

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT

Call to Order: By CHAIRMAN STEVE BENEDICT, on March 16, 1993, at
8:00 A.M.

ROLL CALL

Members Present:

Rep. Steve Benedict, Chairman (R)
Rep. Sonny Hanson, Vice Chairman (R)
Rep. Bob Bachini (D)
Rep. Joe Barnett (R)
Rep. Ray Brandewie (R)
Rep. Vicki Cocchiarella (D)
Rep. Fritz Daily (D)
Rep. Tim Dowell (D)
Rep. Alvin Ellis (R)
Rep. Stella Jean Hansen (D)
Rep. Jack Herron (R)
Rep. Dick Knox (R)
Rep. Don Larson (D)
Rep. Norm Mills (R)
Rep. Bob Pavlovich (D)
Rep. Bruce Simon (R)
Rep. Carley Tuss (R) D
Rep. Doug Wagner (R)

Members Excused: None

Members Absent: None

Staff Present: Susan Fox, Legislative Council
Claudia Johnson, Committee Secretary

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

Committee Business Summary:

Hearing: SB 266, SJR 16, AND SJR 20
Executive Action: SB 266, SB 320, SJR 16, AND SJR 20

HEARING ON SB 266

Opening Statement by Sponsor:

SEN. BRUCE CRIPPEN, Senate District 45, Billings, said SB 266
will allow individuals who are licensed to practice medicine and

osteopathy to practice acupuncture. The license requires 1,000 hours of entry-level training in recognized branches of acupuncture or an equivalent curriculum approved by the board, and an examination prepared and administered by the National Commission for the Certification of Acupuncturist (NCCA). He said Montana is one of two regulated states in acupuncture.

Proponents' Testimony:

Donald R. Beans, Registered Nurse, and member of the Montana Association of Acupuncturist, said SB 266 will allow medical doctors and osteopaths to practice acupuncture with abbreviated training as opposed to full curriculum training in oriental diagnosis and therapeutics. He said the Acupuncture Act of 1974 made Montana the second state in the nation to license acupuncture as a separate and distinct profession. In this act, all other medical professions were excluded from the practice of acupuncture without specified training and testing. He had the opportunity to tour China in 1977 and found that Chinese medicine was far more extensive than ever thought. He has seen a transition in oriental medicine since he received his license in 1980. The standards of professional education have matured every year as the schools have matured. Acupuncturists formed an organization in 1985, and since that time, started accrediting schools for acupuncture and a NCCA. The examination was developed and is administered by an independent professional testing organization. It has been adopted by Montana for the examination of competence for acupuncture practice. He informed the committee that SB 266 is a reluctant compromise which they felt was necessary to ensure that medical doctors and osteopaths have a minimal level of understanding regarding acupuncture. The Montana Association of Acupuncturist and Oriental Medicine members, feel that 300 hours of training is far from adequate and will lower the quality of care received by the public. He opposes any amendments to the bill.

Dwayne S. Borgstrand, Licensed Chiropractor and Acupuncturist, Red Lodge, said this bill is a skillful compromise between the acupuncturists and the medical profession. He would have preferred the law to have remained unchanged. When this bill was before the Senate Committee, the chiropractors came forward and wanted to be included in this bill. Acupuncture is based on unique oriental philosophy and methods and the chiropractic view on this is just another treatment technique. When the Acupuncture Practice Act was written 1974, they encouraged acupuncturists to live and work in Montana. Montana is known by acupuncturists as a state where oriental health care can be practiced by poorly trained imitators.

Jerry Leondorf, Montana Medical Association, said the association supports SB 266. He said the Medical Practice Act defines the practice of medicine broadly, i.e., anything in the way of health care. He said the Board of Medical Examiners and Physicians have regulated and controlled acupuncture in Montana since 1974 when

it was enacted by the legislature. He said all health care deals with the same body, and every profession in the medical field has some overlay on the functions of the body.

Steve Martinez, Montana Association of Acupuncturist and Oriental Medicine, Kalispell, said he reluctantly supports SB 266. He outlined the extensive training that acupuncturists receive. There are 11 fully accredited acupuncture colleges which are able to offer federal grants to the students, and there are currently seven candidate colleges. The colleges offer a Masters of Science Degrees with approximately 2,400 hours of education required.

Sara Marie, member of Montana Association of Acupuncture and Oriental Medicine, said the association's primary goals are to raise the standards of their profession. She said they are working with the Medical Board of Examiners to establish and define the rules and regulations regarding acupuncture. She referred to her exhibit which compares the hours required for acupuncture by the different colleges. **EXHIBIT 1**

Avadhan Larson, Acupuncturist, Missoula, informed the committee of the differences between Chinese medicine and western acupuncture. She said the acupuncturists in Montana are trained to distinguish disease and pain patterns in the traditional 2000 year old fashion. Western medical doctors and chiropractors do not receive any such training.

Opponents' Testimony:

Monte Garnett, Acupuncturist, Whitefish, said that anyone who wants to practice acupuncture on 300 hours of training is a mockery of all the 2,400 hours of training and studying that he has done to become an acupuncturist.

Dr. Christopher Buzan, Acupuncturist and member of Montana Chiropractor Association, Missoula, said there are three primary health care professions in this country; medical doctors, doctors of osteopath, and chiropractors. He said SB 266 should be for all health care professions. He presented written information on the courses of study involved in the fundamental theories of Traditional Chinese Medicine (TCM). **EXHIBIT 2**

Neil and Linda Kremer, Bozeman Acupuncture Center, Bozeman, presented written information on their opposition to SB 266. **EXHIBIT 3**

Ronald Davis, Chiropractor and Licensed Acupuncturist, said SB 266 goes against the best interest of Montanans. He said at this time Montana is a leader in acupuncture legislation because they require the NCCA test. He said anything less than that will be inferior to Montana standards and will place Montana citizens at risk.

Bonnie Tippy, Montana Chiropractor Association, presented amendments to the committee members. She said chiropractors have more opportunities for formal education in acupuncture than medical doctors do. She said the whole licensure category is being changed for two medical doctors than the consistencies that chiropractors are asking for. She said if medical doctors by virtue of education in anatomy, physiology and medical college, should be licensed as acupuncturist with less education than what the Licensure Act now provides, then this bill has to logically be extended to chiropractors. **EXHIBIT 4**

Dan Shea, concerned citizen, said medicaid will not accept acupuncturists. He said the acupuncturists cannot go into hospitals to work because the doctors will not let them in. He said until there is health reform at the national and state level, and getting all the healing professions together and helping each other, this policy is very wrong to grant an exception to medical doctors, chiropractors or any other medical profession that does not deal with acupuncture.

Questions From Committee Members and Responses:

REP. ELLIS asked **Bonnie Tippy** if acupuncture has any reality at all, is there any justification in letting any of the other medical professions become involved without the training and education? **Ms. Tippy** said if this legislation is passed to allow medical doctors in then the door has to be opened for chiropractors, but she said it shouldn't be done for anyone.

Closing by Sponsor:

SEN. CRIPPEN closed ssaying he didn't feel chiropractors should be involved with this bill. He said acupuncture is a very serious approach to medicine and should have a certain level of standards. The medical practice should be given some credence as to the education and training the medical doctors and osteopaths have. He urged the committee to concur on SB 266.

HEARING ON SJR 16

Opening Statement by Sponsor:

SEN. JUDY JACOBSON, Senate District 36, Butte, said SJR 16 is at the request of the Board of Regents in an attempt to take care of the college students on the campuses. She said the campuses have promoters on credit cards come in and set up tables with promotional items to entice the students to sign up for credit cards. SJR 16 will request the Board of Regents to provide the promoters with a script similar to what a person goes through when they go to a bank and go through the information with a bank officer. She said this probably won't discourage too many of the college students, but these credit card companies need to be a little more responsible than giving away free goodies to get them to sign up for three to five credit cards which they run up to

the maximum and call home in hopes the folks can get them out of a bind.

Proponents' Testimony:

None

Opponents' Testimony:

None

Questions From Committee Members and Responses:

None

Closing by Sponsor:

SEN. JACOBSON closed.

EXECUTIVE ACTION ON SJR 16

Motion: REP. COCCHIARELLA MOVED SJR 16 BE CONCURRED IN.

Discussion: None

Motion/Vote: Voice vote was taken. Motion carried unanimously.

Vote: SJR 16 BE CONCURRED IN. Motion carried 18 - 0.

EXECUTIVE ACTION ON SB 266

Motion: REP. ELLIS MOVED SB 266 BE CONCURRED IN.

Discussion: REP. ELLIS said acupuncture is different than western medicine, and they should be given the opportunity to practice here in Montana.

Motion/Vote: REP. DAILY MADE A SUBSTITUTE MOTION THAT SB 266 BE TABLED. Voice vote was taken. Motion carried unanimously.

Vote: SB 266 BE TABLED. Motion carried 18 - 0.

HEARING ON SJR 20

Opening Statement by Sponsor:

SEN. BILL YELLOWTAIL, Senate District 50, Wyola, said SJR 20 is the North American Free Trade Agreement (NAFTA). He said Montana cannot stand by while the Free Trade Agreement is tilted to place

the state in a difficult position regarding the products and people that are the core of the state's economy. With Congress and the federal government controlling this issue, he said SJR 20 will recommend to Montana's delegation to exercise diligence in monitoring the state's interest in the global free trade. He said the evidence is heavy that this state stands to take a real beating with the NAFTA as it is presently proposed. He said the agreement has been signed by the heads of state of Canada, the United States and Mexico for Congressional ratification. This resolution will urge Montana's delegation to resist the ratification until the state's concerns are met. He said for an example, if the NAFTA is allowed to go through, Montana's sugar beet industry will be wiped out, and the implications of the feeder cattle industry is disastrous. He said all the areas of the "whereas" in the resolution address the various issues of Montana's concerns.

Proponents' Testimony:

Bob Stevens, Montana Grain Growers Association, said they are in support of **SEN. YELLOWTAIL'S** comments. He said the Canadians are affecting Montana's grain market. He said there are reports that Canada will ship approximately 50 to 100 million bushels of grain into the United States this year alone. In his area, because of the Canadian shipments, the price of barley has gone from \$4.25 down to \$3.25. He said the people on the hi-line are affected because Canadian grain is filling up the elevators. He said **SEN. BAUCUS** and **SEN. BURNS** have a bill before Congress to find where the grain is going, what is being done with it, and what price is being paid for it. He urged the committee to give SJR 20 a do pass recommendation until Montana can find out what is happening with Montana grain.

Pam Egan, Executive Director of Montana Family Union, presented written testimony on the NAFTA regarding the tariffs and trade technicalities that currently exist in the three countries that are under discussion in NAFTA. **EXHIBIT 5**

Fran Marceau, United Transportation Union, distributed written testimony in opposition to the NAFTA as it relates to the transportation industry. **EXHIBIT 6**

Tom Brutbach, Northern Plains Resource Council, distributed written testimony in support of SJR 20. **EXHIBIT 7**

Darrell Holzer, Montana State AFL-CIO, said they rise in strong support of SJR 20. He reiterated to the committee the job loss, and said if the NAFTA were to pass, Montana will see jobs lost by 100 fold. He said between the American wages as opposed to the Mexican wages, the Mexican wages are about one-tenth of the American wages. He said the reality is the farther a person goes into the interior of Mexico, the wages are less than .69 cents an hour. In the current form of NAFTA, there aren't any workers' re-training programs for the additional jobs lost on top of the

closing of many military bases. He said there needs to be some reassurances that these people will be taken care of, they pay the taxes in this country and they cannot be continually laying off all of these people, or there will never be a tax base in this country. He said the U.S. tariffs on imports from Mexico are less than four percent, while Mexican tariffs on shipments from the U.S. average 10 percent. He said it might be free, but it isn't fair.

REP. JOE BARNETT, House District 76, Belgrade, wanted to be on record in support of SJR 20.

REP. BOB BACHINI, House District 14, Havre, said he supports SJR 20.

Opponents' Testimony:

Dave McClure, Montana Farm Bureau, said he opposes SJR 20 because of policy statements established by our voting members who are active farmers and ranchers. At the Farm Bureau's national convention in January of this year, they voted to adopt the NAFTA. He distributed written testimony. **EXHIBIT 8**

Questions From Committee Members and Responses:

REP. BARNETT asked **Dave McClure** to give the committee his definition of a level basis? **Mr. McClure** said the barriers to trade are unequal. He said the American producers will benefit if the tariff barriers are leveled out between the U.S. and Mexico. **REP. BARNETT** asked **Mr. McClure** what part of agriculture will benefit from the NAFTA? **Mr. McClure** said that Canada is not a "party" to the present NAFTA negotiations. He said there are a lot of problems with Canada who backed out because of the lower prices. He said the Bureau feels that the transportation subsidy in Canada is illegal under the Canadian and U.S. Agreement.

REP. TUSS asked **SEN. YELLOWTAIL** if Mexico has a trade agreement with the U.S. where they have a favored nation status, and how does that impact the comments made in this committee today? **SEN. YELLOWTAIL** said there are arrangements with Mexico that are in effect at this time, and are quite favorable. He commented that he doesn't understand the relationship between NAFTA and the favored nation status that is already in place. The evidence in place looks like it will work to the detriment of Montana's basic producers. **REP. TUSS** asked **SEN. YELLOWTAIL** if he would be agreeable to an amendment on border inspections in regard to Canada shipping into the United States from other countries. **SEN. YELLOWTAIL** said since he had SJR 20 drafted, it has come to light that the incident of the "Jack-In-the-Box" is a matter of imported beef that apparently came from Australia via Canada, across the border into the United States.

Closing by Sponsor:

SEN. YELLOWTAIL closed. He urged the committee to concur in SJR 20. He said there is a broad based interest and support on the impact that NAFTA will have on Montana.

EXECUTIVE ACTION ON SJR 20

Motion: REP. LARSON MOVED SJR 20 BE CONCURRED IN.

Discussion: REP. TUSS moved to adopt an amendment to insert on page 6, line 20, "Canada and imports from Australia". EXHIBIT 11

REP. SONNY HANSON said he understands that the agreement with the U.S. and Canada is settled. He thought the agreements that are going on at this time are just with Mexico.

REP. TUSS said this amendment is needed because several areas in SJR 20 mention Canada.

REP. BRANDEWIE called the question. Voice vote was taken. Motion carried unanimously.

Motion/Vote: REP. BACHINI MOVED SJR 20 BE CONCURRED IN AS AMENDED. The question was called. Voice vote was taken. Motion carried 13 - 5 with REPS. ELLIS, KNOX, SONNY HANSON, SIMON AND CHAIRMAN BENEDICT voting no.

Vote: SJR 20 BE CONCURRED IN AS AMENDED. Motion carried 13 - 5.

EXECUTIVE ACTION ON SB 320

Motion: REP. PAVLOVICH MOVED SB 320 BE CONCURRED IN.

Discussion: REP. PAVLOVICH moved to adopt an amendment. EXHIBIT 10

Michael Kakuk, Environmental Quality Council, spoke on the amendment.

REP. STELLA JEAN HANSEN said she opposes the amendment.

REP. LARSON spoke against the amendment.

REP. DOWELL is against the amendment.

REP. KNOX supports the amendment.

REP. MILLS stated his support on the amendment and the bill

REP. BRANDEWIE called the question. Roll call vote was taken. Motion carried 14 - 4 with REPS. DOWELL, TUSS, STELLA JEAN HANSEN, AND LARSON voting no. EXHIBIT 10

Motion/Vote: REP. PAVLOVICH MOVED SB 320 BE CONCURRED IN AS AMENDED. Roll call vote was taken. Motion carried 14 - 4 with REPS. DOWELL, TUSS, STELLA JEAN HANSEN, AND LARSON voting no.

Vote: SB 320 BE CONCURRED IN AS AMENDED. Motion carried 14 - 4.

EXECUTIVE ACTION ON SB 266

Motion: REP. SIMON MOVED TO RECONSIDER ACTION ON SB 266 AND TAKE FROM THE TABLE.

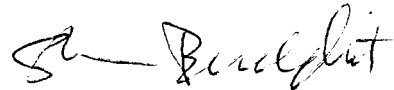
Discussion: None

Motion/Vote: REP. COCCHIARELLA called the question. Voice vote was taken. Motion failed unanimously.

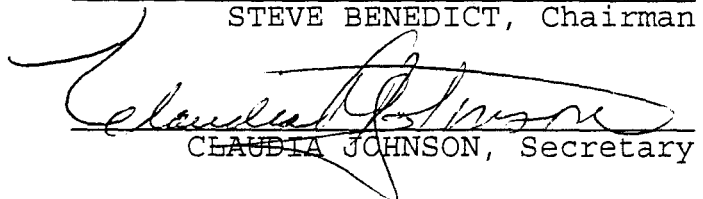
Vote: SB 266 BE TABLED. Motion carried 18 - 0.

ADJOURNMENT

Adjournment: 10:45 A.M.



STEVE BENEDICT, Chairman



CLAUDIA JOHNSON, Secretary

SB/cj

HOUSE OF REPRESENTATIVES
53RD LEGISLATURE - 1993
BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

ROLL CALL

DATE 3-16-93

NAME	PRESENT	ABSENT	EXCUSED
REP. ALVIN ELLIS	✓		
REP. DICK KNOX	✓		
REP. NORM MILLS	✓		
REP. JOE BARNETT	✓		
REP. RAY BRANDEWIE	✓		
REP. JACK HERRON	✓		
REP. TIM DOWELL	✓		
REP. CARLEY TUSS	✓		
REP. STELLA JEAN HANSEN	✓		
REP. BOB PAVLOVICH	✓		
REP. VICKI COCCHIARELLA	✓		
REP. FRITZ DAILY	✓		
REP. BOB BACHINI	✓		
REP. DON LARSON	✓		
REP. BRUCE SIMON	✓		
REP. DOUG WAGNER	✓		
REP. SONNY HANSON, VICE CHAIRMAN	✓		
REP. STEVE BENEDICT, CHAIRMAN	✓		

HR:1993

wp.rollcall.man

HOUSE STANDING COMMITTEE REPORT

March 16, 1993

Page 1 of 4

Mr. Speaker: We, the committee on Business and Economic Development report that Senate Bill 320 (third reading copy - blue) be concurred in as amended .

Signed: Steve Benedict
Steve Benedict, Chair

And, that such amendments read:

Carried by: Rep. D. Brown

1. Title, line 12.

Strike: "AND REVISIONS"

Strike: "AND"

2. Title, line 14.

Following: "~~DATE~~"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 18.

Following: "REQUIRES"

Strike: "AUTHORIZES"

Insert: "requires"

4. Page 1, line 22.

Following: "REQUIREMENTS"

Insert: "and amendment processing procedures"

5. Page 2, line 7.

Strike: "180"

Insert: "90"

6. Page 2, line 25.

Following: "ATTORNEY"

Insert: "and expert witness"

7. Page 3, lines 1 through 3.

Strike: "THAT" on line 1 through "MERIT" on line 3

Insert: "an award is appropriate"

8. Page 3, line 4.

Following: "Amendment"

Strike: "or revision of"

Insert: "to"

Committee Vote:

Yes 14, No 1.

5913503C.Hpf

9. Page 3, line 7.
Strike: "or revision"

10. Page 3.
Following: line 10
Insert: "(2) The department may by rule establish criteria for the classification of amendments as major or minor. The department shall adopt rules establishing requirements for the content of applications for major and minor amendments and the procedures for processing minor amendments."
Renumber: subsequent subsections

11. Page 3, line 11.
Strike: "(a)"

12. Page 3, line 13 through page 4, line 20.
Strike: "(b)" on page 3, line 13 through "APPLICATION." on page 4, line 20

13. Page 4, line 21.
Strike: "(C)"
Insert: "(4)"

14. Page 4, line 22.
Strike: "REVISION"
Insert: "amendment"

15. Page 4, line 25 through page 5, line 3.
Strike: "WITHIN" on page 4, line 25 through "(3) (A)." on page 5, line 3

16. Page 5.
Following: line 3
Insert: "(5) The department is not required to prepare an environmental assessment or an environmental impact statement for the following categories of action:
exclusion (a) actions that qualify for a categorical as defined by rule or justified by a programmatic review pursuant to Title 75, chapter 1;
(b) administrative actions, such as routine, clerical, or similar functions of a department, including but not limited to administrative procurement, contracts for consulting services, and personnel actions;
(c) repair or maintenance of the permittee's equipment or facilities;
(d) investigation and enforcement actions, such as data collection, inspection of facilities, or

enforcement of environmental standards;

(e) ministerial actions, such as actions in which the agency does not exercise discretion, but acts upon a given state of facts in a prescribed manner;

(f) approval of actions that are primarily social or economic in nature and that do not otherwise affect the human environment;

(g) changes in a permit boundary that increase disturbed acres that are insignificant in impact relative to the entire operation, provided that the increase is less than 10 acres or 5% of the permitted area, whichever is less; and

(h) changes in an approved operating plan or reclamation plan for an activity that was previously permitted, provided that the impacts of the change will be insignificant relative to the impacts of the entire operation and there is less than 10 acres of additional disturbance."

17. Page 5.

Following: line 14

Insert: "(2) "Amendment" means a change to an approved operating or reclamation plan. A major amendment is an amendment that may significantly affect the human environment. A minor amendment is an amendment that will not significantly affect the human environment."

Renumber: subsequent subsections

18. Page 6, line 16 through page 7, line 6.

Strike: "(8)" on page 6, line 16 through "PROCESSING." on page 7, line 6

Renumber: subsequent subsections

19. Page 7, line 19 through page 8, line 2.

Strike: "(12)" on page 7, line 19 through "AMENDMENT." on page 8, line 2

Renumber: subsequent subsections

20. Page 12, line 4.

Following: "DEFICIENCIES."

Insert: "The initial completeness notice must note all deficiency issues, and the department may not in a later completeness notice raise an issue pertaining to the initial application that was not raised in the initial notice. The department may, however, raise any deficiency during the adequacy review pursuant to subsection (1)(b)."

21. Page 14, lines 4 through 7.

Following: "SHALL" on line 4

Strike: "CONSULT" on line 4 through "CONTRACTOR" on line 7

Insert: "prepare a list of no fewer than four contractors acceptable to the department and shall provide the applicant with a copy of the list. The applicant shall provide the department with a list of at least 50% of the contractors from the department's list. The department shall select its contractor from the list provided by the applicant"

22. Page 15, line 6.

Strike: "OR REVISION OF"

23. Page 16, line 2.

Strike: "RIGHTS AND DUTIES THAT MATURED,"

24. Page 16, line 3.

Following: "INCURRED"

Strike: ", "

25. Page 16.

Following: line 4

Insert:

"NEW SECTION. Section 9. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

NEW SECTION. Section 10. Effective date. [This act] is effective on passage and approval."

-END-


HOUSE STANDING COMMITTEE REPORT

March 16, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Business and Economic Development report that Senate Joint Resolution 20 (third reading copy -- blue) be concurred in as amended .

Signed: _____


Steve Benedict, Chair

And, that such amendments read:

Carried by: Rep. Cocchiarella

1. Page 6, line 20.

Following: "AMERICA"

Insert: "and Canadian imports of beef from Australia"

-END-

Committee Vote:
Yes , No .

591332SC.Hpf


HOUSE STANDING COMMITTEE REPORT

March 16, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Business and Economic Development report that Senate Joint Resolution 16 (third reading copy -- blue) be concurred in and be placed on consent calendar.

Signed: _____


Steve Benedict, Chair

Committee Vote:
Yes ____, No ____.

591329SC.Hpf

COMPARATIVE CURRICULA

ACUPUNCTURE MEDICAL AND CHIROPRACTIC COLLEGES

EXHIBIT 1

DATE 3-16-93

SB 266

	Southwest Acupunc- ture College	Yale Medical School	North- western Chiropractic College
Admission Require- ments College	3 years (must include 60 hours of anatomy & physiology)	Bachelors degree(4 years)	2 years
Acupunc- ture & Oriental Medical Theory & Diagnosis	315 hours	0	0
Acupunc- ture & Oriental Medical Therapeu- tics	990 hours	0	0
Acupunc- ture & Oriental Medical Clinical Practice	360 hours	0	0
Additional Medical Tech- niques: Nutrition, Exercise therapy, Massage, Tui Na, Practice management Research	180 hours	Elective only	330 hours Nutrition, Research, and Practice Management only
Western Science & Practice	60 hours	3389 hours	2522 hours

Information from the 1989-1992 catalog of the Southwest Acupuncture College, the 1987 Curriculum Directory of the Association of American Medical Colleges, and the 1992-1994 Catalog of the Northwestern Chiropractic College.

THE T.C.M. PROGRAM

CORE PROGRAM

CLINICAL TRAINING

WESTERN SCIENCES

AUXILIARY STUDIES

3	FIRST YEAR		Semester One:	FBM103 TCM Theory I (4 units/64 hrs) FBM104 Acup Tech I (4 units/64 hrs)					FBH101 Chin Phil/Hist I (3 units/48 hrs) FBM100 Chi Kung Energetics (2 units/32 hrs) FBM307 Oriental Massage (3 units/48 hrs)
			Semester Two:	FBM203 TCM Theory II (3 units/48 hrs) FBM204 Acup Tech II (4 units/64 hrs) FBM205 Chin Herb I (4 units/64 hrs)			FBM106 Gen Science I (3 units/48 hrs) FBM206 Gen Science II (3 units/48 hrs) FBM102 Human Anat/Phys I (4 units/64 hrs) FBM202 Human Anat/Phys II (4 units/64 hrs)		
	SECOND YEAR		Semester Three:	FBM303 TCM Theory III (3 units/48 hrs) FBM304 Acup Tech III (3 units/48 hrs) FBM305 Chin Herb II (3 units/48 hrs)	FBMC/T Clinical Theatre (3 units/48 hrs)				
			Semester Four:	FBM403 TCM Theory IV (3 units/48 hrs) FBM404 Acup Tech IV (3 units/48 hrs) FBM405 Chin Herb III (4 units/64 hrs)	FBMC/T Clinical Theatre (3 units/48 hrs) FBMC/R Clinical Rounds (3 units/48 hrs)				FBM301 Oriental Diet (3 units/48 hrs) FBC400 Tai Chi Chuan (1 unit/16 hrs)
4	THIRD YEAR		Semester Five:	FBM503 TCM Theory V (2 units/32 hrs) FBM504 Acup Tech V (2 units/32 hrs) FBM505 Chin Herb IV (4 units/64 hrs)	FBMC/T Clinical Theatre (3 units/48 hrs) FBMC/R Clinical Rounds (3 units/48 hrs)		FBM302 Pathophysiology (4 units/64 hrs) FBM306 Psychology (4 units/64 hrs) FBM402 Clinical Sci (2 units/32 hrs) FBM406 Pharmacology (3 units/48 hrs)		
			Semester Six:	FBM605 Chin Herb V (4 units/64 hrs) FBM603 TCM Seminar (2 units/32 hrs)	FBMC/T Clinical Theatre (3 units/48 hrs) FBM /R Clinical Rounds (3 units/48 hrs) FBMC/S Supervised Prac (4 units/64 hrs)				
	FOURTH YEAR		Semester Seven:	FBM703 TCM Seminar (2 units/32 hrs)	FBMC/T Clinical Theatre (4 units/64 hrs) FBMC/R Clinical Rounds (3 units/48 hrs) FBMC/S Supervised Prac (4 units/64 hrs)		FBM502 Medical Profs (2 units/32 hrs) FBM701 Prof Ethics/Bus Mng (2 units/32 hrs) CPR course (.5 units/8 hrs)		
			Semester Eight:	FBM704 TCM Seminar (2 units/32 hrs)	FBMC/T Clinical Theatre (4 units/64 hrs) FBMC/R Clinical Rounds (3 units/48 hrs) FBMC/S Supervised Prac (7 units/112 hrs)				
				TOTAL: 896 hrs.	TOTAL: 800 hrs.		TOTAL: 504 hrs.		TOTAL: 200 hrs.

THE FIVE BRANCHES INSTITUTE, SANTA CRUZ, Ca.

EXHIBIT 1
DATE 3-16-93

COURSE OF STUDY

NEW ENGLAND SCHOOL of ACUPUNCTURE 1988

SYNOPSIS OF CURRICULUM

FIRST YEAR PROGRAM

Fall Semester			
Theory + Diagnosis	Traditional Chinese Medical Theory I	64 hours	4 credits†
	Conceptual Developments in Traditional Chinese Medicine	32 hours	2 credits
Therapeutics	Point Location I	40 hours	2½ credits
	Materials and Methods of Acupuncture I	40 hours	2½ credits
Theory + Diagnosis	Cultural Foundations of Chinese Medicine	16 hours	1 credit
	Clinical Assistantship I‡	64 hours	4 credits
	Bodywork & Massage	32	2 credits
	Totals	288 hours	18 credits
Spring Semester			
	Traditional Chinese Medical Theory II	64 hours	4 credits
	Studies in Palpatory Diagnosis	40 hours	2½ credits
	Point Location II	40 hours	2½ credits
	Materials and Methods of Acupuncture II	40 hours	2½ credits
	Topics in Health and Healing	32 hours	2 credits
	Clinical Assistantship II‡	64 hours	4 credits
	Totals	296 hours	17½ credits

†One credit is equivalent to one hour per week for 16 weeks.

‡Assistantship I & II may be completed at any time during matriculation.

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COURSE OF STUDY

SYNOPSIS OF CURRICULUM

SECOND YEAR PROGRAM

Fall Semester		
Acupuncture Pathology I	40 hours	2 credits
Actions and Effects of the Points I	32 hours	2 credits
Diagnosis Practicum	32 hours	2 credits
Treatment Strategies from Palpatory Diagnosis I	32 hours	2 credits
Modern Biomedical Approaches to Illness I	32 hours	2 credits
Introduction to Clinical Internship I	24 hours	1½ credits
Dietetics & Nutrition	32 hours	2 credits
Totals	224 hours	13½ credits
Spring Semester		
Acupuncture Pathology II	32 hours	2 credits
Actions and Effects of the Points II	32 hours	2 credits
Ear Acupuncture	32 hours	2 credits
Treatment Strategies from Palpatory Diagnosis II	32 hours	2 credits
Chinese Language and Medical Terminology	32 hours	2 credits
Modern Biomedical Approaches to Illness II	32 hours	2 credits
CPR and Basic Life Support	32 hours	2 credits
Introduction to Clinical Internship II	32 hours	2 credits
Totals	226 hours	16 credits

COURSE OF STUDY

SYNOPSIS OF CURRICULUM

THIRD YEAR PROGRAM

Fall Semester		
Acupuncture Research and Evaluation	32 hours	2 credits
Introduction to Herbal Medicine I	32 hours	2 credits
Readings in Chinese Medical Literature I	32 hours	2 credits
Clinical Internship I	100 hours	6 credits
Practitioners Seminar I	32 hours	2 credits
Elective	32 hours	2 credits
Totals	260 hours	16 credits
Spring Semester		
Specialized Approaches to Acupuncture Therapy	32 hours	2 credits
Introduction to Herbal Medicine II	32 hours	2 credits
Practice Management	32 hours	2 credits
Readings in Chinese Medical Literature II	32 hours	2 credits
Clinical Internship II	100 hours	6 credits
Practitioners Seminar II	32 hours	2 credits
Elective	32 hours	2 credits
Totals	292 hours	18 credits

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SOUTHWEST ACUPUNCTURE COLLEGE 1989-92

FIRST YEAR: FIRST SEMESTER

Course		Number	Semester Hours	Course Hrs. Per week	Credits
Chinese Medical Theory	(d)	101	45	3	3
Clinical Preparation and Observation	(c)	111	45	3	1.5
Surface Anatomy	(d)	121	30	2	2
Point Energetics	(d)	131	45	3	3
Point Location	(d)	141	45	3	3
Clinical Externship	(c)	151	45	3	1.5
Chinese Medicine Practicum	(d)	161	30	2	2
			285	19	16

(d) = Didactic (c) = Clinical (h) = Herbs (w) = Western sciences
 Clinic total = 90 Didactic total = 195 Semester total = 285

FIRST YEAR: SECOND SEMESTER

Course		Number	Semester Hours	Course Hrs. Per Week	Credits
Chinese Medical Theory	(d)	102	45	3	3
Clinical Observation	(c)	112	30	2	1
Techniques of Acupuncture and Moxibustion	(d)	122	30	2	2
Point Energetics	(d)	132	45	3	3
Point Location	(d)	142	45	3	3
Clinical Externship	(c)	152	45	3	1.5
Introduction to Chinese Diagnosis	(d)	162	45	3	3
Materia Medica	(h)	172	45	3	3
			330	22	19.5

Herb total = 45 Clinic total = 75 Didactic total = 210 Semester total = 330

THE ACADEMIC PROGRAM

SECOND YEAR: FIRST SEMESTER

Course		Number	Semester Hours	Course Hrs. Per Week	Credits
Chinese Medical Theory/ Zang-Fu	(d)	201	45	3	3
Differentiation of Disease	(d)	211	45	3	3
Techniques Practicum	(c)	221	45	3	1.5
Point Location	(d)	231	45	3	3
Intermediate Clinical Diagnosis	(d/c)	241	45	3	3
Clinical Externship	(c)	251	45	3	1.5
Western Pathology and Diagnosis	(w)	261	30	2	2
Materia Medica	(h)	271	45	3	3
			345	23	20

Herb total = 45

Clinic total = 112.5 Didactic total = 157.5 Western total = 30 Semester total = 345

SECOND YEAR: SECOND SEMESTER

Course		Number	Semester Hours	Course Hrs. Per Week	Credits
Patent Medicines	(h)	202	45	3	3
Differentiation of Disease	(d)	212	45	3	3
Needle Technique Practicum	(c)	222	45	3	1.5
Point Location	(d)	232	45	3	3
Clinical Diagnosis Practicum	(c)	242	45	3	1.5
Clinical Externship	(c)	252	45	3	1.5
Western Pathology and Diagnosis	(w)	262	30	2	2
Therapeutic Handwork	(c)	272	30	2	1
			330	22	16.5

Herb total = 45

Clinic total = 165 Didactic total = 90 Western total = 30 Semester total = 330

THIRD

Course

- Herbal C
- Present
- Tui Na
- Case His
- Grand I
- New & M
- Points
- Specialty
- Clinical I
- Personal
- Qi Con
- Different
- Disease

Herb tot

THIRD

Course

- Herbal C
- Develop
- Tui Na
- Japanese
- Practic
- Current
- Research
- Seminar
- Clinical E
- Practice I

Herb tot

CUMULAT

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THIRD YEAR: FIRST SEMESTER

Course	Number	Semester Hours	Course Hrs. Per Week	Credits
Herbal Case Presentations	(h) 301	30	2	2
Tui Na	(c) 311	30	2	1
Case Histories/ Grand Rounds	(c) 321	30	2	1
New & Miscellaneous Points	(d) 331	30	2	2
Specialty Topics	(d) 341	45	3	3
Clinical Externship	(c) 351	90	6	3
Personal Energetics/ Qi Gong	(d) 361	15	1	1
Differentiation of Disease	(d) 371	45	3	3
		315	21	16

Herb total = 30 Clinic total = 150 Didactic total = 135 Semester total = 315

THIRD YEAR: SECOND SEMESTER

Course	Number	Semester Hours	Course Hrs. Per Week	Credits
Herbal Case Development	(h) 302	30	2	2
Tui Na	(c) 312	30	2	1
Japanese Acupuncture Practicum	(c) 322	45	3	1.5
Current Acupuncture Research Seminar	(d) 332	45	3	3
Seminar Series	(d) 342	30	2	2
Clinical Externship	(c) 352	90	6	3
Practice Management	(d) 362	30	2	2
		300	20	14.5

Herb total = 30 Clinic total = 165 Didactic total = 105 Semester total = 300

CUMULATIVE TOTALS = 1905 Herbs = 195 Clinic = 757.5 Didactic = 892.5 Western = 60

COURSE LIST

The required curriculum for the Doctor of Chiropractic Degree is composed of a sequence of courses offered in ten fifteen-week trimesters for a total of 4,681 contact hours, exclusive of elective courses of study. Course titles marked by * denote credits applicable to the Bachelor of Science in Human Biology. Course titles marked by # indicate clinical experiences in the College's public clinics.

Trimester 1, 15 Weeks

Course Number	Title	Lect.	Lab.	Clinic	Hours Per Week	Credits	Clock Hours
11010	*Biochemistry 1	4	2	-	-	5	90
13010	*Gross Anatomy 1	3	5	-	-	5.5	120
14010	*Embryology 1	2	-	-	-	2	30
15010	*Histology 1	3	1.5	-	-	3.75	67.5
20010	Skeletal Radiology 1	1	1	-	-	1.5	30
22510	Professional Issues	1	-	-	-	1	15
31010	Principles and Philosophy 1	1	-	-	-	1	15
32010	*Critical Appraisal of Research Literature	1	-	-	-	1	15
33010	Chiropractic Methods 1	-	2	-	-	1	30
34010	Spine and Pelvis	3	-	-	-	3	45
Totals		19	11.5	-	-	24.75	457.5

Trimester 2, 15 Weeks

Course Number	Title	Lect.	Lab.	Clinic	Hours Per Week	Credits	Clock Hours
11120	*Physiology 1	4	1	-	-	4.5	75
12120	*Peripheral Nervous System	4	-	-	-	4	60
13120	*Gross Anatomy 2	4	3	-	-	5.5	105
14120	*Embryology 2	2	-	-	-	2	30
15120	*Histology 2	3	1.5	-	-	3.75	67.5
31120	Principles and Philosophy 2	2	-	-	-	2	30
33120	Chiropractic Methods 2	2	2	-	-	3	60
Totals		21	7.5	-	-	24.75	427.5

Trimester 3, 15 Weeks

Course Number	Title	Lect.	Lab.	Clinic	Hours Per Week	Credits	Clock Hours
11230	*Physiology 2	4	1	-	-	4.5	75
11330	*Biochemistry 2	2	-	-	-	2	30
12230	*Central Nervous System	3	-	-	-	3	45
17030	*Pathology 1	3	-	-	-	3	45
20130	Skeletal Radiology 2	2	1	-	-	2.5	45
21030	Physical Diagnosis	3	2	-	-	4	75
33230	Chiropractic Methods 3	1.5	2.5	-	-	2.75	60
36030	Neuromusculoskeletal 1	3	1	-	-	3.5	60
37030	Principles and Philosophy 3	1	-	-	-	1	15
Totals		22.5	7.5	-	-	26.25	450

Trimester 4, 15 Weeks

Course Number	Title	Lect.	Lab.	Clinic	Hours Per Week	Credits	Clock Hours
16040	*Microbiology	4	4	-	-	6	120
17140	Pathology 2 (winter term)	3	-	-	-	3	45
20240	Skeletal Radiology 3	2	1	-	-	2.5	45
21140	CNS-Neurodiagnosis	2.5	1	-	-	3	52.5
22040	Principles and Philosophy 4	4	-	-	-	4	60
33340	Chiropractic Methods 4	1.5	2.5	-	-	2.75	60
34540	Chiropractic Methods 5--Neuromusculoskeletal 3	2	3	-	-	3.5	75
36140	Neuromusculoskeletal 2	4	2	-	-	5	90
Totals		23	13.5	-	-	29.75	547.5

Trimester 5, 15 Weeks

Course Number	Title	Lect.	Lab.	Clinic	Hours Per Week	Credits	Clock Hours
20350	Skeletal Radiology 4	2	1	-	-	2.5	40
21250	EENT	2	1	-	-	2.5	45
24050	Clinical Pathology 1	2	2	-	-	3	60
25150	*Infectious Diseases	2	-	-	-	2	30
25250	*Community Health	2	-	-	-	2	30
34150	Technique Practicum 1	-	2	-	-	1	30
35150	Physiological Therapeutics 1	1	1.5	-	-	1.75	37.5
36350	*Principles of Nutrition	4	-	-	-	4	60
37250	Chiropractic Methods 6--Neuromusculoskeletal 4	2	3	-	-	3.5	75
41040	Patient-Interviewing	1	-	-	-	1	15
41050	Introduction to Clinical Chiropractic	1	-	-	-	1	15
Totals		19	10.5	-	-	24.25	437.5

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Trimester 6, 15 Weeks

Course Number	Title	Lect.	Lab.	Clin.	Credits	Hours
20460	Radiation Physics and Safety	2	1	-	2.5	45
20660	Radiology of the Abdomen	1	1	-	1.5	30
23360	Respiratory System	2	1.5	-	2.75	52.5
23460	Cardiology	2	1.5	-	2.75	52.5
23560	Gastrointestinal Systems	3	.5	-	3.25	52.5
23660	Genitourinary Systems	2	.5	-	2.25	37.5
24160	Clinical Pathology 2	3.5	1.5	-	4.25	75
33560	Chiropractic Methods 7	1.5	1.5	-	2.25	45
34260	Technique Practicum 2	-	2	-	1	30
41060	Student Clinic 1	1	-	4	3	75
Totals		17.5	11	4	25	495

Trimester 7, 15 Weeks

Course Number	Title	Lect.	Lab.	Clin.	Credits	Hours
20570	Radiographic Technology and Positioning	1	2	-	2	45
20770	Radiology of the Chest	1	1	-	1.5	30
23570	Gynecology	2	.5	-	2.25	37.5
23670	Endocrinology	2	-	-	2	30
23890	Dermatology	1	-	-	1	15
25380	Obstetrics	2	-	-	2	30
25570	Emergency Procedures	1.5	2	-	2.5	52.5
25980	Pharmacology and Toxicology	2	-	-	2	30
26170	Mental Health 1	3	-	-	3	45
33670	Chiropractic Methods 8	1	1	-	1.5	30
43670	Clinical Nutrition	2	-	-	2	30
41170	Student Clinic 2	1	-	4	3	75
Totals		19.5	6.5	4	24.75	450

Trimester 8, 15 Weeks

Course Number	Title	Lect.	Lab.	Clin.	Credits	Hours
25490	Pediatrics	2	-	-	2	30
25690	Geriatrics	2	-	-	2	30
26280	Mental Health 2	3	-	-	3	45
41280	#Internship 1	-	-	18	9	288
42280	#Clinical Case Studies 1	-	-	1	1	15
43180	Practice Management 1	2	-	-	2	30
Totals		9	-	19	19	438

Trimester 9, 15 Weeks

Course Number	Title	Lect.	Lab.	Clin.	Credits	Hours
41390	#Internship 2	-	-	18	9	288
42390	#Clinical Case Studies 2	-	-	1	1	15
43290	Practice Management 2	3	-	-	3	45
47190	Legal Aspects of Chiropractic Practice	2	-	-	2	30
Totals		5	-	19	15	378

Trimester 10, 15 Weeks

Course Number	Title	Lect.	Lab.	Clin.	Credits	Hours
41400	#Internship 3	-	-	20	10	300
or						
41500	CPAP Externship	0	0	20	10	300
Totals						

BACHELOR OF SCIENCE IN HUMAN BIOLOGY

Required Courses

Course Number	Title	Lect.	Lab.	Clin.	Credits	Hours
51000	*Research 1	2	-	-	2	30
52000	*Research 2	2	-	-	2	30
53000	*Research 3	4	-	-	4	60
Totals		8	-	-	8	120

ELECTIVE COURSES AND SEMINARS

In addition to completing the curriculum for the Doctor of Chiropractic and/or Bachelor of Science in Human Biology degree(s), most students attend selected elective courses and seminars sponsored by the academic divisions, the Extracurricular Educational Programs Committee, and the postgraduate division.

Elective courses are listed by the department that offers them. (Refer to course offerings by department.)

Current Elective Courses :

1. Acupuncture 1, 2, 3, and 4 (Clinical Sciences Department)
2. Exercise and Health (Chiropractic Therapy Department)
3. Introduction to Occupational Health (Clinical Science Department)
4. Research 1, 2, and 3 (Research Department)
5. A Bioengineering Approach to Patient Care (Chiropractic Therapy Department)
6. Learning Strategies for ESL Students (Basic Science Division)

The fee for elective courses is \$125.00 per credit hour, unless otherwise specified. That fee is subject to change at any time at the discretion of the College.

COMPARATIVE CURRICULA

Naturopathic and Major Medical Schools

	National College of Naturopathic Medicine	John Bastyr College (Naturopathic Medicine)	Johns Hopkins	Mayo	Yale	Stanford	Oregon Health Sciences University
Basic Sciences: Including Anatomy, Cell Biology, Histology, Neurosciences, Immunology, Genetics, Biochemistry, Microbiology, Pharmacology, Pharmacognosy, Biostatistics, Epidemiology, Public Health, History, Philosophy, Ethics, Research	804	771	988	882	673	807	802
Other Basic and Clinical Sciences Including: Physiology, Pathology, Clinical and Physical Diagnosis and Laboratory Medicine	864	864	801	418	609	640	937
Core Naturopathic Therapeutics: Homeopathy, Botanical Medicine, Chinese Medicine, Hydrotherapy, Naturopathic Manipulative Therapy	492	334	—	—	—	—	—
Clinical Nutrition	144	138	17	Elective Only	Elective Only	Elective Only	14
Psychology	144	158	114	89	67	63	88
Other Coursework: First Aid, Emergency Medicine, Exercise Therapy, Sports Medicine, Practice Management, Jurisprudence	90	80	23	Elective Only	Elective Only	Elective Only	24
Required Class Electives	312	176	—	—	—	—	—
Total Class Hours	2850	2521	1943	1389	1349	1510	1865
Third and Fourth Year Clerkships,* including lecture and clinical instruction in: Dermatology, Family Medicine, Psychiatry, Medicine, Radiology, Pediatrics, Obstetrics, Gynecology, Neurology, Surgery**, Ophthalmology, and clinical electives	1974	1959	1446	2840	2040	1920	2916
Total Class + Clinical	4824	4480	3389	4229	3389	3430	4781

*Clerkships may vary from school to school. They are estimated to be 40 hours a week of mixed lecture and clinical training.

**Naturopathic Physicians study minor surgery only.

Information from the 1987 Curriculum Directory of the Association of American Medical Colleges;
The 1987 catalogue of National College of Naturopathic Medicine,
and the revised 1987 curriculum of the John Bastyr College.

American Association of Naturopathic Physicians
P.O. Box 33046, Portland, OR 97223
(503) 255-4863

3-16-93
SG 266

THE FACTS: SB266 AND THE PRACTICE OF ACUPUNCTURE

Further amendments to SB266 will jeopardize public safety by compromising the knowledge and skill levels required to provide safe and effective practice of acupuncture. Acupuncture is not a technique which, in and of itself, provides complete and lasting cures or remedies. It is but a portion of the science of oriental medicine, which is a comprehensive philosophy of medicine.

If this legislation is further amended, public safety will be compromised and the precedent will be set for the further dilution of standards in future legislatures.

Two important facts make clear that support for this bill in its current form is the most reasonable position to take.

**** FACT #1 **** ACUPUNCTURE HAS A LONG HISTORY AND SOLID PROFESSIONAL CREDENTIALS, PARTICULARLY IN MONTANA. THIS CREDIBILITY SHOULD BE PROTECTED.

- Acupuncture has 2,500 years of recorded history. It is based on a complex, rational working theory for accurate diagnosis and safe treatment.

- In 1984, the National Commission for the Certification of Acupuncturists (NCCA) was incorporated to develop and implement nationally recognized standards of competence in the practice of acupuncture.

- The NCCA requires a minimum of 3 years of education at an accredited school as an entry level standard for the practice of acupuncture. The average graduating requirements for most of these schools include 2416 hours in the theory and practice of Oriental Medicine, and 460 hours in Western Medicine.

- At present, Montana law requires applicants for licensure to pass a comprehensive written examination administered by the NCCA. In addition, a practical examination in "clean needle technique" is also required. This conforms our state to nationally set standards of competence in the practice of acupuncture.

- Montana was the second state in the nation to establish a licensing law for acupuncturists. Since 1974, the state has licensed acupuncturists under the Board of Medical Examiners. The law insures public safety, establishes a clear level of competence and has set a precedent for other states to follow.

(over)

**** FACT #2 **** THIS BILL REPRESENTS A COMPROMISE IN ALL POSITIONS, WHICH THE MONTANA ASSOCIATION OF ACUPUNCTURE AND ORIENTAL MEDICINE (MAAOM) SUPPORTS.

- After initially opposing this bill in the Senate, acupuncturists agreed to yield to the "unlimited scope of practice" held by physicians and osteopaths, and now do not oppose this specific change.

- This compromise was necessary to insure that "M.D.s" and osteopaths have at least some minimal level of understanding regarding acupuncture, although MAAOM members feel that 300 hours of training is far from adequate and will certainly lower the standards of the profession.

TRADITIONAL ACUPUNCTURE vs "COOKBOOK" ACUPUNCTURE

TRADITIONAL ACUPUNCTURE

Uses traditional diagnosis to treat symptoms and cause of symptoms

Treats each "complaint" differently according to each person's diagnosis

Produces no side effects if proper traditional diagnosis is followed

Addresses underlying causes as well as symptoms so symptoms can be eliminated

"COOKBOOK" ACUPUNCTURE

Uses a "recipe" for treating symptoms

Treats each "complaint" the same on every person

Can potentially worsen a condition due to lack of traditional diagnosis and improper direction of treatment principals

Addresses symptoms only, leading to re-occurrence

This document prepared and distributed by the Montana Association of Acupuncture and Oriental Medicine (MAAOM).

SB 320 - CURE VERSION

- Major Amendment
 - Any change in operating/reclamation plan which will be significant.
- Minor Amendment
 - Any change in operating/reclamation plan which will not be significant.

Please note: This verbiage makes this legislation compatible with the Montana Environmental Policy Act.

SB 320 - FINAL SENATE VERSION

- Major Amendment
 - Change in size of permit boundary, and is not a minor amendment.
 - Must be processed by Section 337 (Completeness/Adequacy Review).
- Minor Amendment
 - Change in size of permit boundary of < 10 acres. Does not include changes made for mineral extraction.
 - Department decision or declaration of inadequacy within 45 days.
- Major Revision
 - Any change in operating/reclamation plan that:
 - a. significantly changes post-mining drainage plan;
 - b. changes approved post-mining land use;
 - c. results in significant change in bond amounts;
 - d. results in a change that affects ability to reclaim or hydrologic balance of area; or
 - e. results in a significant change in rate, volume, or method of mining and processing.
 - If significant, has to go through Section 337 (Completeness/Adequacy Review).
 - If not significant, completeness review is 30 days and adequacy review is 90 days from completion (or 120 days if no board notification).
- Minor Revision
 - Any change in operating/reclamation plan that is not one of the above three.
 - Agency decision due in 15 days.

Please Note: Section 337 is also amended to say the first completeness review is 60 days, and subsequent completeness reviews are 30 days (compared to existing language of 30 days for first and all subsequent reviews).

SB 320 - ORIGINAL VERSION

- Major Amendment
 - Change in permit boundary or any kind of mining activity outside of permit boundary.
 - Significant impact.
- Minor Amendment
 - Change in permit boundary or any kind of mining activity outside of permit boundary.
 - No significant impact.
- Revision
 - Change in operating/reclamation plan to extend, continue, or modify activity within permit boundary.
 - Not subject to MEPA unless significant. If significant, it has to be based on substantial and credible evidence.

EXHIBIT 1
DATE 3-16-93
SB 264

CURE



**Citizens United For A
Realistic Environment**

ACUPUNCTURE 1 (60019)

EXHIBIT 2
DATE 3-16-93
SB 2106

Rose Haywood, Dipl.Ac. (NCCA)

2 hours lecture per week.

Total contact hours: 30

Credits: 2

PURPOSE: The purpose of this course is to provide the student with an introduction to the philosophical foundations and fundamental theories of Traditional Chinese Medicine (TCM).

OBJECTIVES: Upon completion of this course, the student will have a basic understanding of the historical and philosophical background of TCM and the basic theories of TCM physiology and pathology.

RESOURCES: There are two required texts:

1. The Foundations of Chinese Medicine - A Comprehensive Text for Acupuncturists and Herbalists; Giovanni Maciocca; Churchill Livingstone, 1989.
2. Chinese Acupuncture and Moxibustion; Foreign Languages Press, Beijing, 1987

CONDUCT: Lectures will be held from 5:00 to 7:00 PM in Room L2. There will be a mid-term and final examination, and several quizzes. The final examination will be cumulative.

GRADING: Pass/fail

TOPICS: An Overview of the History of TCM up to the present.
Introduction to the various modalities of TCM: acupuncture, moxibustion, herbs, Tui-Na massage, Qi Gong, diet.
Acupuncture: how it works according to TCM theory.
Acupuncture regulations in the United States.
Yin Yang Theory and its application to diagnosis and treatment.
The Five Elements in Nature and in TCM
The Vital Substances (Qi, Blood, Fluids, Jing, Shen).
The Functions of the Zang Fu (Internal Organs) in TCM and their inter-relationships.

ACUPUNCTURE 1 (continued)

The Energetics of the San Jiao or Triple Heater, and the transformation of Qi.

The Functions of the Six Curious or Extraordinary Organs

The Causes of Disease: Internal (Emotions) External (Six Pathogenic Factors), Miscellaneous

Introduction to the Jing Luo (Meridian system)

Nomenclature of the 72 channels

The 12 Principal Meridians:

Yin-Yang pairings,

Overview of pathways and Energetic Circulation

The Eight Ancestral Vessels: Overview of pathways

Overview of sub-meridian system:

The Distinct Meridians, Longitudinal and Transverse Luo Meridians, Tendino-Muscular Meridians, Great Luo and Huatuoji points.

Introduction to some commonly used points for stress and pain relief.

ACUPUNCTURE 2

60020 EXHIBIT 2
DATE 3-16-93
56266

2 hours lecture per week.

Total contact hours: 30

Credits: 2

PURPOSE: The purpose of this course is to provide the student with more background in the theory of Traditional Chinese Medicine, and provide an introduction to traditional oriental diagnosis and treatment.

OBJECTIVES: Upon completion of this course, the student will have a more in depth understanding of TCM theory, and a basic understanding of the principles and methods of oriental diagnosis. Students will learn the system of proportional measurement in TCM, begin point location and learn points to treat basic pathological patterns.

RESOURCES: There are two required texts:

1. The Foundations of Chinese Medicine - A Comprehensive Text for Acupuncturists and Herbalists; Giovanni Maciocca; Churchill Livingstone, 1989.
2. Chinese Acupuncture and Moxibustion; Foreign Languages Press, Beijing, 1987

CONDUCT: Lectures will be held from 5:00 to 7:00 PM in Room L2. There will be a mid-term and final examination, and several quizzes. The final examination will be cumulative.

GRADING: Pass/fail

TOPICS: General introduction to the concepts of TCM diagnosis:
The four examinations: (observation, listening, interrogation, palpation).
Tongue diagnosis; theory and practice
Pulse diagnosis: theory and practice.

Identification of pathological patterns:

Qi, Blood and Body Fluid patterns with correlation to patterns of the Zang Fu (Organs)

Eight Principle patterns (Excess-Deficiency, Hot-Cold, Interior-Exterior, Yin-Yang)

Pathogen patterns (Interior and Exterior): Wind, Cold, Dampness, Heat, Dryness, Summerheat.

Overview of Zang Fu (Organ) patterns

Traditional Chinese Anatomical Measurements: The Tsun system of proportional measurement for acupuncture point location.

Location and use of acupuncture points to treat basic patterns of imbalance.

ACUPUNCTURE 3**(60021) EXHIBIT****DATE**2
3-16-93

SB 266

3 hours lecture per week.

Total contact hours: 45

Credits: 3

PURPOSE:

The purpose of this course is to further students' knowledge of TCM diagnosis and treatment.

Principles of treatment and of point combination will be taught, as well as clinical use of the Extra Vessels and sub-meridian system.

Students will learn to identify disorders involving the channels, and to diagnose and treat musculo-skeletal and other disorders using TCM.

Students will learn to differentiate between conditions that they themselves are sufficiently skilled to treat, and conditions that need referral to other practitioners.

They will learn to conduct intake interviews, and practice diagnosis and establishment of treatment strategy.

Location of major acupuncture points and functions of different types of points will be continued.

Basic needling techniques will be introduced as well as various ancillary treatment modalities.

OBJECTIVES:

Upon completion of this course, students will have a more in-depth understanding of the TCM theory and diagnosis.

They will know how to formulate a treatment strategy, choose and combine points according to traditional theory, and use the Extra Vessels in treatment.

Students will be familiar with the location and needling method of major acupuncture points

Students will have sufficient knowledge to distinguish between simple conditions and those requiring attention by TCM practitioners with more training and experience, or by medical doctors.

Students will have the ability to treat basic musculo-skeletal disorders and other minor health disorders.

- RESOURCES:** There are two required texts:
1. The Foundations of Chinese Medicine - A Comprehensive Text for Acupuncturists and Herbalists: Giovanni Maciocca; Churchill Livingstone, 1989.
 2. Chinese Acupuncture and Moxibustion; Foreign Languages Press, Beijing, 1987
- CONDUCT:** Lectures will be held from 5:00 to 8:00 PM in Room L2. There will be a mid-term and final examination, and several quizzes. The final examination will be cumulative.
- GRADING:** Pass/fail
- TOPICS:** Identification of patterns according to the channels:
Treatment principles.
Principles of point combination.
The Functions and Locations of the Source Points,
Connecting (Luo) Points, Back Shu Points, Front Mu Points, Xi-Cleft Points, Influential Points, Opening Points of the Extra Vessels (Confluent Points).
Clinical Use of the Extra (Ancestral) Vessels.
Location and energetics of major acupuncture points.
Diagnosis and treatment of various disorders using TCM.
Treatment of musculo-skeletal disorders.
Treatment techniques: Acupuncture, tui-na, electro-acupuncture, Japanese acupuncture techniques, moxibustion, plum blossom needling.

ACUPUNCTURE 4 (60022)
CLINICAL PRACTICUM

EXAM 2
DATE 3-16-93
SB 266

4 hours lab (clinical practice) per week.
Total contact hours: 60
Credits: 2

PURPOSE/OBJECTIVES: The purpose of this course is to provide students with clinical experience in diagnosis and treatment using the techniques of Traditional Chinese Medicine. In the initial sessions, students primarily observe the treatment process, although active participation in the diagnostic process is required. Students progress from observation and assisting to supervised practice within the first two to three weeks. Students will reach a level of competency and skill that they can independently diagnose and treat simple conditions, and recognize those conditions that require referral to medical doctors and/or other health care practitioners.

Each student is encouraged to take responsibility for a minimum of one patient, to follow this patient's progress. At the end of the practicum, the student will produce a detailed written case history of the patient and be able to demonstrate a clear understanding of the diagnosis, treatment strategy and methods used, evaluate the outcome of the series of treatments and make further recommendations.

EVALUATION: This is to be ongoing. Students will be evaluated according to a list of criteria so that they may be appraised of their progress in diagnostic and treatment skills, hygiene, clean needle technique, general competence and interpersonal skills. Two evaluations will be given, one during mid-trimester and one final evaluation. A final practical examination is given.

RESOURCES: No texts are required: handouts will be distributed for study and reference.

CONDUCT: Students are given a choice of hours and are required to attend four hours. More hours may be attended if required. This course may be repeated in later terms for further clinical experience.

GRADING: Pass/fail

ACUPUNCTURE I (60019)

EXHIBIT 2
DATE 3-16-93
SB 2164

Rose Haywood, Dipl.Ac. (NCCA)

2 hours lecture per week.

Total contact hours: 30

Credits: 2

PURPOSE: The purpose of this course is to provide the student with an introduction to the philosophical foundations and fundamental theories of Traditional Chinese Medicine (TCM).

OBJECTIVES: Upon completion of this course, the student will have a basic understanding of the historical and philosophical background of TCM and the basic theories of TCM physiology and pathology.

RESOURCES: There are two required texts:

1. The Foundations of Chinese Medicine - A Comprehensive Text for Acupuncturists and Herbalists; Giovanni Maciocca; Churchill Livingstone, 1989.
2. Chinese Acupuncture and Moxibustion; Foreign Languages Press, Beijing, 1987

CONDUCT: Lectures will be held from 5:00 to 7:00 PM in Room L2. There will be a mid-term and final examination, and several quizzes. The final examination will be cumulative.

GRADING: Pass/fail

TOPICS: An Overview of the History of TCM up to the present.
Introduction to the various modalities of TCM: acupuncture, moxibustion, herbs, Tui-Na massage, Qi Gong, diet.
Acupuncture: how it works according to TCM theory.
Acupuncture regulations in the United States.
Yin Yang Theory and its application to diagnosis and treatment.
The Five Elements in Nature and in TCM
The Vital Substances (Qi, Blood, Fluids, Jing, Shen).
The Functions of the Zang Fu (Internal Organs) in TCM and their inter-relationships.

Bozeman Acupuncture Center
Neil and Linda Kremer L.Ac., Dipl.Ac.
P.O. Box 1541 Bozeman, Montana 59771
(406) 586-0677

EXHIBIT 3
DATE 3-16-93
SB 266

March 13, 1993

Dear Representative,

I am writing to each of you of the House Committee for Business and Economic Development to let you know that I **strongly oppose SB266 in its entirety!**

I am a licensed acupuncturist in Montana as well as in New Mexico. I oppose SB266 for the following reasons:

- Acupuncture is an entire medical practice. It is *not* just a treatment technique.
- Accredited Schools of Oriental Medicine that prepare Acupuncturists for practice require an average: *2000 hours of Oriental Medical Studies*
460 hours of Western Medical Studies
- These figures reveal that Acupuncture is inseparable from its underlying principles and theories.
- Oriental Medicine can not be learned and absorbed in a short course curriculum
- 800 Clinical Hours are required by accredited schools before graduation.
- Accredited programs for Acupuncture training require 3 years to complete the minimum standards for graduation.
- Successful completion of these requirements then allows the graduate to apply for NCCA national certification and licensing in individual states and take the appropriate exams necessary to qualify to practice Acupuncture and Oriental Medicine.
- Allowing M.D.'s, D.O.'s, Chiropractors, or any other allied health personnel to be licensed to practice Acupuncture under any provision of SB266 without the above minimum standards would:

1. Be unsafe for public health
2. Jeopardize the integrity of a valid Medicine that has been successful in treating over half of the world's population for 3000 years.
3. Dilute the success of Acupuncture in the American practice
4. Give Acupuncture a negative image
5. Impact negatively my ability to make a living

I encourage you to veto this bill. The standard of excellence should be kept high and SB 266 in any form would reduce this standard! Please write to me concerning your position.

With my sincere thanks!

Linda Kremer, LAc.
Neil G. Kremer LAc., O.M.D.

EXHIBIT 4
DATE 3-16-93
SB 266

**Suggested Amendments
Requested by:
The Montana Chiropractic Association
March 16, 1993**

Title, page 1, line 5
Following: "medicine"
Insert: "Chiropractic,"

Page 1, line 10
Following: Line 4
Strike: Section 1 in its entirety
Renumber: Following section

Page 3, line 9
Following: ~~part 3~~
Insert: "or licensed to practice chiropractic under Title 37, chapter 12, part 3;"

Montana Family



Union

AFL-CIO

110 West 13th Street
P.O. Box 1176
Helena, Montana 59624
406-442-1727

EXHIBIT 5
DATE 3-16-93
SB SJR 20

Don Judge
President

Pam Egan
Executive Director

The Associate Membership Program of the Montana State AFL-CIO

TESTIMONY OF THE MONTANA FAMILY UNION ON SJR 20 BEFORE THE HOUSE COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT MARCH 16, 1993

Mr. Chairman, members of the Committee, for the record, my name is Pam Egan. I am the Executive Director of the Montana Family Union. I am here today in support of Senate Joint Resolution 20.

I have with me today the first two volumes of the North American Free Trade Agreement. There are three other volumes to NAFTA which contain the tariffs of the Canada, Mexico and the U.S. In total, NAFTA consists of 2,000 pages of technical trade language which we believe would have a disastrous effect on the U.S. economy.

There are four primary areas of concern under NAFTA as it is currently drafted. They are:

1. lack of labor standards and U.S. job losses,
2. unfair pressure on U.S. agriculture
3. lack of enforced environmental standards
4. loss of state and U.S. sovereignty in lawmaking.

I would like to touch on two of those problems which would have the greatest impact on Montana.

The NAFTA is an agreement between the U.S. Canada and Mexico which is aimed at creating a trading bloc that would be the largest in the world. Unfortunately, unlike trading blocs in Europe, NAFTA attempts to link countries with vastly different economies, populations, and standards.

LABOR:

The attached chart shows the disparity in gross domestic product, population, per capita gross domestic product, and average hourly manufacturing wages between the three countries. This agreement is the first of its kind ever to place a country with "first-world" standards in a "free-trade" arrangement with a country having "third-world" standards just across its border. The potential for job loss is tremendous.

I have also provided the committee with a copy of a pay stub from a Mexican worker in the "Maquilladora's" or free trade plants just across our border. You will notice that this worker is earning 69 cents an hour. That's not unusual for Maquilladora workers.

As a result of this kind of pay, and the lack of worker rights standards and effective environmental regulation, the U.S. has already lost 500,000 manufacturing jobs to Mexico. Projections show that, under NAFTA, the U.S. stands to lose another half-million jobs to that country.

NAFTA contains no disincentives for companies to transfer production to Mexico. It contains no worker rights standards or wage protections. As currently drafted, NAFTA will simply continue the jobs exodus.

AGRICULTURE:

Under NAFTA, the current Free Trade agreement with Canada remains in place and similar conditions are extended to Mexico.

I will provide the committee with a series of recent news clippings which illustrate the impact of the current agreement on the Montana durum wheat industry.

These clips show us that, since the Canadian Free Trade Agreement was negotiated, Canada has captured 20% of the U.S. durum wheat market. Montanans all along the Hi-line can testify to what that mean for Montana farmers.

Montana's cattle industry would face a similar threat under NAFTA.

Montana's sugar-beet industry would face an even greater threat with the sharp influx of cheap Canadian sugar under this agreement.

CONCLUSION:

As I pointed out, this is an extremely long and complex agreement. We've only begun to touch upon the disastrous impacts NAFTA would have on the U.S. and Montana is accepted in it's current form.

If the Committee has any questions on NAFTA generally, or on particular points of the resolution presented today, we would be happy to help answer them, or help research the answers.

Because Montana's Senior U.S. Senator chairs the U.S. Senate Subcommittee on Trade, we are in a unique position to have an impact on the NAFTA. It is vital that we send the message embodied in this resolution to the Congress to make clear that NAFTA as currently drafted is unacceptable and would have a devastating effect on our economy and our working families.

The Montana Family Union commends Senator Yellowtail for his good work on this issue and respectfully urges a do pass recommendation on SJR 20.

EXHIBIT 5
DATE 3-16-93
SPR 20

Basic Economic Indicators of U.S., Canada, and Mexico, 1990

	Gross Domestic Product	Population	Per Capita Gross Domestic Product	Average Hourly Manufacturing Wages
U.S.	\$ 5.5 trillion	250 million	\$22,000	\$14.77
Canada	\$517 billion	26.5 million	\$19,500	\$16.02
Mexico	\$236 billion	88 million	\$ 2,680	\$ 1.80

**A free trade deal with Mexico would link
very different economies
with the potential for massive dislocation of workers.**

*Source: CIA, The World Factbook 1991
OCED, Main Economic Indicators, April, 1992*

CONDUCTORES Y COMPONENTES ELECTRICOS V S.A. DE C.V

URLY

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14 04 91

NUMERO	NOMBRE	A.P.C.	REGISTRO DEL INSS	OTRO
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DIVISION	TURNO LINEA	DEPARTAMENTO	PUESTO	
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PERCEPCIONES	UNIDADES	IMPORTES	DEDUCCIONES	IMPORTES	SALDO
SUELDO NORMAL	42.50	68,731.39	A.S.	4,165.00	8,327.00
COMPENSACION	1.65	2,668.40	DIF. CAMBIO	43.01	
SEPTIMO DIA		11,900.00	DED CAFETERIA	50.00	
QUINTO ASIS.		14,172.00			
		PERCEPCION TOTAL			
		97,471.99			
ACUMULADO INFONAVIT	BASE ANUAL INFON.			DEDUCCION TOTAL	
				4,171.99	
ACUMULADO ANUAL	ISPT ANUAL			NETO A PAGAR	
907,832				93,300.00	
		SUELDO BASE			
		11,900.00			

EXENTO ANUAL

SOBRE
DE
PAGO

PAY STUB FROM
PACKARD ELECTRIC (DIVISION OF G.M.)
MANUFACTURING PLANT IN JUAREZ, MEXICO

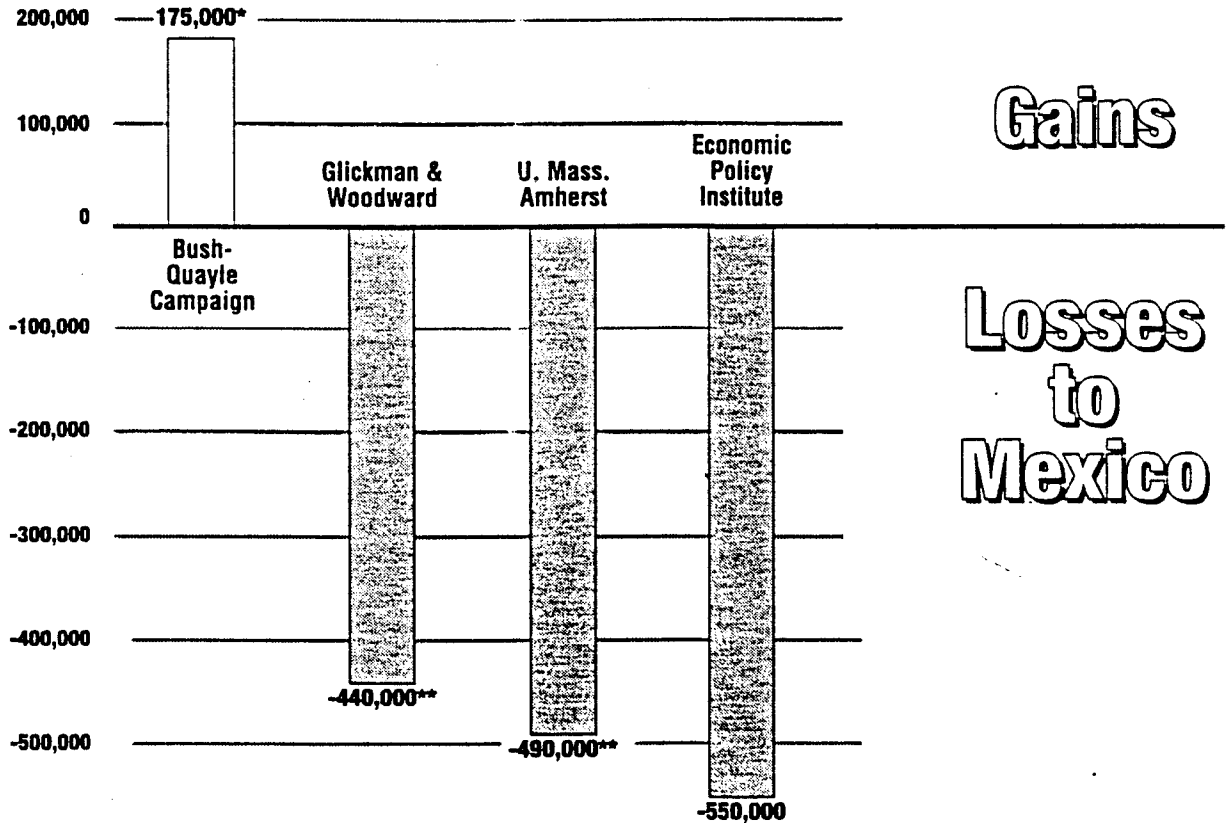
44.15 TOTAL HOURS
NET PAY FOR 44 HOURS: \$30.49

PESO CONVERSION TO U.S. DOLLARS - 3060 pesos/\$1 U.S.
93,3000.00/3060 = \$30.49

.69 cents per hour

5
3-16-93
552 20

Estimates of NAFTA's Impact on U.S. Jobs



* Net gains by 1995 — estimate by the same Bush administration that promised 30 million jobs and has yet to deliver on 29 million of them.

* * Losses by year 2000 (EPI 2002).

AFL-CIO Task Force on Trade
815 16th Street, NW
Washington, DC 20006
202-637-5166

5
DATE 3-16-93
STR 20

Great Falls Tribune
Tuesday, February 9, 1993

5
3-16-9
STP-20

Trade panel rules against U.S. farmers

By PHILIP BRASHER
Associated Press Writer

WASHINGTON — A U.S.-Canada review panel on Monday ruled against American farmers who say Canada is dumping unfairly subsidized wheat in U.S. markets, a senator said.

The panel concluded that subsidies Canadian farmers receive from their government should not be counted in calculating whether their durum wheat is priced below cost, said Sen. Byron Dorgan, D-N.D.

U.S. imports of Canadian durum, spring wheat and barley have increased dramatically in recent years. American farmers say that has contributed to recent declines in U.S. wheat prices.

The Bush administration initially dismissed the farmers' complaints

but later agreed to challenge Canada's grain pricing through procedures set up in a 1986 free-trade agreement.

Dorgan said the review panel's decision was ridiculous.

"U.S. negotiators sold out the interests of American farmers when they negotiated the U.S.-Canada free-trade agreement and now we learn that the agreement's dispute-resolution mechanism is a hoax," Dorgan said.

"When the dispute panel does not consider major segments of Canada's cost in producing durum in evaluating whether the Canadians are unfairly selling in the U.S. market, then these people have thrown common sense out the window."

The Canadian embassy put off making any comment on the ruling until Tuesday, a spokeswoman said.

Williams says ruling no surprise

By Tribune Staff

U.S. Rep. Pat Williams, D-Mont., said in Great Falls Monday he wasn't surprised at the ruling by a joint U.S.-Canadian trade panel.

"We had an indication several days ago the panel wouldn't act on our argument," he said.

Williams said a big problem remains, however. The Canadian Wheat Board still handles all of its dealings — including doling out rail subsidies to farmers and grain companies — in secret. "Until they open up, we'll never know if they are engaging in

unfair trade."

Since last fall, Montana farmers have been riled at Canadian grain being trucked to Montana. "It's really causing quite a row in eastern Montana along the Hi-Line," said George Paul of the Montana Farmers Union.

Paul said that in extreme eastern Montana, "they are so riled up at this point they are considering physical action — picketing elevators." Grain-trade estimates say about 40 percent of Canada's 1992 wheat crop was damaged by frost and moisture and that damaged, feed-quality wheat is what's being shipped to Montana.

Baucus tackles Canada-wheat trade problems

By Tribune Staff

WASHINGTON — U.S. Sen. Max Baucus, D-Mont., has introduced a bill he hopes will counter what he believes to be unfair Canadian wheat-trading practices.

Baucus said Friday that he is concerned that agriculture was effectively exempted from the Canadian Free Trade Agreement of 1989. And he said that exemption was continued for Canada under the North American Free Trade Agreement.

Called the Fair Trade Grain Act of 1993, Senate Bill 324 would:

- Require end-use certificates on imported grains. Canada uses such certificates. An end-use certificate ensures that imported grain is not mixed with Canadian grain.

Baucus is concerned that without a U.S. end-use certificate, Canadian grain will be mixed with U.S. grain and could be slipped into U.S. farm export program shipments — hurting the U.S. farmer.

- Direct the Secretary of Agriculture to use the Export Enhancement Program to promote wheat shipments to Mexico to counteract the effects of low-priced, subsidized Canadian grain in the Mexican market.

- Initiate unfair trade cases against Canadian wheat imports to end unfair pricing on U.S. sales by the Canadian Wheat Board.

"American wheat farmers got a poor deal under the Canada Free Trade Agreement. Thanks to the tactics of Canada and cooperation of the Bush Administration, they were not able to improve on the deal in the North American Free Trade Agreement," said Baucus, who is chairman of the Senate Subcommittee on International Trade. "This is sim-

ply unacceptable."

He said that while Canada may be a good trading partner in many sectors, in regard to wheat, "Canadian practices put Japan to shame. Free trade means that everyone plays by the rules, not that the U.S. plays by the rules, and Canada ignores them."

"I am determined to level the playing field for American wheat farmers."



Baucus

Baucus said that Canada continues to provide export subsidies on all wheat exports to the United States — expected to hit 42 million bushels this year by carving out a

special exemption from a prohibition in the Canadian Free Trade Agreement. And Canada still gives wheat export subsidies to Mexico, he said.

He is also concerned that Mexico is not on the list of eligible countries under the Bush Administration expansion of the Export Enhancement Program by 1.1 billion bushels.

He had hoped that Bush would have countered subsidies by the European Community and Canada.

Because the government-chartered price-setting monopoly, the Canadian Wheat Board allows the price of exported wheat to be much lower than domestic prices, he said.

And Canada captured some 76 percent of Mexican market "through these cutthroat pricing policies while the Bush Administration sat on its hands."

5
3-16-93
SUR 20

TESTIMONY ON SJR 20

Mr. Chairman, and members of the Committee. I'm Fran Marceau, State Legislative Director for the United Transportation Union.

The United Transportation Union is on record as opposing the North American Free Trade Agreement as currently negotiated.

These are some of the concerns the UTU has about NAFTA as it relates to the transportation industry:

1. State vehicle driver's license laws for truck drivers from out of the country will be suspended.
2. Size and weight issues will no longer be decided in Washington D.C. and in State Legislatures but in international diplomatic circles. This preemption of state laws, if allowed to stand, will eradicate decades of efforts to construct highway safety standards designed to protect the driving public.
3. Mexico does not require demonstration of special skills regarding hazardous cargo or use of air brakes. States currently require hazardous waste haulers to display warning signs and be trained in "emergency response" procedures. No such precautions are specified in the regulation.
4. Mexican commercial drivers licenses are issued to 18-year-olds. Twenty-one is the minimum age for a commercial license in the United States.
5. There is no way to monitor repeat traffic violators from Mexico or to revoke the license of offenders. In California, for example, a commercial driver convicted twice for driving under the influence is barred for life from driving.
6. No provision is made concerning insurance liability or the impact on rates in this country from accidents involving Mexican drivers who have no insurance.
7. Mexican commercial drivers operating in the U.S. will not be covered by state or federal laws in the U.S. on minimum wage, workers' compensation, unemployment insurance, or Social Security.
8. The DOT rules do not address the job losses that will result from the huge gap between U.S. drivers' wages and Mexican drivers' wages of about \$7 per day.

Northern Plains Resource Council

EXHIBIT 7
DATE 3-16-93
SB SJR 20

Testimony of Tom Breitbach for The Northern Plains Resource Council In Support of SJR 20

3/16/93

Mr Chairman and members of the committee;

My name is Tom Breitbach. I live in Macone County and made my living farming and ranching. I am presently retired and have time to participate in the political process of this great state. I am here today on behalf of the Northern Plains Resource Council to speak in support of Senate Joint Resolution 20.

After World War I, there was an enormous debt owed by many countries to the United States. A decision was made that these debts could be paid with production instead of cash. Most of the production was in the form of agricultural commodities. When the markets of this country were flooded with that production, farm commodity prices went down and agriculture was hit hard. The farm crisis of the 1920's was one of the major causes of the depression of the 1930's.

After World War II the problem was handled in a completely different manner. Raw material prices had a minimum price. That price was in effect from 1941 through 1952 and this country rebuilt Europe with the Marshall Plan. The economy never faltered a bit and prosperity was stronger in 1952 than it was at the end of the war!

Now we find ourselves starting the last decade of the century seeking solutions for a serious global economic downturn. Northern Plains Resource Council believes that the North American Free Trade Agreement as it is currently proposed is not a solution - instead it is likely to prove as disastrous as the international trade policies that followed WW I. This agreement was negotiated in secret with no public comment whatsoever. Now it has been put on a fast track so that the public's elected representatives will not even be able to debate its merits and faults. The U.S. Congress will only have a single yes or no vote. NPRC believes our

Congress should never accept such a fundamentally undemocratic process.

Once again we are being asked to open our borders to Mexico and Canada and place our agriculture producers in competition with the whole world. It is said by some that Mexico would become a consuming country but how can they become a consuming country when their wage rate does not even allow the proper diets for their families. The President of Mexico has said that issues involving workers rights and the environment are fundamentally "the sovereign responsibility of each nation." In other words low Mexican wages will continue to prevent Mexicans from climbing the first step of the consumption ladder.

Now I would like to give you production figures and monetary returns for agriculture in the State of Montana. These are 1991 figures from a brochure sent out by Governor Stevens:

<u>Commodity:</u>	<u>Value:</u>
All Wheat 159.5 MM bu	\$ 1,115,440,000
Barley 85.8 MM bu	401,100,000
Hay 5.2 MM ton	191,000,000
Sugar Beets 1.3 MM ton	145,160,000
Hogs 225.0 M head	89,770,000
Ag production 1907.8 MM dollars	
Lumber 910.0 MM "	
Gas and Oil 382.0 MM "	
Mining 785.5 MM "	

I would also like to describe the impacts of the Canadian Free Trade Agreement and probability of NAFTA impacts:

Wheat: Canada is purchasing wheat for domestic consumption and is selling their wheat in this country. The difference in currency value (24 - 27%) more than offsets the freight costs.

Barley: The importation of sprout and frost damaged wheat has replaced most of the feed barley sold to feeders in the state at a cost of about 20¢ per bu in price reductions for Barley.

Sugar Beets:
production

Mexico would probably take over all domestic
from this country within five years.

Beef Cattle:
people

The Mexican president and his family are the only
allowed to import feeder cattle from other South
American countries. Boxed frozen meat has already
shown up in Canada and has been shipped into the U.S.
without changing the labels.

Pigs:
border

There is a complaint on the table of the committee for
relations between the U.S. and Canada.

You have enough problems trying to balance the budget without adding
impacts to a 1.91 MMM (billion) producer and added impacts to the
processing and sales industry using that production.

The last and probably most important impact is that which says any
agriculture program in the U.S. must agree with the NAFTA agreement. This
means our agriculture will be dictated to us by a foreign country.

Thank you for the opportunity to testify today. Please vote *do pass* for
SJR 20.

EXHIBIT 7
DATE 3-16-93
STR 20



MONTANA FARM BUREAU FEDERATION

502 South 19th • Bozeman, Montana 59715
Phone: (406) 587-3153

EXHIBIT 8
DATE 3-16-93
SR SJR 20

BILL # SJR 20 ; TESTIMONY BY DAVE McCLURE

DATE 3/16/93 ; SUPPORT _____ ; OPPOSE yes

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, I AM DAVE McCLURE, A FARMER - RANCHER FROM THE LEWISTOWN AREA AND CURRENTLY PRESIDENT OF THE MONTANA FARM BUREAU, AN ORGANIZATION OF OVER 4400 MEMBER FAMILIES. WE OPPOSE SJR 20 BECAUSE OF POLICY STATEMENTS ESTABLISHED BY OUR VOTING MEMBERS WHO ARE ACTIVE FARMERS AND RANCHERS. AT OUR NATIONAL CONVENTION IN JANUARY OF THIS YEAR WE ADOPTED THE FOLLOWING POLICY;

"WE SUPPORT THE NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA), AS SIGNED BY PRESIDENT BUSH, AND URGE ITS ADOPTION BY CONGRESS. WE SUPPORT THE INCORPORATION OF MEASURES IN THE IMPLEMENTING LEGISLATION TO STRENGTHEN TRANSITIONAL SAFEGUARDS TO ACCOMMODATE THE CONCERNS OF SPECIFIC COMMODITY INTERESTS. WE SUPPORT THE INCLUSION OF LANGUAGE IN THE IMPLEMENTING LEGISLATION REQUIRING CONGRESSIONAL APPROVAL FOR THE ACCESSION OF OTHER COUNTRIES TO NAFTA."

THE AMERICAN FARM BUREAU HAS BEEN AN OBSERVER THROUGHOUT THE NEGOTIATIONS ON NAFTA AND HAS BASED OUR SUPPORT ON A LIST OF CONDITIONS THAT MUST BE MET TO PROTECT AGRICULTURE. WE FEEL THAT THESE CONDITIONS HAVE BEEN ADEQUATELY ADDRESSED AND THAT OUR SUPPORT IS WARRANTED. I HAVE ATTACHED THE ANALYSIS AND A LIST OF THOSE CONDITIONS TO MY TESTIMONY.

A FREE TRADE AGREEMENT WITH MEXICO AND CANADA HAS THE POTENTIAL TO PROVIDE OPPORTUNITIES AND BENEFITS TO MANY SECTORS OF THE UNITED STATES ECONOMY. IT ALSO HAS THE POTENTIAL TO CREATE NEW CHALLENGES AND PROBLEMS FOR OTHERS. THIS IS PARTICULARLY TRUE FOR COMMODITIES WITHIN THE AGRICULTURAL SECTOR.

AS IN ANY BROAD ECONOMIC SECTOR, THERE WILL BE PRODUCERS IN AGRICULTURE WHO COULD BE HURT BY A NORTH AMERICAN FREE TRADE AGREEMENT. IN GENERAL, FARM BUREAU IS CONVINCED THAT AMERICAN FARMERS CAN COMPETE WITH MEXICAN AND CANADIAN FARMERS, IF THAT COMPETITION IS ON A LEVEL BASIS.

NAFTA IS AIMED AT STIMULATING ECONOMIC DEVELOPMENT AND INCOMES IN MEXICO. COUPLED WITH THE RAPID POPULATION GROWTH IN MEXICO OVER THE NEXT TWO DECADES (HALF OF MEXICO'S POPULATION IS UNDER THE AGE OF 18), AND THE NATURAL RESOURCE LIMITATIONS THAT ALREADY INHIBIT MEXICAN AGRICULTURE, THE TRADE AGREEMENT WILL CERTAINLY BOOST DEMAND FOR IMPORTED FOODS, FEED AND FIBER.

MOST IMPORTANTLY, THE NAFTA WILL GIVE AMERICAN PRODUCERS AN ENORMOUS PREFERENTIAL ADVANTAGE OVER MANY OTHER

COUNTRIES IN SUPPLYING THE GROWING NEEDS AND WANTS OF THE MEXICAN CONSUMER. IN ANY GIVEN YEAR, MEXICO IS THE UNITED STATES' THIRD OR FORTH LARGEST CUSTOMER FOR AGRICULTURAL PRODUCTS. WE CAN DO EVEN BETTER. MEXICO STILL HAS HIGHER TRADE BARRIERS THAN THE U.S. MEXICO'S AVERAGE DUTY IS 10% COMPARED TO 4% IN THE U.S. SIGNIFICANT NONTARIFF BARRIERS REMAIN. WE THEREFORE HAVE MUCH TO GAIN FROM THE ELIMINATION OF THOSE BARRIERS.

OUR TWO COUNTRIES ARE BOTH CUSTOMERS AND COMPETITORS IN EACH OTHERS' MARKETS BUT, UNLIKE OUR TRADE RELATIONSHIPS WITH SOME OTHER COUNTRIES, WE DO NOT GENERALLY COMPETE WITH ONE ANOTHER IN THIRD COUNTRY AGRICULTURAL MARKETS.

LIKE MEXICO, THE U.S. AND CANADA ARE BOTH CUSTOMERS AND COMPETITORS IN EACH OTHERS MARKETS. CANADA IS THE UNITED STATES' SECOND LARGEST MARKET FOR FARM COMMODITIES (NEXT TO JAPAN).

SINCE THE FREE TRADE AGREEMENT WITH CANADA TOOK EFFECT IN 1989, OUR EXPORTS HAVE GROWN FROM ABOUT \$2.0 BILLION TO \$4.5 BILLION (125%). IMPORTS FROM CANADA HAVE LIKEWISE GROWN, FROM \$2.4 BILLION TO \$3.3 BILLION (37%), WHICH MEANS THE UNITED STATES IS NOW RUNNING A \$1.2 BILLION TRADE SURPLUS WITH CANADA IN AGRICULTURE.

UNLIKE MEXICO, CANADA IS ALSO A MAJOR COMPETITOR IN SOME FARM PRODUCTS (MAINLY WHEAT AND OILSEEDS) IN THIRD COUNTRY MARKETS.

ALL AGRICULTURAL TRADE WILL BE INCLUDED IN THE AGREEMENT BETWEEN THE U.S. AND MEXICO, THERE WILL BE NO EXCEPTIONS. ALL NON-TARIFF BARRIERS WILL BE CONVERTED TO TARIFFS AND ALL TARIFFS WILL BE GRADUALLY REDUCED TO ZERO IMMEDIATELY OR OVER FIVE, TEN, OR FIFTEEN YEARS DEPENDING ON THE SENSITIVITY OF THE PRODUCTS. FREE TRADE IN AGRICULTURE WILL THEREFORE EXIST BETWEEN THE TWO COUNTRIES WITHIN FIFTEEN YEARS OF ENACTMENT OF THE AGREEMENT.

ALTHOUGH THERE ARE LEGITIMATE GRIPEs ABOUT THE FAILURE TO ADDRESS PROBLEMS IN WHEAT TRADE WITH CANADA IN THE NAFTA, VIRTUALLY ALL STUDIES SHOW THAT U.S. EXPORTS OF WHEAT WILL EXPAND TO MEXICO UNDER NAFTA. THE NON-PARTISAN U.S. INTERNATIONAL TRADE COMMISSION ESTIMATES A 46% INCREASE OVER THE LONG RUN, AS MEXICO SHIFTS OUT OF WHEAT (AND OTHER GRAINS AND OILSEEDS) PRODUCTION AND INTO MORE LABOR-INTENSIVE PRODUCTS AND AS IT REMOVES ITS DISCRETIONARY LICENSING SYSTEM IN FAVOR OF TARIFFS WHICH WILL BE PHASED OUT OVER 10 YEARS.

IF WE KILL THE NAFTA, MEXICO AND CANADA COULD PROCEED WITH A MEXICO-CANADA FTA AND LEAVE US WITH NONE OF THE MEXICAN MARKET FOR OUR WHEAT OR OTHER PRODUCTS.

WE, TOO, ARE CONCERNED ABOUT THE TRANSSHIPMENT OF BEEF THROUGH CANADA. THIS PRACTICE IS ILLEGAL FROM BOTH MEAT INSPECTION AND MEAT IMPORT LAW PERSPECTIVES. AFBF HAS ALREADY BEEN IN TOUCH WITH THE ADMINISTRATION TO LODGE ITS PROTEST OF THIS ACTION. WE BELIEVE IT IS AN ISOLATED PROBLEM BUT ONE WHICH MUST STOP. ILLEGAL TRANSSHIPMENTS ARE BOUND TO OCCUR ON OCCASION, AND WHEN THEY DO IT IS UP TO THE

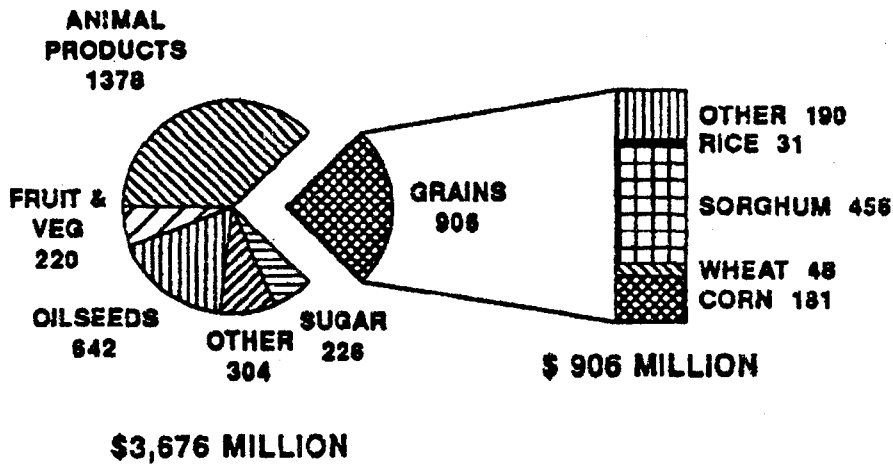
GOVERNMENT TO PUT A HALT TO IT. WE UNDERSTAND THAT CONTACTS HAVE BEEN MADE WITH THE AUSTRALIANS TO STOP THE CIRCUMVENTION OF THE MEAT IMPORT LAW. WE ARE PRESSING USDA FOR AN EXPLANATION AS TO WHY THE SHIPMENT OF MEAT WAS NOT INSPECTED.

I HAVE ATTACHED ADDITIONAL BACKGROUND MATERIAL AND AM WILLING TO PROVIDE OTHER INFORMATION AT THE REQUEST OF THIS COMMITTEE.

AMERICAN AND MONTANA AGRICULTURE ARE DEPENDENT ON EXPORTS. WE FAVOR AGREEMENTS THAT PROVIDE OPPORTUNITIES FOR EXPANDED MARKETS AND REDUCTIONS IN TRADE BARRIERS. WE SHARE MANY OF THE CONCERNS EXPRESSED IN SJR 20 BUT ASK YOU NOT TO SEND A MESSAGE OF OPPOSITION TO PROGRESS TOWARD FREER AND FAIRER TRADE.

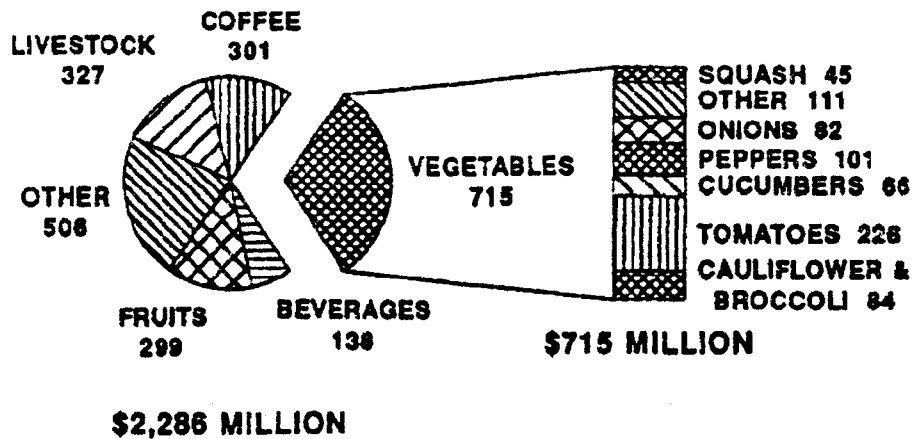
EXHIBIT 8
DATE 3-16-93
SJR 20

U.S. FARM EXPORTS TO MEXICO FISCAL 1992



ESTIMATED COMMODITY BREAKDOWN

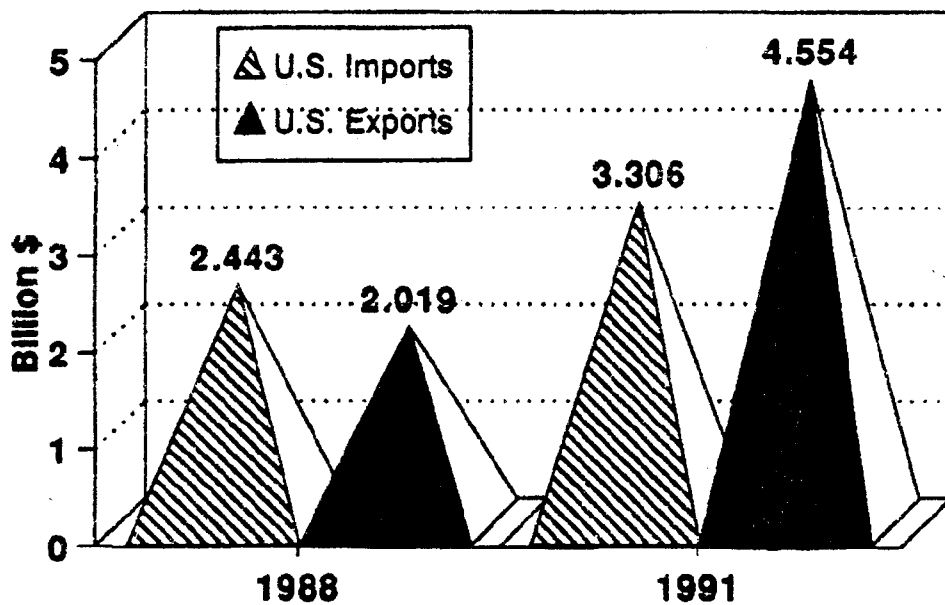
U.S. FARM IMPORTS FROM MEXICO FISCAL 1992



ESTIMATED COMMODITY BREAKDOWN

EXHIBIT 8
DATE 3-16-93
SSR 20

U.S./Canada Ag. Trade Before & After FTA



Economic Review

VOL. 9, NO. 9

AUGUST 1992

SUMMARY AND ANALYSIS OF THE NAFTA AGRICULTURAL AGREEMENT

(This summary is a compilation of information provided in a variety of reports available as of August 13, 1992. For specific questions please contact the authors.)

GENERAL SUMMARY

The North American Free Trade Agreement (NAFTA) sets out separate bilateral undertakings on cross-border trade in agricultural products, one between Canada and Mexico, the other between Mexico and the United States. Both include special transitional safeguard mechanisms. As a general rule, the provisions of the U.S.-Canada Free Trade Agreement (CFTA) on tariffs and non-tariff barriers will continue to apply to agricultural trade between Canada and the U.S. Trilateral provisions between the U.S., Mexico and Canada will apply in the areas of domestic support for agricultural goods and agricultural export subsidies.

Tariffs and Non-Tariff Barriers

Trade Between Mexico and the United States

When the North American Free Trade Agreement (NAFTA) goes into effect, Mexico and the United States will eliminate all non-tariff barriers (NTBs) governing agricultural trade. The current NTBs will either be converted to "tariff-rate-quotas" (TRQs) or to ordinary tariffs.

The TRQs will facilitate the transition for producers of import-sensitive products in each country. No tariff will be imposed on imports within the quota amount. Imports above the quota amount will be subject to tariffs which will be gradually phased down over the transition period. The TRQs will be gradually increased over the transition period. The initial TRQ will be based on recent average trade levels. The initial over quota tariff will reflect the current value of the existing NTB.

Tariffs on a broad range of agricultural products will be eliminated immediately. Roughly one-half of the U.S.-Mexico bilateral agricultural trade will be duty free when the NAFTA goes into effect. All tariff barriers between the U.S. and Mexico will be phased out over a maximum of 10 years with the exception of corn, dry beans and non-fat dry milk for Mexico and sugar, orange juice concentrate and peanuts for the United States.

Trade Between Canada and Mexico

Canada and Mexico will eliminate all tariff and non-tariff barriers on their agricultural trade, except for dairy, poultry, eggs and sugar. Canada will allow imports without restrictions of Mexican wheat, barley, beef and veal and margarine. Canada and Mexico will eliminate immediately or phase out over five years tariffs on many fruit and vegetable products. Other fruit and vegetable products will have tariffs phased out over 10 years. Mexico will replace its import licenses with tariffs or TRQs and phase these out over 10 years.

SPECIAL SAFEGUARD PROVISION

During the first 10 years of the NAFTA a special safeguard provision will apply to certain products. A NAFTA country may invoke the mechanism where imports of such products reach "trigger levels" set out in the agreement. In such circumstances, the importing country may apply the tariff rate in effect at the time the NAFTA went into effect or the then-current Most Favored Nation (MFN) rate, whichever is lower. The safeguard tariff may be applied for the remainder of the season or calendar year, depending on the product. The appropriate trigger level will increase over the 10-year period.

DOMESTIC SUPPORT

Each country will try to move toward domestic support policies that are not trade-distorting.



AMERICAN FARM BUREAU FEDERATION

COMMODITY-BY-COMMODITY REVIEW OF THE AGREEMENT

The following is a preliminary impact analysis by commodity sector of the U.S.-Mexico agricultural agreement.

Livestock and Products--The United States should benefit significantly from free trade in this sector. All U.S. exports will be freely exported to Mexico at the end of 10 years. Mexico placed none of these commodities in the 15-year transition period but did apply TRQ safeguards to poultry, pork and animal fats. These TRQs will limit the growth potential for these U.S. exports during the 10-year transition period, but at no point will they face tariffs that are more restrictive than those in place today. Moreover, as tariffs are reduced on U.S. and Canadian products, other supplying countries, which must still face the tariffs, will be at a distinct disadvantage. [The agreement on export subsidies should prevent subsidized Canadian pork products from displacing U.S. exports to Mexico.]

Dairy Products--The United States should benefit from free trade in this sector. Demand in Mexico for quality dairy products can be expected to increase under free trade beyond what the Mexican dairy industry can produce, especially if incomes grow. Canada's decision to stay out of the NAFTA in agriculture means that access to the Canadian dairy market will remain substantially closed to competitive U.S. products.

Horticultural Products--The current trade balance in this sector is heavily in Mexico's favor and Mexico can be expected to obtain significant benefits from U.S. tariff reductions in a number of important commodities (for example, but not limited to, winter vegetables, citrus and melons). However, the United States will also benefit from the agreement in certain other horticultural products, especially where Mexico has used strict controls on imports. These exist where Mexico's climate makes it difficult to grow certain fruits and vegetables (for example, potatoes and non-citrus tree fruits).

In order to minimize the adverse impact of increased imports of sensitive commodities, both the United States and Mexico will employ either the 15-year transition period or 10-year TRQ safeguards for sensitive products.

In general, TRQs are used by the U.S. when the tariff is already fairly low (5 percent or less). If tariffs are high, the longer transition period is generally employed. This distinction is made because by the end of 10 years low tariffs become negligible and an additional five years of gradually reduced tariff provides little, if any, protection. Such products receive more protection under a TRQ safeguard for 10 years. Products with high initial tariffs, on the other hand, may stay relatively well protected until close to the end of a 15-year phase out. The U.S. will apply both a TRQ and a 15-year phase out for orange juice. Mexico will do so for dry edible beans.

The ultimate impact of free trade on the U.S. horticultural industry will depend on a number of factors. These include: the degree to which the transition process allows time for adjustment; the ability of Mexican agriculture to expand production in the face of limited resources and growing demand in urban centers for available water; the type of products Mexico shifts into as it scales back production of bulk commodities; and, the degree to which Mexican production keeps pace with domestic demand.

Mexico is a major fruit and vegetable consuming nation. As its population grows in the coming years, and if incomes grow as a result of free trade, domestic consumption of these products can be expected to increase. Consequently, a growing percentage of Mexican production of fruits and vegetables in the coming years will most likely be consumed by the Mexican population.

The impact of these factors on U.S. producers will vary from commodity to commodity and perhaps even from farmer to farmer. It is evident that some producers on both sides of the border will be able to take advantage of the increased market opportunities afforded by the NAFTA.

Grains--The benefits from free trade in this sector flow almost entirely to the United States. The United States will gain from the elimination of Mexican restrictions and import controls on virtually all grains.

The immediate 2.5 million metric ton tariff free quota established by Mexico for corn, and the commitment by Mexico to achieve free trade in this commodity within 15 years must be viewed as a major accomplishment by the United States

Tobacco--The United States is likely to increase exports to Mexico of both raw tobacco and processed products under the free trade agreement, especially if Mexican incomes rise and demand for higher quality products increases.

Cotton--The U.S. cotton industry should gain from free trade with Mexico. The Mexican textile industry is expected to expand and the demand for high quality fiber should increase accordingly. Mexican cotton production will probably grow, as well, as the country shifts from production of other bulk commodities where it cannot compete with the United States. However, it is not likely to increase sufficiently, especially in quality fibers, to result in any significant exports to the United States.

FARM BUREAU POLICY ON NAFTA

The following is a point-by-point review of Farm Bureau's policy on the NAFTA as it pertains to the results of the agreement.

Farm Bureau's support for a NAFTA depends on the following factors:

(1) Current U.S. grades and standards should not be lowered to accommodate Mexican imports.

(2) The agreement should maintain all federal marketing orders.

(3) Mexican imports would be assessed the same as U.S. products under federal marketing orders and commodity promotions or checkoff programs. Assessments should be used for marketing and promotion only.

U.S. grades and standards will not be lowered in the NAFTA. However, a separate, bilateral working group will be created to review these standards and to ensure that they are not employed as trade barriers. Federal marketing orders will be maintained with one exception: Mexican products not meeting U.S. standards may be used in processing. In other words, they will be henceforth treated the same as commodities produced in the United States. Assessments for marketing orders and promotion programs will not be affected by the agreement.

(4) The agreement should standardized pesticide regulations so they are uniform between the two countries.

(5) Scientifically based health and sanitary rules and regulations should not be compromised but strengthened to prevent the introduction of undesirable pests.

The United States, Mexico and Canada will adopt a code of conduct to prevent health and sanitary regulations from being used as unjustifiable trade restrictions. This will involve increased consultations between the three nations on these regulations and harmonization of sanitary and phytosanitary rules on the basis of sound science. The agreement will safeguard existing U.S. health, safety and environmental standards, and permit the United States to deny entry to goods not meeting those standards.

(6) Country of origin rules should not be compromised. Enforcement should be strengthened to prevent transshipment.

Strict country of origin rules have been incorporated into the agreement to prevent transshipment of products from non-NAFTA countries through either Mexico or Canada. The purpose is to ensure that the free trade provisions benefit producers in the NAFTA countries, not producers in other countries. In certain agricultural commodities, the country of origin rules have been tightened beyond the rules used in the U.S.-Canada free trade agreement.

(7) Snap-back provisions should be triggered by a formula and not take more than seven days. Snap-back should be administered by USDA.

Snap-back safeguard provisions in the form of tariff rate quotas (TRQs) will be made available to certain sensitive commodities. TRQs set a limit on the quantity of imports that may be imported each year under the gradually reduced tariff. Once that quantity has been imported, the original tariff will "snap back" into place. The quantity that may be imported each year before the original tariff is snapped back into place will be increased over the transition period in most cases. TRQs are a more automatic and effective safeguard than the mechanism employed in the

Amendments to Senate Bill No. 320
Third Reading Copy

Requested by Sen. McClernan
For the Committee on Business and Economic Development

Prepared by Michael S. Kakuk
March 11, 1993

1. Title, line 12.
Strike: "AND REVISIONS"
Strike: "AND"
2. Title, line 14.
Following: "DATE"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"
3. Page 1, line 18.
Following: "REQUIRES"
Strike: "AUTHORIZES"
Insert: "requires"
4. Page 1, line 22.
Following: "REQUIREMENTS"
Insert: "and amendment processing procedures"
5. Page 2, line 7.
Strike: "180"
Insert: "90"
6. Page 2, line 25.
Following: "ATTORNEY"
Insert: "and expert witness"
7. Page 3, lines 1 through 3.
Strike: "THAT" on line 1 through "MERIT" on line 3
Insert: "an award is appropriate"
8. Page 3, line 4.
Following: "Amendment"
Strike: "or revision of"
Insert: "to"
9. Page 3, line 7.
Strike: "or revision"
10. Page 3.
Following: line 10
Insert: "(2) The department may by rule establish criteria for the classification of amendments as major or minor. The department shall adopt rules establishing requirements for the content of applications for major and minor amendments and the procedures for processing minor amendments"
Renumber: subsequent subsections

17. Page 5.

Following: line 14

Insert: "(2) "Amendment" means a change to an approved operating or reclamation plan. A major amendment is an amendment that may significantly affect the human environment. A minor amendment is an amendment that will not significantly affect the human environment."

Renumber: subsequent subsections

18. Page 6, line 16 through page 7, line 6.

Strike: "(8)" on page 6, line 16 through "PROCESSING." on page 7, line 6

Renumber: subsequent subsections

19. Page 7, line 19 through page 8, line 2.

Strike: "(12)" on page 7, line 19 through "AMENDMENT." on page 8, line 2

Renumber: subsequent subsections

20. Page 12, line 4.

Following: "DEFICIENCIES."

Insert: "The initial completeness notice must note all deficiency issues, and the department may not in a later completeness notice raise an issue pertaining to the initial application that was not raised in the initial notice. The department may, however, raise any deficiency during the adequacy review pursuant to subsection (1)(b)."

21. Page 14, lines 4 through 7.

Following: "DEPARTMENT"

Strike: "CONSULT" on line 4 through "CONTRACTOR" on line 7

Insert: "prepare a list of no fewer than four contractors acceptable to the department and shall provide the applicant with a copy of the list. The applicant shall provide the department with a list of at least 50% of the contractors from the department's list. The department shall select its contractor from the list provided by the applicant"

22. Page 15, line 6.

Strike: "OR REVISION OF"

23. Page 16, line 2.

Strike: "RIGHTS AND DUTIES THAT MATURED."

24. Page 16, line 3.

Following: "INCURRED"

Strike: ", "

25. Page 16.

Following: line 4

Insert:

"NEW SECTION. Section 9. {standard} Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or

EXHIBIT 10
DATE 3-16-93
SB 320

HOUSE OF REPRESENTATIVES
53RD LEGISLATURE - 1993
BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE
ROLL CALL VOTE

DATE 3-16-93 BILL NO. SB 320 NUMBER

MOTION: Rep. Pavlovich Moved To Adopt
Amendment. Exhibit 9.

Motion Carried 14-4

NAME	AYE	NO
REP. ALVIN ELLIS	✓	
REP. DICK KNOX	✓	
REP. NORM MILLS	✓	
REP. JOE BARNETT	✓	
REP. RAY BRANDEWIE	✓	
REP. JACK HERRON	✓	
REP. TIM DOWELL		✓
REP. CARLEY TUSS		✓
REP. STELLA JEAN HANSEN		✓
REP. BOB PAVLOVICH	✓	
REP. VICKI COCCHIARELLA	✓	
REP. FRITZ DAILY	✓	
REP. BOB BACHINI	✓	
REP. DON LARSON		✓
REP. BRUCE SIMON	✓	
REP. DOUG WAGNER	✓	
REP. SONNY HANSON, VICE CHAIRMAN	✓	
REP. STEVE BENEDICT, CHAIRMAN	✓	
	14	4

EXHIBIT 11
DATE 3-16-93
SB SJR 20

Amendments to Senate Joint Resolution No. 20
Third Reading Copy

For the Committee on Business and Economic Development

Prepared by Susan B. Fox
March 16, 1993

1. Page 6, line 20.

Following: "AMERICA,"

Insert: "and Canadian imports of beef from Australia"

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Business & Ec. COMMITTEE BILL NO. HR 20
DATE March 16, 1993 SPONSOR(S) B. Yellowtail
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Bob Stephens	Mt. Stair Lumber Co.	✓	
Thomas Bruthard	NPRL	✓	
G. G. Marceau	UTU	✓	
Harrell Holzer	MT. ST. AFL-CIO	✓	
Timothy Smith	Boilermakers D-438	✓	
Pam Egan	Mt Family Union	✓	
Dave McClure	Mt Faran Bureau		✓
Michael S Mizenko	MT. ST. ASSC Plumbers & Fitters MT. ST. Bldg & Const. Council	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Business & Ec. COMMITTEE BILL NO. SB266
DATE March 16, 1993 SPONSOR(S) D. Crippen
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
J. Christopher Buzan	Montana Chiropractic Assoc.		X
STEVE MARTINEZ 322 2nd Ave W * Kalispell	MT. ASSOC. of Acupuncture & Oriental Medicine		
Monte Garnett C.A.M.A.C. 550 Samers Ave Whitefish MT	Self as Acupuncturist		X
Dwayne S. Eyring and AC Box 249 Red Lodge, MT 59008	self as L. Ac	X	
Thomas B...	L. Ac		
RONALD R. BEANS	MT ASSOC. of Acupuncture & Oriental Med		
Ronald H Davis	Acupuncture		
245 Commerce SARA MARIE Bigfork, MT.	MT ASSOC. of Acupuncture & Oriental Med.		
201 Westview DICK LARSON Missoula	Acupuncture		
201 Westview AVADHAN LARSON Missoula	self - Acupuncture		
Dean T Zandberg	mt. med. ASSN	✓	
Bridgeth Mazurek	mt. Assoc of Acup & Oriental Medicine		
Don Shea	Concerned Citizen		✓

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