

MINUTES OF THE MEETING
STATE ADMINISTRATION
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

February 3, 1987

The meeting of the State Administration Committee was called to order for executive action by Chairman Sales on February 3, 1987 at 8:00 a.m. in Room 437 of the State Capitol.

ROLL CALL: All committee members were present with the exception of Rep. Pistoria who was excused.

DISPOSITION OF HOUSE BILL NO. 238: Rep. Cody made a motion to remove HB 238 from the table, seconded by Rep. Nelson. The motion carried 16-1, Rep. Holliday voting no. A DO NOT PASS motion was made by Rep. Cody, seconded by Rep. DeMars. The motion FAILED 7-8. The vote was reversed for a DO PASS.

DISPOSITION OF HOUSE BILL NO. 321: Rep. Nelson made a DO PASS motion, seconded by Rep. Cody. The motion carried unanimously.

DISPOSITION OF HOUSE BILL NO. 306: Rep. Campbell moved a DO PASS motion, seconded by Rep. Cody. Rep. Nelson made a motion to TABLE HB 306 pending analysis of the amendment submitted by Tom Harrison (Exhibit #1) by the necessary authorities. The motion was seconded by Rep. O'Connell and carried unanimously.

ADJOURNMENT: There being no further executive action before the committee, the committee recessed at 8:25 a.m.

The State Administration Committee was reconvened by Chairman Sales on February 3, 1987 at 9:00 a.m. in Room 437 of the State Capitol.

ROLL CALL: All committee members were present with the exception of Rep. Pistoria who was excused.

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 9: Rep. Cohen, House District #3 and primary sponsor of the bill, stated that now is the time for the citizens of Montana to tell Congress and the President that they believe it is time to examine the military budget extremely closely, time to start peeling back the cover and cutting back military expansion. HJR #9 urges the increase of funding for human services and decreased defense funding. He submitted written testimony (Exhibit #2) and a handout outlining military spending (Exhibit #3).

PROPOSERS: Roy Patte, a member of the Montana Peoples' Action and a farmer from Ryegate, spoke in support of HJR #9. He stated that agriculture is the only renewable resource of this state and country. Each dollar spent in agriculture has consistently returned three dollars in labor and industry. At today's prices for farm products, agriculture is no longer self-sustaining. For the survival of his neighbors, state, country and himself, the purchasing power of agriculture must change to provide increased purchasing power for all.

HJR #9 will provide this incentive by reducing the military budget and utilizing these tax monies to provide increased income to agriculture, employment, education, health and other related services for Montana and for our country. He urged the committee's adoption of this legislation and submitted written testimony (Exhibit #4).

Abigail Frederick from Whitefish spoke in support of HJR #9 by stating she believed a message to our federal policymakers to encourage limited military spending and more financial support for the people of our cities and towns would be most appropriate. It is the business of state legislators to be concerned with the priorities of federal spending, and a shift away from higher Pentagon expenditures would be economically beneficial to Montanans. She submitted testimony (Exhibit #5).

Joyce Irvin, representing Montana Peoples' Action, spoke in strong support HJR #9 and submitted written testimony (Exhibit #6).

Jerry Johnson, a physician from Whitefish, Montana, spoke in support of HJR #9 and stated it was time to turn defense funds for the peaceful use of people.

Eleanor Wend, lobbyist for the Peace Legislative Coalition, expressed support of HJR #9 and stated that a healthy, educated, employed and agriculturally self-sustaining population is essential to our nation's defense. She submitted written testimony (Exhibit #7).

Don Judge, representing the Montana State AFL/CIO, spoke in support of HJR #9. He stated this resolution asks the President of the U.S. and Congress to increase spending for human services. Human needs are a priority and our national security is imperiled if we continue to allow human suffering and misery here at home. We simply cannot afford continued increases in defense spending at the expense of domestic programs and human needs. His written testimony is submitted as Exhibit #8.

Joseph Moore, Staff Person for Montana Peoples' Action, submitted written testimony on behalf of Walter Wetzel, Jr. of the Helena Indian Alliance (Exhibit #9).

Jim Smith, representing the Human Resource Development Councils, stated support for HJR9. He stated that the first and foremost duty of the federal government is to provide for common defense. However, we cannot build or maintain a strong society or sustain a truly adequate national defense and at the same time permit, as a society, the perpetuation of a growing number of hungry, sick, illiterate and unskilled citizens.

Terry Minnow, representing the Montana Federation of Teachers and the Montana Federation of State Employees spoke in support of HJR #9. The strength of our country is not only dependent upon the strength of its weapons. It is also dependent upon the educational attainment of its citizens and their ability to participate in the democratic process. She urged support of HJR #9.

Ted Soltis, intern from Common Cause/Montana, stated support for HJR #9. They feel this resolution sends an important message to the President of the U.S. The citizens of Montana do not favor a weakened defense but are concerned about the people of the U.S. as a whole. It is time for the U.S. to reconsider some of its spending priorities. His written testimony is submitted as Exhibit 10.

John Ortwein, representing the Montana Catholic Conference, stated the President's new budget does not adequately provide for those who are most in need of assistance. Actual spending for low-income programs would be sliced \$6.7 billion below the levels needed to maintain current levels of service in FY 1988. He submitted written testimony (Exhibit #11).

Chet Kinsey, representing the Montana Low Income Coalition, spoke in support of HJR #9. He stated the Coalition has a definite interest in changing the course of military spending. They support the proposed legislation and feel the poor will have a better chance without a huge military program.

Written testimony in support of HJR #9 was also received from Jerrod Johnson (Exhibit #12) and Mignon Waterman, representing the Montana Association of Churches (Exhibit #13).

OPPONENTS: None

DISCUSSION OF HOUSE JOINT RESOLUTION NO. 9: None

Rep. Cohen closed discussion on HJR #9.

CONSIDERATION OF HOUSE BILL NO. 364: Rep. Bradley, House District #79 and primary sponsor of the bill, stated the bill is being submitted for consideration at the request of the Legislative Audit Committee. The bill proposes to merge the Board of Denturistry with the Board of Dentistry. The bill is a compromise measure. Taking this regulatory approach makes sense and is in line with what the other states have done.

PROPOSERS: Dr. Robert Fritz, a Helena dentist, supported HB 364 and submitted an amendment (Exhibit #14). He stated the amendment will continue to allow the people of Montana to obtain their dentures outside the dental office; it will provide for responsible administration of existing denturistry statutes; it will reduce administrative and operating cost within the Department of Commerce; and will provide for representation of the general public and senior citizens and will require advisory representation and input from denturists.

Roger Tippy, lobbyist for the Montana Dental Association, stated the merger of the two boards will not mean the end of denturistry in Montana. His written testimony is included as Exhibit #15. He also submitted written testimony on behalf of Donald Nordstrom, a Missoula dentist and President of the Montana Dental Association (Exhibit #16).

Rep. Simon, House District #91 and member of the Legislative Audit Committee, stated his support for HB 364.

Senator Judy Jacobson, Senate District #36 and Chairman of the Legislative Audit Committee, supports HB 364 in its unamended form. She stated the bill as originally drafted is in the public interest.

Rhonda Zook, a licensed dental hygienist, representing the Montana Dental Hygienists Association, supports HB 364. She submitted a proposed amendment as part of her handout to committee members (Exhibit #17).

Dr. Gayle Roset, a member of the Board of Denturistry, submitted written testimony (Exhibit #18). He stated this merger bill is mandated by law due to an insufficient number of licensees with which to operate a viable board. He believes the bill is valid and should be passed for more ominous concerns than just the low number of licensees. The public expects that state boards operate by obeying and enforcing state laws.

The following persons did not testify during the hearing but submitted written testimony in support of HB 364: Dr. Robert Cotner (Exhibit #19); Dr. Ted Beck (Exhibit #20); Jeannette Buchanan-Tawney (Exhibit #21).

OPPONENTS:

Lee Wiser, representing himself, expressed strong opposition for HB 364. He suggested giving the profession of denturistry directly to the Department of Commerce for regulation.

Robert VanDerVer, concerned citizen lobbyist, expressed shock at HB 364. Dentists controlling the Board of Denturistry is just like putting a grizzly bear out in the field amongst the sheep.

Brent Kandarian, a practicing denturist from Kalispell, Montana, submitted testimony and two handouts to the committee members (Exhibit #22).

Robert Vavas, dental technician from Great Falls, submitted written testimony (Exhibit #23). He wishes to pursue a career of denturistry and urges the committee to TABLE HB 364.

Elsie Fox, a senior citizen from Miles City, spoke in opposition to HB 364 and submitted written testimony (Exhibit #24). She stated that denturists are held in low esteem by dentists who are trying to destroy denturistry as a profession in Montana. The senior citizens would like to continue to have freedom of choice. HB 364 should be opposed by the committee.

Ron Brown (Exhibit #25), Maribelle Krebs (Exhibit #26), Margaret Summers (Exhibit #27), and Dorothy Comer (Exhibit #28) wished to go on record in opposition of the merger of the Board of Denturistry with the Board of Dentistry.

DISCUSSION OF HOUSE BILL NO. 364: Rep. Cody asked Rep. Bradley if she had addressed the bill as drafted on page 2, line 9 which requires five continuous years for appointment to the board. Rep. Cody pointed out that the current law reads that "two members of the board must be denturists who have had at least three years experience immediately prior to their appointment in the practice of denturistry and who are not dentists." Rep. Bradley stated she did not have particularly strong feelings about that. The intent is to have individuals who are licensed and experienced enough to be in that position. Rep. Cody expressed concern to Rep. Bradley regarding medicaid payments for seniors as far as

dentures are concerned. Rep. Bradley referred the question to Dr. Fritz who stated that, under federal law, medicaid funds cannot be used to pay denturists unless the patient is referred by a dentist. Rep. Moore asked Mr. Wiser if the denturists were in any way attempting to practice dentistry. He replied "no". Rep. Jenkins asked Lee Wiser if the dental hygienists had their own separate board, and he replied "no, not at this time." Rep. Jenkins then asked Ms. Zook, if the dental hygienists presently felt unequally represented on the board since they would like to increase the number of hygienists on the board. She replied that if the boards are merged, they would expect some kind of representation in proportion to the number of licensees.

Discussion on HB 364 was closed by Rep. Bradley who requested the committee members not to blow this bill out of proportion as it fits well into the regulatory scheme in Montana.

The committee recessed at 10:35 a.m. and returned for further hearings at 10:45 a.m.

CONSIDERATION OF HOUSE BILL NO. 553: Rep. Simon, House District #91 and sponsor of the bill, stated it was a simple bill brought at the request of the Department of Social and Rehabilitation Services. The bill deals with warrants issued by the SRS that will be funded for only 180 days if federal money is involved. He stated he has no problems with the amendment that will be proposed by the State Auditor's Office.

PROPONENTS: Debbie VanVliet, State Auditor's Office, stated the State Auditor's Office would like to amend HB 553 in two ways as outlined in Exhibit #29.

OPPONENTS: None

DISCUSSION OF HOUSE BILL NO. 553: None

Rep. Simon closed HB 553.

While the committee was waiting for Rep. Vincent to arrive to present HB 427, executive action was taken on HB 553 and HJR #9.

DISPOSITION OF HOUSE BILL NO. 553: Rep. Roth moved the amendments as submitted by the State Auditor's Office; Rep. Campbell seconded. The motion carried unanimously. Rep. O'Connell moved DO PASS AS AMENDED, seconded by Rep. Jenkins. The motion carried unanimously.

DISPOSITION OF HOUSE JOINT RESOLUTION NO. 9: Rep. Moore moved DO PASS, seconded by Rep. DeMars. Rep. Roth moved a substitute motion DO NOT PASS, seconded by Rep. Compton. The DO NOT PASS motion carried on a roll call vote 10-6.

CONSIDERATION OF HOUSE BILL NO. 427: Rep Vincent, House District #80 and sponsor of the bill, stated the bill would permit a vested member to qualify employment service with the Montana Cooperative Extension service under the Teachers' Retirement System. At present, this legislation will probably only affect two people in Montana. Rep. Vincent requested the committee to consider a 10-year buyback since there are so few people involved now and in the future. A 10-year buyback provision for Cooperative Extension Service time would have a minimal impact on the retirement fund. New hires in Cooperative Extension Service who have teaching time are now automatically under TRS.

PROPONENTS: Carl Wombolt, representing himself, stated he thinks the bill will help rectify serious injustices to some educators that have had a change in job responsibilities. He suggested that a longer buy-in period than five years be considered and also suggested a transfer similar to the PERS.

Gregg Carlson, representing himself and employed as a Research Scientist with the Montana Agricultural Experiment Station, stated it is logical and fair to buy back cooperative extension service for retirement purposes.

Lee Wiser, a visitor, expressed support of HB 427.

David Senn, representing Teachers' Retirement System, suggested the five year provision be maintained.

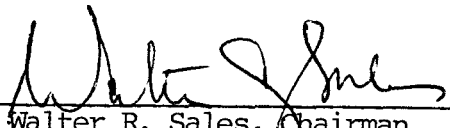
OPPONENTS: None

DISCUSSION OF HOUSE BILL NO 427: Rep. Cody asked Mr. Wombolt how long he would be in the system before he could retire if he was allowed to buy back five years if this legislation passes. He responded that he could retire after 25 years of service and at 50 years of age. Chairman Sales asked David Senn what limits transfers from other states had on buyback of credit. Mr. Senn replied the limits were 5-10 years. Rep. Peterson asked Mr. Senn if he had any worry about opening this up for 7-10 years on this one group. He replied that leapfrogging is always a concern.

Discussion on Hb 427 was closed by Rep. Vincent who stated these two gentlemen who testified as proponents have served as teachers and it is only fair that they be able to buy into the Teachers' Retirement System.

DISPOSITION OF HOUSE BILL NO. 427: Rep Fritz moved to POSTPONE ACTION on this bill. The motion was seconded by Rep.Cody and carried 15-2, Reps. Jenkins and Whalen voting no.

ADJOURNMENT: There being no further business to come before this committee, the hearing adjourned at 11:30 a.m.



Walter R. Sales, Chairman

bd

DAILY ROLL CALL

State Administration

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Feb. 3, 1987

NAME	PRESENT	ABSENT	EXCUSED
Walt Sales	✓		
John Phillips	✓		
Bud Campbell	✓		
Dorothy Cody	✓		
Duane Compton	✓		
Gene DeMars	✓		
Harry Fritz	✓		
Harriet Hayne	✓		
Gay Holliday	✓		
Loren Jenkins	✓		
Janet Moore	✓		
Richard Nelson	✓		
Helen O'Connell	✓		
Mary Lou Peterson	✓		
Paul Pistoria			✓
Rande Roth	✓		
Tonia Stratford	✓		
Timothy Whalen	✓		

EXHIBIT # 11
DATE 5/3/87
HB 306

HOUSE BILL 306

Proposed amendments:

On Page 1, at line 6, after the word "SYSTEM;" amend the title by inserting "INCREASING MEMBERS' CONTRIBUTIONS;"

On Page 1, line 7, after "19-7-502, MCA" insert "AMENDING 19-7-403"

On Page 2, line 11, insert a new section 3, which would be the entire text of Section 19-7-403, changing the members' contribution from 7% to "8.5%." (A copy of that section is attached hereto.)

Renumber the following sections.

(6) any supplemental appropriation or revenue from a source or sources approved by the legislature or money received directly from the federal government for funding of law enforcement retirement systems.

History: En. 68-2606 by Sec. 6, Ch. 178, L. 1974; R.C.M. 1947, 68-2606.

Cross-References

Investment of public funds, Art. VIII, sec. 13, Mont. Const.

Authority to invest funds in obligations of housing authority, 7-15-4505.

Separate investment funds, 17-6-203.

Permissible investments, 17-6-211.

19-7-403. Members' contributions deducted. (1) Every member shall be required to contribute into the account 7% of his monthly salary, which shall be deposited to his credit in the account.

(2) Each employer, pursuant to section 414(h)(2) of the federal Internal Revenue Code of 1954, as amended and applicable on July 1, 1985, shall pick up and pay the contributions which would be payable by the member under subsection (1) for service rendered after June 30, 1985.

(3) The member's contributions picked up by the employer must be designated for all purposes of the retirement system as the member's contributions, except for the determination of a tax upon a distribution from the retirement system. These contributions must become part of the member's accumulated contributions but must be accounted for separately from those previously accumulated.

(4) The member's contributions picked up by the employer must be payable from the same source as is used to pay compensation to the member and must be included in the member's wages as defined in 19-1-102 and his salary as used to define his final salary in 19-7-101. The employer shall deduct from the member's compensation an amount equal to the amount of the member's contributions picked up by the employer and remit the total of the contributions to the board.

History: En. 68-2608 by Sec. 8, Ch. 178, L. 1974; R.C.M. 1947, 68-2608(part); amd. Sec. 12, Ch. 464, L. 1985.

Compiler's Comments

1985 Amendment: In (1) near end, after "shall be", deleted "deducted from his salary and"; and inserted (2) through (4).

Highway patrol retirement — member's contribution, 19-6-402.

Game wardens' retirement — member's contribution, 19-8-502.

Police retirement — statewide plan — member contributions, 19-9-601.

Police retirement — local funds — officer's contribution deducted from salary, 19-10-302.

Firefighters' unified retirement — member contributions, 19-13-601.

Employer to furnish itemized statement of deductions, 39-3-101.

Cross-References

PERS — member's contribution to be deducted, 19-3-701.

Teachers' retirement — annuity savings fund — member's contribution, 19-4-602.

Judges' retirement — member's contribution deducted from salary, 19-5-402.

19-7-404. Counties' contributions. (1) The various counties of Montana shall pay monthly 7.67% of each sheriff's gross salary into the retirement account created by this chapter.

(2) If the required contribution to the retirement system exceeds the funds available to a county from general revenue sources, a county may budget, levy, and collect annually a special tax on the assessable property within the county

HJR 9
SPONSOR: BEN COHEN
FEBRUARY 2, 1987
EXHIBIT # 2
DATE 2/3/87
HB HJR #9

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE. TODAY OUR STATE IS IN TROUBLE. WAGES HAVE BEEN FROZEN OR ARE BEING NEGOTIATED DOWN. BUSINESSES ARE NOT SEEING ANY INCREASE IN THEIR REVENUES WHILE THEIR COSTS CONTINUE TO RISE. OUR STATE'S REVENUE HAS DRIED UP WHILE OUR CITIZENS CALL FOR THE CONTINUATION OF PROGRAMS INITIATED DURING A MORE PROSPEROUS TIME.

OUR PROBLEMS ARE NOT UNIQUE. THEY ARE SHARED BY ALMOST EVERY STATE BETWEEN THE ROCKY MOUNTAINS AND THE APPALACHIANS. WE CAN NO LONGER SELL THE PRODUCTS OF OUR FORESTS AND FIELDS. OUR MINES AND OUR MILLS; AND THE LACK OF MARKETS FOR THE PRODUCTS OF OTHER STATES HAS REDUCED THE DEMAND FOR OUR ABUNDANT ENERGY.

AS A NATION, WE CAN NO LONGER CONTINUE TO POUR OUR WEALTH AND PRODUCTIVE POTENTIAL INTO THE BOTTOMLESS PIT OF ARMS PRODUCTION AND DEVELOPMENT. A NATION IS ONLY AS STRONG AS ITS CITIZENS. TODAY, IN MONTANA HARD WORKING FAMILIES ARE LOSING THEIR FARMS. TODAY, IN MONTANA FAMILIES WHO HAVE NEVER EXPERIENCED POVERTY ARE DISCOVERING THE INDIGNITY OF ASKING FOR HELP FROM OUR SOCIAL WELFARE SYSTEM. ACROSS OUR NATION ILLITERACY AND POVERTY ARE ON THE INCREASE WHILE "ECONOMIC RECOVERY" HAS BEEN LIMITED TO THOSE STATES WHICH HAVE BEEN RECIPIENTS OF LARGE MILITARY CONTRACTS OR HAVE PROVIDED A HOME FOR LARGE MILIARY INSTALLATIONS.

MERGERS AND ACQUISITIONS HAVE WEAKENED THE PRODUCTIVE POWERS OF OUR NATION. HIGH UNEMPLOYMENT IS USED TO MAINTAIN A DEPRESSED WAGE SCALE. OUR FEDERAL GOVERNMENT CAN AFFORD BILLIONS TO BAIL OUT A CHICAGO BANK, BUT CANNOT AFFORD TO HELP OUR FAMILY FARMERS, WHOSE PLIGHT REFLECTS FEDERAL MONETARY POLICY. MONETARY AND TRADE POLICY HAVE COMBINED WITH MILITARY SPENDING TO CREATE BOTH THE GREATEST BUDGET DEFICIT AND THE GREATEST TRADE DEFICIT IN THE HISTORY OF OUR NATION.

I BELIEVE IN A STRONG AMERICA; AND LIKE MOST MONTANANS, I BELIEVE THAT THE BEST SIGN OF THE STRENGTH OF OUR NATION IS OUR PRODUCTIVITY. IT'S TIME FOR OUR CONGRESS TO CUT THE WASTE AND FAT FROM A BLOATED MILITARY BUDGET. IT'S TIME FOR OUR NATION TO REINVEST IN OUR SCHOOLS AND HOPSITALS. IT'S TIME FOR OUR NATION TO REINVEST IN OUR ROADS AND ~~OTHER~~ PUBLIC WORKS. DOLLAR FOR DOLLAR, MORE JOBS ARE DIRECTLY CREATED BY GOVERNMENT INVESTMENT IN EDUCATION, HEALTH CARE AND CONSTRUCTION PROJECTS THAN BY INVESTMENT IN MILITARY HARDWARE, NUCLEAR WARHEADS AND THE RESEARCH FOR A DESTABLIZING STRATEGIC DEFENSE INITIATIVE.

WE CANNOT SOLVE THE PROBLEMS OF OUR STATE AS THOUGH WE ARE SEPERATE FROM THE REST OF THE NATION. OUR PROSPERITY IS DEPENDENT UPON THE TRADE POLICIES AND THE ECONOMIC WELL BEING OF THE ENTIRE COUNTRY. THIS RESOLUTION, HJR 9, PROVIDES US...THE MEMBERS OF THE 50TH MONTANA LEGISLATURE, AN OPPORTUNITY TO EXPRESS OUR SUPPORT FOR OUR ENTIRE CONGRESSIONAL DELEGATION. NOW IS THE TIME FOR US TO TELL THE CONGRESS AND THE PRESIDENT THAT THE

PEOPLE OF MONTANA BELIEVE THAT, IN THE WORDS OF OUR EASTERN
DISTRICT CONGRESSMAN, IT IS "...TIME TO EXAMINE THE MILITARY
BUDGET EXTREMELY CLOSELY, TIME TO START PEELING BACK THE COVER
AND CUTTING BACK EXPANSION."^{*}

*GREAT FALLS TRIBUNE 1-9-87

BC/be

EXHIBIT #3
DATE 2/3/87
HB/HJR #9

"EVERY GUN THAT IS MADE, EVERY WARSHIP LAUNCHED, EVERY
ROCKET FIRED SIGNIFIES IN THE FINAL SENSE A THEFT FROM
THOSE WHO HUNGER AND ARE NOT FED, THOSE WHO ARE COLD
AND ARE NOT CLOTHED."

PRESIDENT DWIGHT EISENHOWER
APRIL 16, 1953

MILITARY SPENDING AND THE REST OF US

***President Reagan's fiscal 1988 budget would:

- Increase military spending by 3%, \$20 billion;
- Not eliminate federal deficits until 1992 at the earliest;
- Slash education aid by 25% over five years;
- Cut college student aid by \$3.7 billion and would deny grants to 1 million students;
- Cut the Agriculture Dept. by 8%;
- Sell Amtrak.

***Pentagon officials meals are subsidized at \$14 per meal;
School lunch meals are subsidized at \$1.20 per meal.

***The annual budget for U.S. military bands is larger than the annual U.S. budget allocations for all civilian art programs.

***\$1 billion creates:

- 187,299 education jobs
- 138,939 health care jobs
- 100,072 construction jobs
- 92,071 mass transit jobs
- 75,710 military jobs

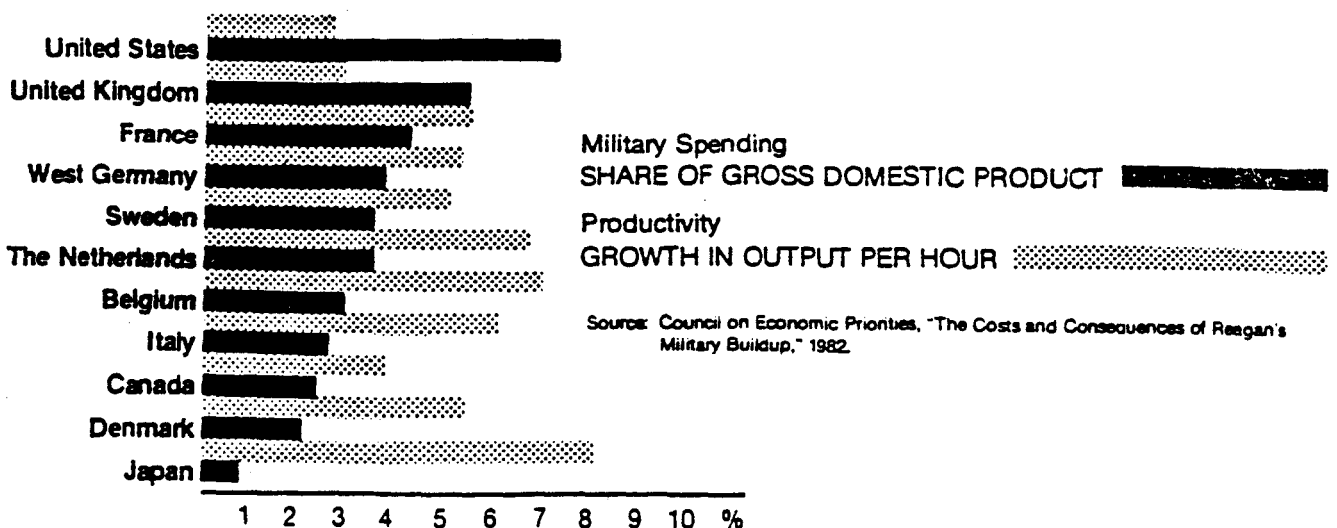
***In 1983 Eastern Congressional District residents sent \$89 million more to the Pentagon than they received.

In 1983 Western Congressional District residents sent \$208.3 million more to the Pentagon than they received.

Id 1983 Montanans sent 297.4 million dollars more to the Pentagon than they received.

***The cost of 2 Midgetman missiles would equal the projected Montana deficit for the coming biennium.

Military Spending vs. Manufacturing Productivity (Average Percent, 1960-1979)



Mr. Chairman, Members of this Committee, Ladies and Gentlemen -
My name is Roy Patte, President of Montana Peoples' Action and I
farm southwest of Ryegate in Golden Valley County.

I was born and raised on a farm 25 miles north of Great Falls.
My wife Sue, is here with me today. Se is a Montanian by choice.
In our blended family we have six children, 4 are still living.
Those of our children still in the state will eventually be leaving
due to lack of opportunities.

I served in the 6th Army in the early 50's during the Korean conflict.
In 1957 I moved to Ryegate and bought the farm I still operate. I
served as County Commissioner in Golden Valley County in the late
1970's and 80's. I recall the hard times of the 30's, the better
times of the 50's and now the poor times of the 80's.

Agriculture is the only renewable resource of this State and Country.
For each dollar spent in agriculture it has statically returned three
dollars into labor and industry. Now without purchasing power from
agriculture, it has created the present overall decline in labor,
industry and the economy. Agriculture is no longer self-sustaining
at todays prices for our products. For the survival of my neighbors,
my state, my country and myself, the purchasing power of agriculture
must change to again provide the increased purchasing power for all of
us - farms, labor, cities and industry in this State, in this Country
as a whole.

HJR-9 will provide this incentive by reducing the military budget and
utilizing these tax monies to again provide increased income to
agriculture, employment, education, health care and other related

services for this State and this Country.

We as individuals and you as legislators working together can again provide the economic stability and purchasing power we had in the 50's and 60's for this State and Country. We have been in an economic recession too long. We can and must go forward. We support Representative Ben Cohan - HJR-9.

Thank you.

Feb. 3, 1987 DATE 2/3/87
HB HJR #9

To the Honorable Chairperson and All Committee members:

I would like to urge support of HJR 9 as introduced here by Rep. Cohen of Whitefish.

As a mother and a worker in a day care center for young children, I feel security for the future of today's youth lies not in further military spending, but rather in bettering their living conditions, educational opportunities and occupational choices.

I believe a message to our federal policy makers to encourage limited military spending and more financial support for the people of our cities and countryside would be most appropriate. It is most definitely the business of state legislators to be concerned with the priorities of federal spending and it is my belief that a shift away from higher Pentagon expenditures would be economically beneficial to Montanans. Please examine the attached graph compiled from statistics of the U.S. Dept. of Labor.

While national governments compete fiercely for superiority in destructive power, there is no evidence of a competition for first place in social development. In a world spending \$800 billion a year for military programs, one adult in three cannot read or write, one person in four is hungry.

A small percentage of our annual military budget could make a dramatic difference in the lives of a growing number who survive below the poverty level. I believe HJR 9 would be a great step in re-evaluating our spending priorities at the federal level.

Sincerely,

Abigail Frederick

190 Reed Lane

Columbia Falls MT 59912

Jobs generated by spending \$1 billion

MILITARY

TRANSPORT

CONSTRUCTION

HEALTH

EDUCATION

Jobs generated by spending \$1 billion
Design by George Brown.
Figures compiled by U.S. Bureau of Labor Statistics

My name is Joyce Irvin from Helena and I am here to testify as a member of **Montana Peoples' Action**. I strongly favor Resolution #9 sponsored by Rep. Ben Cohen.

In my opinion this bill is gravely important to the State of Montana and the country because of its repercussions on the lives of low income people everywhere. Being a member of that minority I highly support this resolution. As a single parent of two school age children looking for a full-time job, I am appreciative of the importance of welfare, food-stamps and all the other programs designed to aid single parent families with dependant children.

Thanks to the aid of the Friendship Center and Montana Legal Services I was able to leave a physically and mentally abusive marriage and still take care of my two children through the help of AFDC and the Food Stamp program. This along with the federally funded program of free and reduced lunches in the schools has helped me immensely to keep my sanity and my life together while I wait for Child Support Enforcement to help me get support money from my exhusband. Being a resident of Montana for the last two years and living in a duplex of the Helena Housing Authority, a HUD funded project, has helped me to see the importance of subsidized housing and its continuation in our community.

Upon moving to Helena I relinquished my elementary teaching position in Wyoming so with the help of JTPA last summer I was able to enroll in the Career Training Institute Program and along with Job Service and the WIN Program better increase my job opportunities and become a self-sufficient member of society once again.

The programs that I mentioned have been of great value to me and others in my situation, therefore I would hate to see them cut out in the interest of more defense funding. I strongly urge you to vote yes on this resolution.

Peace Legislative Coalition

P.O. Box 61 Butte, MT 59703
406-443-7322
406-549-9679

Chairman Sales, Members of the State Administration Committee:

For the record, I am Eleanor Wend, lobbyist for the Peace Legislative Coalition:

We propose that a healthy, educated, employed, agriculturally self-sustaining population is essential to our nation's defense.

Between 1981 and 1985, the largest peacetime military build-up in the history of the United States took place. The Pentagon's budget rose from \$147 billion in 1981 to \$239 billion in 1985. In 1986 the increase was 13% and now the proposed increase is \$20 billion. This revenue increase was granted the defense budget at the expense of the civilian/domestic sector. Now this year even the school lunch program is in jeopardy.

The net job loss in Montana has been analyzed as a loss of 17,310 civilian jobs. This analysis is a combination of jobs foregone due to diminished civilian expenditures and jobs gained (or lost) due to military build-up expenditures. Even in the Eastern district of Montana which has the largest military input, the loss in 1982 alone is -1,650 jobs.

We have only to look over the economic picture for other states with similar dependency on agriculture, timber, mining, and tourism, to see we are not alone in this current struggle. Only those states which receive defense contracts and produce armaments have a net job gain during these past five years. Not only are these with a net job gain funded by the increased defense budget but also at the expense of all the other states in tax dollars. As you can see by the figures on the chart I handed out, the projected total military tax burden on Montana even with the Midgetman proposal in 1990 is a negative \$130.8 million dollars. At the present level of funding this loss by 2000 is a -\$224.4 million.

Clearly as long as the priorities at a national level are at the expense of our domestic concerns, we are weakened rather than strengthened as a nation. We feel this is a bipartisan issue, every administration since Kennedy has increased the defense budget. Now is the time to offer our children and their children a future.

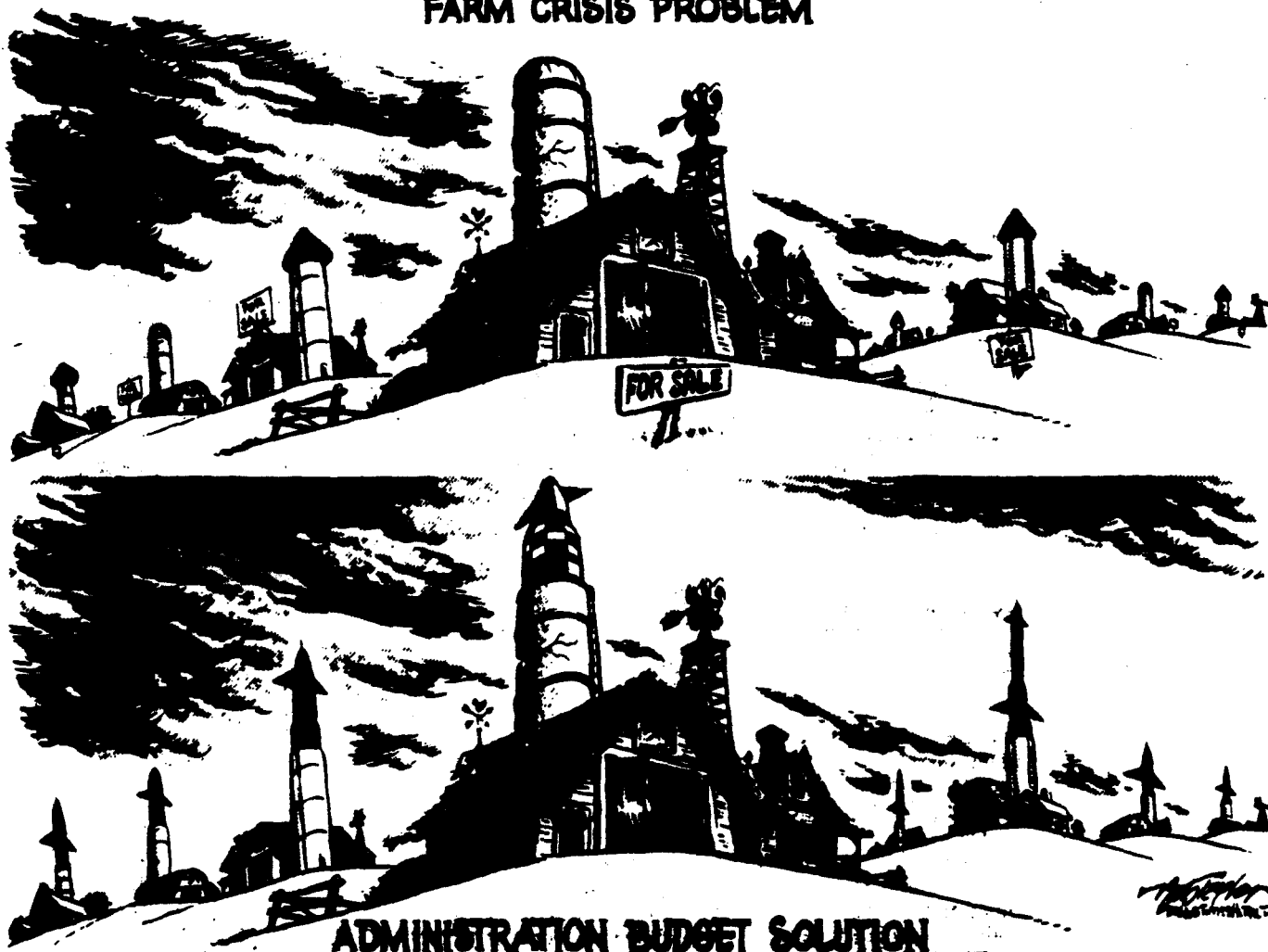
We urge a pass on this resolution.

Employment Impact of the Military Build-up on States 1981 - 1985
(compared to spending the same sum on normal civilian economic activity 1981 - 1985)

	Jobs Foregone Due to Diminished Civilian Expenditures	Jobs Gained (or lost) Due to Military Build-up Expenditures	Net Job Gain or Loss
MONTANA			
Military Oriented Durable Goods	- 20	+ 80	+ 60
Rest of Durable Goods	- 1,230	+ 1,680	+ 450
Non-durable Goods	- 640	+ 430	- 210
Construction	- 1,650	+ 1,350	- 300
Transp., Utilities & Mining	- 2,190	+ 1,430	- 710
Finance, Insurance & Real Estate	- 1,210	+ 360	- 850
Wholesale & Retail Trade	- 6,640	+ 1,470	- 5,170
Services	- 6,400	+ 1,480	- 4,920
State, Local & (Civilian) Federal Gov't	- 3,790	- 420	- 4,210
Military-related Personnel	0	- 1,450	- 1,450
Total			- 17,310

SOURCE: The Empty Pork Barrel: The Employment Cost of the Military Build-up, 1981-1985
By Marion Anderson, Michael Frisch, Michael Oden
Employment Research Associates, 1986

FARM CRISIS PROBLEM



PROJECTED TOTAL MILITARY TAX BURDEN ON SELECTED AREAS OF MONTANA,

WITH THE MIDGETMAN PROJECT: 1990 and 2000

Projected Population in 1000s	Cascade County	ROI w/e Cascade County	Eastern Congressional District	Western Congressional District	Montana
1990;	90	94	430	430	860
2000;	100	102	468	467	935
Estimates in millions of 1983-84 \$					
1990:					
Total Mili- tary Spending:	286	37	350	30	380
Tax Paid to the Military:	<u>53.5</u>	<u>55.8</u>	<u>255.4</u>	<u>255.4</u>	<u>510.8</u>
* Net Military Tax Burden:	+232.5	-18.8	+94.6	-225.4	-130.8
2000:					
Total Mili- tary Spending:	253	21	301	30	331
Tax Paid to the Military:	<u>59.4</u>	<u>60.6</u>	<u>278.0</u>	<u>277.4</u>	<u>555.4</u>
* Net Military Tax Burden:	+193.6	-39.6	+23.0	-247.4	-224.4

- ASSUMPTIONS:
- (a) Military spending includes: direct wages and salaries paid; local spending by employees and personnel (overlaps with wages and salaries); local purchases by contractors and the military (of mainly non-locally made goods); military pensions; and local military manufacturing and production.
 - (b) Military spending in Montana, except for the Midgetman project, remains constant at 1983 levels.
 - (c) Dollar figures are given in millions of 1983 or 1984 dollars.
 - (d) The amount of federal taxes (except Social Security and unemployment insurance) paid per capita in Montana remains at the 1983 level of \$1698.
 - (e) The amount of the above federal taxes paid per capita in Montana that goes toward military spending (excluding veteran payments and interest on military-induced debts) will remain constant at the 1983 level of \$594, or 35% of the total.
 - (f) The Midgetman project's Region of Influence (ROI) are the Montana counties of: Cascade, Chouteau, Fergus, Judith Basin, Lewis and Clark, Pondera, Teton, Toole, and Wheatland.

SOURCES: Legislative Environmental Impact Statement: Small ICBM Program, U.S. Air Force, November 1986; Economic Resource Impact Statement-FY '85, Malmstrom Air Force Base, January 1986; 1985 Statistical Abstract of the United States, U.S. Bureau of the Census; Internal Revenue Service, Helena, MT office, 1986; Montana Statistical Abstract-1984, Montana Department of Commerce, January 1985.



DATE 2/3/87
HJR #9

Box 1176, Helena, Montana

JAMES W. MURRY
EXECUTIVE SECRETARY

ZIP CODE 59624
406/442-1708

TESTIMONY OF DON JUDGE ON HJR 9 BEFORE THE HOUSE STATE ADMINISTRATION COMMITTEE,
FEBRUARY 3, 1987

Mr. Chairman, my name is Don Judge and I am appearing here today representing the Montana State AFL-CIO urging your support for HJR 9. This resolution asks the President of the United States and Congress to increase spending for human services, aid for family farms and job programs for our unemployed. The AFL-CIO both nationally and here in Montana, believes human needs are a priority and that our national security is imperiled if we continue to allow human suffering and misery here at home.

While the AFL-CIO recognizes and supports the need for a strong national defense, the labor movement has also been at the forefront of seeking to provide for the needs of the poor, the elderly, those on fixed incomes and the jobless. We believe that human needs are paramount and that our nation cannot be strong if it allows poverty, ignores joblessness, denies medical care to its citizens and allows its farmers to sink into a sea of bankruptcies.

President Reagan's FY 1988 budget proposes to increase military spending from \$293 billion to \$312 billion, while at the same time cutting \$12 billion in social programs. A strong national defense assures security for the United States' interests both at home and abroad; but our nation cannot be totally secure until it guarantees that everyone has a job, no one lives in poverty and all citizens can afford essential medical care.

Mr. Chairman, our spending on social programs deserves the same priority status as defense spending. It's a simple idea that has tragically been thrown by the wayside as the world rushes headstrong towards a defense spending catastrophe. Astonishingly, worldwide spending on weapons will nearly reach \$900 billion in 1986. \$1.7 million is spent on weapons per minute worldwide which represents about 6 percent of the world's gross national product.

What these statistics do now show are the human costs that disproportionately high military spending has on society. As President Eisenhower aptly stated "every gun that is made, every warship launched, every rocket fired signifies, in the final sense, a theft from those who hunger and are not fed, (and) those who are cold and not clothed."

We simply cannot afford continued increases in defense spending at the expense of domestic programs and human needs. A GAO study, just released, notes that job training and education are unavailable for welfare recipients. Instead, those on welfare often end up in dead-end, low-wage jobs which provide no future or economic self-sufficiency. It's clear that the lack of money for needed job training and education only institutionalizes poverty for millions of Americans.

We should be ashamed and appalled that 33 million Americans currently live in poverty and another 20-30 million are needy. In a society as rich as ours, it is intolerable to ignore these facts.

Mr. Chairman, members of the committee, in today's unstable and dangerous world, the need for a strong and ready national defense is vitally important. Our organization has never believed otherwise.

However, we also believe that when federal budget decisions are considered, the Congress and the President must give the same priorities to domestic programs as they do to military spending.

For in the long run, the true strength of our nation will be judged not only by its military strength; but also by the opportunities for prosperity and human dignity we afford our citizens.

We urge you to support HJR 9.

Helena Indian Alliance

436 North Jackson
Helena, Montana 59601
(406) 442-9334



7
DATE 2/3/87
HB HJR #9

RUBY M. LARSEN
Executive Director

Walter Wetzel, Jr. - Helena Indian Alliance
Job Training Counselor - 3 Years

Grew up in the Blackfeet Reservation & resident of Helena for past 6 years
Served on State and Local Native American Boards

On behalf of the Helena Indian Alliance staff and the majority of the Native American community, we support Joint House Resolution No. 9.

Federal budget cuts have had a heavy impact on our training and health programs. We believe in a strong National Defense, but needless military spending at the expense of our poor and jobless is uncalled for.

As an example of overspending; one 16" cannon round fired from the Battleship New Jersey would fulfill our training and health needs at HIA for one year.

Walter A. Wetzel Jr.



COMMON CAUSE/MONTANA

P.O. Box 623
Helena, Montana 59624

(406) 442 9251

EXHIBIT * 10
DATE 2/3/87
HB HJR #9

HOUSE JOINT RESOLUTION NO. 9

- Mr. Chairman, members of the Committee, my name is Ted Soltis. I am working as an intern for Common Cause/Montana.

- Common Cause is here today to voice its support of this resolution.

- We feel that this resolution sends an important message to the President of the United States.

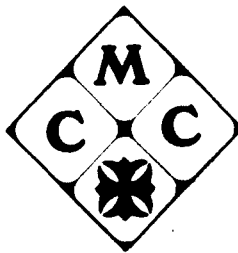
- The message is not that Montana favors a weakened defense, it is: We in Montana are concerned about our people and the people of the United States as a whole.

- Common Cause at the national level, has traditionally been at odds with the military buildup, as seen in the Star Wars Program. Since these expenditures in turn affect Montanans at a state level, Common Cause/Montana is concerned as well.

- While the military increase in Regan's recent budget is not as excessive as his past military spending increases, it is, nevertheless, an undesirable increase.

- Maybe it is time for the United States to reconsider some of its spending priorities.

- I, therefore, urge you to favor this resolution's attempt to send such a message to the President



Montana Catholic Conference

11
DATE 2/3/87
HJR # 9

CHAIRMAN SALES AND MEMBERS OF THE HOUSE STATE ADMINISTRATION COMMITTEE:

I am John Ortwein representing the Montana Catholic Conference. The Catholic Conference serves as the liaison between the two Roman Catholic Bishops of Montana in matters of public policy.

The headline in the January 2, 1987, Great Falls Tribune read, "Plan would build arms, chop farms..." The article went on to explain that President Reagan's new budget would propose \$1.8 trillion in military spending in the next five years but would slash federal farm aid by more than half and sharply curtail the growth of many other domestic programs over this same period.

In news release dated January 5, 1987, from the Center on Budget and Policy Priorities, the following was stated: Of the \$18.7 billion in proposed spending reductions for fiscal year 1988 contained in the President's new budget one third would come out of programs targeted to low income Americans, despite the fact that these programs constitute one-ninth of the federal budget. Actual spending for low-income programs would be sliced \$6.7 billion below the levels needed to maintain current levels of service in fiscal year 1988.

The Catholic Bishops of the United States in the recently issued Pastoral Letter on the Economy state: It is the dignity of the human person, realized in community with others, that is the criterion against which all aspects of economic life must be measured.

It is our belief the President's new budget does not adequately provide for those who are most in need of assistance.

We would urge your support of HJR 9.



WITNESS STATEMENT

Bill #12
DATE 2/3/57
HBJR #9

NAME Terrold E. Johnson BILL NO HJR 9
ADDRESS Box 595 Whitefish Mt DATE 2-3-57
WHOM DO YOU REPRESENT? Physicians Social Responsibility Alliance
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Great Bill!!

2/3/87

HJR #9

Montana

Association of
ChurchesMONTANA RELIGIOUS LEGISLATIVE COALITION • P.O. Box 745 • Helena, MT 59624

February 3, 1987

MISTER CHAIRMAN AND MEMBERS OF THE HOUSE COMMITTEE ON
STATE ADMINISTRATION:

WORKING TOGETHER:

American Baptist Churches
of the Northwest

My name is Mignon Waterman and I am speaking on behalf
of the Montana Association of Churches.

American Lutheran Church
Rocky Mountain District

The Montana Association of Churches believes there is
no more important political or moral question facing
the religious community and the world than that of
human survival in the face of nuclear armaments and the
threat of a nuclear holocaust.

Christian Church
(Disciples of Christ)
in Montana

The willingness to destroy life everywhere on earth,
for the sake of our security, is at the root of many
other terrible trends in our country. It is creating
an undertone of despair and doom that saps our energy
and kills our dreams for the future.

Episcopal Church
Diocese of Montana

The arms race issue enters all of our lives in yet
another way. We are the ones who must pay for these
costly weapons. As a consequence, we diminish our
ability and willingness to respond to the just cries
of people everywhere for food, housing, medical care
and education. We must address these just human
needs.

Lutheran Church
in America
Pacific Northwest Synod

Roman Catholic Diocese
of Great Falls-Billings

The Montana Association of Churches urges Congress to
reconsider national priorities. HJR9 reflects the
concerns of the Montana Association of Churches. We
urge your favorable consideration of this resolution.

Roman Catholic Diocese
of Helena

United Church
of Christ
MT-N.W.Y. Conference

United Methodist Church
Yellowstone Conference

Presbyterian Church (U.S.A.)
Glacier Presbytery

Presbyterian Church (U.S.A.)
Yellowstone Presbytery

Rep. Walter Sales, Chairman
HOUSE STATE ADMINISTRATION

LETTER # 14
DATE 9/3/87
364

SUPPORT HB 364
AMENDMENT REQUESTED BY THE
BOARD OF DENTISTRY

Dear Representative Sales and Members of the Committee:

I am Dr. Robert Fritz, D.D.S., a dentist and a member of the Montana Board of Dentistry. On behalf of the Board of Dentistry, the following amendment of HB 364 is requested.

Section 1, page 2, line 2 strike underlined "four" and insert "five" and strike underlined "one"; on line 3 strike "denturist,".

Page 2, line 7 - Strike underlined ", denturist,".

Page 2, line 17, insert after (5) "The Board shall appoint an advisory committee or committees consisting of three (3) licensed denturists to assist and advise the Board in matters relating to denturistry."; and renumber (5) to (6).

(Attached copy of Section 1 containing the requested amendments).

This amendment will continue to allow the people of Montana to obtain their false teeth outside the dental office; will provide for responsible administration of existing denturistry statutes; will reduce administrative and operating cost within the Department of Commerce; and will provide for representation of the general public and senior citizens, and will require advisory representation and input from denturists.

The Committee will note starting on page 2, line 6, of the introduced bill, "each licensed member shall be licensed to practice as a dentist, denturist, or dental hygienist in this state, shall have actively practiced in this state for at least 5 continuous years immediately before this appointment, and shall be actively engaged in practice while serving on the board." Denturists have not been licensed to practice in this State for five year. There is not a denturist licensed who can meet this eligibility requirement for appointment to the Board of Dentistry. The five year requirement is valid in that it allows new licensees the opportunity of practicing in Montana and gaining experience in dentistry and economic development in Montana before serving on the state Board. The amendment resolves the qualification problem by creating an advisory committee which will allow denturists to have input into matters relating to denturistry. The advisory committee system is in effect in the State of Arizona and Oregon and those states report that it works well for them.

The Board of Dentistry urges the committee to kill HB 355 and pass HB 364 with this requested amendment.

Thank you for your consideration. I am available to answer any questions from the committee.

Respectfully submitted,

Dr. Robert W. Fritz, D.D.S.
Montana Board of Dentistry

Section 1, starting on page 1, line 25 would then read as follows:

"2-15-1842. Board of dentistry. (1) There is a board of dentistry.

(2) The board consists of five dentist, one dental hygienist, and two lay persons, one of whom must be a senior citizen. All members are appointed by the governor with the consent of the senate. Each licensed member shall be licensed to practice as a dentist or dental hygienist in this state, shall have actively practiced in this state for at least 5 continuous years immediately before his appointment, and shall be actively engaged in practice while serving on the board. Each member shall be a resident of this state.

(3) Each member shall serve for a term of 5 years. The governor may remove a member only for neglect or cause.

(4) The governor shall fill any vacancy within 30 days.

(5) The Board shall appoint an advisory committee or committees consisting of three (3) licensed denturists to assist and advise the Board in matters relating to denturistry.

(6) The Board is allocated to the department for administrative purposes only as prescribed in 2-15-121."

EXHIBIT # 15
DATE 2/3/87
HB 364

WITNESS STATEMENT

NAME Roger Tippy BILL NO. 364
ADDRESS 208 N. Montana, Helena, MT DATE 2/03/87
WHOM DO YOU REPRESENT? Montana Dental Association
SUPPORT X OPPOSE AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: Merger of the two boards will not mean the end of denturistry in Montana. Arizona's experience shows that denturists can operate quite well under licensure from a board which consists of dentists, consumers, and a dental hygienist. The ads cut out from the Arizona Republic of two weeks ago show some current prices in the Phoenix area.

MDA would support the amendment proposed by the Board of Dentistry, recognizing that the workload on the Board's dentist members is enough to keep five of them busy and four too busy.

**FULL UPPER AND LOWER
DENTURE REPLACEMENT**

FROM
\$388

Custom Fit by
LICENSED
DENTIST



JANUARY SPECIAL Relines
\$60⁰⁰ per denture

**WESTSIDE
DENTAL SERVICES**

Complete Family Dentistry
at Affordable Prices

• Fillings • Crowns • X-Rays • Cosmetic Dentistry • Bonding

Dana Scafaru, D.D.S.
7020 N. 55th AVENUE • 842-0620

DENTURES

\$197.50 Ea. • \$285.00 Ea.
PARTIALS \$260.00 Ea.

Repairs & Relines
While You Wait

**BETHANY DENTURE
CENTER**

2610 W. Bethany Hm. Rd.
Suite #204B
PHOENIX, ARIZONA

242-5073
By Licensed Dentists

Guide
Dentists
Grouped by
Type of Practice
Follow
This Heading

ists (Cont'd)

Arizona Dentacenters

CHILDREN'S CLINIC
DR. W. W. ROGERS

Serving Arizonans for
more than 25 years
Honest Affordable Dentistry
For Children And Teenagers
FREE EXAMINATION
ORAL SURGERY
"SLEEP"
Braces • Cleaning • Fillings
NO APPOINTMENT NEEDED
Mon.-Fri. 7:30-5 Sat 7:30-12
Insurance
Union Plans
19 Av 249-1669

McDOWELL DENTAL CLINIC

McDOWELL
DENTAL
CLINIC

DENTIST • DENTURISTS

Thousands Of Satisfied Patients

DENTURES

Aligns & Repairs While You Wait

DENTIST

Porcelain & Gold Crowns • Bridges • Fillings
DR ROBERT THIELEN • JAMES FAUCI

273-0013

2229 E. McDOWELL RD.

Mc Dowell Rd 273-0013

DENTAL STUDIO 7312 6 Av. Scted 941-1914
Please See Ad Page 704

(Next Listing Page)

Pages advertising — It pays.

all our
advertisers
you found
them in
e...



Mountain Bell
Yellow Pages



TRUE VALUE • PRICES YOU CAN AFFORD DENTURES

HAND-CRAFTED CUSTOM
FULL & PARTIAL
DENTURES
"FIT COMFORTABLY"

SPECIAL
DENTURE
LABORATORY
ON PREMISES



SENIOR CITIZENS - TO FIT YOUR BUDGET
ELIMINATE THE MIDDLEMAN
AVAILABLE DIRECT TO THE PUBLIC

REASONABLE FEES
HIGH
QUALITY

NO APPOINTMENT NECESSARY

955-3111

EMERGENCY

PARTIALS • RELINES • REPAIRS
WHILE YOU WAIT - 1 HOUR OR LESS

ONE DAY SERVICE ON DENTAL PLATES

TEETH EXTRACTED & DENTURES PLACED IN MOUTH IN ONE DAY
• EXTRACTATIONS • FIXED BRIDGES • PARTIAL PLATES
• SLEEP ARRANGED • PORCELAIN CAPS • CLEANING & FILLING

ASK ABOUT OUR SPECIAL SOFT BASE MATERIAL - ALLOWS THE
LOWER DENTURE TO FIT COMFORTABLY IN THE MOUTH

INSURANCE AND UNION PLANS WELCOME

WE'LL MEET OR BEAT ANY PRICE ON DENTURES
IS YOUR MOUTH RED AND IRRITATED FROM REGULAR DENTURES?
ASK ABOUT OUR EXCLUSIVE UNBREAKABLE

LUXENE DENTURE & OUR NON ALLERGIC VACALON PROCESS DENTURE

SPECIALIZING IN COSMETIC DENTURES

• A.D.A. CERTIFIED TEETH & MATERIALS
• ASK ABOUT OUR 1 YEAR GUARANTEE
AGAINST ACRYLIC BREAKAGE

FREE EXAMINATION
SE HABLA ESPAÑOL

WALTER W. CALDWELL DENTURIST (OVER 40 YRS. EXPERIENCE)
CERTIFIED BY ARIZONA STATE BOARD • ABEL MONA D.M.D. - M.S.

ARIZONA DENTAL CLINIC
3311 EAST THOMAS RD. (CORNER OF THOMAS & 33RD PL.)



WE CATER TO COWARDS MODERN DENTISTRY FOR THE FAMILY

CROWN & BRIDGE, DENTURES
COSMETIC DENTISTRY, CHILDREN

DENTURE PROBLEMS? — WE CAN HELP!

I.V. and Nitrous Oxide Sedation
Evening and Saturday appointments

**3 Generations of Dentistry
in the Phoenix Area**

INSURANCE WELCOME

Phoenix

Junius W. Gibbons D.D.S. P.C.

Louis Casillas D.D.S.

1720 N. 16th St.

(2 blocks North of McDowell)

253-8332 254-8663

**24 hour
emergency
service**



Mesa • Tempe • Chandler

Junius N. Gibbons D.D.S.

1150 N. Country Club Suite 7
(at Country Club and Brown)

833-8995

GENTLE FAMILY DENTISTRY

Including
Cosmetic Dentistry
and
Bonding

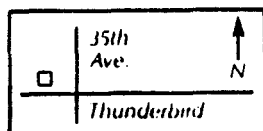
Emergency Care Available



Mark R. Chase D.D.S.

843-0010

Thunderbird Dental Arts Building
13822 North 35th Drive
Phoenix, Arizona 85023



Dentists (Cont'd)

Americare Dental Center--Phoenix Tel No 252-4787
Americare Dental Center
1010 W University Dr. Mesa 827-0165
Americare Dental Center 6016 N 67 Av Gnd--939-1262
Americare Dental Center VII
13000 N 103 Av. Sun City 974-4888
Americare Dental Center VI 6036 N 19 Av 433-2992
Amity Dental Center 6320 N 27 Av 246-1871
Please See Ad This Page
ANCHOR DENTAL CENTER
1215 E Missouri Av 266-1878
Please See Ad Page 703
Anderson John O 4025 W Bell Rd 978-6496
Anderson Roger G 4136 N 75 Av 269-0900
Andrews Richard J
16080 N 59 Av. Glendale 978-9793
Andrews T R DMD Ltd
Memorial Medical Office Bldg
515 W Buckeye Rd 258-8709
Apfel Michael S
Oral & Maxillofacial Surgery
4232 E Cactus Rd. Phoenix 996-2225
Arak M Todd 8941 N 12 St 944-7491
Arcadia Dentistry
1 N 1 St. Phoenix 254-2856
Arizona Center For Dental Care
9200 N 3 St 944-9638
Arizona Clinic For Treatment Of Headache & TMJ
4909 N 44 St 940-6747

Why not check into the sales-building possibilities of the Yellow Pages? Call the Mountain Bell business office for information on Yellow Pages advertising.

ARIZONA DENTACENTERS

COSMETIC DENTISTRY

DR. W.W. A.

"Patient Comfort & Quality Affordable Dentistry Are Our Primary Concern"

DENTURES • IMMEDIATE DENTURE

IMPLANTS • PARTIALS • CROWNS • BRIDGES
ROOT CANALS • FILLINGS • CLEANING

"SLEEP" during extractions
and awake with new dentures in place

REPAIRS & RELINES WHILE-U-WAIT

FREE DENTAL EXAMINATION

NO APPOINTMENT NEEDED

Call Collect
5716 N 19 Av 249-1414
7301 E Thomas Rd. Scottsdale 944-3225

Arizona Dental Clinic Inc 3311 E Thomas Rd. - 955-1
Please See Ad Page 693

Don't spin your wheels ... these Mountain Bell Yellow Pages have been designed to make those shopping easier and more economical. Just the of the fuel you'll save, as well as your own time and energy, when you let your fingers do the walking. Remember, ahead to compare products, prices.



AMITY DENTAL CENTER

DENTISTRY OF HIGH QUALITY AT LOW COST

W.H. BERG, D.D.S. OVER 26 YEARS EXPERIENCE
E.W. ROBBINS, C.P.D. - DENTURIST OVER 40 YEARS EXPERIENCE

DENTIST • DENTURIST

NEED DENTURES? YOU CAN GO TO AMITY WITH CONFIDENCE! THE DENTURIST DOES HIS OWN WORK, USING THE EXCLUSIVE VACALON MATERIAL AND PROCESSING TECHNIQUE. WE ARE CONVINCED THIS INSURES THE BEST IN DENTURE CONST.

NEED? CROWN • BRIDGES • EXTRACTIONS • FILLINGS • BONDING
ROOT CANAL WORK? GO TO AMITY, WHERE EXPERIENCE COUNTS FOR CONFIDENCE



246-1871



6320 N. 27 AV.
Between Bethany Home & Glendale Av.

McDOWELL DENTAL CLINIC



DENTISTS ★ DENTURISTS THOUSANDS OF SATISFIED PATIENTS

★ DENTURES ★ RELINES & REPAIRS WHILE YOU WAIT LABORATORY ON PREMISE

AND IT'S IN WRITING! ...

YOUR NEW DENTURES OR PARTIALS HAVE A
"FULL 45 DAYS"
UNCONDITIONAL MONEY BACK GUARANTEE! ...
IF NOT SATISFIED, THE COST OF THE DENTURES OR PARTIALS WILL BE REFUNDED!

• PORCELAIN & GOLD CROWNS • BRIDGES • FILLINGS • EXTRACTIONS
DR. ROBERT K. THIELEN JAMES A. FAUCI
SATURDAY & EVENINGS BY APPOINTMENT



273-0013

2229 E. McDOWELL RD.,



EXHIBIT # 16
DATE 2/3/87
HB 364

WITNESS STATEMENT

NAME Donald Nordstrom, D.D.S. BILL NO. 364
ADDRESS Missoula, Montana DATE 2/03/87
WHOM DO YOU REPRESENT? Montana Dental Association
SUPPORT X OPPOSE AMEND X

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: I am a dentist from Missoula, practicing in children's dentistry and currently serving as President of the Montana Dental Association, the professional society for around 400 dentists in the state. We support the recommendations of the Audit Committee as to the merger of the Board of Denturitry into the Board of Dentistry, which would then administer the provisions of the denturitry law. We believe that denturists can operate successfully under the supervision of the Board of Dentistry, as they do in Arizona. Passage of HB 364 would usher in a level of harmony missing for several years in this area.

DENTAL HYGIENISTS
PRACTICING FOR THE PATIENTS' PROFIT

What is a Dental Hygienist? Dental Hygienists are a group of concerned professionals dedicated to providing educational, clinical, and therapeutic oral health services to the public.

What qualifications do Hygienists possess? Dental Hygienists graduate with an Associate Degree or a Bachelor Degree from accredited colleges and universities. After graduation hygienists must take and pass the National Dental Hygiene Board Examination, a regional clinical examination and a Montana written examination. They have been thoroughly educated, tested, licensed and have been found qualified to practice dental hygiene.

What does a Dental Hygienist actually do? Montana Dental Hygienists provide treatment and education to prevent oral diseases such as cavities and periodontal disease (gum disease). A few of their routinely performed functions are:

- *Removal of plaque, stain and calculus both above and below the gum line.
- *Application of cavity-preventive agents such as fluorides and dental sealants.
- *Plaque control instruction and development of personal oral hygiene programs for home care.
- *Exposure and processing of dental x-rays.
- *Placement of temporary fillings, periodontal dressings, removal of sutures and polishing of silver fillings.
- *Provide nutritional information.
- *Oral cancer and blood pressure screening.
- *Root planning and gum curettage.
- *Administration of local anesthetics.

LICENSED in MONTANA

Dental Hygienist 355
Dentist 821
Denturist 18

LICENSED and RESIDING
in MONTANA

Dental Hygienist 250
Dentist 512
Denturist 12



Montana Dental Hygienists' Association

Amendment to House Bill 364
Proposed by the Montana
Dental Hygienists' Association

The bill as it reads now.

Section 2-15-1842.

(2) The board consists of four dentists, one denturist, one dental hygienist, and two lay persons, one of whom must be a senior citizen.

The bill as it would read with our proposed amendment.

(2) The board consists of four dentists, one denturist, TWO dental hygienist, and two lay persons, one of whom must be a senior citizen.

Following is a list of people to contact if you have further questions regarding this amendment.

Patti Conroy R.D.H. Legislative Chairperson MDHA
2525 Silver Spur Trail
Billings, MT 59105
252-2336hm 252-4200 wk

Rhonda Owens-Zook R.D.H. Legislative Committee MDHA
1525 Boston Road
Helena, MT 59601
443-0437 hm 442-2727 wk

Peggy Newman R.D.H. Legislative Committee MDHA
Box 1455
Columbia Falls, MT 59912
892-3113 hm

The State Administration Committee
of the Montana Legislature:

In the Department of Commerce - Handbook for board members - it states - As a member of a regulatory board, you have a special responsibility to ensure that our citizens receive honest and competent services from the regulated professions and occupations....to protect public health and safety. It also states that - The public has the right to expect that the regulatory boards will operate through lawful regulation for its protection, and that any licenses will be qualified to perform properly and safely.

This merger bill is mandated by law due to an insufficient number of licensees with which to operate a viable board. Even though I am a member of this board, I truly believe this bill to be valid and should be passed for more ominous concerns than just the low number of licensees.

The public expects as I am sure you do as lawmakers that state boards operate by obeying and enforcing state laws.

The board of denturistry has been in operation for two years, and during this time, it has knowingly and willfully violated state laws; has acted outside its jurisdiction and on occasion took no action when action was clearly mandated.

I anticipated the Legislative Auditor's Sunset Performance Audit of the board of denturistry documenting apparent violations of state laws. After reviewing the Audit report at its December meeting - the Legislative Audit Committee felt so strongly that the board of denturistry has acted improperly and illegally that they requested the Attorney General's opinion. The Attorney General has since ruled that criminal violations of state law by the board of denturistry did occur in (3) areas.

1) The board of denturistry criminally violated state laws by granting licenses to five unqualified applicants.

The public passed our denturism statutes through the initiative process, as they were satisfied that the present minimum educational requirements for licensure protected their health and safety.

At last Friday's hearing on HB355, Representative Stella Jean Hansen compared the functional relationship of denturists to dentists to that of optometrists to ophthalmologists.

But what is a denturist?

A denturist is not a graduate of a 14 week military dental laboratory technician school. Just as an optician who can also be trained in a 14 week school in the military to grind lens for eyeglasses can not be granted a license to be an optometrist which examines the eyes for defects in refraction and determines the proper correction. Just as a dental lab tech is not a denturist, a certified dental assistant with one year of training or even a dental hygienist with four years of training (even right here at Carroll College) are not denturists. So what is a denturist? A denturist is not a participant of a two week denturist appreciation workshop in Idaho. So what is a denturist? By present Montana statute, a denturist is a graduate of a two year school of denturistry, with the additional requirement to become licensed in Montana, of either two years of internship or 3 years of licensed experience as a denturist.

Is it any wonder why three impartial reviews (one by the Legislative Auditor's staff; one by the Legislative Audit Committee; and one by the Attorney General's office) would determine that by granting a license to an applicant who reported only 14 weeks military training as a dental lab tech, or an applicant that documented that his only educational background was a two week course in Idaho, and even an applicant who did not document a single hour of education or training were all violations of state law. Additionally, the board has acted inconsistently, by denying licenses to two applicants who documented better credentials than three applicants which were granted licenses.

2) The board of denturistry criminally violated state laws by failing to conduct examinations on the required date. Applicants were given the examinations where ever and when ever to accommodate the applicant. This does not appear to be a board granting licenses to only qualified applicants, but a board selling licenses to whom ever it chooses.

3) The board of denturistry criminally violated state laws by not taking appropriate action to stop denturists from preparing partial dentures without a referral to a dentist for any necessary tooth cleaning, mouth preparation and x-rays as mandated by law. This issue could have been resolved through an Attorney General's opinion but the board rescinded this option, realizing the Attorney General's opinion would rule that the board was not enforcing state law. So the board of denturistry ignored its mandated duty of protecting the public by not taking appropriate action to stop the problem.



Montana Dental Hygienists' Association

Amendment to House Bill 364
Proposed by the Montana
Dental Hygienists' Association

The bill as it reads now.

Section 2-15-1842.

(2) The board consists of four dentists, one denturist, one dental hygienist, and two lay persons, one of whom must be a senior citizen.

The bill as it would read with our proposed amendment.

(2) The board consists of four dentists, one denturist, TWO dental hygienist, and two lay persons, one of whom must be a senior citizen.

Following is a list of people to contact if you have further questions regarding this amendment.

Patti Conroy R.D.H. Legislative Chairperson MDHA
2525 Silver Spur Trail
Billings, MT 59105
252-2336hm 252-4200 wk

Rhonda Owens-Zook R.D.H. Legislative Committee MDHA
1525 Boston Road
Helena, MT 59601
443-0437 hm 442-2727 wk

Peggy Newman R.D.H. Legislative Committee MDHA
Box 1455
Columbia Falls, MT 59912
892-3113 hm

Rep. Walter Sales, Chairman
HOUSE STATE ADMINISTRATION COMMITTEE

EXHIBIT # 17
DATE 5/3/87
HB 364

OPPOSE HB 355
Support HB 364

Dear Rep. Sales and Members of the Committee:

My name is Dr. Robert B. Cotner, I represent the Montana Board of Dentistry, in opposition to HB 355.

The Board of Dentistry believes that, the Board of Denturitry for the past two years has not proved to be fiscally responsible (i.e. collecting unauthorized fees); has not complied with statutes regulating the licensing of denturitry candidates (Attorney General's finding that, misdemeanors were committed in licensing five unqualified denturist); and has willfully disregarded the statute requiring patients be referred to a dentist before any partial denture is made.

The denturists have repeatedly made a mockery of our state statutes, as verified in the Sunset Performance Audit and the Attorney General's findings. How is this bill going to change any of the previous, willful, disregard of the laws of the State of Montana? HB 355 attempts to make their illegal acts legal! House Bill 355 expands allowable functions for denturists, and yet lowers their educational requirements!! Based on the their past performance, how can this legislation be justified as protecting the public in the State of Montana?

On behalf of the State Board of Dentistry, we ask you as legislators not to subject the public to further unscrupulous treatment. The Montana Board of Dentistry urges you to kill HB 355 and Pass HB 364.

Specific areas that the Board of Dentistry is concerned with include, but are not limited to:

1. Allowing denturists to treat temporo-mandibular joint disease (TMJ), a complex disease of the joint and musculature controlling the functions of the lower jaw. Allowing denturist to construct orthodontic appliances. The view held by the denturist, that the occlusion of the teeth and the function of the jaw are merely a physical mechanism in their occluding positions does not consider any biologic functions of the temporo-mandibular joint and the upper and lower jaws. It is difficult, without the proper educational background, to consider any other functions than the mechanical functions of the jaws when constructing a prosthetic appliance. Based upon a scientific approach to the entire practice or prosthetic dentistry, teeth, whether natural or artificial, must be considered a part of the entire oral-gnathic system. The purpose of the dentist is far more reaching then the mere mechanical construction of dentures. The object of modern dentistry is to achieve and maintain as much

control as possible of the entire masticatory function, this is difficult to accomplish without proper background in the anatomy and physiology of the human. Treatment of the damaged disk of the temporo-mandibular joint can be compared to the treatment of the damaged vertebral disk of the back. The diagnosis of this disease involves a complete understanding of the anatomy and physiology of the joint, the ligaments, the disk itself and the musculature of all oral structures. The untrained denturist should not be allowed to treat temporo-mandibular joint disease.

2. Increasing the allowable functions for denturists and decreasing their educational qualifications and licensure requirements. Protection of the public is not being ensured.
3. Denturists diagnosing abnormalities and pathology of the oral cavity without proper education. The average licensed dentist obtains eight years of education for the purpose of being qualified to diagnose these conditions. An untrained denturist should not be allowed to diagnose.
4. Denturists exposing and diagnosing x-rays without proper education in radiology. The Montana Board currently is vested with the authority of examining denturists to take x-rays. The Board of Dentistry obtain an examination to administer to denturist. However, in the past two years not one denturist has applied to take the x-ray examination.

Mr. Wiser, a member of the Board of Dentistry, submitted statements from an ADA 1976 Dental Education Survey. Attached you will find clarification to the information which was supplied to you regarding dentist radiology education. Some of the low range numbers were for the University of Colorado which, at that time, was in its first year of operation. In other words, the range was for a freshman class only. Other schools at the low end had reporting problems and could not provide accurate information. SEE ATTACHMENT.

5. The Board of Dentistry strongly opposes removal of the requirement that patients be referred to a dentist before construction of a partial denture. This requirement should remain in order to protect the public.

For public safety, the Montana Board of Dentistry urges you to kill HB 355 and pass HB 364.

Respectfully submitted,

Robert B. Cotner, D.D.S.

ATTACHEMENTS: CLARIFICATION OF THE ADA 1976 SURVEY
SRS DENTURE REIMBURSEMENT MEMORANDUMS
ATTORNEY GENERAL'S FINDING

control as possible of the entire masticatory function, this is difficult to accomplish without proper background in the anatomy and physiology of the human. Treatment of the damaged disk of the temporo-mandibular joint can be compared to the treatment of the damaged vertebral disk of the back. The diagnosis of this disease involves a complete understanding of the anatomy and physiology of the joint, the ligaments, the disk itself and the musculature of all oral structures. The untrained denturist should not be allowed to treat temporo-mandibular joint disease.

2. Increasing the allowable functions for denturists and decreasing their educational qualifications and licensure requirements. Protection of the public is not being ensured.
3. Denturists diagnosing abnormalities and pathology of the oral cavity without proper education. The average licensed dentist obtains eight years of education for the purpose of being qualified to diagnose these conditions. An untrained denturist should not be allowed to diagnose.
4. Denturists exposing and diagnosing x-rays without proper education in radiology. The Montana Board currently is vested with the authority of examining denturists to take x-rays. The Board of Dentistry obtain an examination to administer to denturist. However, in the past two years not one denturist has applied to take the x-ray examination.

Mr. Wiser, a member of the Board of Denturistry, submitted statements from an ADA 1976 Dental Education Survey. Attached you will find clarification to the information which was supplied to you regarding dentist radiology education. Some of the low range numbers were for the University of Colorado which, at that time, was in its first year of operation. In other words, the range was for a freshman class only. Other schools at the low end had reporting problems and could not provide accurate information. SEE ATTACHMENT.

5. The Board of Dentistry strongly opposes removal of the requirement that patients be referred to a dentist before construction of a partial denture. This requirement should remain in order to protect the public.

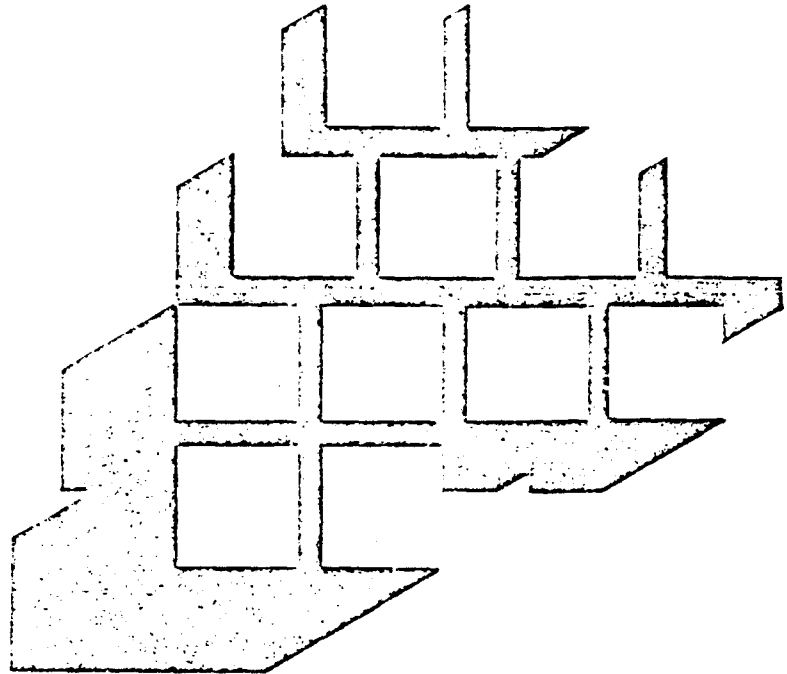
For public safety, the Montana Board of Dentistry urges you to kill HB 355 and pass HB 364.

Respectfully submitted,

Robert B. Cotner, D.D.S.

ATTACHEMENTS: CLARIFICATION OF THE ADA 1976 SURVEY
SRS DENTURE REIMBURSEMENT MEMORANDUMS
ATTORNEY GENERAL'S FINDING

Dental Education in the United States 1976



*Total Survey
Contains 213 pages*

Council on Dental Education of the American Dental Association
in cooperation with the American Association of Dental Schools

TABLE 6-24

Teaching Area: Radiology
Clock Hours of Instruction

Type of Instruction	Number of Schools Responding	Range	Mean	Median
Required Instruction (Total)	59	19-278	88.0	70.0
Lecture	58	8-53	22.5	28.0
Seminar and Clinical Conference	25	1-84	11.6	7.5
Self-instruction	10	1-32	11.9	6.0
Laboratory	35	1-63	14.1	11.5
Clinical	49	2-165	45.3	35.0
Elective	13	8-53	20.5	13.5
Selective	10	4-40	15.6	17.0

TABLE 6-25

Total Clock Hours of Surgical Instruction

Clock Hour Range	Frequency Distribution (Number of Schools Reporting)
1095	□
350-399	□
300-349	□□□
250-299	□□□
200-249	□□□□□□□
150-199	□□□□□□□□□□□□□□
100-149	□□□□□□□□□□□
50-99	□□□□□□
6-49	□□□□□

Note. Anesthesiology and Oral Surgery

CHAPTER 6

SCOPE AND CONTENT OF CURRICULUMS

Clock hours of instruction provide an indicator of the scope of curriculums. The data on instructional hours make possible general comparisons of overall program lengths, the breadth of curriculum content, and degrees of emphasis. The data, however, do not permit one to judge the quality of curriculums nor the quality of the graduate except to the extent that omissions or overemphasis of instructional areas certainly would affect the abilities of the graduate.

This section of the report discusses clock hours and provides only initial interpretive results. Thus it should not be read as representing an in-depth analysis of the data. Clock hours are reported primarily in terms of ranges and medians. A model curriculum is not proposed nor are profiles of individual schools established. In short, a composite of clock hours in dental curriculums is reported as of Spring 1976. This section begins with a discussion of total curriculum hours and hours of instruction in the basic, clinical, and behavioral and social sciences. It then discusses clock hours in terms of the specific instructional areas identified with each major curricular component.

Overview of Clock Hours

The total clock hours reported by the schools ranged from a low of 1,903 to a high of 6,122. The school at the lowest end of the range was new and had students enrolled in the first year only. Two other schools at the low end had reporting problems and could not provide accurate information. The school with the unusually high number of clock hours reported data that could not be verified. Discounting these four schools, the total clock hours ranged from 3,500 to 6,000. Fifty-four (54) of the 59 schools reported clock hours ranging from 3,500 to 5,500. Eighteen (18) of the schools reported total clock hours ranging from 3,500 to 4,500. Thirty-six (36) reported total hours ranging from 4,500 to 5,500 (Table 6-1). The total clock hours were significantly higher in schools with four-year curriculums than in those with three. Schools having basic sciences instruction provided by medical school departments generally reported larger numbers of total clock hours.

The total basic sciences hours reported by each school ranged from a low of 400-479 to a high of 1,983. Forty-six (46) of the 59 schools reported clock hours ranging between 500 and 1,199 hours with 17 between 700 and 899 and 29 between 900 and 1,199 (Table 6-2). As the school size increased, there was a trend toward fewer hours in the basic sciences. Four-year schools generally reported a higher

TABLE 6-1

Total Clock Hours in the Predoctoral Curriculum

Clock Hour Range	Frequency Distribution (Number of Schools Reporting)
6122	□
5500-5999	□
5000-5499	□□□□□□□□□□□□□□□□
4500-4999	□□□□□□□□□□□□□□□□
4000-4499	□□□□□□□□□□
3500-3999	□□□□□□□□
3000-3499	
1093-2999	□□□

Note. Anatomical Sciences, Biochemistry, Microbiology and Immunology, Pathology—General, Pathology—Oral, Pharmacology, Physiology, Anesthesiology/Pain and Anxiety Control, Clinical Nutrition, Community Dentistry, Dental Auxiliary Utilization, Dental Materials Science, Emergencies (Dental), Emergencies (General), Endodontics, Hospital Dentistry, Occlusion, Operative Dentistry, Oral Diagnosis, Oral Surgery, Orthodontics, Pedodontics, Periodontics, Physical Evaluation, Prosthodontics: Fixed, Prosthodontics: Removable, Radiology, Special Patient Care, TEAM, Tooth Morphology, Behavioral Principles, Application: Non-Institutionalized, Application: Institutionalized, Forensic Dentistry, and Practice Administration

number of basic sciences clock hours than did three-year schools. The high end of the range was clearly associated with schools in which basic sciences instruction was provided by medical school departments.

Hours in the clinical sciences ranged from a low of 376 (reported by a new school in its first year of operation) to a high of 4,528. It was difficult for some schools to report these data accurately because of generalist clinics, no clinical requirements, and extramural experiences. Forty-two (42) of the 59 schools reported hours in the clinical

TABLE 6-39

Teaching Area: Prosthodontics: Removable
Clock Hours of Instruction

Type of Instruction	Number of Schools Responding	Range	Mean	Median
Required Instruction (Total)	58	77-1138	402.0	362.0
Lecture	45	22-142	86.6	69.0
Seminar and Clinical Conference	31	2-104	23.9	17.5
Self-instruction	18	2-93	22.6	12.0
Laboratory	55	7-270	130.0	128.0
Clinical	51	8-908	205.4	196.0
Elective	23	1-360	76.4	48.0
Selective	16	10-800	88.8	30.0

TABLE 6-40

Total Clock Hours of Instruction in Removable Prosthodontics

Clock Hour Range	Frequency Distribution (Number of Schools Reporting)
1138	□
700-799	□
600-699	□□□□□□
500-599	□□□□□□□□
400-499	□□□□□□□□□□
300-399	□□□□□□□□□□□□
200-299	□□□□□□□□□□
100-199	□□□□□□
77-99	□

DEPARTMENT OF
SOCIAL AND REHABILITATION SERVICES



TED SCHWINDEN, GOVERNOR

P.O. BOX 4210

STATE OF MONTANA

HELENA, MONTANA 59604

January 13, 1987

Mr. Lee M. Wise
111 North C
Livingston, MT 59407

Dear Mr. Wise:

Attached is a letter we received from the Denver Regional Office dated December 22, 1986 concerning dentures provided by denturists. The requirement that dentures provided by denturists be prescribed by a licensed dentist if Medicaid payment is to be made is essential under federal regulations. Based on the attached letter, our current Administrative Rule is necessary to comply with federal regulations and to ensure federal match. Therefore at this time we cannot pursue any alternative method of paying for dentures provided by denturists.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lowell Uda".

Lowell Uda, Supervisor
Medicaid Services Section
Medicaid Bureau
Economic Assistance Division

PCM/MC/038

Attachment

cc State Dental Consultant
Henry I. Flatow
Shirley Miller
John Lohman

DEPARTMENT OF HEALTH & HUMAN SERVICES

Health Care Financing Administration

Region VIII
Federal Office Building
1361 Stout Street
Denver CO 80294

December 22, 1986

Dave Lewis, Director
Department of Social and Rehabilitation Services
P.O. Box 4210
Helena, Montana 59604

Dear Mr. Lewis:

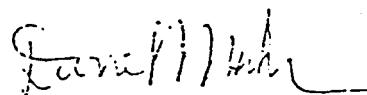
As indicated in our November 3, 1986 letter, we have consulted with our headquarters office regarding Montana's denial of a denturist's claim which was accompanied by a prescription written by a physician.

Central Office concluded, after examining the issue, that Federal financial participation is available for the services of these professionals only when they meet the conditions in regulations at 42 CFR 440.120(b), i.e., dentures must be "made by or under the direction of a dentist." Since the regulations specifies "dentist," a prescription for dentures completed by a medical doctor will not satisfy the "direction" requirement.

We presented the denturist's argument that dentures are "prosthetic devices" and therefore, 42 CFR 440.120(c) permits prescription by a physician. Central Office agreed that dentures could not be appropriately included as prosthetic devices because dentures are separately addressed at 442 CFR 440.120(b) and it would not have been so if it was acceptable to identify them as prosthetic devices. They are identified separately in statute as well.

We hope we have responded to your questions adequately. If you have further concerns please contact Faye Toblissen or George Pinkerton at (303) 344-6216.

Sincerely yours,



Darrel Muhr
Associate Administrator
Division of Program Operations

Legislative Auditor
SH/kh

13 January 1987

Scott Seacat
Legislative Auditor
State Capitol
Helena MT 59620

Dear Scott:

Thank you for your letter of 18 December 1986 concerning the findings of the Sunset Performance Audit for the Board of Denturity which your office performed.

I referred your report, which included areas of concern indicating noncompliance and/or violation of state law, to Mr. Fritz Behr, Administrator of the Law Enforcement Services Division, for his review. Please find enclosed a copy of Mr. Behr's findings.

I concur with Mr. Behr's findings and deem this matter closed.

Very truly yours,

MIKE GREELY
Attorney General

Enclosure

cc: Lee Wiser, Secretary-Treasurer
Board of Denturity

STATE
OF
MONTANA

DEPARTMENT OF JUSTICE

LAW ENFORCEMENT SERVICES DIVISION
303 Roberts, Helena, Montana 59620 (406) 444-3874

ATTORNEY GENERAL'S OFFICE
MC #87-01
LESD #3 (HELENA, MONTANA)

JAN 8 1987

RECEIVED

TO: MIKE GREELY, ATTORNEY GENERAL

FROM: FRITZ C. BEHR, ADMIN., LES DIVISION

DATE: 8 JANUARY 1987

SUBJECT: BOARD OF DENTURITRY - LEGISLATIVE AUDITOR'S
OFFICE SUNSET PERFORMANCE AUDIT - (DECEMBER 1986)
- AREAS OF CONCERN: NON-COMPLIANCE AND/OR
VIOLATION OF STATE LAW

I have read both the Legislative Auditor's December 1986 Report dealing with the Sunset Performance Audit of the Board of Denturitry and his December 18, 1986 letter to the Attorney General.

The following three (3) "areas of concern were noted indicating non-compliance and/or violations of State law":

1. "Licensing applicants without documenting qualifications" -

37-29-303 MCA "Application for License" - sets forth the criteria required for licensing applicants. To the degree that licenses were granted to applicants who did not fully meet the qualifications, it would appear that technical misdemeanor(s) were committed, pursuant to the provisions of 37-29-412 MCA "Violation and Penalty".

2. "Charging fees without proper notice" -

Page 12 of the audit report (in part) reads as follows:

ESTABLISHING FEES

Board duties include the setting or modifying of fees for licensure. Under this authority, the Board has changed the amount charged for the annual renewal fee and established a charge for inactive and out-of-state licenses. The renewal fee, originally set at \$200, is currently set at \$500. The Board of Denturitry voted to change this fee at a meeting held in July, 1985. At this time, correspondence to applicants and licensees outlined this as the

new level required. The new fee of \$500 was then applied to licensees applying for renewal at the end of 1935. Administrative rules outlining the change in fees were not certified by the Secretary of State until September, 1986 and were not in effect until October, 1986. As a result, higher fees were being charged before rule approval was obtained.

The same procedures were followed for the enforcement of the inactive and out-of-state fees. Correspondence was sent and fees charged that had not been included in the rules.

Conclusion

The change in fees could have been challenged by those being charged. There was non-compliance with the rules because new fees were being charged and received before rule changes were adopted.

This appears to be in violation of 2-4-306 MCA "Filing, format and effective date - dissemination of emergency rules". However, the statute does not provide a relevant "violation and penalty" section. Accordingly, violation of 2-4-306 MCA does not appear to be a crime (either misdemeanor or felony).

3. "Preparing partial dentures without referral to a dentist" -

Pages 16 and 17 of the audit report (in part) read as follows:

Partial Dentures

Section 37-23-403, MCA, establishes the procedure for making and fitting a partial denture. It requires that prior to making and fitting the partial, the denturist shall formulate a study model of the intended denture and refer the patient to a dentist for tooth cleaning, mouth preparation, and X-rays, as needed. After the dentist has completed his work, the denturist can make the partial denture. We interviewed members from both professions to determine how this section was implemented. We found a wide discrepancy between the two interpretations.

Denturists interviewed stated partial dentures were frequently made with no referral to a dentist. This was allowed based on the phrase "as needed" which was determined to mean the decision of referral is up to the denturist. Therefore, if the denturist did not identify a need for those services which are to be completed by a dentist, such as mouth preparation, or X-rays, then no referral was made.

On the other hand, dentists and their staff stated no partial dentures should be made without a referral to a dentist. They view the intent of the law to require referrals for all patients receiving partial dentures. This directly contradicts the position of the denturists.

The Board of Denturistry has not specifically addressed this problem. At one point, an Attorney General's opinion was to be sought to clarify the law, but at a later meeting this decision was rescinded. Our staff legal counsel interprets the law as requiring referral to a dentist before any partial denture is made. If this is the case, denturists are in non-compliance with the law and the Board is not taking appropriate action to address this problem.

If a court of competent jurisdiction were to concur in the interpretation of the Legislative Auditor's Office staff legal counsel re: 37-29-403 MCA, then these incidents of "preparing partial dentures without referral to a dentist" would indeed appear to be misdemeanors pursuant to the provisions of 37-29-412 MCA "Violation and Penalty".

Although not mentioned in the Legislative Auditor's December 18, 1986 letter to the Attorney General, there appears to be one (1) additional possible technical misdemeanor pointed out in the audit report, since 37-29-412 MCA states that "Violation of any provision of this chapter constitutes a misdemeanor . . ." (emphasis added)

Page 11 of the audit report (in part) reads as follows:

EXAMINATION PROCEDURES

The denturistry examination in Montana is comprised of three parts; a written section, a practical section, and an oral

section. Each part is given separately and the examination is given over the course of two days. As stated in the law, examinations must be held on the second Monday in July. Additional examinations can be held. Files at the department revealed examinations did not take place on the designated date. Examinations were given at varied times and at various locations, often to accommodate an applicant. This does not appear to be an efficient practice.

Conclusion

The past examination process was not in compliance with the law and has not provided efficient licensing procedures for denturistry within the state.

This apparent violation of 37-29-305 (2) MCA, which provides that "Examinations must be held at least annually on the second Monday in July" (emphasis added), would likewise appear to be a technical misdemeanor pursuant to 37-29-412 MCA "Violation and Penalty".

In any case, these areas of non-compliance by the Board of Denturistry appear to be a moot issue since, as the final paragraph of the audit report (Page 18) points out:

LEGISLATIVE AUDIT COMMITTEE ACTION

Chapter 548, Laws of 1985, requires the Legislative Audit Committee to propose the merger of the Board of Denturistry with the Board of Dentistry because there were not 30 licensees by October 1, 1986. (emphasis added)

In addition, I believe that further investigation and/or prosecution of the aforementioned technical misdemeanors would not be cost-efficient. Furthermore, it is highly unlikely that any County Attorney would/could successfully prosecute these cases.

In view of all the foregoing, it is recommended that, if the Attorney General deems it appropriate to do so, this matter be closed and that copies of this report be forwarded to:

Scott A. Seacat, Legislative Auditor
Lee Wiser, Secy-Treas., Bd. of Denturistry

WITNESS STATEMENT

EXHIBIT #20
DATE 2/3/87
HB 364NAME TED BECK BILL NO. 364/
ADDRESS 227 W. Lyndale, HELMS DATE 2/3/87
WHOM DO YOU REPRESENT? SELF
SUPPORT XXX OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

PLEASE accept the attached Hr. to be given
to the committee. I believe this Hr
clearly states the position of Idaho State
Univ as concerns the one and only course
that the denturists claim to be their source
of Education.

Thank-you



Idaho State University
Pocatello, Idaho
83209-0009

Idaho Dental Education Program
Campus Box 8100

Area Code 208
Telephone 236-8287
3289

September 7, 1984

Ted Beck, D.M.D.
227 West Lyndale
Box 4327
Helena, Montana 59601

Dear Dr. Beck:

In response to your questions concerning the course held at ISU, I will try to answer them as best I can. I have received a copy of the article by Frank Brisendine as printed in the Independent Record. As a member of the faculty of the course mentioned by Mr. Brisendine, I feel able to comment on his interpretation of the course.

The course which was given at Idaho State University this last summer was a two week workshop, meant to introduce potential legal providers to the body of knowledge necessary for safe and efficacious treatment of edentulous patients. Treatment which could be based upon scientific principles and not on handmedown hearsay.

It should be obvious that a single two week course cannot approximate the eight years (average) of undergraduate and graduate professional education involved in a Dentist's training. The dental education process is based upon proven scientific data and is constantly updated and revised. To equate a single two week course and five years of repetition of skills which were never learned properly, with the dental education is absurd. To state that it is superior, is ludicrous.

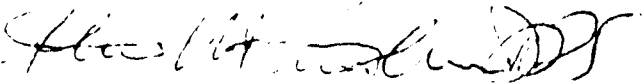
The individual courses presented were not equivalent to dental school courses in content, length or in expected levels of performance. The courses were designed to whet the "educational appetite" of the denturists. We were trying to help them develop

an appreciation for the education they should have (and presently do not possess) for the treatment of patients. The courses were definately not designed to be an all encompassing education for the denturists. The performance level expected on the examination for successful completion of the course was minimal and far below that expected of dental students. The examination was administered as much for our information as it was to evaluate the denturists.

As you are aware the practice of Denturistry is legal in Idaho via the initiative process. The philosophy that we have adopted is that the educational level of these direct care providers must be raised to heights which are compatable with the responsibility they have assumed. Soon there will be an established program to grant the Bachelor of Science in Denturistry. At this level the Denturists will have adequate training and background to practice their profession. They will also be integrated with the rest of the dental care team and not be on the opposite sides of the fence.

I certainly hope that this will answer your questions and clarify the coursework presented to the Denturists at Idaho State University. If there are any further questions, please do not hesitate to call or write.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steven W. Friedrichsen". The signature is fluid and cursive, with a large, stylized "S" at the beginning and a long, sweeping underline.

Steven W. Friedrichsen, D.D.S.
Director, I.D.E.F. 9F

EXHIBIT #21
DATE 3/3/87
HB 364

Rep. Walter Sales, Chairman
HOUSE STATE ADMINISTRATION COMMITTEE

IN FAVOR OF HB 364 AS AMENDED

Dear Representative Sales and Members of the Committee:

I am Jeannette S. Buchanan-Tawney, R.D.H., a dental hygienist and a member of the Montana Board of Dentistry. I am president of the Western Conference of Dental School Deans and Dental Examiners, the membership of which is the 14 Western States. I have served as a Director for the Western Regional Examining Board for Dentistry.

I speak in favor of HB 364 with the Board of Dentistry's amendment to maintain the Board of five dentists, one dental hygienist and assuring public representation from the consumers of services. The people of Montana have indicated they wish to have the option of obtaining their false teeth outside the dental office. HB 364 is an answer to the expressed desire of the people and to the need for responsible administration as indicated in the legislation adopted by the 49th Legislature.

The charge to the Board of Dentistry is to assure the public of standards of care that are acceptable for the maintenance of their oral health. The principle task becomes examining the qualifications of individuals to accomplish this. The Board then certifies those who qualify by granting a license to practice in their field. This is done in order to assure the public of at least minimal qualifications. A great deal of time and energy is devoted to this particular task.

The next task of the Board is to receive any information to the contrary regarding the maintenance of these standards. The Board must judge the validity of the information and determine what action is needed to correct any situation where the standard is determined to be unacceptable.

I urge the passage of HB 364 with the amendment offered. I urge rejection of HB 355 which does not provide for qualifications that will maintain safe minimal standards of care for the public.

Thank you for your consideration.

Sincerely,

Jeannette S. Buchanan-Tawney, R.D.H.

DEPARTMENT OF COMMERCE

EXHIBIT # 22
DATE 3/3/87
HB 364

TED SCHWINDEN, GOVERNOR

1424 9TH AVENUE

STATE OF MONTANA

(406) 444-3737

HELENA, MONTANA 59620-0401

March 26, 1986

Shirley Miller
Department of Commerce
1424 9th Avenue
Helena, Montana 59620

RE: State Board of Denturitry

Dear Ms. Miller:

The purpose of this letter is to express a concern I have about the Montana State Board of Denturitry.

As I'm sure you are aware of, a 3rd denturist member of the Board was removed and replaced by a dentist member. As a practicing denturist and an appointed Board member, I thought this was a good idea as it would hopefully give the Board credibility. Presently, I am having serious reservations about its' practical application.

I am finding it more and more apparent that the dentist member of the State Board of Denturitry, Dr. Gayle Rosett, is unable to separate himself from his profession in functioning as a board member.

During the board meeting of January 24, 1986, Dr. Rosett presented 3 advertising complaints against practicing denturists. During the discussion of these complaints, Dr. Rosett admitted that other dentists had called him and complained about the ads in question. Rather than refer these complaints to the Department of Commerce or to the Board of Denturitry, he started private investigations. I might add that the majority of his investigations have and are being done without Board knowledge or authorization. As it turned out, all charges were dismissed against the 3 denturists as they verified, to the Boards satisfaction, their trying to correct the ads in question. In light of a similiar complaint against a fellow dentist for the exact same infract-ion, Dr. Rosett had no investigation.

During the same Board meeting, an interpretative point came up and Dr. Rosett insisted that the dentists point of interpretation is correct. There are 3 Board members who were very instrumental in the writing of Initiative 97 and 2 of those members were involved in the final negotiations on HB 649. Dr. Rosett chooses not to believe anyone not associated with his profession and he further enhanced this point by stating that the dental profession considers denturitry to be the illegal practice of dentistry. Dr. Rosett is apparently going outside of the Board to pursue his investigation on this interpretive point. His continuing mistrust and belittling of fellow board members must be stopped.

Page 2 (cont)

On a related matter, Dr. Rosett did an investigation, again without Board authorization, on Mr. Frank Brisendine. Apparently, a complaint was filed with the Department of Health and Environmental Sciences against Mr. Brisendine for an odor coming from his office. Dr. Hegberg, Department of Health staff dentist, was contacted by the Helena fire department. Dr. Hegberg then contacted Dr. Rosett about the complaint, rather than using the normal channels through the Department of Commerce or the Board of Denturistry. I think this act shows very poor judgement on Dr. Hegbergs part and equally poor judgement on Dr. Rosetts part for not referring this complaint or problem to the appropriate authority.

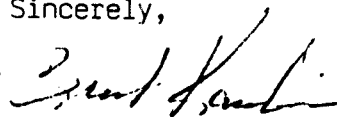
At the conclusion of Dr. Rosetts private investigation, he found that Mr. Brisendine was involved in an entrepreneurial project unrelated to his dentist practice. Furthermore, Mr. Brisendines business venture was and is nobodys business but his own.

During part of the closed meeting of the Board of Denturistry on January 24, 1986, in gathering facts and information on a complaint with Mr. Brisendine present, Dr. Rosett questioned Mr. Brisendine about this matter, which did not relate to the complaint being discussed and was a surprise to all present. Dr. Rosett did not ask the Board or department staff to add this topic to the agenda. I asked Dr. Rosett why he didn't call me or Mr. Wiser or the Department, to which I got no reply. Mr. Brisendine asked Dr. Rosett how he found out about what he was doing to which Dr. Rosett replied he called the fire department. Mr. Brisendine then asked him why he didn't call him as he would have been happy to tell him.

With these specific areas of concern and others not mentioned, I highly question the ability or willingness of Dr. Rosett to function as an unbiased member of the Board of Denturistry.

Therefore, I am asking that if Dr. Rosett cannot or will not act in a manner and attitude befitting a board member of this Board or any other board, that he either resign his position or be removed from the Board of Denturistry so somebody more astute in board functions could replace him.

Sincerely,



Brent Kandarian,
President, State Board of Denturistry

cc: State Board of Denturistry

HASH, O'BRIEN & BARTLETT
ATTORNEYS AT LAW
PLAZA WEST - 138 FIRST AVENUE WEST
P.O. BOX 1178
KALISPELL, MONTANA 59903-1178

406-755-6919

CHARLES L. HASH
KENNETH E. O'BRIEN
JAMES C. BARTLETT

February 2, 1987

C. MARK HASH

Legislative Committee
Capitol Building
Helena, MT 59620

Dear Committee Members:

I was dismayed to see that the Montana Dental Association relied on newspaper articles as "facts" in presenting its position to this committee. The brochure is misleading and borders on sensationalism.

First, in one "box" the Montana Dental Association represents that HB-355 is an effort to avoid prosecution. The Attorney General had closed his file on the Legislative Audit Report and determined that there would be no prosecution. The Montana Dental Association has known that for some time. There is no excuse for making a contrary representation to this committee, unless, of course, the brochure had been prepared prior to the Attorney General's decision. In either case, the brochure should not have been presented since it does not represent the true state of affairs.

The second "box" concerns Medicaid. Our firm had been hired to seek to have the federal government change its regulations so that there would be no need to have dentures prescribed by a dentist in order to receive Medicare or Medicaid payments. As you may suspect, the regulation had been in existence long before the profession of denturistry was recognized by the State of Montana and other states. It takes a great deal of effort to have the regulations of the federal government changed, but we are in the process of doing so. If we are successful, then the State of Montana should agree to abide by the changed regulation. This effort will take some time. To have the Montana Dental Association represent that there is something wrong with Montana statutes because the federal government will not reimburse a denturist directly, is to ignore the reality that time is required to change a federal regulation. If the Montana Dental Association is concerned with the fiscal effect of HB-355, then I would suggest that a new section be added to the Bill to state:

"Upon demand of a patient who is eligible for Medicaid or Medicare, a licensed dentist shall write a prescription for dentures to be delivered to a licensed denturist."


Thus, a patient who wishes to receive false teeth may call a dentist and demand that a prescription be written to a denturist so that the denturist's bill can be forwarded to Medicaid or Medicare for payment.

The third "box" indicates that Brent Kandarian, my client, has been charged by the Commerce Department for offering to treat TMJ disorders. The use of the word "charged" connotes wrongdoing. There is none. The Board of Dentistry sought to assert jurisdiction. Mr. Kandarian objected to their authority. The matter has recently been referred to the Board of Dentistry. As I understand this matter, the Board of Dentistry is concerned with the use of the phrase "TMJ evaluation" in advertisements. That phrase, apparently, has a special significance to the dentists. When a denturist is performing work for partial or full dentures, it is necessary to obtain occlusion. To make sure occlusion has occurred, it is appropriate and proper to conduct a TMJ evaluation. It is my understanding that the Board of Dentistry would prefer to have the denturist use the phrase "TMJ measurement" as opposed to "TMJ evaluation." The semantics, of course, can be resolved between the two Boards in the future. This is another reason to keep the two Boards. There is no need to have the Montana Dental Association use scare tactics in an effort to overstate their case.

Finally, the Montana Dental Association seeks to have the denturists be licensed and regulated under their Board of Dentistry. Since the American Dental Association, and presumably the Montana Dental Association, does not officially recognize the profession of dentistry, such a move would be ill-advised. The handout shows the attitude of the Montana Dental Association towards the profession of dentistry in that it uses large headlines stating that there is a "scandal." This attitude must be rejected by the Committee. I urge you to defeat HB-364 and to enact HB-355.

Sincerely,

HASH, O'BRIEN & BARTLETT


James C. Bartlett

JCB:af

cc: Brent Kandarian

ROBERT F. BOBO, D.M.D.

522 EAST SOUTHERN AVE

PHOENIX, ARIZONA 85040

Telephone 221-0294 (602) 261-1112

December 14, 1986

Brent:

Tom Everitt told me of your telephone conversation with him a few days ago and asked me to write you.

He tells me that the dentists there in Montana are seeking to introduce a bill that would do away with your Board of Dentistry and place the denturists under the regulation of the dental board, and that the denturist would be offered a Denturists Advisory Panel comparable to that of Arizona.

It seems that the dentists are somewhat content with the way things have developed in Arizona and wish much the same for other states.

Well, there may be certain factors that should be revealed in the promotion of the benefits of the Arizona experience.

Let me tell you of the way it is.

The Panel (5 denturists) was the result of one particular statute, ARS 32-1295 C which reads:

"In all matters relating to discipline and certifying of denturists and the giving and grading of examinations, the board shall, by rule and regulations, provide for receiving the assistance and advice of denturists who have been previously certified pursuant to this chapter."

It was only after the board attempted to discipline a denturist without complying with this statute that the Denturist Association of Arizona took the board to court and the board was forced to let the Panel be set up.

This is strictly an advisory panel that has no strong place in the scheme of things. Though I was instrumental in the formation of the Panel, I must shamefully admit that it is basically a failure--not due to the denturists but due to the dentists on the board, the appointees in the office of the board, the "legal advice" from the fledgling attorneys from the attorney general's office that are prone to give the board whatever "advice" the board may desire.

The Panel for the most part is ignored with only token input when disciplinary actions are being considered against denturists.

In the opinion of both Tom and myself, for you and the other denturists to accept anything like that which exists in Arizona would be sheer folly.

ROBERT F. BOBO, D.M.D.

522 EAST SOUTHERN AVE.

PHOENIX, ARIZONA 85040

Telephone: (602) 266-1112

Page 2

As we understand it, you already have your own board and thusly should be in a position to extract a semblance of control of your own regulation than was possible for the denturists of Arizona.

Believe me when I tell you that you are on very dangerous ground when you are dealing with dental boards which are controlled by ADA dentists. Remember it is the policy of the ADA not to recognize denturists at all.

The only factors by which the denturists in Arizona have even been able to survive the attitude of the ADA dentists are that the dealing with denturists for the board was so very novel, and that some of the dentists working with and for the denturists are not so easily intimidated by the likes of persons associated with the dental board.

There is ever so much more to the story, but I hope that you get the idea from the above, and I would be quite willing to do whatever possible to aid you in avoiding some of the pitfalls that the denturists have been victims of here.

Beeeee Careful! ! ! !

Bob
Bob

WITNESS STATEMENT

20
2/3/87
364

NAME Robert A. Vavas BILL NO. 364

ADDRESS 922 6th Ave. S. St. Falls, Mt. DATE 2-3-86

WHOM DO YOU REPRESENT? _____

SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

see attached testimony

During the I-97 campaign, I was Vice-President; Recording-Secretary of the Dental Laboratory Association of Montana. Being in this position, I was able to directly work with the opponents of I-97 and because of this I was privy to confidential information.

Without wasting this committees time, the bottom line to the opponents of I-97 was that if the initiative could not be defeated, then it would be captured in two years.

This plan was orchestrated by the lobbyist for the Montana Dental Association who was the only one with enough knowledge of the legislative process to do such. This plan was orchestrated to keep future technicians from becoming denturists. As an example the dental technicians had a sample of what was to come at an August 25, 1984 meeting. (I was also instructed that sections of our meeting were to be omitted from our minutes.) I know this for a fact because I was one of the victims.*

The ultimate goal was to set the number high enough and put enough threats, aimed at the technicians, to make it impossible to reach that number. Eventual board control would ultimately eliminate the profession of denturity.

Mr. Martin, President of the Dental Laboratory Association, testified to the fact that he polled the members of the association who opposed the denturists. What Mr. Martin failed to say was

that out of the 150 technicians in the state, only a handful are members.

As a dental technician, wishing to pursue the career of denturity, I urge you to table HB 364.

Robert A. Vavas

WITNESS STATEMENT

EXHIBIT #24
DATE 2/3/87
HB 364

NAME ELSIE FOX BILL NO. 364
ADDRESS P.O. Box 222, Miller City, Mt 59301 DATE 2/3/
WHOM DO YOU REPRESENT? Ventunit Board.
SUPPORT _____ OPPOSE X AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

see
I appear before you to plead that you vote against HB 364.

The most dramatic point I wish to make has already been made by the proponents of the bill -- the dentists themselves. You see in what low esteem the dentists hold the denturists. The dentists unjustly accuse the denturists of all manner of things. Therefore, what kind of treatment are the denturists going to get from the Dentists' Board? It would be like throwing a chicken into a pack of hungry wolves and expecting the chicken to survive. The whole point of the dentist's bill is to destroy denturistry as a profession in Montana.

We senior citizens have many health problems -- I am speaking of those in medium and low income brackets. In 1985 there were 27 million persons in the United States that were 65 and older. 3½ million of those were below the poverty level or more than 12%. Let's get down to Eastern Montana and Custer County, my county. Of the over 60 population 16% are low income --, that's 320 persons in our county. There are almost 2,000 in the 17 counties of Eastern Montana that are low income and most of these are old women who live alone.

I call your attention to what many of these old persons pay for prescription drugs -- high blood pressure pills that are necessary to remain alive and heart and arthritis medicine. For these persons I am speaking of the difference between what the dentists charge and the denturists charge for dentures. I have never heard of any dentist in Miles City saying to any of my friends "I know times are tough for you -- I am going to charge you half of my regular fee," Instead he charges over \$1200 for a set of teeth.

(over)

I plead with you not to ~~xxx~~ deprive these who are poor and nearly poor of their choice to choose. Let them continue to have freedom of choice. I am sure you do not wish to hurt these defenseless people. I remind you that this is a non-budget cost item and it is important to senior citizens.

I ask you to vote against 364.

Ron Brown,
Great Falls, MT

25
2/3 87
364

Last Friday, you heard Dr. Ted Beck make the statement that the only apparent reason, to him, that we seniors were supporting HB 355 and the previous Initiative 97 in 1984 was merely the cost factor. Once again insinuating that we, as a group, are a non-thinking, irrational people who care only about our pocket books and that education, ability and technical know-how be damned. The dental proffession seems to firmly believe all us seniors are [REDACTED] incapable of making a rational decision. I sincerely hope they do not feel that same way about their own parents. After all, we seniors are parents too and all our present work is aimed at, not just ourselves, but also at trying to make this a better, more comprehensible world for our own children and those yet to come. Believe me when I say that we considered qualifications, before costs, when we voted for Initiative 97. It was a vital concern of all.

During WW11, I voluntarily laid my life on the line for 3 long, long years in the South Pacific, all the way to Okinawa, to help preserve our many freedoms from oppression and not become a puppet to a powerful few. One of the freedoms I and the many others fought for is our basic right to participate in our free enterprise system. And THAT, ladies and gentlemen, is one of the underlying objectives of the denturist movement and this, they should not be denied.

In this regard, passage of HB 364 will effectively rob the denturists of this basic right and the general public of any 'Freedom of Choice in Dental Care', as is the intent of Initiative 97. In the end, we will lose everything we have been forced to fight so hard to gain.

The boards of dentistry and denturity are two entirely different entities with only one real goal in common -- to serve the public -- and any attempt

to merge or do away with either one would be a dis-service to us all. As it now stands, the denturists are slowly creating a new proffessional industry in the State of Montana and, at the same time, creating new, badly needed jobs plus expandtion of the tax base. But -- it takes time to create a fully staffed state-wide industry. It cannot be done overnight or even only two years. Especially with the tough restrictions and time limit they were saddled with from the start.

The dentists, of course, have denied they will do away with the practice of denturity in Montana but let me point out this eventual goal in their own bill, HB 364. It's on page two, lines 6 through 12. This section automatically disqualifies any denturist seat on their board for the simple reason a licensed denturist did not even exist in this state until two years ago and they well know it. I leave it to you to figure out why this is in there.

Therefore, on behalf of everyone who voted for Initiative 97, as is, I strongly urge this commitee to reject HB 364 and unanimously pass HB 355.

Montana Senior Citizens Assn., Inc.

WITH AFFILIATED CHAPTERS THROUGHOUT THE STATE

P.O. BOX 423 - HELENA, MONTANA 59624



1406 EXHIBIT # 26
DATE 2/3/87
AB 364

February 3, 1987

Chairman and committee members re: HB 364

MSCA would like to go on record as opposing the merging of the Board of Denturity with the Board of Dentistry. Our reasons are the same as those stated in the H.B. 355 testimony.

Maribelle Kubs

If the Boards are merged the 5 year Montana licence requirement must be struck for the denturist representative as it's impossible to fulfill. I recommend 2 years experience and licensing in Montana as a denturist since they were only licensed in 1985. Also, we recommend a denturist on the Board, to keep a better balance against 4 dentist members.

EXHIBIT #27
DATE 9/3/87
HIS 364

TO THE COMMITTEE HEARING HOUSE BILL NO. 364:

The people of Montana voted to have Denturist in the State of Montana and to have their own Board. The dentist have always used the services of lab technicians for the making of dentures. Some of these technicians have now become denturists. I think the main problem is that the dentists are no longer getting the income from the supplying of dentures and they now want to control the denturists. As a voter I would ask that you vote "NO" for the merging the denturists with the dentists.

Respectfully,

Margaret Summers
Margaret Summers
2119 Livingston
Helena, Mt.

February 3, 1987

To: State Administration Committee

Re: HB 364

#28
2/3/87
344

From: Dorothy Comer, Great Falls

This is a dangerous bill. If you approve this bill, you will be sending some frightening messages to the people in Montana.

First, you will be telling the voters you have no regard for their wishes. Initiative 97 provided for a seperate board in order to eliminate the dentists' monopoly. This bill would return total control of the profession of denturitry to the dentists.

Second, you will be telling the voters and young people of this state that there is no reason for them to get an education or try to advance in thier profession. When Initative 97 was in the signature-gathering stages, dental technicians in the state were told if they supported the bill, or went to the supplemental school in Idaho, they would be boycotted. You have heard testimony that this did happen. The dentists destroyed at least four businesses in this state, based on the fact that the technicians involved only attended school. The boycotts occurred before the Initiative was even passed! My husband has filed a lawsuit against the dentists who boycotted him. Dr. Lohman lied to you when he testified last week. Our lawsuit has not been thrown out of court. On the contrary, we've been trying to get the dentists into court for two years.

Third, you will be telling the voters you support a special interest group that has proven it is opposed to this profession. You have heard evidence the dentists have been completely uncooperative in dealing with denturists. This bill will not change thier attitude. There is no doubt in my mind that the profession of denturitry will cease to exist in the state of Montana if you hand us over to the dentists by approving this bill.

Dorothy Comer

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MONTANA
3 GREAT FALLS DIVISION

4 DAVID L. COMER,
5
6 Plaintiff,

7 v.

8 JOHN T. NOONAN, et al
9 Defendants.

10 ANSWER AND COUNTERCLAIM

11 FILE NO. CV-84-274-GF

12 COMES NOW the defendant JOHN T. NOONAN (hereinafter "Noonan")
13 and for his Answer to the Complaint on file herein admits, denies
14 and alleges as follows:

15 FIRST DEFENSE

16 The Complaint fails to state a claim upon which relief can
17 be granted.

18 SECOND DEFENSE

19 The Court lacks jurisdiction of the subject matter of this
20 law suit.

21 THIRD DEFENSE

22 I.

23 Defendant Noonan admits:

- 24 a) That the plaintiff resides in Montana;
25 b) That the plaintiff, prior to the filing of this
26 law suit, has taken education and performed work re-
27 lating to making and repairing dentures;
28 c) The allegations of paragraph 4. and 6. of the
Complaint;
d) That Noonan has in the past, from time to time, en-
gaged the services of the plaintiff and Noonan alleges
that he has paid to the plaintiff all statements or
- Over*
#94

1 bills submitted to him by plaintiff for such work.

2 II.

3 Noonan denies all remaining allegations in the Complaint.

4 FOURTH DEFENSE

5 At the time the plaintiff established his practice as a
6 denturist in Great Falls, Montana, his activities were specifi-
7 cally illegal by reason of applicable Montana Statutes. For the
8 Court to grant the plaintiff relief based on his wrongful and
9 illegal activities would be grossly inequitable and an abuse
10 of the legal system by the plaintiff.

11 FIFTH DEFENSE

12 The plaintiff has dealt with this defendant on the basis
13 of dishonesty and deceit. Specifically, the plaintiff purchased
14 a building next door to that housing defendant Noonan's denistry
15 practice based on the representation that the plaintiff intended
16 to use the building as a residence. Defendant Noonan believes
17 and alleges that the plaintiff's intention at the time he pur-
18 chased the building was to open an illegal and wrongful denturist
19 practice adjacent to the location of defendant Noonan's Office
20 and to create and establish an unlawful competition between him-
21 self and defendant Noonan. After purchasing the building from
22 defendant Noonan and co-defendant Nelson based on these repre-
23 sentations, the plaintiff did, in fact, open an illegal and
24 wrongful denturist practice and established himself in unlawful
25 competition with defendant Noonan and co-defendant Nelson. The
26 plaintiff comes to Court with unclean hands and to the extent
27 that he does or may seek equity, he should be denied all relief.
28

COUNTERCLAIM

For his counterclaim against the plaintiff, defendant Noonan alleges as follows:

1. To the extent applicable, Noonan realleges the matters set forth in the Answer above.

2. Prior to the filing of the Complaint herein, Noonan performed professional dental services on the plaintiff and a female acquaintance of his for which services the plaintiff agreed to pay.

3. The said services were worth the reasonable value of One Hundred Twenty-One Dollars (\$121.00).

4. Although the plaintiff has been billed for these services by Noonan, he has failed to pay.

WHEREFORE, defendant Noonan prays as follows:

1. That the Complaint of the plaintiff herein be dismissed and that the plaintiff be denied all relief.

2. That Noonan recover from the plaintiff judgment in the sum of One Hundred Twenty-One Dollars (\$121.00).

3. For this defendant's costs and disbursements incurred herein.

4. For such other and further relief as the Court shall deem proper.

DATED this 6th day of May, 1985.

SMITH, BAILLIE & WALSH
Executive Plaza Bldg., Suite 2A
121 Fourth Street North, Box 222
Great Falls, MT 59403-2227
Attorneys for Defendant Noonan
BY James R. Walsh
JAMES R. WALSH

#29

2/3/87

553

AMENDMENTS TO HB 553

1. Page 2.

Following: line 17

Insert: "NEW SECTION. Section 2. Costs of Changes. The department of social and rehabilitation services is responsible for all costs associated with the changes to the existing warrant writing system and computer programs to implement the requirement that warrants funded to any extent with federal money be presented for payment within 180 days after date of issue."

Renumber: subsequent sections

2. Page 2, line 22.

Strike: section 3 in its entirety

STANDING COMMITTEE REPORT

February 3

19 87

Mr. Speaker: We, the committee on STATE ADMINISTRATION

report HB 553

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☒ as amended
☐ statement of intent attached

Chairman

To require warrants issued by SRS to be presented for payment within 180 days.

AMEND AS FOLLOWS

1. Title, line 9.

Following: "3" , , ,

Insert: "AND"

2. Title, lines 10 and 11.

Strike: "; " on line 10 through "DATE" on line 11

3. Page 2.

Following: line 17

Insert: "NEW SECTION. Section 2. Costs of charges. The department of social and rehabilitation services is responsible for all costs associated with the changes to the existing warrant writing system and computer programs to implement the requirement that warrants funded to any extent with federal money be presented for payment within 180 days after the date of issue."

Remember: subsequent section

4. Page 2, lines 22 and 23.

Strike: section 3 in its entirety

FIRST

WHITE

reading copy ()

color

STANDING COMMITTEE REPORT

February 3

19 87

Mr. Speaker: We, the committee on STATE ADMINISTRATION

report HOUSE JOINT RESOLUTION #9

☐ do pass

☒ do not pass

☐ be concurred in

☐ be not concurred in

☐ as amended

☐ statement of intent attached

Chairman

FIRST

WHITE

reading copy (_____)
color

2 HFT 1002

ROLL CALL VOTE

State Administration

COMMITTEE

DATE 5/3/87 BILL NO. HTR 9 NUMBER _____

NAME	AYE	NAY
Walt Sales	✓	
John Phillips	✓	
Bud Campbell	✓	
Dorothy Cody		✓
Duane Compton	✓	
Gene DeMars		✓
Harry Fritz		✓
Harriet Hayne	✓	
Gay Holliday		✓
Loren Jenkins		
Janet Moore		✓
Richard Nelson	✓	
Helen O'Connell	✓	
Mary Lou Peterson	✓	
Paul Pistoria		
Rande Roth	✓	
Tonia Stratford	✓	
Timothy Whalen		✓

TALLY

10 4

Secretary

Chairman

MOTION: _____

STANDING COMMITTEE REPORT

February 3

19 87

Mr. Speaker: We, the committee on

STATE ADMINISTRATION

report

SB 238

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

Chairman

FIRST

WHITE

reading copy ()
color

Don't Pass

ROLL CALL VOTE

State Administration

COMMITTEE

DATE 2/3/87 BILL NO. 238 NUMBER _____

NAME	AYE	NAY
Walt Sales		✓
John Phillips		✓
Bud Campbell	✓	
Dorothy Cody	✓	
Duane Compton		✓
Gene DeMars	✓	
Harry Fritz		✓
Harriet Hayne	✓	
Gay Holliday	✓	
Loren Jenkins		
Janet Moore	✓	
Richard Nelson	✓	
Helen O'Connell		✓
Mary Lou Peterson		✓
Paul Pistoria		
Rande Roth		✓
Tonia Stratford		✓
Timothy Whalen		

TALLY

7 8

Secretary

Chairman

MOTION: _____

STANDING COMMITTEE REPORT

February 3

19 87

, Mr. Speaker: We, the committee on STATE ADMINISTRATION

report HB 321

☒ do pass
☐ do not pass

☐ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

Chairman

FIRST

WHITE

reading copy (_____)
color

VISITORS' REGISTER

STATE ADMINISTRATION

COMMITTEE

BILL NO. 553DATE 9/1/87SPONSOR Simon

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Debbre VanVliet	State Auditor's	X	
PAT Gelbart	SAS	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

STATE ADMINISTRATION

COMMITTEE

BILL NO. 364DATE 2/3/87SPONSOR Buckley

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Annette Pomeroy	Denturist		X
Robert H. Buech	Denturist Billings		X
Ron Olsen	Denturist Billings		X
Bert Karl	Denturist - Billings		X
CHARLENEA RICHARDSON	Denturist		X
LEE WISER	DENTURIST		X
Robert A. VAVAS	Lab Tec.h.		X
James L. Canaday	DENTURIST MSLA		X
DOROTHY COMER	DENTURISTS		X
Chet Krumm	MSCA Helena		X
Wane A. Comer	Denturist		X
Robert W. Fritz DDS	BOARD OF DENTISTRY	X	
Claire Brisendine	Denturist - Helena		X
Chuck Bessenden	Denturist		X
Angie Brown	GE - MSCA		X
Ron Brown	GE - MSCA		X
Inna McKee	GE - MSCA		X
Ron Light	MSCA Helena		X
Maribell Gubs	MS - M's		X

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

OUPR

Representing

Support

Oppose

Mary Fox James

Mayle A. Roset

Rose L. James

Rhonda L. James

Tommy Piggott
Rope & Ala

May L. James

Francis L. Stone

Robt. J. Anderson

Tommy Piggott

Roger Tippy

Don Nordstrom

John L. James

Alvin L. James

Bob L. James

Board of Dentistry

MSCA & DAV

National Dental Hygiene Assoc

(Society of
Denturists)

Denturist

Denturist

Self

Self

M.D.A.

MDA

MDA

X

X

X

X

X

X

X

X

X

X

X

X

X

VISITORS' REGISTER

STATE ADMINISTRATION

COMMITTEE

45R
BILL NO. 9DATE 2/3/87SPONSOR Cohen

NAME (please print)	REPRESENTING	SUPPORT	OPPOSE
Charles Kurey	MLIC	X	
Eleanor Wend	PLC	X	
TED SOLTIS	CC	X	
W. G. Gable	MPA	X	
Susan Pette	✓	✓	
Joyce Lynn	MPA	✓	
John Osterman	MCC	X	
Bonnie Funn	PLC	X	
Joseph Moore	MPA	X	
Don Judge	MT STATE AFL-CIO	X	
Mignon Waterman	MT Assoc. of Churches	X	
Walt Wasserman		X	
Allen Caldwell		X	
Terry Munow	MT Fed Teachers State Employees	X	
Karen Benson	Church - Secretary General UNIC	X	
Sen. Bill Yellowtail	Sen. Dist. 50	X	
Jim Smith	AROC Assoc	X	
Abigail Frederick	Whitfish Peace Alliance	X	
Jerrold E. Johnson	Whitfish Peace Alliance Physicians Social Responsibility for	X	

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

STATE ADMINISTRATION

BILL NO. 427

DATE 2/3/87

SPONSOR Vincent

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.