

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

JANUARY 9, 1985

The meeting of the Public Health, Welfare and Safety Committee was called to order by chairman Judy Jacobson on Wednesday, January 9, 1985 in Room 410 of the State Capitol Building at 1:00 p.m.

ROLL CALL: All members were present. However, Senators Norman and Lynch arrived late. Karen Renne, staff researcher, was also present.

There were visitors in attendance. See attachments.

CONSIDERATION OF SENATE BILL 16: Senator Allen Kolstad of Senate District # 7, sponsor of Senate Bill 16, gave a brief resume of the bill. This bill is an act to generally revise and clarify laws relating to health, social services, and transportation. This bill was introduced at the request of the Code Commissioner.

Jim Lear representing the Legal Department of the Legislative Council, addressed the bill. He stated that Sections 4, 5, and 6 of the bill remove inconsistencies in the laws controlling fireworks. Presently, the State Fire Marshall or the governing body of a city, town, or county is authorized to grant permits for supervised public displays of fireworks. However, reference to the State Fire Marshall and these governing bodies is inconsistent within the chapter on fireworks.

Section 8 of the bill refers to 50-60-101. The word "council" in the code refers to the State Building Code Council and transferred most of the Council's functions to the Department of Administration.

Section 9 refers to false swearing and perjury and in the code they were considered one crime, when in fact they are two separate crimes.

There were neither proponents or opponents to the bill.

The meeting was opened to a question and answer period from the Committee.

Senator Towe asked the reason for the repealer at the end of the bill. Mr. Lear states that these sections being repealed were not necessary because of the national standardization is in fact being complied with by the manufacturers.

Senator Kolstad closed.

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CONSIDERATION OF SENATE BILL 57: Senator Max Conover of Senate District 42 is the sponsor of SB 57. This bill is an act to authorize a donor's statement under the uniform anatomical gift act on the reverse side of the motor vehicle operator's or chauffer's license.

Senator Conover stated that when he was traveling this past year he found that the state of Arkansas had this law and that it was working very well. That statement would be affixed to the reverse side of the driver's licenses and would tell a highway patrolman that a body should be sent to a hospital for organ removal, rather than to a funeral home. At the present time one wishing to donate any of their organs must fill out a seperate application to be placed on a seperate card. Senator Conover has had some telephone calls from some doctors in Billings in support of this legislation.

There were no proponents to the bill.

The chairman then called on the opponents.

Duane Tooley, representing the Drivers' Service Bureau, stood in opposition to the bill. He stated that in Arkansas they use a Poloraoid system in making the driver's license. However, Montana does not do the license that way, many are done at a time. He felt that process that is now used could not be adapted to automatically add the organ donor statement. He estimated that the cost would be approxiamtely \$25,000 to start up a system like Arkansas.

With no further opponents, the meeting was opened to a question and answer period from the Committee.

Senator Towe asked why an organ donor could not carry a seperate card as is presently being done. Senator Conover stated that would work only if the driver licensing personnel would inform the applicants on the organ donor option. It seems that the public is not fully aware of how to get a donor card.

Senator Stephens asked whether this bill would place a highway patrolman in an awkward position of having to decide whether to send a body for organ removal or would that possibly destroy some evidence in the investigation of the accident.

Senator Hims1 stated that the American Red Cross is presently working on a program to inform the public and distribute donor cards.

Senator Lynch asked if other states are using this system satisfactorily and was told that it is working in other states quite well.

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Senator Newman asked about the cost per individual drivers' license and was told that the present cards cost 62 cents each to make under the proposed system they would cost double.

Senator Conover closed.

CONSIDERATION OF SENATE JOINT RESOLUTION 1: Senator Joe Mazurek of Senate District 23, the chief sponsor of SJ 1, gave a brief resume of the bill. The bill is a joint resolution of the Senate and the House of Representatives of the State of Montana recognizing and encouraging participation in and support of Montana Special Olympics week.

Senator Mazurek stated that this is a very outstanding program and is now a year round program.

George Harper of Helena who is on the Special Olympics Committee stood in support of the bill. He encouraged participation by the Committee members. He stated that "huggers" and other volunteers are needed in many capacities. It is very gratifying to be able to help those less fortunate than ourselves.

Spencer Sartorius, representing the Office of Public Instruction the Special Olympics Executive Board, stood in support of the bill. He stated that the games would be held in Helena in 1985 and 1986. He heartily endorses this resolution. The Olympics are not only special for the participants but also the volunteers.

Ken Rohyans, chairman of the Region 5 D. D. Council, stood in support of the bill. He stated that as a father of a handicapped child and also a brother-in-law to a participant in the games he heartily endorses the bill. He urged everyone to become involved to see the joy on the faces of the participants.

Joann Peterson, representing the Montana Education Association, stated that this bill be very important and encouraged the committee to pass the resolution.

Senator Ted Newman of Senate District 21 stood in support of the bill. He stated that this is a very worthwhile bill.

There were no opponents appearing to the bill.

The meeting was opened to a question and answer period from the Committee.

Senator Hager asked, perhaps the bill should be amended on page 1, line 25, to chage "14" to "11". Senator Mazurek stated that "yes" the bill should be amended.

Senator Mazurek closed.

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ACTION ON THE BILL: A motion was made by Senator Lynch that SJ 1 be amended on Page 1, line 25; Strike "14" and Insert "11". Motion carried. A motion was made by Senator Lynch that the Committee give SJ 1 a DO PASS, AS AMENDED recommendation. Motion carried unanimously.

ACTION ON SENATE BILL 16: Senator Towe stated that he would like to remove the repealer from the bill. A motion was made by Senator Towe that SB 16 be amended by removing the repealer. Motion carried.

A motion was made by Senator Towe that SB 16 DO PASS, AS AMENDED. Senator Hager stated that he would like to hold the bill until a later date to enable him to make a couple of phone calls regarding the same. Senator Towe withdrew his motion.

DISCUSSION ON SENATE BILL 57: Senator Lynch asked about the fiscal note. At the present time the fiscal notes are not available.

A motion was made by Senator Towe giving Senator Jacobson, chairman, the authority to order all fiscal notes for the Committee. Motion carried.

ANNOUNCEMENTS: The next meeting of the Senate Public Health, Welfare and Safety Committee will be held on Friday January 11, 1985 in Room 410 of the State Capitol Building to consider SB 71 and SB 79.

ADJOURN: With no further business the meeting was adjourned.


CHAIRMAN, SENATOR JUDY JACOBSON

eg

ROLL CALL

PUBLIC HEALTH, WELFARE & SAFETY COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 1-9-85

SENATE
SEAT

#

| NAME | PRESENT | ABSENT | EXCUSED |
|------------------------------------|-------------|--------|---------|
| 6 SENATOR JUDY JACOBSON, CHAIRMAN | ✓ | | |
| 5 SENATOR J. D. LYNCH, V. CHAIRMAN | <i>late</i> | | |
| 42 SENATOR TOM HAGER | ✓ | | |
| 30 SENATOR MATT HIMSL | ✓ | | |
| 17 SENATOR TED NEWMAN | ✓ | | |
| 45 SENATOR BILL NORMAN | <i>late</i> | | |
| 14 SENATOR STAN STEPHENS | ✓ | | |
| 26 SENATOR TOM TOWE | ✓ | | |
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Each day attach to minutes.

DATE _____

COMMITTEE ON Public Health

BILL NO. SJR 1

VISITOR'S REGISTER

[illegible]

(Please leave prepared statement with Secretary)

DATE 1-9-85

COMMITTEE ON Pub. Health W & S BILL NO. SB 16

VISITOR'S REGISTER

[illegible]

(Please leave prepared statement with Secretary)

STANDING COMMITTEE REPORT

JANUARY 9,

1985

MR. PRESIDENT

PUBLIC HEALTH, WELFARE AND SAFETY

We, your committee on.....

having had under consideration..... **SENATE JOINT RESOLUTION**

No. **1,**

FIRST

reading copy (**WHITE**)
color

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA RECOGNIZING AND ENCOURAGING PARTICIPATION IN AND SUPPORT OF MONTANA SPECIAL OLYMPICS WEEK.

Respectfully report as follows: That.....
be amended as follows:

SENATE JOINT RESOLUTION

No. **1,**

1. Page 1, line 25.

Following: "and Kay"

Strike: "14"

Insert: "11"

**AND AS AMENDED,
DO PASS**

XXXXXXXXXXXX

SENATOR JUDY JACOBSON

Chairman.

(This sheet to be used by those testifying on a bill.)

NAME: Jim Lear DATE: 1-9-85

ADDRESS: Helena

PHONE: 444-4026

REPRESENTING WHOM? Code Commissioner

APPEARING ON WHICH PROPOSAL: SB 16

DO YOU: SUPPORT? ✓ AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STATE
OF
MONTANA
DEPARTMENT OF JUSTICE
FIRE MARSHAL BUREAU

Room 371, Scott Hart Building, 303 North Roberts, Helena, Montana 59620 (406) 444-2050

MEMORANDUM

TO: DIANA S. DOWLING
Code Commissioner

FROM: ROBERT E. KELLY *REK*
State Fire Marshal

DATE: 19 October 1984

RE: REPEAL OF SECTIONS 50-39-201 through 50-39-203, MCA

Please include in a Code Commissioner Bill for the 49th Legislative session a repealer of sections 50-39-201, Fire protection equipment to be equipped with standard thread, 50-39-202, Fire Marshal to direct standardization and 50-39-203, Notice of necessary changes -- converting equipment.

These sections of Montana law were enacted in 1929 and are now obsolete. Sections 50-39-201 through 203, MCA, were enacted to standardize all 2-1/2" fire hose thread to the national standard thread. This was accomplished during the 1930's.

RECEIVED

OCT 24 1984

MONTANA LEGISLATIVE
COUNCIL

(This sheet to be used by those testifying on a bill.)

NAME: George Harper DATE: 1/9/85

ADDRESS: _____

PHONE: 449-8788

REPRESENTING WHOM? Special Olympics Comm.

APPEARING ON WHICH PROPOSAL: STI

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

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(This sheet to be used by those testifying on a bill.)

NAME: SPENCER SARTORIUS DATE: _____

ADDRESS: OPI, CAPITOL HILL

PHONE: 444-4434

REPRESENTING WHOM? OPI, SPECIAL OLYMPICS EX. Bd.

APPEARING ON WHICH PROPOSAL: ST 1

DO YOU: SUPPORT? ☒ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(This sheet to be used by those testifying on a bill.)

NAME: Ken Rohyars DATE: 9 Jan 85

ADDRESS: 801 Magnard Rd Helena MT 59601

PHONE: 458-9250

REPRESENTING WHOM? Self

APPEARING ON WHICH PROPOSAL: SSR 1

DO YOU: SUPPORT? ✓ AMEND? OPPOSE?

COMMENT: Having a severely retarded Brother in Law
and daughter, I have seen the joy engendered by
participation.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: Johnnie Petersen DATE: 1-9-85

ADDRESS: 1216 N Washington St.

PHONE: 443-1808

REPRESENTING WHOM? Montana Education Ass.

APPEARING ON WHICH PROPOSAL: Mont. Special Olympic

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: This bill is very important
and I hope everyone on
the committee supports this
bill.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(This sheet to be used by those testifying on a bill.)

NAME: TEO NEWMAN DATE: _____

ADDRESS: _____

PHONE: _____

REPRESENTING WHOM? SENATE #21

APPEARING ON WHICH PROPOSAL: 571

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY