

SENATE BILL NO. 270

INTRODUCED BY REGAN

BY REQUEST OF THE DEPARTMENT OF
HEALTH AND ENVIRONMENTAL SCIENCES

IN THE SENATE

January 24, 1983	Introduced and referred to Committee on Natural Resources.
January 25, 1983	Fiscal Note requested.
January 31, 1983	Fiscal Note returned.
February 7, 1983	Committee recommend bill do pass as amended. Report adopted.
February 8, 1983	Bill printed and placed on members' desks.
February 9, 1983	Second reading, do pass.
February 10, 1983	Correctly engrossed.
February 11, 1983	Third reading, passed. Ayes, 46; Noes, 4. Transmitted to House.

IN THE HOUSE

February 12, 1983	Introduced and referred to Committee on Appropriations.
April 13, 1983	Committee recommend bill be concurred in. Report adopted.
April 14, 1983	Second reading, concurred in.
April 16, 1983	Third reading, concurred in.

IN THE SENATE

April 18, 1983

Returned to Senate. Sent to
enrolling.

Reported correctly enrolled.

1 handicapped children including diagnosis, medical, surgical,
2 and corrective treatment, and after-care and related
3 services;

4 (14) provide consultation to local boards of health;

5 (15) bring actions in court for the enforcement of the
6 health laws and defend actions brought against the board or
7 department;

8 (16) accept and expend federal funds available for
9 public health services;

10 (17) have the power to use personnel of local
11 departments of health to assist in the administration of
12 laws relating to public health;

13 (18) adopt rules imposing fees for the tests and
14 services performed by the laboratory of the department,
15 ~~except fees relating to water analysis, which are imposed by~~
16 ~~the board pursuant to 75-6-103(2)(b). In adopting a rule~~
17 ~~imposing fees, the Department may not establish only a~~
18 ~~fee that will reimburse the department for fees exceeding~~
19 the costs incurred in performing tests and services. All
20 fees shall be deposited in the general earmarked revenue
21 fund for the use of the department in performing tests and
22 services.

23 (19) adopt and enforce rules regarding the definition
24 of communicable diseases and the reporting and control of
25 communicable diseases; and

1 (20) adopt and enforce rules regarding the
2 transportation of dead human bodies.*
3 NEW SECTION. Section 2. Effective date. This act is
4 effective July 1, 1983.

-End-

STATE OF MONTANA

REQUEST NO. 232-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 25, , 19 83 , there is hereby submitted a Fiscal Note for Senate Bill 270 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 270 clarifies the authority of the Department of Health and Environmental Sciences to set fees for services performed by its laboratory.

ASSUMPTION:

1) This bill is to bring law into line with legislative appropriation.

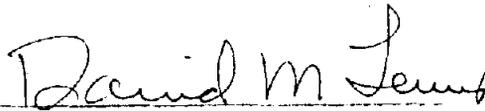
FISCAL IMPACT:

The Governor's Budget assumes fees of \$99,854 per year will be collected annually to operate the laboratory. If this bill does not pass, then general fund monies would have to be appropriated to operate the laboratory.

TECHNICAL DEFECT:

Line 20, page three states, "Fees shall be deposited in the earmarked revenue fund." There are no longer earmarked revenue funds. These are now special revenue funds.

FISCAL NOTE 6:FF/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-31-83

Approved by Committee
on Natural Resources

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 2 INTRODUCED BY REGAN
 3 BY REQUEST OF THE DEPARTMENT OF
 4 HEALTH AND ENVIRONMENTAL SCIENCES
 5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE
 7 AUTHORITY OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL
 8 SCIENCES TO SET FEES FOR SERVICES PERFORMED BY ITS
 9 LABORATORY; PROVIDING FOR DEPOSIT OF THE FEES IN AN
 10 EARMARKED REVENUE FUND; AMENDING SECTION 50-1-202, MCA; AND
 11 PROVIDING AN EFFECTIVE DATE."
 12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 14 Section 1. Section 50-1-202, MCA, is amended to read:
 15 "50-1-202. General powers and duties. The department
 16 shall:
 17 (1) study conditions affecting the citizens of the
 18 state by making use of birth, death, and sickness records;
 19 (2) make investigations, disseminate information, and
 20 make recommendations for control of diseases and improvement
 21 of public health to persons, groups, or the public;
 22 (3) at the request of the governor, administer any
 23 federal health program for which responsibilities are
 24 delegated to states;
 25 (4) inspect and work in conjunction with custodial

1 institutions and Montana university system units
 2 periodically as necessary and at other times on request of
 3 the governor;
 4 (5) after each inspection made under subsection (4) of
 5 this section, submit a written report on sanitary conditions
 6 to the governor and to the director of institutions or
 7 commissioner of higher education and include recommendations
 8 for improvement in conditions if necessary;
 9 (6) advise state agencies on location, drainage, water
 10 supply, disposal of excreta, heating, plumbing, sewer
 11 systems, and ventilation of public buildings;
 12 (7) organize laboratory services and provide equipment
 13 and personnel for those services;
 14 (8) develop and administer activities for the
 15 protection and improvement of dental health and supervise
 16 dentists employed by the state, local boards of health, or
 17 schools;
 18 (9) develop and administer a program to protect the
 19 health of mothers and children;
 20 (10) conduct health education programs;
 21 (11) provide consultation to school and local community
 22 health nurses in the performance of their duties;
 23 (12) consult with the superintendent of public
 24 instruction on health measures for schools;
 25 (13) develop and administer a program for services to

1 handicapped children including diagnosis, medical, surgical,
2 and corrective treatment, and after-care and related
3 services;

4 (14) provide consultation to local boards of health;

5 (15) bring actions in court for the enforcement of the
6 health laws and defend actions brought against the board or
7 department;

8 (16) accept and expend federal funds available for
9 public health services;

10 (17) have the power to use personnel of local
11 departments of health to assist in the administration of
12 laws relating to public health;

13 (18) adopt rules imposing fees for the tests and
14 services performed by the laboratory of the department,
15 ~~except fees relating to water analysis, which are imposed by~~
16 ~~the board pursuant to 75-6-103(2)(b). FEES ESTABLISHED ON~~
17 ~~AN ANNUAL BASIS SHOULD REFLECT THE ACTUAL COSTS OF THE~~
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19 ~~fees, the department may not establish only a fee that~~
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21 ~~incurred in performing tests and services. All fees shall~~
22 ~~be deposited in the general unmarked SPECIAL revenue fund~~
23 ~~for the use of the department in performing tests and~~
24 ~~services.~~

25 (19) adopt and enforce rules regarding the definition

1 of communicable diseases and the reporting and control of
2 communicable diseases; and

3 (20) adopt and enforce rules regarding the
4 transportation of dead human bodies.*

5 ~~NEW SECTION.~~ Section 2. Effective date. This act is
6 effective July 1, 1983.

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21 of public health to persons, groups, or the public;22 (3) at the request of the governor, administer any
23 federal health program for which responsibilities are
24 delegated to states;

25 (4) inspect and work in conjunction with custodial

1 institutions and Montana university system units
2 periodically as necessary and at other times on request of
3 the governor;4 (5) after each inspection made under subsection (4) of
5 this section, submit a written report on sanitary conditions
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16 dentists employed by the state, local boards of health, or
17 schools;18 (9) develop and administer a program to protect the
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