

MINUTES

MONTANA SENATE  
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: By Senator Tom Hager, on March 22, 1989, at  
4:45 p.m., Room 410, State Capitol

ROLL CALL

Members Present: Senators Tom Hager, Chairman; Tom  
Rasmussen, Vice Chairman; J. D. Lynch, Matt Himsl, Bill  
Norman, Harry H. McLane, Bob Pipinich

Members Excused: None

Members Absent: None

Staff Present: Dorothy Quinn, Committee Secretary

Announcements/Discussion: None

EXECUTIVE ACTION ON HOUSE BILL 318

Chairman Hager called for action on HB 318: This is a bill  
to increase the maximum penalty for knowingly  
transporting, interring, or disposing of a dead body  
without a permit or for refusing to provide information  
required by law.

Discussion: Committee members briefly discussed points of  
the bill and recalled that neither proponents or  
opponents appeared at the hearing on March 20, 1989.

Recommendation and Vote: Senator Lynch made a MOTION THAT  
HOUSE BILL 318 BE CONCURRED IN. Senators in favor, 6;  
opposed, 0.

Senator Hager will carry HB 318 to the Senate floor.

EXECUTIVE ACTION ON HOUSE BILL 319

Chairman Hager called for action on HB 319: HB 319 is an  
act authorizing the Department of Health and  
Environmental Sciences to prescribe the time frame  
within which a death or fetal death certificate must be  
filed.

Discussion: None

Recommendation and Vote: Senator McLane made a MOTION THAT HOUSE BILL 319 BE CONCURRED IN. Senators in favor, 5; opposed 0.

Senator Hager will carry HB 319 to the Senate floor.

EXECUTIVE ACTION ON HOUSE BILL 389

Chairman Hager called for action on HB 389: Senator Hager stated this bill clarifies the definition of the practice of Practical Nursing.

Discussion: Senator Rasmussen stated he felt it would be of benefit to pass this bill. Senator Lynch stated he would speak against a motion to concur because he believes the bill changes substantially what the law was intended to be. He believes there are better ways to "legitimatize" what is presently going on. Senator Rasmussen stated he recalled in testimony that most states do not have this language, and it is apparently working well in 47 other states to have this "predictable outcome" out of the law. He reminded the Committee the Hospital Association supported the bill. Senator Hager stated he has heard from people on both sides. Senator Hims1 stated this is a nebulous sort of restriction, it being difficult to know what the outcome is going to be.

Senator Hager asked Donna Small, R.N., if this language was stricken, would the bill compare to other states. She stated she was on the Board of Nursing at the time the language was selected. In 1978 the Board of Nursing set up a task force to study the Nursing Practice Act, spending three years studying it with input from LPNs, RNs, and anyone who wanted to participate. At that time the only model language available was that put out by the ANA. That language by the ANA Model Practice Act for LPNs used this language. Since the nurses changed the language in 1981, that was the language selected by the LPNs. It was not selected by RNs in any way.

Recommendation and Vote: Senator Rasmussen made a MOTION THAT HOUSE BILL 389 BE CONCURRED IN. Senators in favor, 2; opposed, 5. MOTION FAILED. Bill recommended BE NOT CONCURRED IN.

EXECUTIVE ACTION ON HOUSE JOINT RESOLUTION 15

Chairman Hager called for action on HJR 15: This is a joint Resolution of the Senate and House urging the Department of Family Services to review data needs and to develop and implement an automated management

information system on children in out-of-home placements and services provided to meet the needs of these children.

Discussion: The Committee briefly discussed the amendments.

Recommendation and Vote: Senator Rasmussen MOVED THAT THE AMENDMENTS BE ADOPTED ON HOUSE RESOLUTION 15. Senators in favor, 7; opposed, 0. AMENDMENTS ADOPTED UNANIMOUSLY.

Senator McLane made a motion that HJR 15 BE ADOPTED AS AMENDED. Senators in favor, 7; opposed 0. RESOLUTION ADOPTED.

After some discussion Senator McLane moved that the COMMITTEE RECONSIDER ITS ACTION ON HJR 15. Senators in favor, 4; opposed, 0. ACTION RECONSIDERED.

Senator McLane made a MOTION THAT HJR 15, WITH AMENDMENTS, BE TABLED. Senators in favor, 4; opposed, 0.

ADJOURNMENT

Adjournment At: 5:10 p.m.

  
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SENATOR TOM HAGER, Chairman

TH/dq

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ROLL CALL

*Executive Session*

PUBLIC HEALTH

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date 3/20/89

NAME	PRESENT	ABSENT	EXCUSED
Sen. Tom Hager	X		
Sen. Tom Rasmussen	X		
Sen. Lynch	X		
Sen. Himsl	X		
Sen. Norman	X		
Sen. McLane	X		
Sen. Piovich	X		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

March 23, 1989

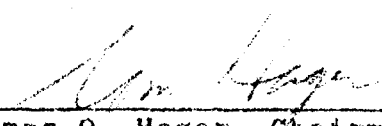
MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety, having had under consideration HB 318 (third reading copy -- blue), respectfully report that HB 318 be concurred in.

Sponsor: Simon (Hager)

BE CONCURRED IN

Signed: \_\_\_\_\_

  
Thomas O. Hager, Chairman

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3123189  
10:40  
6.22  
SCRHB318.323

SENATE STANDING COMMITTEE REPORT

March 23, 1989

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety, having had under consideration HB 319 (third reading copy -- blue), respectfully report that HB 319 be concurred in.

Sponsor: Simon (Hager)

BE CONCURRED IN

Signed: 

Thomas O. Hager, Chairman

4/18/89  
319  
11/10/89

SENATE STANDING COMMITTEE REPORT

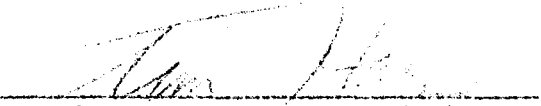
March 27, 1989

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety, having had under consideration HB 389 (third reading copy -- blue), respectfully report that HB 389 be not concurred in.

Sponsor: Campbell (Hager)

BE NOT CONCURRED IN

Signed:   
Thomas O. Hager, Chairman

File  
3/27/89  
19:10

Amendments to House Joint Resolution No. 15  
Third Reading Copy

For the Senate Public Health, Welfare and Safety Committee

Prepared by Tom Gomez, Staff Researcher  
March 20, 1989

1. Title, line 7.  
Strike: "AND IMPLEMENT"
2. Page 2, line 20.  
Strike: "July 1, 1991"  
Insert: "January 1, 1991"
3. Page 2, lines 22 through 24.  
Following: "placements." on line 22  
Strike: remainder of line 22 through "1993." on line 24
4. Page 3, lines 10 through 19.  
Strike: lines 10 through 19 in their entirety



ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH

Date 3/22/89 Bill No. 318 Time 4:45

NAME	YES	NO
Sen. Tom Hager	X	
Sen. Tom Rasmussen	X	
Sen. Lynch	X	
Sen. Matt Himsl	X	
Sen. Bill Norman	X	
Sen. Harry McLane	X	
Sen. Bob Pipinich	-	

Dorothy Quinn  
Secretary

Sen. Tom Hager  
Chairman

Motion: Lynch - Be Concurred In

In Favor 6 - 0

Hager will carry



ROLL CALL

HB 389

PUBLIC HEALTH

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date 3/22/89

NAME	PRESENT <i>Yes</i>	ABSENT <i>No</i>	EXCUSED
Sen. Tom Hager	<del>X</del>	X	
Sen. Tom Rasmussen	X		
Sen. Lynch		X	
Sen. Himsel	X		
Sen. Norman		X	
Sen. McLane		X	
Sen. Pivnich		X	
<i>Rasmussen J.P. HB 389</i>		<i>Not concurred</i>	
<i>in.</i>			
	<i>In Favor - 5</i>	<i>Opposed 2</i>	
	<del>2-5</del>		

Each day attach to minutes.

PUBLIC HEALTH

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date 3/22

NAME	Yes PRESENT	NO ABSENT	EXCUSED
Sen. Tom Hager	X		
Sen. Tom Rasmussen	X		
Sen. Lynch	X		
Sen. Hims1	X		
Sen. Norman	X		
Sen. McLane	X		
Sen. Pibinich	X		
<i>On the amendments</i>			
<i>Rasmussen moved to adopt</i>			
<i>Lynch. 7 in favor</i>			
<i>Opposed - 0</i>			

ROLL CALL VOTE

HJR 15

PUBLIC HEALTH

COMMITTEE

51st LEGISLATIVE SESSION -- 1989

Date 3/29/89

NAME	<del>PRESENT</del> <i>Yes</i>	ABSENT <i>No</i>	EXCUSED
Sen. Tom Hager	X		
Sen. Tom Rasmussen	X		
Sen. Lynch	X		
Sen. Himsl	X		
Sen. Norman	X		
Sen. McLane	X		
Sen. Pivnich	X		
<i>Senator McLane made motion that HJR</i>			
<i>Be adopted, as amended.</i>			
<i>In favor, opposed 0.</i>			

Each day attach to minutes.

ROLL CALL VOTE

SENATE COMMITTEE Public Health

Date 3/22/89

HJR 15  
Bill No. ~~377~~ Time \_\_\_\_\_

NAME	YES	NO
Sen. Hager	X	
Sen. T. Rasmussen	X	
Sen. Lynch	-	
Sen. Hensel	X	
Sen. Norman	-	
Sen. H. Mc Lane	X	
Sen. B. Pipinich	-	

D. Quinn  
Secretary

Tom Hager  
Chairman

Motion: Senator Mc Lane moved that the Committee Reconsider its Action on HJR 15. Senators in favor 4; opposed 0.

ROLL CALL VOTE

SENATE COMMITTEE Public Health

Date 3/22/89 Bill No. HSR 15 Time 5:05

NAME	YES	NO
Sen. Hager	X	
Sen. Rasmussen	X	
Sen. Lynch	-	
Sen. Hensel	X	
Sen. Norman	-	
Sen. McLean	X	
Sen. Pipinich	-	

Secretary \_\_\_\_\_

Chairman \_\_\_\_\_

Motion: Senator made a Motion THAT  
HSR 15, with amendments,  
BE TABLED. Senators in favor 4,  
opposed 0.