

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY

Call to Order: By Chairman Dorothy Eck, on March 22, 1991, at 3:15 p.m.

ROLL CALL

Members Present:

Dorothy Eck, Chairman (D)
Eve Franklin, Vice Chairman (D)
James Burnett (R)
Thomas Hager (R)
Judy Jacobson (D)
Bob Pipinich (D)
David Rye (R)
Thomas Towe (D)

Members Excused: None.

Staff Present: Tom Gomez (Legislative Council)
Christine Mangiantini (Committee Secretary)

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

Announcements/Discussion: None.

HEARING ON HOUSE BILL 640

Presentation and Opening Statement by Sponsor:

Representative Jan Brown opened by saying this bill was requested by the Department of Health to revise the definition of fetal death. The change in definition would help them improve their data collection and statistical reporting in the area of fetal mortality. She asked the chairman to recognize the witnesses.

Proponents' Testimony:

The first witness was Sam Sperry, chief, Vital Records and Statistics Bureau, Department of Health and Environmental Sciences. See Exhibit #1 for a copy of his testimony.

Opponents' Testimony:

None.

Questions From Committee Members:

Chairman Eck asked how many pounds equaled 500 grams.

Mr. Sperry said 2,500 grams is 5 pounds 8 ounces, so 500 grams is approximately 1.4 pounds.

Closing by Sponsor:

Representative Brown closed by thanking the committee for the hearing and said this bill passed the House of Representatives 100 to 0.

EXECUTIVE ACTION ON HOUSE BILL 640

Motion:

Senator Towe moved concurrence.

Discussion:

None.

Amendments, Discussion, and Votes:

None.

Recommendation and Vote:

There being 8 ayes and 0 nays the motion carried.

HEARING ON HOUSE BILL 895

Presentation and Opening Statement by Sponsor:

Representative Jan Brown opened by saying this bill is a revision of the statutes relating to registration of death certificates and the removal of dead bodies. The existing statutes were outdated and often ignored. When the bill was drafted by the Legislative Council there were amendments that attached to the bill that were inadvertently not adopted. The House of Representatives committee passed it out and amended it. There is still some disagreement.

Proponents' Testimony:

The first witness was Ray Hoffman, administrator of the Centralized Services division of the Department of Health and Environmental Sciences (DHES). See Exhibit #2 for a copy of the existing law, which was passed to the committee. The current law is antiquated and has been on the books for over 30 years. Since then, many changes have occurred in the industry. He read from Exhibit #2.

Mr. Hoffman continued by saying in some cases the local registrar is not a medically trained individual and may have no experience to determine the cause of death. The removal of dead bodies is the reason the law must be changed. DHES is not in the business of regulating commerce in relation to death in Montana. Within the past few years, problems have been caused because of enforcement. DHES has not enforced it regarding a permit for removal of a dead body. Funeral directors use pre-signed forms for removal of the bodies. He read a letter from the president of the Montana Funeral Home Association. Last week he received calls from the Office of Attorney General and the Montana Funeral Home Association. He said the Attorney General does not like the bill, specifically the amendments regarding allowance of the funeral home directors to remove the body. He said he would be happy to answer any questions.

Opponents' Testimony:

The first witness was Gig Riddle, president of the Montana Funeral Directors Association. He explained the death certificate and transit permit process by saying the death certificate is a four part document that contains biographical information, place of death, ancestry and other items for statistical purposes. The second part of the form is where the physician, coroner, medical examiner sign regarding the cause of death and surrounding circumstances. The other part is the transit permit. It carries some of the same information but includes the authorization to transport the remains. The transit permit is required for the final disposition and is required by law to transport across county lines. The certification process is involved. The process does need to be revamped. In the early days local registrar's were more accessible. The accessibility of transit permits is important to the time elements. Transit permits are essentially unobtainable after regular office hours. The area of concern for funeral directors is the request of the family. Cremation has to be carried out in 48 hours unless refrigeration is available. Pre-signed permits are available by some registrars. Sometimes cultural and religious requirements become an issue. Orthodox jews like to be buried on the same day before the sun goes down. Both of his funeral homes are on reservations where there are cultural requirements. Inaccessibility of permits would be denying the family their cultural wishes. He suggested the committee recommend DHES establish a task force to formulate the rules.

The second witness was Paul Johnson, assistant Attorney General, State of Montana. He was appearing on behalf of the Attorney General and the County Attorney's Association. He said they appear as opponents because the bill opens a big hole in the death investigation system.

Mr. Johnson continued by saying the moving of dead bodies, which is covered in section 1, directly effects the death investigation responsibilities of the county attorneys, the state medical examiner, the coroner and the attorney general. None of these groups were consulted about this bill. They did not become aware of the bill until the day of the House hearing. The bill was amended in the House. This bill creates more problems than it solves. It would permit a mortician to allow hired help to remove a dead body on oral authority. This flies in the face of any competent system of death investigation. It would obstruct death investigations that involve possible criminal problems and would result in loss of critical evidence in homicide investigations. He said the legislation fails to represent a number of interests that are involved in the process including the coroners, the state medical examiner, the attorney general, funeral directors and morticians, physicians and health care providers. He said they would like to have the opportunity to work together during the interim on a consensus bill. He urged the committee to table the bill.

The third witness was Mickey Nelson, Lewis & Clark County Coroner and the local registrar. He said there several reasons for a burial transit permit: to notify a coroner; to collect statistics and; to authorize burial. He urged the committee to allow the parties to formulate a two year task force to study the issue.

The fourth witness was Gary Nell, State Medical Examiner, Montana Department of Justice. He said section 1 of the bill is a problem. The responsibility for investigation of unattended deaths is unclear. It places responsibilities on persons who may have no knowledge of the circumstances. The death may be inappropriately certified.

The fifth witness was Tim Solomon, representing the Montana Coroners Association and the Sheriff and Peace Officers Association. He said they were opposed to section 1 of the bill and urged the committee to allow a two year study of the issues.

The sixth witness was Steve Koneck, president of the Montana Coroners Association. He urged a do not pass and said they were willing to cooperate with a task force to find solutions.

Questions From Committee Members:

Senator Rye asked Paul Johnson if the bill were defeated if the Justice Department was willing to resist prosecuting DHES for failure to enforce current law.

Mr. Johnson said they have no authority to prosecute them under existing law. He said they have been getting along with this system for a number of years and while there are some flaws he thought they could use it for a couple of more years while they tried to draft a good bill.

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Senator Hager asked how harvest of organs fits into the bill.

Mr. Nelson said that is an area of immediate need for a registrar to be involved. In some cases they would be transporting a body. That should be addressed in the two year study, as it is not mentioned in this bill.

Senator Towe asked Mr. Hoffman if there is a registrar in every county.

Mr. Hoffman said there were 58 in the state and all are responsible to DHES for gathering and registering vital statistics. They are appointed by DHES. They receive \$1.00 for registration of a birth certificate and the same for registration of a death certificate.

Senator Towe asked if they were proposing to repeal 50-15-405 which requires the registrar to grant a permit before a body can be removed.

Mr. Hoffman said existing law states that no dead body may be disposed of or removed from a registration district (county). He said the practice of the industry today says they do not get a permit before moving the body out of the county. If the funeral director were allowed to remove the body there would be no opponents to the bill.

Senator Towe asked Paul Johnson to respond.

Mr. Johnson said that would be true with some conditions. He said he spoke to the funeral directors who proposed the amendments in section 1 to address practical problems they were experiencing with the removal of dead bodies. However, the amendments directly effect the death investigation responsibilities. He said given enough time they could rewrite section 1. He said their direct interest is being cautious about the removal of dead bodies before a coroner or physician has been on the scene. Once the body is moved critical evidence is gone.

Mr. Riddle responded by saying there is a misconception. Their concern is to facilitate the documentation to provide the final disposition. As health care costs go up, hospice situations will become frequent. He said they want this document to permit them to provide the services requested by the family. He said they do not want to be involved in the crime scene. He said they are not trying to undercut the investigative process. He said they do not physically have a permit before the body is moved.

Closing by Sponsor:

Representative Brown closed by saying the groups agree there is a problem with the law. She said she had a concern that two years is too long to wait. She said if the bill is tabled she hoped the group's organize to write a bill that is acceptable.

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EXECUTIVE ACTION ON HOUSE BILL 895

Motion:

Senator Towe moved to table.

Discussion:

None.

Recommendation and Vote:

There being no objections the motion carried.

HEARING ON HOUSE BILL 642

Presentation and Opening Statement by Sponsor:

Representative Vicki Cocchiarella opened by saying this bill pertains to child and welfare safety. She read from the bill and said some of the changes allowed the state to comply with federal requirements. She said if a business calls itself a preschool it is not required to meet the daycare licensing standards. She said children under the age of 3 are not necessarily learning in the traditional sense. She asked the chairman to call the witnesses.

Proponents' Testimony:

The first witness was Boyce Fowler, program officer, Department of Family Services (DFS). He said since the Montana Child Care Act was passed by the 51st Legislature, the federal legislation was passed by Congress. It requires certain daycare programs to be offered by the state. The Daycare Development Block grant was recently implemented by the federal government and allows for a low-income sliding fee scale to be provided by the state for families to receive child care services. This bill will coordinate state laws with federal laws.

The second witness was Cheryl Burpee, a Carroll College nurse and a nurse at Fort Harrison. See Exhibit #3 for a copy of her testimony.

Opponents' Testimony:

None.

Questions From Committee Members:

Senator Towe asked Mr. Fowler about the language on page 2, the exclusion. He wanted to know if it referred to an education facility that was not a daycare center and did not need a license.

Mr. Fowler said that was correct.

Senator Jacobson said they tried to license preschool centers two years ago and it was heavily lobbied against.

Mr. Fowler said the bill would change the age requirement to 3 years.

Senator Towe asked if the reference to relation by blood or marriage was a federal regulation.

Mr. Fowler said it is in regard to exclusion. He said the state did not want to get into the business of families that are taking care of their own children. He said the definition was taken from the Aid to Families with Dependent Children law. He said they had difficulty with enforcement under the current definition.

Closing by Sponsor:

Representative Cocchiarella closed by saying the House committee attempted to raise the age requirement to 5 years. She said preschool's should be teaching children or be licensed as daycare centers. She said this bill is a small step the state could take in protecting children who are mostly non-verbal under the age of 3.

EXECUTIVE ACTION ON HOUSE BILL 642

Motion:

Senator Towe moved concurrence.

Discussion:

Senator Jacobson said she thought there were legitimate preschool's that want to be licensed by the state. But there are others that are not in favor of that. She said the bill was introduced two years ago and caused much controversy. As the law now stands, an institution simply changes their name from 'daycare' to 'preschool' to avoid state licensing.

Amendments, Discussion, and Votes:

None.

Recommendation and Vote:

There being 8 ayes and 0 nays the motion carried.

HEARING ON HOUSE BILL 948Presentation and Opening Statement by Sponsor:

Representative Royal Johnson opened by saying this bill is an optional opportunity that does not cost money. It is a result of persons in Yellowstone County who wanted to take care of internal problems. One gentleman started a pilot project to assist. He said Senate Bill 205 and House Bill 950 were similar to this bill.

Proponents' Testimony:

The first witness was Harold Hanscher, former county attorney from Yellowstone County. He said during his last year as county attorney he had the opportunity to work with all of the systems people in establishing a better approach to identifying children with problems. He said this bill is a statutory procedure of the program in Yellowstone county. He said the decisionmakers for youth were making those decisions without the benefit of all of the information that was available. Dr. Kemp at the University of Colorado instigated the advances in dealing with abuse and neglected children. He came back from one of Dr. Kemp's seminars and set up one of the first child abuse teams in Montana. This allowed information sharing for decision making. Confidentiality laws too often work as a barrier to the best interests of children. Other states have opened up confidentiality laws so they allow child serving agencies to share necessary information and install the confidentiality barrier around that process. Another area of importance is the management of information. To ensure that agencies maintain quality, validated information their must be a sharing mechanism. If community organizations can work as partners rather than as competitors good services are provided to children. This is accomplished through an agreement. Existing law requires use of the authority of the county attorney and then through a protection team, a cumbersome process. He said he thought there was a duplication in Senate Bill 205. The partnership between child serving agencies where everyone develops a consensus, makes the process work. Multi-agency involvement is used in every case staffed. This bill does not cost money, but does allow communities to form partnerships and work through that process instead of as competitors.

The second witness was Steve Nelson, an employee with the Board of Crime Control and affiliated with the State Youth Services Advisory Council. He said they approach confidentiality laws with the utmost caution and respect. They have a great deal of understanding of these laws.

Mr. Nelson continued by saying the issue of confidentiality as a barrier to providing youth services has arisen many times. Problems with agencies working together are not insurmountable. This legislation provides a forum for agencies to get together, a contractual process. It defines the information needs and the manner in which the information is shared.

The third witness was Kay McKenna, representing the Montana Association of County School Superintendents. She urged passage and said the partnership between agencies is the key to success in dealing with children's issues. In Lewis & Clark county we had a truancy problem. We gathered the parties together and formed a policy. It was an important exercise in agency networking.

The fourth witness was Ralph Groesfeth, vice president of student affairs, Montana State University. He said he attended a meeting in Gallatin county with representatives from the agencies listed in the bill and said they were enthusiastic. He urged passage.

Opponents' Testimony:

None.

Questions from the Committee:

Senator Towe asked Mr. Hanscher if what he was envisioning that the parties listed on page 1 could meet and not destroy the agreement.

Mr. Hanscher said that was correct. He said people perceive this bill as a step forward.

Senator Towe asked for clarification on the language in the confidentiality sections of the bill.

Mr. Hanscher said to think of it as no different from the existing law surrounding the child protection team which is simply interdisciplinary staffing. The difference is the way this team is constructed and that it has the ability to establish a system to manage the information. We have not changed the law on confidentiality.

Senator Rye asked why the bill was needed.

Mr. Hanscher said the bill was needed because of the barriers regarding confidentiality.

Chairman Eck said the probation officer in her district feels hindered by the confidentiality laws and he will appreciate this new language.

Senator Towe asked if Section 3 of the bill included investigative information or just criminal record information.

Mr. Hanscher said it was not intelligence information.

Closing by Sponsor:

Representative Johnson closed by thanking the committee for the hearing and thanking those persons who worked on the bill.

EXECUTIVE ACTION ON HOUSE BILL 948

Motion:

Senator Towe moved adoption of the amendments Exhibit #4.

Discussion:

Senator Towe asked about the codification clause between this bill and Senate Bill 205.

Chairman Eck responded that the Legislative Council staff reviewed this issue and said all that was need was common codification.

Amendments, Discussion, and Votes:

There being no objections the motion carried.

Recommendation and Vote:

Senator Jacobson moved concurrence as amended. Their being no objections the motion carried.

EXECUTIVE ACTION ON HOUSE BILL 849

Motion:

Senator Jacobson moved to take HB 849 from the table.

Amendments, Discussion, and Votes:

Senator Hager said one of the problems he had with this bill is that their is no requirement of the number of children who participate.

Senator Jacobson read from page 1, line 22, which answered that question. She said the children in the public schools must participate. Participation by children in non-public schools is optional.

There being no objections the motion carried.

Recommendation and Vote:

Senator Jacobson moved concurrence. There being 7 ayes and 1 nay by Senator Hager the motion carried.

EXECUTIVE ACTION ON HOUSE BILL 860

Motion:

Senator Jacobson moved adoption of the amendments denoted in Exhibit #5.

Discussion:

Senator Jacobson said the amendments take care of the concerns of the university representatives and is acceptable to the sponsor.

Chairman Eck said it will take care of the smokers concerns as well.

Senator Towe said the effect of the amendments requires that a place in every building be identified with a smoking designation.

Chairman Eck read from page 17 lines 10 through 17.

Amendments, Discussion, and Votes:

There being no objections the motion to adopt the amendments carried.

Recommendation and Vote:

Senator Towe moved concurrence as amended. There being 6 ayes and 2 nays by Senators' Burnett and Rye, the motion carried.

EXECUTIVE ACTION ON HOUSE BILL 943

Motion:

Senator Towe moved to take HB 943 off the table.

Discussion:

The chairman recognized Representative Erwin Davis who said members of the Board of Sanitarians were present to answer any questions.

Senator Towe asked Paddy Trustler, a member of the Board of Sanitarians to explain the need for the bill.

Mr. Trustler said the bill provides for certain continuing education credits for sanitarians, it clearly defines the responsibilities of sanitarians in the field of environmental sanitation. The bill also defines who is required to be registered in specific fields of environmental sanitation and specifics licensing requirements.

Senator Towe said the bill requires that everyone is included and no longer exempt unless they meet each of the categories. He asked if this was the intent.

Mr. Trustler said it should read that any one of the exclusions would be appropriate not all. He said the bill does not necessarily apply to just county sanitarians. He said there are private sector organizations, such as food chains, that require inspectors be registered sanitarians. State employees who work in broad categories of environmental sanitation require a license.

Senator Towe said on page 5, lines 4 through 6, excludes all state employees.

Mr. Trustler said that was true unless their job description requires it. He continued to read from the bill.

Senator Towe questioned the exemption clause.

Mr. Trustler said that section excludes contract persons who work for a state department or consultants who work for local governments in specific areas of environmental sanitation. Those working in a non-regulatory basis. He said this bill is intended to exclude those individuals who work for a governmental entity in a non-regulatory capacity. An example would be a hydrogeologist who developed groundwater monitoring plans for solid waste disposal facilities or a professional engineer who developed some type of closure plant.

The chairman recognized Joanne Chance who passed the committee copies of Exhibit #6. She read from the exhibit and stated that the bill redefines the practice and profession of a sanitarian. It includes air pollution, solid and hazardous waste, sewage treatment, underground storage tanks and drinking water. Although county sanitarians work in these areas there are many other professionals who also work in the same areas in the private sector.

Senator Burnett asked if the county sanitarian had to be registered. But a private contractor would not have to be registered as a sanitarian.

Ms. Chance said that was correct.

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Senator Towe said he was still confused about the exemption for private and state persons.

Ms. Chance said the exemption requested by the engineers would be if a person is not working for a governmental entity in an official regulatory capacity, the person would be exempt as a non-government employee.

Chairman Eck asked if a county would contract for the services of a sanitarian to perform such work.

Ms. Chance said she does that for Jefferson and Broadwater counties. She said she is required to be a registered sanitarian because she is employed by a governmental entity and acting on their behalf as a regulatory agent for the county.

Amendments, Discussion, and Votes:

There being 7 ayes and 1 nay by Senator Hager the motion to consider carried.

Senator Towe moved adoption of the amendments denoted in Exhibit #7. There being 7 ayes and 1 nay by Senator Hager the motion carried.

Recommendation and Vote:

Senator Towe moved concurrence as amended. There being 7 ayes and 1 nay by Senator Hager the motion carried.

ADJOURNMENT

Adjournment At: 5:36 p.m.



SENATOR DOROTHY ECK, Chairman



CHRISTINE MANGIANTINI, Secretary

DE/cm

ROLL CALL

PUBLIC HEALTH, WELFARE
AND SAFETY

COMMITTEE

Date 03/22/91

NAME	PRESENT	ABSENT	EXCUSED
SENATOR BURNETT	X		
SENATOR FRANKLIN	X		
SENATOR HAGER	X		
SENATOR JACOBSON	X		
SENATOR PIPINICH	X		
SENATOR RYE	X		
SENATOR TOWE	X		
SENATOR ECK	X		

Each day attach to minutes.

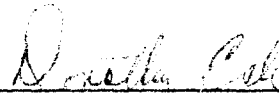
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 23, 1991

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration House Bill No. 640 (third reading copy -- blue), respectfully report that House Bill No. 640 be concurred in.

Signed: _____



Dorothy Eck, Chairman

161 3-23-91
Amd. Coord.

573 3-23 9:20
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 23, 1991

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration House Bill No. 642 (third reading copy -- blue), respectfully report that House Bill No. 642 be concurred in.

Signed: _____

Dorothy Eck
Dorothy Eck, Chairman

141 3-23-91
Amd. Coord.

52 3-23 9:20
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 23, 1991

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration House Bill No. 948 (third reading copy -- blue), respectfully report that House Bill No. 948 be amended and as so amended be concurred in:

1. Title, line 8.

Following: ";"

Strike: "AND"

2. Title, line 9.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 9, line 10.

Insert: "NEW SECTION. Section 5. Codification instruction -- coordination. (1) [Section 1] is intended to be codified as an integral part of Title 53, chapter 4, and the provisions of Title 53, chapter 4, apply to [section 1]. (2) If Senate Bill No. 205 is passed and approved, [section 1 of this act] is intended to be codified in the same part of Title 53, chapter 4, as [sections 1 through 3] of Senate Bill No. 205.

NEW SECTION. Section 6. Effective date. [This act] is effective July 1, 1991."

Signed: _____

Dorothy Eck
Dorothy Eck, Chairman

141 3-23-91
Amd. Coord.

OR 3-23 9:20
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 23, 1991

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration House Bill No. 849 (third reading copy -- blue), respectfully report that House Bill No. 849 be concurred in.

Signed: _____

Dorothy Eck
Dorothy Eck, Chairman

191 3-23-91
And. Coord.

SN 2-23 9:30
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 23, 1991

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration House Bill No. 860 (reference bill as amended -- salmon), respectfully report that House Bill No. 860 be amended and as so amended be concurred in:

1. Title, line 10.
Following: "REQUIRING"
Strike: "ALLOWING"
Insert: "REQUIRING"

2. Page 2, line 18.
Following: "SHALL"
Strike: "MAY"
Insert: "shall"

Signed: _____

Dorothy Eck
Dorothy Eck, Chairman

141 3-23-91
Amd. Coord.

141 3-23 9:21
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 23, 1991

MR. PRESIDENT:

We, your committee on Public Health, Welfare, and Safety having had under consideration House Bill No. 943 (third reading copy -- blue), respectfully report that House Bill No. 943 be amended and as so amended be concurred in:

1. Page 5, line 6.

Following: "sanitarian;"

Strike: "AND"

Insert: "or"

2. Page 5, lines 7 and 8.

Following: "ENTITY" on line 7

Strike: remainder of line 7 through "CAPACITY" on line 8

Insert: "or not under contract with a governmental entity for the performance of an official regulatory function"

Signed: _____

Dorothy Eck
Dorothy Eck, Chairman

3/3/91 LB
Amd. Coord.

JB 3/3
Sec. of Senate

11:45

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

SENATE HEALTH & WELFARE

EXHIBIT NO. 1

DATE 3/22

H BILL NO. 640 COGSWELL BUILDING



STAN STEPHENS, GOVERNOR

STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

TESTIMONY PRESENTED BEFORE THE SENATE PUBLIC HEALTH,
WELFARE AND SAFETY COMMITTEE

March 22, 1991

HB 640 - AMENDING DEFINITION OF FETAL DEATH

This bill proposes a change in the definition of Fetal Death found at 50-15-101 (5) M.C.A. Existing definition establishes a fetal death on the basis of gestational age of the fetus. This change would supplement the existing definition with the weight of the fetus. The effect of this change would be to identify fetal deaths in Montana that have heretofore been unreported.

Improvement in Montana's perinatal and postneonatal mortality rates requires that medical practitioners and public health professionals be provided with increasingly more detailed information on the many facets of pregnancy, prenatal care and birth. Medical practice in the United States is now focusing on 500 grams as a critical fetal weight or live birth weight. Changing this definition will allow reporting of medical information crucial to our understanding of fetal loss. This change will also provide hospitals with improved capability in deciding whether a fetal death is reportable.

The department feels that this change in definition is essential to improving data collection and statistical reporting in the area of fetal mortality.

Presented by:

Sam Sperry
Chief, Vital Records and Statistics Bureau
Department of Health and Environmental Sciences

On receipt of a certified copy of any will or adoption, the department shall restore the original certificate to its place in its files and file the local registrar and county clerk and recorder.

History: (1) En. Sec. 60, Ch. 197, L. 1967; amd. Sec. 52, Ch. 349, L. 1974; amd. Sec. 1, Ch. 1977; Sec. 69-4420, R.C.M. 1947; (2), (3) En. Sec. 61, Ch. 197, L. 1967; amd. Sec. 53, Ch. 349, L. 1974; Sec. 69-4421, R.C.M. 1947; R.C.M. 1947, 69-4420, 69-4421; amd. Sec. 9, Ch. 1981.

References
Office of County Clerk, Title 7, ch. 4, part 26.

Uniform Adoption Act, Title 40, ch. 8.
Adoptive parents defined, 40-8-103.

Part 4

Death

Disposition and removal of remains, Title 35,
Office of County Coroner, Title 7, ch. 4, part ch. 21, part 3.

50-15-401. Death certificate to be filed. A death or fetal death certificate shall be filed with the local registrar prior to interment or other disposition of a dead body. If the place of death is known, the certificate shall be filed within a time frame prescribed by the department. If the place of death or fetal death is unknown, the certificate shall be filed within 24 hours after the occurrence is known.

History: En. Sec. 64, Ch. 197, L. 1967; R.C.M. 1947, 69-4424(1); amd. Sec. 1, Ch. 392, L. 1989.

Compiler's Comments
1989 Amendment: In second sentence substituted "a time frame prescribed by the department" for "3 days after the occurrence is known".

50-15-402. Copy to be forwarded to deceased's county of residence. If a state resident dies outside the county of his residence, the clerk and recorder shall send a certified copy of the death certificate to the clerk and recorder of the deceased's county of residence. The copy shall be considered the same as the original.

History: En. Sec. 64, Ch. 197, L. 1967; R.C.M. 1947, 69-4424(2).

Cross-References
Residence — rules for determining, 1-1-215.
Office of County Clerk, Title 7, ch. 4, part 26.

50-15-403. Preparation of certificate when death medically attended. A person in charge of interment shall:

- (1) obtain personal data required by the department from persons best qualified to supply the data and enter it on the death or fetal death certificate;
- (2) (a) present the death certificate to the physician last in attendance upon the deceased, the coroner having jurisdiction, or the state medical examiner, who shall certify the cause of death according to his best knowledge and belief; or
(b) present the fetal death certificate to the physician, midwife, or other person in attendance, who shall certify the fetal death and supply any pertinent additional medical data;

(3) notify the local registrar if the death or fetal death certificate is not filed in accordance with the regulations in 3/22/91 md 8.

(4) file the death or fetal death certificate with the local registrar within 3 days after the occurrence.

History: En. Sec. 65, Ch. 197, L. 1967; amd. Sec. 107, Ch. 349, L. 1974; R.C.M. 1947, 69-4425; amd. Sec. 28, Ch. 7, L. 1979.

50-15-404. Preparation of certificate when death not medically attended. (1) If the death or fetal death occurred without medical attendance or the physician last in attendance failed to sign the death certificate, the local registrar may complete the certificate on the basis of information received from persons having knowledge of the facts.

(2) If it appears the death or fetal death resulted from other than natural causes, the local registrar shall notify the coroner and the state medical examiner for investigation and certification.

History: En. Sec. 66, Ch. 197, L. 1967; R.C.M. 1947, 66-4426; amd. Sec. 29, Ch. 7, L. 1979.

50-15-405. Permit for disposition of body. (1) No dead body may be disposed of or removed from a registration district until a permit for disposition or removal has been issued by the local registrar.

(2) No permit may be issued until a death certificate, fetal death certificate, or notice of delay as required in subsection (3) of this section has been filed with the local registrar.

(3) If the cause of death or fetal death cannot be determined within 3 days after the occurrence, the attending physician, coroner, or medical examiner shall give the local registrar written notice of the reason for delay so that a permit may be issued for disposition of the body.

History: En. Secs. 67, 68, Ch. 197, L. 1967; R.C.M. 1947, 69-4427, 69-4428; amd. Sec. 30, Ch. 7, L. 1979.

50-15-406. Body brought into state for disposition. If a body is brought into the state for burial or other disposition accompanied by a permit, the local registrar shall endorse the permit and keep a record of it.

History: En. Sec. 69, Ch. 197, L. 1967; R.C.M. 1947, 69-4429.

50-15-407. Disinterment permit. (1) A body, after burial, may be disinterred for reinterment or transport after a permit is obtained from the local registrar of the jurisdiction where the body is interred.

(2) Administration of this section is in the department, which shall adopt rules accordingly. The rules shall provide that, as a precondition to the permit, the applicant make a showing of reasonable cause for the disinterment.

(3) This section provides a supplementary procedure for disinterment of a dead body and is not amendatory to or repealing of any other act.

History: En. Sec. 1, Ch. 481, L. 1973; amd. Sec. 19, Ch. 187, L. 1977; R.C.M. 1947, 69-4428.1.

Cross-References

Adoption and publication of rules, Title 2, ch. 4, part 3.

SENATE HEALTH & WELFARE

EXHIBIT NO. 3DATE 3/22H BILL NO. 642

Child Abuse and Neglect

Of all the developmental problems discussed in this text, child maltreatment is the most destructive to the child who experiences it, to the care-giver who commits it, and to the society that allows it. Yet child abuse and neglect are serious problems in every nation of the world (Leavitt, 1983).

The actual prevalence is hard to estimate, since maltreatment often goes unreported (Brown, 1983). Even the reported cases, however, show that abuse is all too common. According to information from various sources, in the United States, one out of every twenty-eight American children under age 14 was reported as abused or neglected in 1986. That is more than a million reported cases a year. What, exactly, is **child abuse**? In fact, it is a cluster of different behaviors, each of which results in harm to the child's development.

The most obvious form of abuse is severe physical abuse, the "battered-child syndrome" first described in 1962. Since then, pediatricians and emergency room staff have been trained to examine cases of "accidental" injury and required to report suspected abuse (Solnit, 1980). They look for hidden bleeding from bruises under the skull; burn marks that are round (from cigarettes), or latticelike (from hot radiators), or that stop suddenly part-way up the child's body (from scalding bathwater); partially healed fractures; and many other signs that indicate that a particular injury was not an accident at all. Such severe abuse constitutes only about 4 percent of all reported cases.

However, less extreme physical abuse, producing cuts, welts, bruises, or no marks at all, can sometimes be as destructive as extreme abuse. Vigorously shak-

7.13 While the severe battering of a child may be the most disturbing kind of abuse to witness, long-term and repeated physical and psychological abuse is much more common and more damaging. When asked about his injuries, which included cigarette burns, welts, and bite marks, this 5 year-old explained: "My stepfather sometimes says, 'I'm a lion. You're a piece of meat.' I guess he doesn't like me."



ing an infant, for example, is a common reason for the brain damage too often found in abused children (Marrin, 1980).

Emotional maltreatment and sexual abuse can be even more destructive, in the long term, than physical abuse. Unfortunately, they often go unrecognized and unreported, and therefore do not get treated until years after the damage is done. Particularly in the case of sexual abuse, one reason for underreporting is that people simply had not believed that the sexual abuse of young children could occur. In recent years, increased public awareness of the problem, and the establishment of agencies to deal with sexual abuse, have resulted in a doubling in the sexual-abuse reporting (Brown, 1983). (Emotional and sexual abuse are discussed later in this book, at the stages of development when they become more common, emotional maltreatment in Chapter 10 and sexual abuse in Chapter 16.)

Finally, **neglect** is actually the most common form of maltreatment as well as the most destructive, causing more deaths, injuries, and long-term problems than abuse (Cantwell, 1980; Wolock and Horowitz, 1984). Some instances of neglect are blatant and horrifying: infants who are allowed to starve or freeze to death are examples. Others are less obvious, involving infants who are debilitatingly undernourished, or whose parents rarely cradle, talk, or play with them. Furthermore, many childhood accidents (by far the greatest cause of childhood death and serious injury) can be traced to neglect, although they are rarely reported as such.

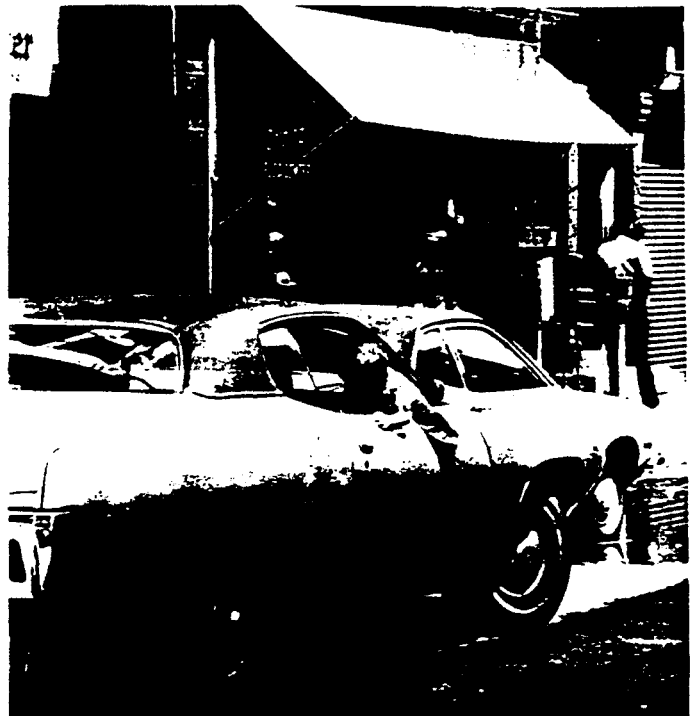


Figure 7.14 Neglect is more common than abuse, and more destructive. It is a factor in most of the accidental deaths that occur to children through age 10 in the United States each year. Neglected children are also more likely to be stunted physically, cognitively, and emotionally, than abused children.

Causes of Child Abuse and Neglect

Traditionally, the cause of abuse was seen as residing solely in the "disturbed" abuser who lost control. Parents were blamed and sometimes punished, and often the child was removed from the home. However, as the ecological approach has become more widely used to understand child abuse, the focus in searching for causes has moved from the idea of the "pathological parent" to the interaction among parent, child, and society, and the emphasis has shifted from placing blame to early diagnosis and prevention (Cohn, 1983; Thompson, 1983). Let us look first at the overall social and cultural milieu in which maltreatment occurs.

SENATE HEALTH & WELFARE

EXHIBIT NO. 3

DATE 3/22

1) BILL NO. 642

In January of 1986, both my husband and I were working full-time. We did some checking and found a licensed daycare in Helena. This facility provided the amount of daycare we needed and was affordable. I was told I could bring the children anytime, day or night, including weekends. We began bringing our children on a regular basis of three to four days per week for the next four or five months. At that time Adam was 7 years old, Jonathan 4 years old, and Chrystal 3 years old. The owner of the daycare would take Adam to school. Jonathan and Chrystal would stay the whole day from approximately 0630 to 1500 hours.

During the first few weeks of going to this daycare, the children would complain about having to go there. We assumed this to ^{be} normal. They continually complained throughout the next few months. We asked them why they did not like it. Their response was never specific, just that they did not like it. In the Spring of 1986 we began looking for another daycare. Over the next few months we heard some startling reports from very reliable sources (ie Family Services). For instance, the above mentioned daycare was, according to the authorities, routinely hiding children when state personel came to inspect the facility.

During the next few years, Jonathan and Chrystal attended the Foot-Kindshey Daycare and Preschool when they were not attending Headstart. Both facilities stated that Chrystal was doing okay, but Jonathan was extremely quiet. He would talk only if he absolutely had to. Also he had difficulty playing with other children. Though Chrystal was doing well at the schools, she started having nightmares. At first, she would only cry and then go back to sleep. Gradually, they became more frequent and intense. Through study, I found that these nightmares were not nightmares at all, but considered night terrors. She would sweat profusely, and with her eyes wide open she would cry and scream. Many times while crying she would say " I'm sorry, I'm sorry, I love you, I love you, I love you, I'm sorry....." Along with this reply she would sometimes describe a place or an activity. During one night terror she asked, " Why did you put me in this room and take my clothes off and pour cold water on me?" Another time, while having a night terror, she pointed at something. She continued to scream and cry for approximately 15 minutes. She never would say what she was pointing at. One night she stated that she was afraid of "the hole" and cried "please don't put me in the hole".

The night terrors usually lasted 5 to 15 minutes. It would take approximately 15 minutes to calm her down to where she could sleep. The next day she would not remember any of what went on the night before. Toward the end of 1989 one or two night terrors per week was a common occurrence. They became more severe.

Jonathan continued to have problems in school. He could not function successfully in the first grade. He had few friends if any. The teachers repeatedly stated that he very seldom talked.

In January of 1990, our family sought help at the Mental Health Services in Helena. Both younger children received most of the therapy which lasted from January through June of 1990. During this time, it was determined that both children received abuse of some sort; physical, psychological, and/or sexual.

Since June of 1990, Chrystal has had no night terrors. She does experience general aches and pains which her therapist stated might happen. This is another way of expressing the trauma she went through. Jonathan is doing much better in school and is verbally expressing himself. However, I have recently been told by his teacher that more therapy may be needed. He tends to be a loner, has difficulty getting along with other children, and continues to act as if something is

bothering him.

You may ask, How does this past history tie into the present and the future? A few years ago, the above mentioned daycare lost it's license. Shortly thereafter it opened as a preschool which is not required to be licensed. Most recently, two mothers, who had been bringing their children to this same facility, confronted me with their concerns. The first mother stated that her daughter had become very fearful of going to the preschool. The child had repeatedly complained of hurting between her legs. She was found to have vaginitis, at the age of three. The second mother had been taking her three children, ages from twelve months to five years, to the preschool since last summer. One day she noticed a large burn on the back of her youngest child's neck. The two older children, both girls, stated that they did not know how it happened. Being suspicious of the type of care being given to her children, this parent discontinued the service. Knowing that they were not going back to the preschool may be the reason they told their mother what happened to their brother. According to their mother, the girls stated that their brother fell against a hot, coiled heater. He began screaming. The attendant picked him up, put him in a crib, and told him to cry himself to sleep. The only comfort he

received was his sister holding his hand.

Ex. 3

3/22/91

HB 642

In conclusion, an unlicensed, unqualified, potentially dangerous facility can advertise as a preschool and function as a daycare. They make their own rules, or have no rules at all. They can operate 24 hours per day, 7 days per week with any number of children. Their ages may range from newborn to preschool. No educational opportunities need to be provided. The number of children per caregiver may be quite large compared to the legal number of children allowed per caregiver. Many children who attend this type of care facility, because their parents need to work, are being subjected to various types of abuse. If we as concerned citizens do not protect them, then they have no protection at all, save the security of their homes. Bill 642 is needed because no facility should have the responsibility of caring for other non-related human beings without some type of qualifications. Daycare and preschool facilities should be in a healthy and clean environment concerned with the holistic well-being of the child. We do not tolerate the abuse of animals. Dare we tolerate the abuse of our children?

Phyllis Bumpall
3-22-91

Amendments to House Bill No. 948
Third Reading Copy

Requested by Senator Eck
For the Committee on Public Health

Prepared by Greg Petesch
March 18, 1991

SENATE HEALTH & WELFARE

EXHIBIT NO. 4

DATE 3/22

H BILL NO. 948

1. Title, line 8.
Following: ";"
Strike: "AND"

2. Title, line 9.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 9, line 10.
Insert: "NEW SECTION. Section 5. Codification instruction --
coordination. (1) [Section 1] is intended to be codified
as an integral part of Title 53, chapter 4, and the
provisions of Title 53, chapter 4, apply to [section 1].
(2) If Senate Bill No. 205 is passed and approved, [section
1 of this act] is intended to be codified in the same part
of Title 53, chapter 4, as [sections 1 through 3] of Senate
Bill No. 205.

NEW SECTION. Section 6. Effective date. [This act] is
effective July 1, 1991."

Amendments to House Bill No. 860

Reference Copy

H BILL NO. 860

Requested by Senator Judy Jacobson
For the Senate Public Health, Welfare, and Safety Committee

Prepared by Tom Gomez
March 22, 1991

1. Title, line 10.
Following: "REQUIRING"
Strike: "ALLOWING"
Insert: "REQUIRING"

2. Page 2, line 18.
Following: "SHALL"
Strike: "MAY"
Insert: "shall"



P.O. Box 20996, 1629 Ave. D, Billings, MT 59104, Phone 406/259-7300
Fax: 259-4211

MONTANA TECHNICAL COUNCIL
ADDITIONAL INFORMATION ON HB 943

MONTANA CHAPTER AIA	AIA
AMERICAN SOCIETY OF CIVIL ENGINEERS	ASCE
BILLINGS ARCHITECTURAL ASSOCIATION	BAA
CONSULTING ENGINEERS COUNCIL OF MONTANA	CECM
GREAT FALLS SOCIETY OF ARCHITECTS	GFSA
AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS	ASLA
ARCHITECTURAL SOCIETY OF HELENA	ASH
MONTANA ASSOCIATION OF REGISTERED LAND SURVEYORS	MARLS
MONTANA SOCIETY OF ENGINEERS	MSE
INSTITUTE OF ELECTRICAL AND ELECTRONIC ENGINEERS	IEEE

SECTION 37-40-102 OF HB 943 ADDRESSES EXEMPTIONS FROM THE NEED FOR A PROFESSIONAL TO BE LICENSED AS A SANITARIAN. THE MONTANA TECHNICAL COUNCIL, AN ASSOCIATION OF ENGINEERS, ARCHITECTS, AND LAND SURVEYORS HAS REQUESTED EXEMPTION 6 FOR SEVERAL REASONS. THIS EXEMPTION READS:

SENATE HEALTH & WELFARE

EXHIBIT NO. 6

DATE 3/22

HB 943

ANY PERSON NOT EMPLOYED BY A GOVERNMENTAL ENTITY IN AN OFFICIAL REGULATORY CAPACITY.

THIS EXEMPTION IS SUPPORTED BY REPRESENTATIVE DAVIS AND THE BOARD OF SANITARIANS. IT IS NEEDED FOR THE FOLLOWING REASONS.

THE OBJECTIVE OF THIS BILL IS TO REGULATE COUNTY SANITARIANS. THE BILL PROPOSES TO REDEFINE "PRACTICE THE PROFESSION OF SANITARIAN" TO INCLUDE SUCH PROFESSIONAL WORK AS AIR POLLUTION CONTROL, SOLID AND HAZARDOUS WASTE COLLECTION, SEWAGE TREATMENT, UNDERGROUND STORAGE TANKS, AND DRINKING WATER. ALTHOUGH COUNTY SANITARIANS WORK IN THESE AREAS, THERE ARE MANY OTHER PROFESSIONALS WHO ALSO WORK IN THESE AREAS IN THE PRIVATE CONSULTING OR PRIVATE EMPLOYER SECTORS. EXAMPLES INCLUDE LICENSED PROFESSIONAL ENGINEERS, CHEMISTS, AND GROUNDWATER GEOLOGISTS. THEY ARE LICENSED VIA OTHER MECHANISMS, OR EARN THEIR RESPECTIVE PROFESSIONAL CREDENTIALS THROUGH COLLEGE DEGREES AND RELEVANT EXPERIENCE. THERE IS NO NEED TO HAVE THEM BECOME REGISTERED SANITARIANS.

THE REGISTERED SANITARIANS EXAM ~~IS~~ IS NOW CURRENTLY HEAVILY WEIGHED TOWARD CONTROLLING THE SPREAD OF COMMUNICABLE DISEASES, FOOD PRESERVATION, MICROBIOLOGY, AND SEPTIC SYSTEM INSTALLATION. I HAVE TAKEN THE EXAM AND IT REALLY WAS NOT DESIGNED TO TEST THOROUGH KNOWLEDGE OF THE TOPICS MENTIONED ABOVE SUCH AS UNDERGROUND STORAGE TANKS AND HAZARDOUS WASTE MANAGEMENT. IT ADDRESSES WHAT A COUNTY SANITARIAN NEEDS TO KNOW, NOT WHAT A PRIVATE SECTOR CIVIL ENGINEER OR GROUNDWATER HYDROGEOLOGIST NEEDS TO KNOW TO BE PROFICIENT IN THEIR WORK. FOR THESE REASONS AN EXEMPTION OF TECHNICAL PROFESSIONALS WHO WORK FOR THE PRIVATE SECTOR IN A NONREGULATORY CAPACITY IS NEEDED.



COORDINATING COUNCIL FOR MONTANA DESIGN PROFESSIONS

Ex. 6
3/22/91
HB 943

IF AN INDIVIDUAL WORKS FOR A GOVERNMENTAL ENTITY IN AN OFFICIAL REGULATORY CAPACITY DOING COUNTY SANITARIAN WORK THEY ARE NOT EXEMPT FROM BEING REGISTERED AS A SANITARIAN UNDER THIS BILL.

FINALLY, SINCE ~~THE~~ NATIONAL SANITARIANS TEST IS DESIGNED TO TEST THE ^{general} KNOWLEDGE OF ~~THOSE WHO WORK AS COUNTY~~ ^{field sanitation} ~~SANITARIANS~~, MANY OF THE OTHER PROFESSIONALS THAT I HAVE MENTIONED ABOVE WOULD HAVE DIFFICULTY IN PASSING THE EXAM. OR THEY WOULD SPEND MANY UNNECESSARY HOURS STUDYING MATERIAL THAT THEY DO NOT EVEN NEED TO BE FAMILIAR WITH TO PROFICIENTLY PRACTICE IN THEIR PROFESSIONAL FIELDS.

I HOPE THIS CLARIFIES THE NEED FOR EXEMPTION NUMBER 6 AND THANK YOU FOR THIS OPPORTUNITY.

MTC IS AN ASSOCIATION OF ENGINEERS, ARCHITECTS, AND LAND SURVEYORS.

SUBMITTED BY JOANNE CHANCE, P.E., ALSO A REGISTERED SANITARIAN.

Joe

Amendments to House Bill No. 943
Third Reading Copy

For the Senate Public Health, Welfare, and Safety Committee

Prepared by Tom Gomez
March 23, 1991

1. Page 5, line 6.

Following: "sanitarian;"

Strike: "AND"

Insert: "or"

2. Page 5, lines 7 and 8.

Following: "ENTITY" on line 7

Strike: remainder of line 7 through "CAPACITY" on line 8

Insert: "or not under contract with a governmental entity for the
performance of an official regulatory function"

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 H Bill No. 640 Time 3:21 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved concurrence. There being no objections
the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 3/22/91 H Bill No. 895 Time 4:00 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved to table. There being no objections
the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 HBill No. 642 Time 4:20 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved concurrence. There being no objections
the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 H Bill No. 948 Time 4:43 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Jacobson moved concurred as amended.

There being no objections the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 3/22/91 H Bill No. 948 Time 4:45 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved adoption of the amendments denoted in
Exhibit #4. There being no objections the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 HBill No. 849 Time 4:47 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Jacobson moved to remove from the table.

There being no objections the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 H Bill No. 849 Time 4:55 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER		X
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Jacobson moved concurrence. There being 1 nay
and 7 ayes the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 H Bill No. 860 Time 4:57 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Jacobson moved adoption of the amendments denoted
in Exhibit #5. There being no objections the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 H Bill No. 860 Time 5:00 p.m.

NAME	YES	NO
SENATOR BURNETT		X
SENATOR FRANKLIN	X	
SENATOR HAGER	X	
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE		X
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved concurrence as amended. There being
no objection the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 H Bill No. 943 Time 5:00 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER		X
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved consideration of this measure.

There being 1 nay and 7 ayes the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 H Bill No. 943 Time 5:04 p.m.

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER		X
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary

Chairman

Motion: Senator Towe moved adoption of the amendments denoted in
Exhibit #7. There being 1 nay and 7 ayes the motion carried.

ROLL CALL VOTE

SENATE COMMITTEE PUBLIC HEALTH, WELFARE & SAFETY

Date 03/22/91 H Bill No. 943 Time 5:32

NAME	YES	NO
SENATOR BURNETT	X	
SENATOR FRANKLIN	X	
SENATOR HAGER		X
SENATOR JACOBSON	X	
SENATOR PIPINICH	X	
SENATOR RYE	X	
SENATOR TOWE	X	
SENATOR ECK	X	

Secretary _____

Chairman _____

Motion: Senator Towe moved concurrence as amended. There being
1 nay and 7 ayes the motion carried.

DATE _____

COMMITTEE ON

+B 640, 895
642 948

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Sam Sperry	Dept. of Health	HB640	X	
Harold Hansen	Self	HB 998	X	
Kate Cholewa	MT Womens Lobby	HB642	X	
M.E. "Mickey" Nelson	L & L Co. Coroners	HB 410	X	
M.E. "Mickey" Nelson	L & L Co. Coroners	HB 895		X
Steve Abbott	Montana Coroners Ass	HB 895		X
Paul Johnson	Attorney General / State Medical Examiner	HB 895		X
Gary Dafe	Dept Justice	HB 895		X
J.E. "Mike" Phillette III	MT Funeral Directors	HB 895		X
Boyd Fowler	Dept. Family Serv.	HB-642		
Ray Helmer	Dept of Health	HB-805	X	
H. Ray McKenna	MACSS	HB 948	X	
Bruce DeGrazia	MDHS	H 917	X	

(Please leave prepared statement with Secretary)