1 on page 5.

Strike: subsection (7) in its entirety.

AND, AS AMENDED

DO NOT PASS