

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

FEBRUARY 4, 1983

The meeting of the Public Health, Welfare and Safety Committee was called to order by Chairman, Tom Hager on Friday, February 4, 1983 in Room 410 of the State Capitol Building.

ROLL CALL: All members were present. Woody Wright, staff attorney was also present.

There were visitors in attendance.

CONSIDERATION OF SENATE BILL 271: Senator Joe Mazurek of Senate District 16, sponsor of Senate Bill 271, gave a brief resume of the bill. This bill is an act to generally revise the laws relating to the practice of cosmetology.

Kathryn Tucker, representing the Board of Cosmetologist, stood in support of the bill. She offered an amendment which she felt would improved the bill. Page 5, line 3. Section 5. "Section 37-31-323 (2) the license, permit, and registration fees shall be paid anually, unles otherwise provided by board rule, in advance to the department. Ms. Tucker stated that the the Board of Cosmetologist would be very much in favor of the bill with this proposed amendment.

With no further proponents, the Chairman called on the opponents. Hearing none the meeting was opened to a question and answer period from the Committee.

Senator Jacobson asked if people who already have a license but let it lapse would be exempt from the new requirement in this bill calling for a high school diploma or an equivalent thereof. They would be exempt.

Senator Mazurek closed and asked the Committe for its full support on Senate Bill 271.

CONSIDERATION OF SENATE BILL 232: Senator Pat Reagan, sponsor of Senate Bill 232, of Senate District 31, gave a brief resume of the bill. This bill is an act to increase the minimum fee for issuance of a certified copy of a birth or death certificate by the Department of Health and Environmental Sciences or a search of vital statistics records by the department; providing that all fees be deposited in an earmarked revenue fund; and providing an effective date. This bill is at the request of the Department of Health and Environmental Sciences.

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This bill would increase from \$3 to \$5 the fee to be charged by the department for a certified copy of a certificate for search of files. The money collected would be placed in an "earmarked" fund to be used by the department for the maintenance of indexes to and costs for the preservations of vital records.

Sam Sperry representing the Department of Health and Environmental Sciences stated that the department is neither in favor or against the bill as proposed.

There were neither proponents nor opponents to the bill. The meeting was opened to a question and answer period from the Committee.

Senator Hims1 asked what is the difference between an earmarked and a special fund. There is no difference.

Senator Reagan closed.

DISPOSITION OF SENATE BILL 232:

A motion was made by Senator Hims1 that Senate Bill 232 receive a DO PASS recommendation from the Committee. Motion carried unanimously.

DISPOSITION OF SENATE BILL 271:

Senator Jacobson asked what constitutes "good moral character" as called for in the bill.

Senator Hims1 offered as information that fact that the state of Washington no longer licenses the barbers and cosmetologists. They are on their own.

After discussion the Committee stated that they would like to have more time to consider this bill. Perhaps at the next meeting disposition of Senate Bill 271 can take place.

DISPOSITION OF SENATE BILL 56: Senate Bill 56 is an act to give the Department of Health and Environmental Sciences the authority to adopt rules setting fees to be paid by hazardous waste generators; and providing an immediate effective date.

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The statement of intent for Senate Bill 56 has already been adopted at a previous meeting.

A motion was made by Senator Marbut that Senate Bill 56 receive a DO PASS recommendation from the Committee. Motion carried unanimously.

DISPOSITION OF SENATE BILL 150: Senate Bill 150 is an act to provide that for privately owned public swimming pools no lifeguard is required if warning is given.

The amendments as presented by the Department of Health were discussed. See the Standing Committee Report for the amendments.

A motion was made by Senator Jacobson to accept the amendments proposed by the department. Motion carried unanimously.

A motion was made by Senator Jacobson that Senate Bill 150 receive a DO PASS, as amended recommendation from the Committee. Motion carried unanimously.

DISPOSITION OF SENATE BILL 182: Senate Bill 182 is an act to provide operational requirements for all solid waste disposal sites classified as Class II sites by the Department of Health and Environmental Sciences which use the landfilling method of solid waste disposal.

Senator Himsl stated that all this bill does is make less stringent laws in the rural areas

Senator Jacobson stated that this bill does not effect her area, however, she would like to see some sort of wind barrier so named in the bill.

Senator Stephens asked if this bill will hurt or help clean up the countryside. Senator Hager stated that he felt that it would help. Senator Himsl stated that he could not see where it would make any difference.

Senator Marbut made a motion to amend the bill to include litter control devices or structures. Motion withdrawn.

A motion was made by Senator Marbut to strike the word fences from the bill on page 1 line 22.

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Senator Marbut stated that this bill would put the local health authorities in control.

A motion was made by Senator Marbut that the bill be amended on page 2 lines 4 and 5; Strike: "recurring and persistent". Motion carried.

A motion was made by Senator Christiaens that the bill be amended on page 1, line 25 to read may remain open 7 days a week, instead of shall remain open 7 days per week. A roll call vote was taken. Motion carried. See exhibit 1.

A motion was made by Senator Christiaens that Senate Bill 182 receive a DO PASS, as amended, recommendation from the Committee. Motion carried. See exhibit 2.

DISPOSITION OF SENATE BILL 200: Senate Bill introduced by Senator VanValkenberg is an act to clarify the general powers and duties of the Department of Health and Environmental Sciences; and giving the Department the authority to adopt rules to implement state and federal health programs for maternal and child health and for handicapped children.

A motion was made by Senator Marbut that the bill be amended on page 2, line 21; and page 3, line 8. to strike "but not limited to" in both places.

The amendments which were presented by Mr. David Lackman, lobbyist for the Montana Public Health Association, were addressed by the staff attorney, Woody Wright. One of the functions of the public health laboratory is to assist epidemiological investigation of communicable diseases by performing a multiplicity of screening tests. Charging a fee for service in such situations would hamper effective prosecution of this mission.

Senator Marbut brought up the question of what is meant in the title of the bill as clarifying "general Powers" of the department.

Senator Jacobson stated that Dr. Pratt had stated that the hospitals and doctors are already receiving 90% for services rendered. This bill would just make it legal and official to do so.

Senator Marbut asked what would happen if page 3 line 14 were amended out of the bill and would be department still want the bill if that were the case. Dr. Pratt stated that if that part were amended out of the bill it would complicate the administration of the department.

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A motion was made by Senator Jacobson that Senate Bill 200 receive a DO PASS, as amended recommendation from the Committee. Motion carried. See exhibit 3.

A motion was made by Senator Jacobson that the Statement of Intent for Senate Bill 20 be adopted. Motion carried.

DISCUSSION ON SENATE BILLS 27, 31, and 32:

These are the liquor bills which were introduced by Senator Tom Hager. Woody, staff attorney, addressed the proposed amendment to Senate Bill 31. He stated that the bill had been rewritten but that the same general subject is being addressed in the bill.

Senator Jacobson asked if perhaps it should be a Committee bill. Everyone felt that this was not necessary.

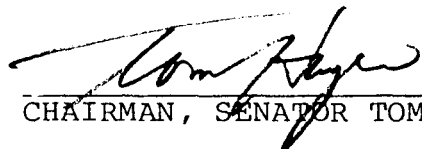
A motion was made by Senator Marbut that the proposed amendment be adopted. Motion carried.

This will give the large cities and counties the authority to take care of their own individual problems regarding this matter.

The bill as rewritten will be heard again on Friday, February 11, 1983 in Room 410.

ANNOUNCEMENTS: The next meeting of the Public Health, Welfare and Safety Committee will be held on Monday, February 7, 1983 at 1 p. m. to consider SB 266, SB 274, and SJR 10.

ADJOURN: With no further business the meeting was adjourned.

  
CHAIRMAN, SENATOR TOM HAGER

ROLL CALL

PUBLIC HEALTH, WELFARE, SAFETY COMMITTEE

48<sup>th</sup> LEGISLATIVE SESSION -- 1983

Date 2/4/83

[illegible]

DATE \_\_\_\_\_

COMMITTEE ON \_\_\_\_\_

## VISITORS' REGISTER

[illegible]

NAME: Kathryn M Tucker DATE: 2/4/83

ADDRESS: 156 Fairway Dr. - Helena, mt

PHONE: 442-6302 (2149-3737)

REPRESENTING WHOM? Dept of Cosmetologists

APPEARING ON WHICH PROPOSAL: SB 271

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: Supporting on behalf of Board

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



Requested amendment to Senate Bill 271

Page 5, Line 3

Section 5. Section 37-31-323 (2) The license, ~~permit~~,  
and registration fees shall be paid annually,  
unless otherwise provided by board rule, in  
advance to the department.

Statement of Intent

"permits" are not renewable. Permits are granted for a  
90 day period only and once only.

STATEMENT OF INTENT  
SENATE BILL 200  
48th LEGISLATURE

A statement of intent is required for Senate Bill 200 because it amends Section 50-1-202, MCA, to authorize the Department of Health and Environmental Sciences to adopt rules implementing existing programs promoting maternal and child health and providing handicapped children's services.

The Department has since 1967 been mandated to develop and administer maternal and child health programs and handicapped children's services, programs which by their nature require standards to be set for such areas as appropriate medical treatment, eligibility for financial assistance and program participation, and reimbursement for services. Those programs presently include the Women, Infants, and Children (WIC) supplemental food program ensuring proper nutrition for young children and low-income pregnant and nursing women; the Child Care Food Program providing food assistance to children in day care; family planning; the Improved Pregnancy Outcome Project; and the Handicapped Children's Program. In addition, all of the present programs receive federal funding and are subject to federal program requirements which mandate standards be set for fair hearings, property management, etc. The Department has, therefore, had to set the required standards for those programs without having the authority under state law to adopt binding rules for them.

Consequently, it is the intent of the Legislature that the Department be expressly authorized to adopt rules covering the following:

1. Eligibility criteria for program participation, e.g. income levels, nutritional status, and age;
2. Criteria which must be met by providers of care as a condition of reimbursement, including professional qualifications;
3. Conditions included or excluded for coverage;
4. Policies included in state plans, such as the allocation of funds within a program, evaluation procedures, and reporting procedures relating to fiscal and programmatic responsibilities;
5. Standards to ensure quality of care, such as care plans and objectives;
6. Fair hearing procedures;
7. Reimbursement rates;
8. Eligibility standards for food program providers;
9. Property management requirements.

WITNESS STATEMENT

February 1, 1983

Name DAVID B. LACKMAN Committee On Public Health-Senate

Address 1400 Winne Avenue, Helena, MT 59601 Date February 1, 1983

Lobbyist  
Representing Montana Public Health Assn. Support XXX

Bill No. Senate Bill No. 200 Oppose \_\_\_\_\_

Amend XXX

(Second testimony)

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. In the light of Senator Van Valkenburg's closing remarks on Jan. 31, to the effect that our suggested amendment "have the authority to", might defeat the whole bill, I suggest the following deletions:

page 3 lines 24 and 25.

page 4 lines 1,2,3,4,5, and 6.

2. This subject, fees for laboratory services, is also dealt with in SB 270; introduced by Regan.

3. I consider that part of SB 200 dealing with services for Maternal and Child Health as of prime importance; and wouldn't wish to have the questions of fees for laboratory services complicate matters.

4.

*David B. Lackman*  
*February 1, 1983*

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

PROPOSED REVISIONS TO MONTANA SOLID WASTE DISPOSAL RULES

During the March 24, 1982, meeting of the Legislative Administrative Codes Committee in Helena, considerable testimony was given pro and con for revision of certain sections of the Montana Solid Waste Disposal Rules. The Chairman of the Committee requested that individual involved in complying with and enforcing the existing rules, develop a proposed revision to the rules in question. Specifically, revisions to Section 16.14.521, Subsections 2(a) and 2(c) were requested.

Below, please find proposed revisions to the two rules in question for your review and comment.

Section 16.14.521, Subsection 2(a) currently reads:

"All Class II sites using landfilling methods shall compact and cover solid waste with a layer of at least six (6) inches of approved earth cover material at the end of each operating day and at least two (2) feet of approved earth cover material within one week after final deposit of solid waste at any portion of the site. These steps must be taken unless the Department is satisfied that the licensee has shown good cause for not covering."

It is proposed that Section 16.14.521, Subsection 2(a) be revised to read as follows:

"All Class II sites serving rural, unincorporated areas, or municipal corporations classified as "towns" pursuant to Section 7-1-4111 M.C.A., that utilize landfilling methods for solid waste disposal, shall provide periodic application of cover material once each week in such a manner as to reduce the risk of fire and to impede vector's access to the waste. Such landfills may remain open seven (7) days each week. Should periodic inspections of the site conducted by the Department and/or local health authority document consistent and on-going problems that could result in potential public health or safety hazards, the Department may require the landfill to cover more frequently than once each week in order to rectify on-going problems. Class II sites serving Third Class Municipalities, as defined pursuant to Section 7-1-4111 M.C.A., that utilize landfilling methods for solid waste disposal, shall provide periodic application of cover material at a frequency to be determined jointly by the Department, local health authority, and local governing body. Class II sites serving First and Second Class Municipalities, as defined pursuant to Section 7-1-4111 M.C.A., that utilize landfilling methods for solid waste disposal, shall provide application of cover material at the end of each operation day. All Class II landfill sites shall provide a final cover of at least two (2) feet of approved earth cover after the final deposit of solid waste has been made."

Section 16.14.521, Subsection 2(c) currently reads:

"Sites shall be fenced to prevent unauthorized access and shall be supervised when open."

It is proposed that Section 16.14.521, Subsection 2(c) be revised to read as follows:

"All Class II landfill sites serving rural, unincorporated areas, or municipal corporations classified as "towns" pursuant to Section 7-1-4111 M.C.A., shall provide litter control fences around the site and adequate informational and directional signs to inform the general public as to proper dumping locations and procedures. All Class II landfill sites serving Third Class Municipalities, as defined pursuant to Section 7-1-4111, M.C.A., shall provide litter control fences around the site and adequate access control and supervision, which shall be determined jointly by the Department, local health authority, and the local governing body. Class II landfill sites serving First and Second Class Municipalities as defined pursuant to Section 7-1-4111, M.C.A., shall be fenced to prevent unauthorized access and shall be supervised when open."

WASTE MANAGEMENT FACILITIES  
CONTRACTING WITH PRIVATE SECTOR

<u>AREA</u>	<u>CLASSIFICATION</u>	<u>ACTUAL POPULATION SERVED</u>
Beaverhead County		
Dillon	3rd	6,587
Big Horn County		
County Container Sys.	Rural	7,800
CX Ranch	NA	Company
Decker East	NA	Company
Decker West	NA	Company
Spring Creek	NA	Company
Spring Creek Townsite	NA	Company
Blaine County		
Chinook	3rd	3,170
Harlem	3rd	1,961
Turner	Rural	300
Carbon County		
Bridger	Rural	1,000
Red Lodge	3rd	3,706
Carter County		
Ekalaka	Rural	1,100
Cascade County		
City Transfer	Rural	8,000
Chouteau County		
Fort Benton	3rd	2,865
Custer County		
Miles City	2nd	11,830
Dawson County		
Glendive	2nd	10,305
Deer Lodge County		
Anaconda	1st	12,507
Fergus County		
Mr. "M" Disposal	2nd	6,000 approximate
ACT Disposal	2nd	6,000 approximate
Gallatin County		
Logan	Rural	20,000
West Yellowstone	Rural	2,000 approximate
Jefferson County		
Boulder	Rural	4,510
Whitehall	Rural	2,530

<u>AREA</u>	<u>CLASSIFICATION</u>	<u>ACTUAL POPULATION SERVED</u>
Lewis & Clark County		
Augusta	Rural	847
Lincoln	Rural	2,233
Lincoln County		
County Container System	Rural	UNK
McCone County		
Brockway	Rural	400
Circle	Rural	1,771
Meagher County		
White Sulphur Springs	3rd	1,769
Mineral County		
Felstet	Rural	3,674
Missoula County		
Browning-Ferris	1st	75,432
Browning-Ferris Class III	NA	NA
Park County		
Clyde Park	Rural	282
Pondera County		
Conrad	3rd	4,522
Dupuyer	Rural	600
Powder River County		
Broadus	Rural	1,323
Powell County		
Deer Lodge	3rd	5,454
Ravalli County		
Darby	Rural	1,721
Sula	Rural	200
Victor	Rural	20,000
Richland County		
County Container System	Rural	6,500
Rosebud County		
Colstrip	Rural	9,965
Sanders County		
Hot Springs	Rural	1,772
Noxon	Rural	200

<u>AREA</u>	<u>CLASSIFICATION</u>	<u>ACTUAL POPULATION SERVED</u>
Sanders County (Cont.)		
Plains	Rural	2,553
Thompson Falls	Rural	3,800
Trout Creek	Rural	150
Sheridan County		
Plentywood	3rd	3,540
Silver Bow County		
Butte	1st	37,750
Teton County		
Choteau	3rd	3,475
Toole County		
Kevin	Rural	250
Valley County		
Glasgow	3rd	6,634
Hinsdale	Rural	390
Nashua	Rural	496
Yellowstone County		
Broadview Container	Rural	125



## REFUSE DISPOSAL DISTRICTS

### ✓ BEAVERHEAD COUNTY

John Eliel, Chairman  
Beaverhead County Refuse  
Disposal District  
County Courthouse  
Dillon, MT 59725  
(683-2642)

### BLAINE COUNTY

✓ City of Chinook  
Chinook Refuse Disposal  
District #4  
Chinook, MT 59523  
(357-3160)

✓ Lenus Erickson, Chairman  
Turner Refuse Disposal  
District  
Turner, MT 59542  
(379-2375)

### BROADWATER COUNTY

%Board of County Commissioners  
Broadwater County Refuse  
Disposal District  
Townsend, MT 59644  
(266-3443)

### CASCADE COUNTY

Pete Frazier, Chairman  
Cascade County Refuse  
Disposal District  
City-County Health Dept.  
1130 17th Avenue South  
Great Falls, MT 59401  
(761-1190)

### DANIELS COUNTY

Clark Tousley  
Daniels County Refuse  
Disposal District  
%County Commissioners  
Daniels County Courthouse  
Scobey, MT 59263  
(Home: 487-5026)  
(Hosp. Admin. 487-5331)

### ✓ DEER LODGE COUNTY

Dan Worsdell  
City-County Manager  
Deer Lodge County Refuse  
Disposal District  
Deer Lodge County Courthouse  
Anaconda, MT 59711  
(563-8421 ext. 201)

### FLATHEAD COUNTY

Gary Stempin, Manager  
Flathead County Refuse  
Disposal District  
P.O. Box 168  
Kalispell, MT 59901  
(755-9532)

### GALLATIN COUNTY

✓ Robert Brownell, Chairman  
Gallatin County Refuse Disposal  
District #1  
Belgrade, MT 59714  
(388-6387)

✓ Clyde Seely, Chairman  
West Yellowstone Refuse  
Disposal District  
South of West Yellowstone  
West Yellowstone, MT 59758  
(646-7764)

### GRANITE COUNTY

Granite County Refuse  
Disposal District  
Granite County Courthouse  
Philipsburg, MT 59858  
(859-3722)

### HILL COUNTY

Charles Durward, Chairman  
Hill County Garbage District #1  
505 5th St.  
Havre, MT 59501  
(265-6624)

Art Rambo  
Hill County Garbage District #2  
(West of Havre)  
County Courthouse  
Havre, MT 59501  
265-5431

✓ JEFFERSON COUNTY

Les Sodorff, Chairman  
Jefferson County Refuse  
Disposal District  
Clancy, MT 59634  
(225-3332)

LAKE COUNTY

Don Corrigan, Chairman  
Lake County Refuse  
Disposal District  
Lake County Courthouse  
Polson, MT 59860  
(833-4361)

LEWIS & CLARK COUNTY

✓ George Jahnke, Chairman  
Augusta Refuse Disposal District  
Box 126  
Augusta, MT 59410 (562-3434)

✓ George F. Flaherty, Chairman  
Lincoln Refuse Disposal  
District  
Lincoln, MT 59648  
(362-4378)

Ralph Hahn, Chairman  
Scratch Gravel Refuse  
District  
4125 Floweree Drive  
Helena, MT 59601  
(458-5838)

LINCOLN COUNTY

✓ Frank A. Nelson, Chairman  
Lincoln County Refuse District  
c/o City of Libby  
Libby, MT 59923  
(293-5446)

MADISON COUNTY

Robert Storey, Chief Executive  
Board of County Commissioners  
Madison County Courthouse  
Virginia City, MT 59755  
(843-5444)

MEAGHER COUNTY

✓ Robert Borland, Chairman  
Meagher County Refuse  
Disposal District  
White Sulphur Springs, MT 59645  
(Home: 547-3927; Office: 547-3355)

✓ PARK COUNTY

Howard Queen, Chairman  
Park County Refuse Disposal  
District  
Clyde Park, MT 59018  
(686-4646)

PONDERA COUNTY

Jack Hayne, Chairman  
Dupuyer Refuse Disposal  
District  
Dupuyer, MT 59432  
(472-3263)

POWELL COUNTY

✓ Deer Lodge Refuse  
Disposal District  
Powell County Courthouse  
Deer Lodge, MT 59722  
(846-2772)

RAVALLI COUNTY

✓ Edna Zilla, Secretary  
Darby Refuse Disposal  
District  
Darby, MT 59829  
(821-3219)

✓ Paul Wetzsteon, President  
Sula Garbage and Ash  
Collection District  
Sula, MT 59871  
(821-3380)

RICHLAND COUNTY

Larry DeShaw, Chairman  
Richland County Refuse  
Disposal District  
114 Dawson  
Savage, MT 59262  
(776-2406)

SANDERS COUNTY

✓ Ernie Franke, Chairman  
Thompson Falls Refuse  
Disposal District  
P. O. Box 386  
Thompson Falls, MT 59873  
(827-4252)

SANDERS COUNTY (Cont.)

✓ Robert Miller, Chairman  
District #6  
Refuse Disposal District  
Trout Creek, MT 59874

✓ Keith Chamley, Chairman  
Plains Refuse Disposal  
District  
Plains, MT 59859  
(826-3576)

✓ Karen L. Britton  
Noxon Refuse Disposal  
District  
Box 567  
Noxon, MT 59853  
(847-2417)

✓ Bernard Syth, Chairman  
Heron Refuse Disposal  
District  
Box 52  
Heron, MT 59844

✓ Glenn Blackburn  
Hot Springs Refuse  
Disposal District  
Hot Springs, MT 59845  
(741-3574)

SILVER BOW COUNTY

Kay Ascherman, Secretary  
Melrose Refuse Disposal  
District  
Melrose, MT 59743  
(835-2121)

STILLWATER COUNTY

Rodney Fink, Chairman  
Stillwater County Refuse  
Disposal District  
Courthouse, Box 111  
Columbus, MT 59019  
(322-5237)

YELLOWSTONE COUNTY

Richard A. Beulke (Chairman)  
Office - 652-1850  
Home - 656-0257

COUNTY- WIDE DISTRICTS  
IN PROCESS OF BEING FORMED

Teton  
Toole  
Roosevelt  
Fallon  
Sweet Grass  
Hill  
Blaine  
Custer

PROPOSED AMENDMENTS TO SENATE BILL 200

1. Page 2, line 21  
Strike: "but are not limited to"
2. Page 3, line 8.  
Strike: "but not limited to"

AMEND STATEMENT OF INTENT TO SENATE BILL 200

by deleting "but not limited to"

# STANDING COMMITTEE REPORT

February 4 19 83

President: .....

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

having had under consideration ..... SENATE ..... Bill No 150 .....

Respectfully report as follows: That ..... SENATE ..... Bill No 150, .....  
introduced copy, be amended as follows:

1. Page 1, line 19.

Following: "if"

Insert: ":(a)"

2. Page 1, line 21.

Following: "meaning"

Insert: ";and"

(b) one individual per shift is on the premises, accessible  
to the pool, and currently certified as competent in:

(i) basic water safety measures by the American Red Cross;  
and

(ii) cardiopulmonary resuscitation by either the American  
Red Cross or the American Heart Association."

And, as so amended,  
DO PASS

HC

SENATE COMMITTEE PUBLIC HEALTH, WELFARE, AND SAFETY

Date 2-4-83 SENATE Bill No. 200 Time \_\_\_\_\_

NAME	YES	NO
SENATOR TOM HAGER		✓
SENATOR REED MARBUT	✓	
SENATOR MATT HIMSL	✓	
SENATOR STAN STEPHENS	✓	
SENATOR CHRIS CHRISTIAENS	✓	
SENATOR JUDY JACOBSON	✓	
SENATOR BILL NORMAN	✓	

Chane L. Jacobson  
Secretary

Tom Hager  
Chairman

Motion: A motion was made by Senator Jacobson that Senate Bill  
200 receive a DO PASS, as amended recommendation from the  
Committee. Motion carried.

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

# STANDING COMMITTEE REPORT

FEBRUARY 4

19 83

MR. **PRESIDENT:**

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

having had under consideration **SENATE** Bill No. **200**

Respectfully report as follows: That **SENATE** Bill No. **200**,  
introduced copy, be amended as follows:

1. Page 2, line 21  
Strike: "but are not limited to"
2. Page 3, line 8.  
Strike: "but not limited to"

And, as amended,  
DO PASS

Statement of Intent Attached

# STANDING COMMITTEE REPORT

.....FEBRUARY 4,..... 19 83.....

MR. ....PRESIDENT:.....

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

having had under consideration .....Statement of Intent,.....SENATE..... Bill No. ....200.....

Respectfully report as follows: That.....Statement of Intent, SENATE..... Bill No. 200,.....  
be adopted.

## STATEMENT OF INTENT RE: SB 200

A statement of intent is required for Senate Bill 200 because it amends Section 50-1-202, MCA, to authorize the Department of Health and Environmental Sciences to adopt rules implementing existing programs promoting maternal and child health and providing handicapped children's services.

The Department has since 1967 been mandated to develop and administer maternal and child health programs and handicapped children's services, programs which by their nature require standards to be set for such areas as appropriate medical treatment, eligibility for financial assistance and program participation, and reimbursement for services. Those programs presently include the Women, Infants, and Children (WIC) supplemental food program ensuring proper nutrition for young children and low-income pregnant and nursing women; the Child Care Food Program providing food assistance to child-

DO PASS  
XXXXX

.....CONTINUED.....

4/10/83



ren in day care; family planning; the Improved Pregnancy Outcome Project; and the Handicapped Children's Program. In addition, all of the present programs receive federal funding and are subject to federal program requirements which mandate standards be set for fair hearings, property management, etc. The Department has, therefore, had to set the required standards for those programs without having the authority under state law to adopt binding rules for them.

Consequently, it is the intent of the legislature that the Department be expressly authorized to adopt rules covering the following:

1. Eligibility criteria for program participation, e.g. income levels, nutritional status, and age;
2. Criteria which must be met by providers of care as a condition of reimbursement, including professional qualifications;
3. Conditions included or excluded for coverage;
4. Policies included in state plans, such as the allocation of funds within a program, evaluation procedures and reporting procedures relating to fiscal and programmatic responsibilities;
5. Standards to ensure quality of care, such as care plans and objectives;
6. Fair hearing procedures;
7. Reimbursement rates;
8. Eligibility standards for food program providers;
9. Property management requirements.

*g/c*

SENATE COMMITTEE PUBLIC HEALTH, WELFARE, AND SAFETY

Date 2-4-83 SENATE Bill No. 182 Time \_\_\_\_\_

NAME	YES	NO
SENATOR TOM HAGER	✓	
SENATOR REED MARBUT	✓	
SENATOR MATT HIMSL		✓
SENATOR STAN STEPHENS		✓
SENATOR CHRIS CHRISTIAENS	✓	
SENATOR JUDY JACOBSON	✓	
SENATOR BILL NORMAN	✓	

*Sharon L. Lundy*  
Secretary

*Tom Hager*  
Chairman

Motion: A motion was made by Senator Christiaens that the bill  
be amended on page 1, line 25 to read may remain open 7 days  
per week. Motion carried.

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

*Bill 182*

SENATE COMMITTEE PUBLIC HEALTH, WELFARE, AND SAFETY

Date 2-4-83 SENATE Bill No. 182 Time

NAME	YES	NO
SENATOR TOM HAGER	✓	
SENATOR REED MARBUT	✓	
SENATOR MATT HIMSL	✓	
SENATOR STAN STEPHENS		✓
SENATOR CHRIS CHRISTIAENS	✓	
SENATOR JUDY JACOBSON	✓	
SENATOR BILL NORMAN	✓	

*Clara A. ...*  
Secretary

*Tom Hager*  
Chairman

Motion: A motion was made by Senator Christiaens that Senate  
Bill 182 receive a DO PASS, as amended recommendation from  
the Committee. Motion carried.

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

# STANDING COMMITTEE REPORT

FEBRUARY 4, 1983

MR. PRESIDENT:

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration SENATE Bill No. 182,

Respectfully report as follows: That SENATE Bill No. 182,  
introduced copy, be amended as follows:

1. Page 1, line 21.  
Strike: "shall"

2. Page 1, line 22.  
Following: "(a)"  
Insert: "shall"  
Strike: "fences"

3. Page 1, line 25.  
Following: "(b)"  
Insert: "may"

4. Page 2, line 1.  
Following: "material"  
Insert: "at least"

~~XXXXXX~~

CONTINUED

5. Page 2, lines 4 and 5.  
Strike: "recurring and persistent"

And, as so amended,

DO PASS

STANDING COMMITTEE REPORT

FEBRUARY 4 1983

MR. PRESIDENT:

We, your committee on PUBLIC HEALTH, WELFARE AND SAFETY

having had under consideration SENATE Bill No. 232

Respectfully report as follows: That SENATE Bill No. 232

DO PASS

# STANDING COMMITTEE REPORT

.....**FEBRUARY 4**..... 19**83**.....

MR. ....**PRESIDENT:**.....

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

having had under consideration .....**SENATE**..... Bill No. ....**56**.....

Respectfully report as follows: That .....**SENATE**..... Bill No. ....**56**.....

DO PASS

Statement of Intent Attached

# STANDING COMMITTEE REPORT

.....**FEBRUARY 4**..... 19**83**.....

MR. ....**PRESIDENT**:.....

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

having had under consideration .....**Statement of Intent, SENATE**..... Bill No. **56**.....

Respectfully report as follows: That...**Statement of Intent, SENATE**..... Bill No. **56**.....  
**be adopted.**

## STATEMENT OF INTENT RE: SB 56

A statement of intent is required for Senate Bill 56 because it amends Section 75-1-405, MCA, of the Montana Hazardous Waste Act to allow the Department of Health and Environmental Sciences to establish, by rule, fees for registration of hazardous waste generators. The Act, first enacted in 1981, presently contains authority for the Department to assess permit fees for hazardous waste management facilities. In the subsequent two years of its administration, it has become apparent that substantial administration costs are also associated with maintenance of the registry of hazardous waste generators. Therefore, it is the intent of the legislature to give the Department the authority to set whatever fees are reasonable to offset a portion of the costs of maintenance of the registry, including the costs of inspection of generators, maintenance of files, communications between the Department and generators, and the preparation of

XXXXXX

Continued

71 72



February 4 1983

program reports. It is further the intent of the legislature that the fee system developed by the Department not apply to generators of household waste, farmers who generate hazardous waste, and small quantity hazardous waste generators. It is further the intent of the legislature that fees for maintenance of registration of inactive or infrequent generators of hazardous waste must be \$10 per year for the years in which that type generator does not generate hazardous waste.