

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HUMAN SERVICES & AGING

Call to Order: By Rep. Angela Russell, Chair, on March 9, 1991,
at 1:00 p.m.

ROLL CALL

Members Present:

Angela Russell, Chair (D)
Arlene Becker (D)
William Boharski (R)
Jan Brown (D)
Brent Cromley (D)
Tim Dowell (D)
Patrick Galvin (D)
Betty Lou Kasten (R)
Thomas Lee (R)
Sheila Rice (D)
Carolyn Squires (D)
Jessica Stickney (D)
Bill Strizich (D)
Rolph Tunby (R)

Members Excused: Charlotte Messmore

Members Absent: Tim Whalen, Stella Jean Hansen, Royal Johnson,
Jim Rice, and Wilbur Spring

Staff Present: David Niss, Legislative Council
Jeanne Krumm, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

EXECUTIVE ACTION ON HB 728

Motion: REP. STICKNEY MOVED HB 728 DO PASS.

Motion: REP. STICKNEY moved to amend HB 728. EXHIBIT 1

Discussion:

David Niss stated that REP. REAM intended to add four members to the Advisory Council, a person from the cooperative extension service, a Native American, and two state legislators.

REP. BOHARSKI stated his concern is that with the additional four members, reimbursement and operating costs for the committee will increase. Gene Huntington, Hunger Coalition, stated that there is an appropriation of \$3,500 a year of federal money paying for the operation of the Advisory Committee. In adding the members,

we didn't adjust that, we just assumed we would adjust the number of meetings or the reimbursement for the meetings. One of the things that affects the cost of the Advisory council is that a lot of public members do not get reimbursed.

David Niss stated that 2-15-122 (5), (6), (7) and (8) concern the administration of advisory councils, and provides for the amount which they are to be reimbursed (a maximum of \$25 a day plus their expenses). The same section also provides for termination of the Advisory Council in two years, unless otherwise changed by the Governor or other appointing authority. Subsection (5) concerns expenses; subsection (6) concerns the election of the chairman of the first meeting; subsection (7) concerns the time when they hold their meetings (at least annually); and (8) provides that a majority of the membership constitutes a quorum.

Vote: Motion carried 13-1 with REP. BOHARSKI voting no.

Motion: REP. BROWN moved to amend HB 728.

Discussion:

REP. BECKER stated that she has problems with that amendment, not just the nutritionist that someone can work for. A large part of that still goes to WIC. REP. BOHARSKI stated that the \$62,882 goes for evaluation

REP. BECKER stated that first year appropriates \$110,882, which funds the setting up of the program and the nutritionists. The second year appropriates \$62,882, which is for the nutritionists only, because the program will have already been set up. REP. BOHARSKI stated that they set the program up without the additional money. REP. BECKER stated they still need a certain amount of money.

REP. SQUIRES asked for a response to the amendments. Gene Huntington stated that of the amount in the first year, \$48,000 is for WIC, the balance would pay for Nutritionists. In the second year with all of these nutritionists, WIC is just a one time expenditure. Federal money will follow once they start their reimbursement.

REP. SQUIRES asked if they need the \$110,000. Mr. Huntington stated that it was the intention of the Hunger Coalition that most of these programs could be federally funded. They have well documented correspondence to the Health Department that insisted that they had to have General Fund money to be adopted by the services without official General Fund.

REP. SQUIRES asked if it would be safer to have \$110,000 and then deal with that issue in the Appropriations Committee if there was a confirmation from the Department of Health and Environmental Sciences. Mr. Huntington stated that he expects that would be what would happen.

Vote: Motion carried unanimously.

Motion/Vote: REP. STICKNEY MOVED HB 728 DO PASS AS AMENDED.

Motion carried 18-2 with REPS. KASTEN and SPRING voting no.

EXECUTIVE ACTION ON HB 937

Motion: REP. STICKNEY MOVED HB 937 DO PASS.

Motion/Vote: REP. STICKNEY moved to amend HB 937. EXHIBIT 2

Motion carried unanimously.

Motion: REP. STICKNEY MOVED HB 937 DO PASS AS AMENDED.

Discussion:

REP. BOHARSKI asked REP. STICKNEY if she was aware of what the Appropriations Committee did as far as child care. REP. STICKNEY stated that her understanding is that the money is not available currently for the gap that occurs from July until the federal money gets in and it is not in the current budget. This bill is to partly cover that gap.

REP. BOHARSKI stated that for the gap period, which is between the beginning of the state fiscal year in July and the federal fiscal year in October, they have \$15,000 in the General Fund to match the \$38,571 federal monies, which is different from the \$110,000 they need. Because it is less than they need, we have to provide for the appropriation. The second year they appropriate \$214,000, so the Appropriations Committee has changed the last biennium total budget of \$240,000 and raised that to \$428,000 in this biennium. This bill is now asking for another \$460,000 on top of that. That is four times what they had in the last biennium.

REP. SQUIRES stated that her understanding of money from the Womens Lobby Fund was that they were to be guaranteed an amount of money for this particular program and a portion of it was given and the other portion was eliminated. That was for that particular quarter and what they needed was this additional money to complete the process until the job program came in. There is a gap that needs to be filled. The way that we need to do it is to pass this bill and send it through Appropriations and they can finish it off with the amount.

REP. LEE asked why a bill is needed to fill in a gap if it already exists. REP. SQUIRES stated that they need this gap to be able to be brought up again to look at this and to make the decision of what to appropriate.

REP. LEE stated that it is highly unusual that the only way we can communicate with the Appropriations Committee and the DFS is through a bill. REP. SQUIRES stated that she agrees, but if you made the commitment and etched it that way and made a mistake

then you will need some way in which to get it to Appropriations to adjust for the problem that you have.

REP. STICKNEY stated that at the very least this bill is needed to repeal the Sunset provision, which would take effect in July.

Vote: Motion carried 16-4 with REPS. BOHARSKI, KASTEN, LEE and JOHNSON voting no.

EXECUTIVE ACTION ON SB 371

Motion/Vote: REP. SQUIRES MOVED SB 371 BE CONCURRED IN.

Discussion: REP. BOHARSKI stated that we are mandating insurance benefits and the only documented study that has been done on child care is the American Legislative Exchange Council Report, which estimated that the program would cost the state insurance people \$1.7 million in premiums a year. It is possible that this bill will have some long-term positive impact, but we need to remember that there are people that aren't covered by this bill.

Motion/Vote: REP. BOHARSKI MOVED TO AMEND SB 371. EXHIBIT 3 Motion carried 10-9 with REPS. WHALEN, J. BROWN, DOWELL, GALVIN, S. RICE, SQUIRES, STICKNEY AND STRIZICH voting no. EXHIBIT 4

Motion/Vote: REP. STRIZICH MOVED SB 371 BE CONCURRED IN AS AMENDED. Motion carried 13-5 with REPS. BOHARSKI, R. JOHNSON, KASTEN, LEE and SPRING voting no.

Motion: REP. DOWELL MOVED TO RECONSIDER SB 371.

Discussion: REP. DOWELL stated that he had REP. S. HANSEN'S proxy, which would have defeated the amendment.

Vote: Motion carried 12-8 with REPS. BOHARSKI, R. JOHNSON, KASTEN, LEE, MESSMORE, J. RICE, SPRING and TUNBY voting no. EXHIBIT 5

Motion/Vote: REP. DOWELL MOVED TO REINSERT THE LANGUAGE STRICKEN BY REP. BOHARSKI'S AMENDMENT. Motion failed 10-10 with REPS. BECKER, BOHARSKI, CROMLEY, R. JOHNSON, KASTEN, LEE, MESSMORE, J. RICE, SPRING and TUNBY voting no. EXHIBIT 6

Motion/Vote: REP. STICKNEY MOVED SB 371 BE CONCURRED IN AS AMENDED. Motion carried 13-5 with REPS. BOHARSKI, R. JOHNSON, KASTEN, LEE and SPRING voting no. EXHIBIT 7

EXECUTIVE ACTION ON SB 372

Motion: REP. STICKNEY MOVED SB 372 BE CONCURRED IN.

Discussion:

REP. BROWN asked if meningitis and hemophilus were the same thing and whether the answer to that question was properly reflected in the bills title. David Niss stated that the term as used in the bill "the strain from the virus" was only a technical name for what is included in the title. If there are two or more strains of the bug and meningitis is only a generic description of all of them, as opposed to a general description of one of them, then perhaps we do need to change the title to accurately reflect the strain that is being vaccinated for, but the bill requires vaccination for only that particular bug, because the title has no legal effect. REP. SQUIRES stated that she doesn't believe that if we could just guarantee that we are only going to vaccinate for this particular one and not force every child to have a multiple shot.

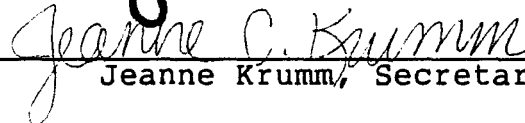
Vote: Motion carried 19-1 with REP. KASTEN voting no.

ADJOURNMENT

Adjournment: 2:15 p.m.



ANGELA RUSSELL, Chair



Jeanne Krumm, Secretary

AR/jck

3-9-91

No minutes were recorded for executive action on SB 200.

HOUSE OF REPRESENTATIVES

HUMAN SERVICES AND AGING COMMITTEE

ROLL CALL

DATE 3-9-91

NAME	PRESENT	ABSENT	EXCUSED
REP. ANGELA RUSSELL, CHAIR	✓		
REP. TIM WHALEN, VICE-CHAIR		✓	
REP. ARLENE BECKER	✓		
REP. WILLIAM BOHARSKI	✓		
REP. JAN BROWN	✓		
REP. BRENT CROMLEY	✓		
REP. TIM DOWELL	✓		
REP. PATRICK GALVIN	✓		
REP. STELLA JEAN HANSEN		✓	
REP. ROYAL JOHNSON		✓	
REP. BETTY LOU KASTEN	✓		
REP. THOMAS LEE	✓		
REP. CHARLOTTE MESSMORE			✓
REP. JIM RICE		✓	
REP. SHEILA RICE	✓		
REP. WILBUR SPRING		✓	
REP. CAROLYN SQUIRES	✓		
REP. JESSICA STICKNEY	✓		
REP. BILL STRIZICH	✓		
REP. ROLPH TUNBY	✓		

1214
3-9-91
JDR

HOUSE STANDING COMMITTEE REPORT

March 9, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Human Services and Aging report that House Bill 728 (first reading copy -- white) do pass as amended.

Signed: _____
Angela Russell, Chairman

And, that such amendments read:

1. Page 2, line 24.

Strike: "seven"

Insert: "eleven"

2. Page 3, line 14.

Strike: "and"

3. Page 3, line 17.

Strike: the period

Insert: ";

4. Page 3.

Following: line 17

Insert: "(h) one person who is an agent in the Montana cooperative extension service;

(i) one native american; and

(j) one member of the house of representatives

and one member of the senate, who shall be paid their compensation and expenses as provided in 5-2-302 while engaged in advisory council business."

5. Page 5, line 18.

Strike: "\$10,000"

Insert: "\$5,000"

6. Page 5, line 23.

Strike: "\$110,882"

Insert: "\$62,332"

12:40
3-4-91
F013

HOUSE STANDING COMMITTEE REPORT

March 9, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Human Services and Aging report that House Bill 937 (first reading copy -- white) do pass as amended.

Signed: _____
Angela Russell, Chairman

And, that such amendments read:

1. Title, lines 6 through 10.

Strike: "TO REQUIRE" on line 6 through "CHILDREN;" on line 10

2. Title, line 11.

Strike: "SECTION 52-2-712, MCA, AND"

3. Page 1, lines 16 through 22.

Following: line 15

Strike: Section 1 in its entirety

Renumber: subsequent sections

4. Page 1, lines 23 and 24.

Strike: "52-2-712, MCA, and section"

5. Page 1, line 24.

Strike: "are"

Insert: "is"

6. Page 2, lines 7 and 8.

Strike: "the job opportunities and basic skills (JOBS) training program"

Insert: "all federally supported, state operated day care programs"

7. Page 2, lines 13 through 16.

Following: line 12

Strike: section 4 in its entirety

Renumber: subsequent section

June

10-5
3-9-91
JDB

HOUSE STANDING COMMITTEE REPORT

March 9, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Human Services and Aging
report that Senate Bill 200 (third reading copy -- blue) be
concurrent in .

Signed: _____
Angela Russell, Chairman

Carried by: Rep. Squires

HOUSE STANDING COMMITTEE REPORT

March 9, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Human Services and Aging
report that Senate Bill 372 (third reading copy -- blue) be
concurrent in .

Signed: _____
Angela Russell, Chairman

Carried by: Rep. ALDINE

Amendments to House Bill No. 728
First Reading Copy

EXHIBIT 1
DATE 3-9-91
HB 728

Requested by Rep. Ream
For the Committee on Human Services and Aging

Prepared by David S. Niss
March 9, 1991

1. Page 2, line 24.
Strike: "seven"
Insert: "eleven"

2. Page 3, line 14.
Strike: "and"

3. Page 3, line 17.
Strike: the period
Insert: ";

4. Page 3.
Following: line 17
Insert: "(h) one person who is an agent in the Montana
cooperative extension service;
(i) one native american; and
(j) one member of the house of representatives
and one member of the senate, who shall be paid their
compensation and expenses as provided in 5-2-302 while
engaged in advisory council business."

5. Page 5, line 18.
Strike: "\$10,000"
Insert: "\$5,000"

6. Page 5, line 23.
Strike: "\$110,882"
Insert: "\$62,882"

Amendments to House Bill No. 937
First Reading Copy

2
3-9-91
937

For the Committee on Human Services and Aging

Prepared by David S. Niss
March 9, 1991

1. Title, lines 6 through 10.

Strike: "TO REQUIRE" on line 6 through "CHILDREN;" on line 10

2. Title, line 11.

Strike: "SECTION 52-2-712, MCA, AND"

3. Page 1, lines 16 through 22.

Following: line 15

Strike: Section 1 in its entirety

Renumber: subsequent sections

4. Page 1, lines 23 and 24.

Strike: "52-2-712, MCA, and section"

5. Page 1, line 24.

Strike: "are"

Insert: "is"

6. Page 2, lines 7 and 8.

Strike: "the job opportunities and basic skills (JOBS) training
program"

Insert: "all federally supported, state operated day care
programs"

7. Page 2, lines 13 through 16.

Following: line 12

Strike: section 4 in its entirety

Renumber: subsequent section

Amendments to Senate Bill No. 371
Third Reading Copy

3
3-9-91
SB 371

For the Committee on Human Services and Aging

Prepared by David S. Niss
March 9, 1991

1. Page 1, lines 19 through 22.
Strike: "BENEFITS" on line 19 through "POLICY." on line 22
2. Page 3, lines 19 through 22.
Strike: "BENEFITS" on line 19 through "POLICY." on line 22
3. Page 5, lines 19 through 21.
Strike: "BENEFITS" on line 19 through "plan." on line 21

EXHIBIT 4
DATE 3-9-91
SB 371

HOUSE OF REPRESENTATIVES

HUMAN SERVICES COMMITTEE

ROLL CALL VOTE

DATE 3-9-91 BILL NO. SB 371 NUMBER 1

MOTION: Rep. Boharski's amendment.

NAME	AYE	NO
REP. TIM WHALEN, VICE-CHAIRMAN		✓
REP. ARLENE BECKER	✓	
REP. WILLIAM BOHARSKI	✓	
REP. JAN BROWN		✓
REP. BRENT CROMLEY	✓	
REP. TIM DOWELL		✓
REP. PATRICK GALVIN		✓
REP. STELLA JEAN HANSEN		
REP. ROYAL JOHNSON	✓	
REP. BETTY LOU KASTEN	✓	
REP. THOMAS LEE	✓	
REP. CHARLOTTE MESSMORE	✓	
REP. JIM RICE	✓	
REP. SHEILA RICE		✓
REP. WILBUR SPRING	✓	
REP. CAROLYN SQUIRES		✓
REP. JESSICA STICKNEY		✓
REP. BILL STRIZICH		✓
REP. ROLPH TUNBY	✓	
REP. ANGELA RUSSELL, CHAIR		✓
TOTAL	10	9

EXHIBIT 5
DATE 3-9-91
SB 371

HOUSE OF REPRESENTATIVES

HUMAN SERVICES COMMITTEE

ROLL CALL VOTE

DATE 3-9-91 BILL NO. SB 371 NUMBER 2

MOTION: Rep. Dowell - reconsider SB 371.

NAME	AYE	NO
REP. TIM WHALEN, VICE-CHAIRMAN	✓	
REP. ARLENE BECKER	✓	
REP. WILLIAM BOHARSKI		✓
REP. JAN BROWN	✓	
REP. BRENT CROMLEY	✓	
REP. TIM DOWELL	✓	
REP. PATRICK GALVIN	✓	
REP. STELLA JEAN HANSEN	✓	
REP. ROYAL JOHNSON		✓
REP. BETTY LOU KASTEN		✓
REP. THOMAS LEE		✓
REP. CHARLOTTE MESSMORE		✓
REP. JIM RICE		✓
REP. SHEILA RICE	✓	
REP. WILBUR SPRING		✓
REP. CAROLYN SQUIRES	✓	
REP. JESSICA STICKNEY	✓	
REP. BILL STRIZICH	✓	
REP. ROLPH TUNBY		✓
REP. ANGELA RUSSELL, CHAIR	✓	
TOTAL	12	8

EXHIBIT 6
DATE 3-9-91
SB 371

HOUSE OF REPRESENTATIVES

HUMAN SERVICES COMMITTEE

ROLL CALL VOTE

DATE 3-9-91 BILL NO. SB 371 NUMBER 3

MOTION: Rep. Dowell- reinsert language that was
previously deleted.

NAME	AYE	NO
REP. TIM WHALEN, VICE-CHAIRMAN	✓	
REP. ARLENE BECKER		✓
REP. WILLIAM BOHARSKI		✓
REP. JAN BROWN	✓	
REP. BRENT CROMLEY		✓
REP. TIM DOWELL	✓	
REP. PATRICK GALVIN	✓	
REP. STELLA JEAN HANSEN	✓	
REP. ROYAL JOHNSON		✓
REP. BETTY LOU KASTEN		✓
REP. THOMAS LEE		✓
REP. CHARLOTTE MESSMORE		✓
REP. JIM RICE		✓
REP. SHEILA RICE	✓	
REP. WILBUR SPRING		✓
REP. CAROLYN SQUIRES	✓	
REP. JESSICA STICKNEY	✓	
REP. BILL STRIZICH	✓	
REP. ROLPH TUNBY		✓
REP. ANGELA RUSSELL, CHAIR	✓	
TOTAL	10	10

COMMITTEE 7
 DATE 3-9-91
 SB 371

HOUSE OF REPRESENTATIVES

HUMAN SERVICES COMMITTEE

ROLL CALL VOTE

DATE 3-9-91 BILL NO. SB 371 NUMBER 4

MOTION: Rep. Stickney SB 371 Be Concurred In As Amended.

NAME	AYE	NO
REP. TIM WHALEN, VICE-CHAIRMAN	✓	
REP. ARLENE BECKER	✓	
REP. WILLIAM BOHARSKI		✓
REP. JAN BROWN	✓	
REP. BRENT CROMLEY	✓	
REP. TIM DOWELL	✓	
REP. PATRICK GALVIN	✓	
REP. STELLA JEAN HANSEN	✓	
REP. ROYAL JOHNSON		✓
REP. BETTY LOU KASTEN		✓
REP. THOMAS LEE		✓
REP. CHARLOTTE MESSMORE	—	—
REP. JIM RICE	—	—
REP. SHEILA RICE	✓	✓
REP. WILBUR SPRING		✓
REP. CAROLYN SQUIRES	✓	
REP. JESSICA STICKNEY	✓	
REP. BILL STRIZICH	✓	
REP. ROLPH TUNBY	✓	
REP. ANGELA RUSSELL, CHAIR	✓	
TOTAL	13	5