

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & INDUSTRY

Call to Order: By Chairman J.D. Lynch, on April 2, 1991, at 10:00 a.m.

ROLL CALL

Members Present:

J.D. Lynch, Chairman (D)
John Jr. Kennedy, Vice Chairman (D)
Betty Bruski (D)
Eve Franklin (D)
Delwyn Gage (R)
Thomas Hager (R)
Jerry Noble (R)
Gene Thayer (R)
Bob Williams (D)

Members Excused: None

Staff Present: Bart Campbell (Legislative Council).

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

Announcements/Discussion: None

HEARING ON HOUSE BILL 987

Presentation and Opening Statement by Sponsor:

Representative Brent Cromley, sponsor of the bill, stated that HB 987 and HB 988 are very similar bills. They have been treated together in the past. These two bills have to do with general revisions of laws relating to campgrounds, trailer courts, hotels, and rooming houses. The original version of HB 987 included beds and breakfasts, which have been taken out. In both cases, they attempt to clarify law with regards to the relationship from the state board of health and the local board of health, and to encourage better health practices, and to make for a more standardized time for inspections.

Proponents' Testimony:

Mitzi Schwab, chief of the food and consumer safety bureau of the department of health, spoke in favor of the bill (See Exhibit 1).

Jean Johnson, executive director of the Montana association of homes for the aging, stated that they support HB 987 as amended.

_____, representing the environmental health division, the Lewis and Clark city health department, stated that even at fifty dollars, which was the original request, and certainly the forty dollars which has been reduced down with amendments, covers less than half of their cost in doing these types of inspections.

Pete Frazier, director of environmental health for the city county health department in Great Falls, Montana, spoke in favor of the bill (See Exhibit 2).

Opponents' Testimony:

Stuart Doggett, representing the Montana innkeepers association, stated that they are not opposed to the concept of the bill, but there are some sections of the bill that they have problems with. They have problems with the cost and recovery section. He proposed an amendment for page ten, line twelve of the bill. They would like to add some language to say, in the case of an intentional violation of this chapter.

Questions From Committee Members:

Senator Thayer asked what an inspection consists of.

Mitzi Schwab stated that with public accommodations they have a wide variety of establishments. The inspection has to be specific for the type of establishment that you are in. Most inspections are on food service, if the water is safe to drink, taking a look at the sewage disposal system to make sure that it meets all standards and codes, and laundry facilities to make sure that there is proper sanitation of how the linens are taken care of.

Senator Williams asked if they go back and do another inspection after a violation has been issued.

Mitzi Schwab replied that they do, especially if it is something that is considered of a critical nature.

Senator Gage asked if the effect of this bill and HB 988 are reflected in the governor's proposed budget.

Mitzi Schwab replied no.

Closing by Sponsor:

Representative Cromley closed by saying that they would request that the forty dollar fee be amended to fifty dollars. There has been some discussion in the past of penalties, but it is not a penalty process. The health inspector is not out there to find a citation and penalize.

Presentation and Opening Statement by Sponsor:

Representative Cromley, sponsor of the bill, stated that he would like to address HB 988 the same way that he addressed HB 987. Refer to opening statement by sponsor for HB 987.

Proponents' Testimony:

Mitzi Schwab, chief food and consumer safety bureau, submitted written testimony in favor of HB 988 (See Exhibit 3).

Pete Frazier, director of environmental health with the city-county health department in cascade county, submitted written testimony in favor of the bill (See Exhibit 4).

Opponents' Testimony:

None

Questions From Committee Members:

Senator Lynch stated that the Butte Silverbow health department faxed him support of this bill. He asked Pete Frazier, in his health department, what is his FTE.

Pete Frazier replied that they have six sanitarians, one of which is full time.

Senator Lynch asked how many inspectors does he have on this type of a program.

Pete Frazier replied that they have four and a half FTE's.

Senator Lynch asked in the city of Great Falls, Montana, how many inspections do they have in a year.

Pete Frazier replied that they have very close to five hundred inspections.

Senator Williams asked if he agreed with the amendments proposed by Stuart Doggett.

Representative Cromley replied that they have no problems with the amendments.

Senator Thayer asked what a work camp and a youth camp was.

Mitzi Schwab replied a work camp is when someone is doing some exploration, for example, petroleum and they set up a camp out in the wilderness. There is a definition of youth camp in the current statutes that is very specific.

Senator Lynch asked if Stuart Doggett had any objections to changing the fee from forty dollars to fifty dollars.

Stuart Doggett replied that they have no objections.

Closing by Sponsor:

Representative Cromley closed.

EXECUTIVE ACTION ON HOUSE BILL 987

Motion:

Senator Kennedy moved to amend HB 987 with the amendments proposed by Stuart Doggett on page six, line eighteen, and on page ten, line twelve.

Senator Noble moved HB 987 be concurred in as amended.

Discussion:

Senator Gage stated that he would not support the motion because of the inaccuracy of the statement of intent.

Amendments, Discussion, and Votes:

The motion by Senator Kennedy to amend HB 987 passed unanimously.

Recommendation and Vote:

The motion by Senator Noble that HB 987 be concurred in as amended passed 8 to 1 vote. Senator Lynch will carry this bill to the floor.

EXECUTIVE ACTION ON HOUSE BILL 988

Motion:

Senator Kennedy moved to amend HB 988 with the same amendments from HB 987.

Senator Noble moved that HB 988 be concurred in as amended.

Discussion:

Senator Gage stated that there is a section that talks about a special revenue account.

Senator Lynch stated that as he understands it, this will be amended into HB 2 that will be dealt with in finance and claims.

Amendments, Discussion, and Votes:

The motion to amend HB 988 by Senator Kennedy passed unanimously.

Recommendation and Vote:

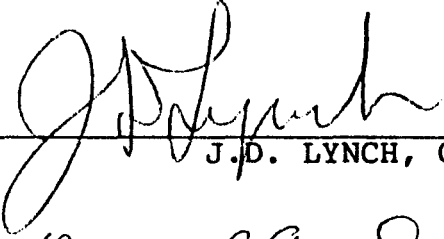
The motion by Senator Noble that HB 988 be concurred in as amended passed 8 to 1 vote. Senator Noble will carry this bill to the floor.

ADJOURNMENT

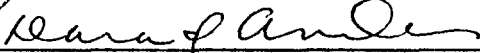
April 2, 1991

Page 5 of 5

Adjournment At: 10:40 a.m.



J.D. LYNCH, Chairman



DARA ANDERSON, Secretary

JDL/dia

ROLL CALL

BUSINESS AND INDUSTRY COMMITTEE

DATE 4/2/91

52ND LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR BRUSKI	X		
SENATOR FRANKLIN	X		
SENATOR GAGE	X		
SENATOR HAGER	X		
SENATOR NOBLE	X		
SENATOR THAYER	X		
SENATOR WILLIAMS	X		
SENATOR KENNEDY	X		
SENATOR LYNCH	X		

Each day attach to minutes.

4/2/91

BUSINESS & INDUSTRY

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 2 day of April, 1991.

Name: Pete Frazier

Address: 3305 17 Ave S

Q T Folds

Telephone Number: 761-1190 (W) 761-3505 (H)

Representing whom?

City - C Health

Appearing on which proposal?

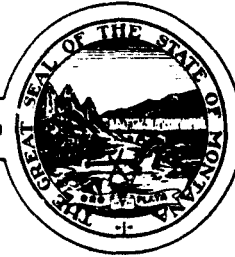
L7 B 958

Do you: Support? ✓ Amend? Oppose?

Comments:

See attached

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCESEXHIBIT NO. 1BILL NO. 412/91
HB987

STAN STEPHENS, GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES

TESTIMONY ON HOUSE BILL NO. 987

50-51, MCA gives joint authority to state and local health authorities to regulate public accommodations. Proposed revisions are in response to extensive FY90 and FY91 program audits and solicitation of comments and proposals from local government and regulated industry.

Establishment annual licensure fees would be increased from \$30 to \$40 with 85% (\$34.00) deposited in the local board inspection fund to support local inspection programs, 9% (\$3.60) would be deposited in the general fund and 6% (\$2.40) deposited in a state special revenue account to be allocated to DHES for needed program support development. Licensure fees have only been increased by \$5 in the past 14 years. The minimum program requirement is one inspections/year with an average cost of \$60 per establishment based upon a 1990 survey of Montana local program cost survey. The original licensure fee proposal of \$50.00 with the same percentages to local and state program support was determined to be the minimum fee to provide needed local and state resources to implement needed statewide program performance standards to provide uniformity and accountability. Deposit of assessed late fee penalties into the special revenue account allocated to DHES is to provide a funding source for program enforcement.

Amendment of 50-51-303, MCA provides accountability for fee monies paid to local governments through the local board inspection fund. Provisions made include: 1) designating program generated funding must be used for the program; 2) programs receiving payment will meet minimum program performance standards as established by rule; 3) nonsupplanting of other program funds by grant monies increases; and 4) DHES may use unpaid grant monies to provide temporary 50-51, MCA provisions. Cooperative agreements will continue to be used with local government and program accountability through adoption of minimum performance standards will promote uniformity statewide.

Amendment of section 50-51-301, MCA (Section 5) ensures inspections are performed by qualified public health professionals with HB943 language coordination, and amendment of section 50-51-302, MCA (Section 6) provides language coordination with (Section 5) of proposed standard language for regulated establishment access of conducted investigations and inspections. Section 8 - Civil penalties provides an enforcement alternative in addition to prosecution of criminal charges. Section 9 - Injunctions provides conformity with 50-50 and 50-52, MCA also administered by FCSB. Section 10 - Costs and expenses - provides allows for compliance cost recovery by DHES or counties from regulated establishments.

DHES requests a "do pass" committee report. Thank you.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Mitzi A. Schwab".

Mitzi A. Schwab, Chief, Food and Consumer Safety Bureau
Telephone: 444-2408



Testimony Concerning House Bill 987
Before the Senate Business & Industry Committee
April 2, 1991

Chairman Lynch and Committee Members,

My name is Jim Carlson. I am the Director of the Environmental Health Division of the Missoula City-County Health Department. I am here to speak in favor of HB 987 as drafted.

Missoula County has 64 licensed public accommodations. Under current state law, my department is required to inspect these establishments once a year as well as review plans for the construction of new facilities, and to provide for the enforcement of the public accommodations regulations within Missoula County.

The present fee for public accommodations of \$30 per year has not been raised in the past 8 years. Currently Missoula County receives approximately \$1,600 per year from the State Department of Health for a program which is currently costing us approximately \$2,600 a year. Because of I-105, local department's cannot raise other revenues to offset the increasing costs of personnel, transportation and secretarial time to perform the duties which are required by state law under the public accommodations program.

This Bill would cover the cost of the requirements imposed by the State on local departments. We urge you to give your support to this Bill as an appropriate method to provide for the requirements of this program.

Thank you for your consideration.

Jim Carlson, Director
Environmental Health



BUTTE-SILVER BOW HEALTH DEPARTMENT

25 WEST FRONT

BUTTE, MONTANA 59701

406-723-3274

April 1, 1991

Senator J. D. Lynch, Chairman
Business and Industry Committee
Capitol Station
Helena, Mt. 59620

RE: Proponent of House Bill #987

Dear Senator Lynch and Committee Members:

For the record, my name is Dan Powers. I am the Environmental Health Director for Butte-Silver Bow.

At this time, I would like to voice my opinion as being a proponent of House Bill #987.

In past years, there have been many gray areas concerning the rules and regulations regarding hotels, motels, rooming houses, boarding-houses, retirement homes, tourist homes and now bed and breakfasts. Some of these establishments have gone without inspections; been inspected by untrained personnel or have not been governed by any rules or regulations at all, this resulting in uninspected and potentially unhealthy situations.

There are a variety of reasons for this:

1. Inadequate or unclear definitions of these establishments.
2. Lack of necessary funding for inspections.
3. Lack of adequate staffing to carry out inspections.
4. Misuse or improperly allocated funding.
5. Non-existent penalties for those establishments who fail to adhere by any rules or regulations.

With the passage of this Bill, it will provide clear and concise definitions, rules and regulations and above all, it will promote the health and well being of the citizens of Montana and visitors alike.

Sincerely,

Dan Powers, R.S.
Environmental Health Director



County of Yellowstone

CITY-COUNTY HEALTH DEPARTMENT



POST OFFICE BOX 35033
BILLINGS, MONTANA
59107

April 2, 1991

Dear Tom Hager,

The Yellowstone City-County Health Department
is in support of House Bill 987 and 988.
It is strongly urged that these bills be approved
by the Senate Business and Industry Committee.

Sincerely,

Ted Rylander, R.S.

Gary Drewshaw

Louis Loder

Central Montana Health District

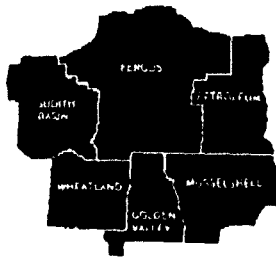
Sanitarian's Office

404 Fourth Avenue South

~~PO BOX 1000~~

Lewistown, Montana 59457

Telephone 406/538-7466



● Fergus

● Golden Valley

● Wheatland

● Musselshell

● Petroleum

● Judith Basin

March 28, 1991

Honorable Bob Williams
Senator District 15
Capital Station
Helena, Montana 59620

REF: HB 987,988

Dear Senator Williams:

The Central Montana Health District would appreciate your support of HB #987, Public Accommodation, HB #988, Trailer Courts, will be heard in the Senate Business and Industry Committee on Tuesday, April 2, 1991 at 10:am.

These bills will:

1. Provide for uniform inspections throughout the state
2. Provide for civil penalties not criminal penalties
3. Provide more money for inspections. Right now, inspection costs are greater than the return for license fees.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth F. Smith".

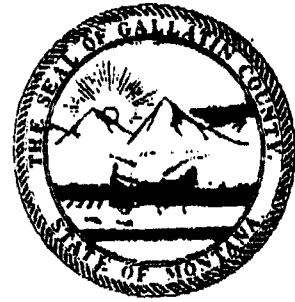
Kenneth F. Smith, R.S.
Health Officer
Central Montana Health District

KFS:jp

State of Montana

County of Gallatin

Bozeman



April 2, 1991

John "J.D." Lynch, Chairman
Business and Industry Committee
Helena, MT 59602

Post-It™ brand fax transmittal memo 7871		# of pages > 1
To	John Lynch	
From	Tim Read	
Co.	Business & Indust.	Co. Gallatin Sanitarian
Dept.	Committee	Phone (406) 585-1460
Fax #	(406) 444-1374	Fax # (406) 585-1403

Dear John:

The Montana Environmental Health Association supports HB 987 and 988, regarding trailer courts and public accommodations. During the most recent business meeting for the Montana Environmental Health Association the membership endorsed HB 987, 988. The association was in agreement with the original proposal for a fifty dollar licensure fee for trailer court public accommodations. The association recognizes the need for a quality inspectional program that would be further facilitated by the increased revenues to local health departments with passage of HB 987 and 988.

Sincerely,

Tim Read, President
Montana Environmental Health Association

TR/st

TESTIMONY ON HB 987

MR. CHAIRMAN AND COMMITTEE MEMBERS, MY NAME IS PETE FRAZIER, DIRECTOR OF ENVIRONMENTAL HEALTH WITH THE CITY-COUNTY HEALTH DEPARTMENT IN CASCADE COUNTY.

I COME BEFORE YOU IN SUPPORT OF HB 987. CURRENT LAW REQUIRES THAT ALL PUBLIC ACCOMODATIONS LICENSED BY THE STATE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES BE INSPECTED AT LEAST ONCE EACH YEAR BY STATE AND LOCAL HEALTH DEPARTMENT SANITARIANS. DUE TO LACK OF FUNDING AND STAFF FOR THE STATE FOOD & CONSUMER SAFETY BUREAU, A VAST MAJORITY OF THESE REQUIRED INSPECTIONS MUST BE DONE BY LOCAL HEALTH DEPARTMENT SANITARIANS. EACH OF THESE INSPECTIONS COSTS AT LEAST \$75 TO PERFORM. HOWEVER, UNDER CURRENT LAW, EACH PUBLIC ACCOMODATION PAYS A \$30 ANNUAL LICENSE FEE, OF WHICH \$25.50 IS RETURNED TO THE LOCAL HEALTH DEPARTMENT FOR THEIR INSPECTIONAL SERVICES. THIS COVERS ONLY 34% OF THE LOCAL DEPARTMENT'S ACTUAL COSTS. HB 987 PROPOSED AN INCREASE IN LICENSE FEES TO \$50, AND THIS WAS AMENDED DOWN TO \$40 IN THE HOUSE. THE ORIGINAL PROPOSAL OF \$50 PER YEAR WOULD HAVE INCREASED LOCAL FUNDING TO COVER JUST OVER HALF OF THE COSTS FOR INSPECTION SERVICES PROVIDED BY LOCAL HEALTH DEPARTMENTS, BUT THE AMENDED BILL ONLY PROVIDES 45% OF LOCAL COSTS. WE WOULD URGE THE COMMITTEE TO RE-AMEND THE BILL ON PAGE 6, LINE 18, BACK TO ITS ORIGINAL FORM OF \$50.

THIS BILL ALSO PROVIDES NECESSARY CHECKS AND BALANCES SO THAT LOCAL HEALTH DEPARTMENTS WON'T RECEIVE THIS FUNDING IF THEY DON'T OR CAN'T PERFORM THE INSPECTIONS AND MEET MINIMUM PROGRAM PERFORMANCE STANDARDS TO BE ESTABLISHED BY DHES. THESE PERFORMANCE STANDARDS WILL ALSO MEAN MORE CONSISTENCY IN INSPECTIONS THROUGHOUT THE STATE.

WE URGE THE COMMITTEE TO GIVE HB 987 A "DO PASS" RECOMMENDATION AFTER AMENDING THE LICENSE FEES IN SECTION 3 ON PAGE 6 BACK TO \$50.

THANK YOU.

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES



STAN STEPHENS, GOVERNOR

COGSWELL BUILDING

STATE OF MONTANA

FAX # (406) 444-2606

HELENA, MONTANA 59620

DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES TESTIMONY ON HOUSE BILL NO. 988

50-52, MCA gives joint authority to state and local health authorities to regulate trailer courts/campgrounds. Proposed revisions are in response to extensive FY90 and FY91 program audits and solicitation of comments and proposals from local government and regulated industry.

Establishment annual licensure fees would be increased from \$30 to \$40 with 85% (\$34.00) deposited in the local board inspection fund to support local inspection programs, 9% (\$3.60) would be deposited in the general fund and 6% (\$2.40) deposited in a state special revenue account to be allocated to DHES for needed program support development. Licensure fees have only been increased by \$5 in the past 14 years. The minimum program requirement is one inspections/year with an average cost of \$60 per establishment based upon a 1990 survey of Montana local program cost survey. The original licensure fee proposal of \$50.00 with the same percentages to local and state program support was determined to be the minimum fee to provide needed local and state resources to implement needed statewide program performance standards to provide uniformity and accountability. Deposit of assessed late fee penalties into the special revenue account allocated to DHES is to provide a funding source for program enforcement.

Amendment of 50-52-302, MCA provides accountability for fee monies paid to local governments through the local board inspection fund. Provisions made include: 1) designating program generated funding must be used for the program; 2) programs receiving payment will meet minimum program performance standards as established by rule; 3) nonsupplanting of other program funds by grant monies increases; and 4) DHES may use unpaid grant monies to provide temporary 50-50, MCA provisions. Cooperative agreements will continue to be used with local government and program accountability through adoption of minimum performance standards will promote uniformity statewide.

Amendment of section 50-52-301, MCA (Section 3) ensures inspections are performed by qualified public health professionals with HB943 language coordination. Section 7 has been added to provide proposed standard language for regulated establishment access of conducted investigations and inspections. Section 5 - Civil penalties provides an enforcement alternative in addition to prosecution of criminal charges. Section 10 - Costs and expenses - provides allows for compliance cost recovery by DHES or counties from regulated establishments.

DHES requests a "do pass" committee report.

Respectfully submitted,

Mitzi A. Schwab, Chief
Food and Consumer Safety Bureau
Telephone: 444-2408

MITZI A. SCHWAB, R.S., M.S.

CHIEF

(406) 444-2408



STATE OF MONTANA

FOOD & CONSUMER SAFETY BUREAU
DEPARTMENT OF HEALTH AND
ENVIRONMENTAL SCIENCES

COGSWELL BUILDING ROOM A-104
HELENA, MONTANA 59620



Testimony Concerning House Bill 988
Before the Senate Business & Industry Committee
April 2, 1991

Chairman Lynch and Committee Members,

My name is Jim Carlson. I am the Director of the Environmental Health Division of the Missoula City-County Health Department. I am here to speak in favor of HB 988 as drafted.

Missoula County has 165 licensed trailer courts and campgrounds. Under current state law, my department is required to inspect these establishments once a year as well as review plans for the construction of new facilities, and to provide for the enforcement of the trailer court and campground regulations within Missoula County.

The current fee for trailer courts and campgrounds of \$30 per year has not been raised in the past 8 years. Currently Missoula County receives approximately \$4,200 per year from the State Department of Health for a program which is currently costing us approximately \$6,500 a year. Because of I-105, local department's cannot raise other revenues to offset the increasing costs of personnel, transportation and secretarial time to perform the duties which are required by state law under the trailer court and campground program.

This Bill would cover the cost of the requirements imposed by the State on local departments. We urge you to give your support to this Bill as an appropriate method to provide for the requirements of this program.

Thank you for your consideration.



Jim Carlson, Director
Environmental Health



BUTTE-SILVER BOW HEALTH DEPARTMENT

25 WEST FRONT

BUTTE, MONTANA 59701

406-723-3274

April 1, 1991

Senator J. D. Lynch, Chairman
Business and Industry Committee
Capitol Station
Helena, Mt. 59620

RE: Proponent: House Bill #988

Dear Senator Lynch and Committee Members:

My name is Dan Powers. I am the Environmental Health Director for Butte-Silver Bow.

At this time, I would like to voice my opinion as being a proponent of House Bill 988.

As is the case with many local health departments, Sanitarians are asked to do many different and varied duties, all of which take a considerable amount of time and effort if they are to be done in a prudent, professional manner. The goal of each and everyone of these programs is to promote and protect the health and safety of human beings and their environment.

In order to accomplish this, adequate funding, training personnel, and clear and concise rules and regulations are needed.

With the passage of this Bill, it will help state and local health departments to achieve their desired goals and provide for a healthier environment for everyone.

Sincerely,

Dan Powers, R.S.
Environmental Health Director



County of Yellowstone

CITY-COUNTY HEALTH DEPARTMENT



POST OFFICE BOX 35033
BILLINGS, MONTANA
59107

April 2, 1991

Dear Tom Hager,

The Yellowstone City-County Health Department
is in support of House Bill 987 and 988.
It is strongly urged that these bills be approved
by the Senate Business and Industry Committee.

Sincerely,

Ted Rylander, R.S.

Gary Drobshaw

Louis Loder

Central Montana Health District

Sanitarian's Office

404 Fourth Avenue South

~~RECORDED~~

Helena, Montana 59457

Telephone 406/538-7466



● Fergus

● Golden Valley

● Wheatland

● Musselshell

● Petroleum

● Judith Basin

March 28, 1991

Honorable Bob Williams
Senator District 15
Capital Station
Helena, Montana 59620

REF: HB 987,988

Dear Senator Williams:

The Central Montana Health District would appreciate your support of HB #987, Public Accommodation, HB #988, Trailer Courts, will be heard in the Senate Business and Industry Committee on Tuesday, April 2, 1991 at 10:am.

These bills will:

1. Provide for uniform inspections throughout the state
2. Provide for civil penalties not criminal penalties
3. Provide more money for inspections. Right now, inspection costs are greater than the return for license fees.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Kenneth F. Smith".

Kenneth F. Smith, R.S.
Health Officer
Central Montana Health District

KFS:jp

State of Montana

County of Gallatin

Bozeman



April 2, 1991

John "J.D." Lynch, Chairman
Business and Industry Committee
Helena, MT 59602

Post-It™ brand fax transmittal memo 7671

of pages » 1

To	John Lynch	From	Tim Read
Co.	Business & Indust.	Co.	Gallatin Sanitarian
Dept.	Committee	Phone	(406) 585-1460
Fax	(406) 444-1374	Fax	(406) 585-1403

Dear John:

The Montana Environmental Health Association supports HB 987 and 988, regarding trailer courts and public accommodations. During the most recent business meeting for the Montana Environmental Health Association the membership endorsed HB 987, 988. The association was in agreement with the original proposal for a fifty dollar licensure fee for trailer court public accommodations. The association recognizes the need for a quality inspectional program that would be further facilitated by the increased revenues to local health departments with passage of HB 987 and 988.

Sincerely,

Tim Read, President
Montana Environmental Health Association

TR/st

TESTIMONY ON HB 988

MR. CHAIRMAN AND COMMITTEE MEMBERS, MY NAME IS PETE FRAZIER, DIRECTOR OF ENVIRONMENTAL HEALTH WITH THE CITY-COUNTY HEALTH DEPARTMENT IN CASCADE COUNTY.

I COME BEFORE YOU IN SUPPORT OF HB 988. CURRENT LAW REQUIRES THAT ALL CAMPGROUNDS, TRAILER COURTS, WORK CAMPS, AND YOUTH CAMPS BE INSPECTED AT LEAST ONCE A YEAR BY STATE OR LOCAL HEALTH DEPARTMENT SANITARIANS. A VAST MAJORITY OF THESE INSPECTIONS ARE CONDUCTED BY LOCAL SANITARIANS. THESE INSPECTIONS OFTEN CAN CONSUME A CONSIDERABLE AMOUNT OF TIME IF CORRECTIONS MUST BE MADE, SUCH AS CLEANING UP SPILLED SEWAGE ON THE GROUND DUE TO IMPROPER CONNECTIONS OR CLEANING UP SPILLED GARBAGE, ETC., SINCE OFTEN THE OWNER OF THE TRAILER COURT DOES NOT LIVE IN THE COURT. CURRENTLY, EACH TRAILER COURT PAYS AN ANNUAL \$30 LICENSE FEE, OF WHICH \$25.50 IS RETURNED TO THE LOCAL DEPARTMENT FOR THEIR INSPECTIONAL SERVICES. THIS LEVEL OF FUNDING COVERS ONLY ABOUT 30% OF THE LOCAL HEALTH DEPARTMENT'S COSTS. HB 988 PROPOSED A LICENSE FEE INCREASE TO \$50 PER YEAR, BUT THIS WAS AMENDED TO \$40 IN THE HOUSE. THE ORIGINAL PROPOSAL OF \$50 PER YEAR WOULD HAVE INCREASED LOCAL FUNDING TO COVER ABOUT HALF OF THE COSTS FOR INSPECTIONS PROVIDED BY LOCAL HEALTH DEPARTMENTS, BUT THE AMENDED BILL FALLS SHORT OF EVEN PROVIDING LOCAL DEPARTMENTS HALF OF THEIR INSPECTION COSTS. WE WOULD URGE THE COMMITTEE TO REAMEND THE BILL ON PAGE 3, LINE 10 BACK TO ITS ORIGINAL FORM OF \$50.

THIS BILL ALSO PROVIDES FOR THE NECESSARY CHECKS AND BALANCES SO THAT LOCAL HEALTH DEPARTMENTS WON'T RECEIVE THIS FUNDING IF THEY DON'T OR CAN'T PERFORM THE INSPECTIONS AND MEET MINIMUM PROGRAM PERFORMANCE STANDARDS WILL ALSO MEAN MORE CONSISTENCY IN INSPECTIONS THROUGHOUT THE STATE.

WE URGE THE COMMITTEE TO GIVE HB 987 A "DO PASS" RECOMMENDATION AFTER AMENDING THE LICENSE FEE IN SECTION 1 ON PAGE 3 BACK TO \$50.

THANK YOU.

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS AND INDUSTRY

Date 4/2/91 Bill No. H.B. 987 Time 10 a.m.

NAME

YES

NO

SENATOR WILLIAMS

X

SENATOR THAYER

X

SENATOR NOBLE

X

SENATOR HAGER

X

SENATOR GAGE

X

SENATOR FRANKLIN

X

SENATOR BRUSKI

X

SENATOR KENNEDY

X

SENATOR LYNCH

X

DARA ANDERSON

J.D. LYNCH

Secretary

Chairman

Motion:

STUART DOGGETT AMENDMENTS

PG 6, LINE 18 CHANGE \$40 to \$50

PG 10, LINE 12 - INSERT LANG.

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS AND INDUSTRY

Date 4/2/91 Bill No. HB 987 Time 10 a.m.

NAME	YES	NO
SENATOR WILLIAMS	X	
SENATOR THAYER	X	
SENATOR NOBLE	X	
SENATOR HAGER	X	
SENATOR GAGE		X
SENATOR FRANKLIN	X	
SENATOR BRUSKI	X	
SENATOR KENNEDY	X	
SENATOR LYNCH	X	

DARA ANDERSON

Secretary

J.D. LYNCH

Chairman

Motion: BE CONCURRED IN AS AMENDED
LYNCH TO CARRY

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS AND INDUSTRY

Date 4/2/91 Bill No. HB 988 Time 10 a.m.

NAME	YES	NO
SENATOR WILLIAMS	X	
SENATOR THAYER	X	
SENATOR NOBLE	X	
SENATOR HAGER	X	
SENATOR GAGE	X	
SENATOR FRANKLIN	X	
SENATOR BRUSKI	X	
SENATOR KENNEDY	X	
SENATOR LYNCH	X	

DARA ANDERSON

J.D. LYNCH

Secretary

Chairman

Motion:

SAME
AMENDMENTS FOR FROM HB 987

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS AND INDUSTRY

Date 4/2/91 Bill No. HB 988 Time 10 a.m.

NAME	YES	NO
SENATOR WILLIAMS	X	
SENATOR THAYER	X	
SENATOR NOBLE	X	
SENATOR HAGER	X	
SENATOR GAGE		X
SENATOR FRANKLIN	X	
SENATOR BRUSKI	X	
SENATOR KENNEDY	X	
SENATOR LYNCH	X	

DARA ANDERSON

J.D. LYNCH

Secretary

Chairman

Motion: BE CONCURRED IN AS AMENDED
SN. NOBLE TO CARRY

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 2, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Bill No. 987 (third reading copy -- blue), respectfully report that House Bill No. 987 be amended and as so amended be concurred in:

1. Page 6, line 18.

Strike: "\$40"

Insert: "\$50"

2. Page 10, line 12.

Following: "may,"

Insert: "in the case of a willful violation of this chapter,"

Signed: 

John "J.D." Lynch, Chairman

LB 4/9/91
Amd. Coord..

SP 4/2
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 2, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Bill No. 988 (third reading copy -- blue), respectfully report that House Bill No. 988 be amended and as so amended be concurred in:

1. Page 3, line 10.

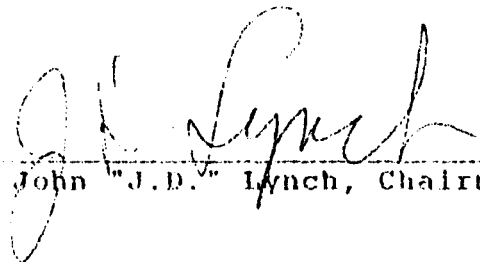
Strike: "\$40"

Insert: "\$50"

2. Page 6, line 8.

Following: "may,"

Insert: "in the case of a willful violation of this chapter,"

Signed: 

John "J.D." Lynch, Chairman

1991 4-2-91
And. Coord.

SP 4-2
Sec. of Senate