

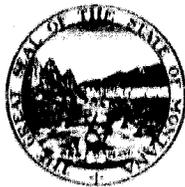
MONTANA SENATE  
2007 LEGISLATURE

ROLL CALL

PUBLIC HEALTH, WELFARE AND SAFETY

DATE 2-16-07

NAMES	PRESENT	ABSENT	EXCUSED
SEN. JOHN COBB (R)	✓		
SEN. JOHN ESP (R)	✓		
SEN. KIM GILLAN (D)	✓		
SEN. LYNDA MOSS (D)	✓		
SEN. TERRY MURPHY (R)	✓		
SEN. JERRY O'NEIL (R)	✓		
SEN. TRUDI SCHMIDT (D)	✓		
SEN. CAROL WILLIAMS (D)	✓		
SEN. DAN WEINBERG (D) - CHAIRMAN	✓		
JACKSON, LISA, LSD	✓		
GILDROY, PRUDENCE, SECRETARY	✓		



SENATE STANDING COMMITTEE REPORT

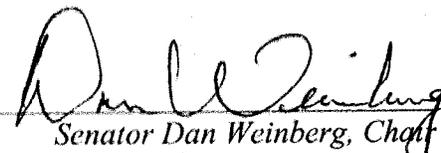
February 17, 2007

Page 1 of 3

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 387** (first reading copy -- white) **do pass as amended.**

Signed:

  
Senator Dan Weinberg, Chair

**And, that such amendments read:**

1. Page 1, line 11.

**Following:** "provide"

**Strike:** "and disclose complete"

2. Page 1, lines 15 and 16.

**Following:** "benefit from"

**Strike:** "clear and complete"

3. Page 3, line 30 through page 4, line 2.

**Following:** "(9)"

**Strike:** "An" on line 30 through "screening" on page 4, line 2

**Insert:** "Prior to issuance of an insurance contract or plan under this part, written informational materials describing the contract's or plan's cancer screening coverages must be provided to a prospective group or plan member"

4. Page 4, lines 11 and 12.

**Strike:** subsection (b) in its entirety

**Renumber:** subsequent subsections

5. Page 4.

**Following:** line 29

**Insert:** "(5) Prior to issuance of an individual disability insurance policy, written informational materials describing the policy's cancer screening coverages must be provided to a potential applicant. The informational materials are not subject to filing with and approval of the insurance commissioner."

**Committee Vote:**

**Yes 6, No 0**

Fiscal Note Required



360812SC.spb

6. Page 5, line 23.

**Strike:** "33-31-301(3)(f)"

**Insert:** "33-31-301(3)(e)"

7. Page 5, line 26.

**Strike:** "33-31-301(3)(h)(i)"

**Insert:** "33-31-301(3)(g)(i)"

8. Page 6, lines 24 and 25.

**Strike:** subsection (b) in its entirety

**Renumber:** subsequent subsections

9. Page 7.

**Following:** line 16

**Insert:** "(7) Prior to issuance of a group disability insurance policy, written informational materials describing the policy's cancer screening coverages must be provided to a prospective applicant. The informational materials are not subject to filing with and approval of the insurance commissioner."

10. Page 7, line 29.

**Strike:** "33-31-301(3)(f)"

**Insert:** "33-31-301(3)(e)"

11. Page 11, lines 12 and 13.

**Strike:** subsection (d) in its entirety

**Renumber:** subsequent subsections

12. Page 12, line 3.

**Strike:** "(3)(h)"

**Insert:** "(3)(g)"

13. Page 13.

**Following:** line 11

**Insert:** "(8) Prior to issuance of an evidence of coverage, written informational materials describing the contract's cancer screening coverages must be provided to a prospective applicant. The informational materials are not subject to filing with and approval of the insurance commissioner."

14. Page 12, line 27.

**Strike:** "(3)(f)"

**Insert:** "(3)(e)"

15. Page 14, lines 20 and 21.

**Strike:** subsection (d) in its entirety

**Renumber:** subsequent subsections

16. Page 15, line 11.

**Strike:** "(3)(f)"

**Insert:** "(3)(g)"

17. Page 16, line 5.

**Strike:** "(3)(f)"

**Insert:** "(3)(e)"

18. Page 16.

**Following:** line 18

**Insert:** "(8) Prior to issuance of evidence of coverage, written informational materials describing the contract's cancer screening coverages must be provided to a potential applicant. The informational materials are not subject to filing with and approval of the insurance commissioner."

- END -



**SENATE STANDING COMMITTEE REPORT**

**February 17, 2007**

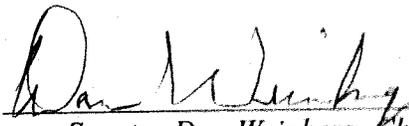
**Page 1 of 1**

Mr. President:

We, your committee on **Public Health, Welfare and Safety** recommend that **Senate Bill 155**

(first reading copy -- white) **do pass as amended.**

Signed:

  
*Senator Dan Weinberg, Chair*

**And, that such amendments read:**

1. Title, page 1, line 9.

**Following:** "DATE"

**Insert:** "AND A TERMINATION DATE"

2. Page 5, line 15.

**Insert:** "NEW SECTION. **Section 7. Termination.** [Sections 2 through 4] terminate July 1, 2007."

- END -

**Committee Vote:**

**Yes 6, No 0**

Fiscal Note Required — *KF*

360813SC.spb

**MONTANA STATE SENATE  
2007 LEGISLATURE**

**VISITOR REGISTER**

**PUBLIC HEALTH, WELFARE & SAFETY**

DATE 2-16-07

BILLS BEING HEARD TODAY SJ 7; SB 394; SB 387; SB 336

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
TOM AUST	653-1313	SELF	336		✓
Tanya Ask	444-8297	BLBSMT	387	w/Amend	
Jani McCall	670-5084	Billing Clinic MCI	336 <sup>SB</sup>	✓✓	
Deke Paulsen	442-6556	Am Lung Assn	336	✓	
Carol Dufford	457-4705	AARP MT	387	✓	
Bill Wende	541-1700	<del>Montana MHS</del>	5J7	✓	
Sara Grassa	448-0381	Helena Middle School	336	✓	
Toda Farwell	444-1432	DPHHS	336	✓	
Chris Tweeter	1380	Attorney General	336	✓	
Pam Davis	728-8494		394		
Jeff Buska	444-5401	DPHHS - QAD	5J7		
Cheryl Duckett	731-8203	MTCCC	387		
John Hughes	443-2876	Mt Health Care Assn	5J7	✓	
Charles King	449-4075	MAADS	5J7	✓	
Lois Fitzpatrick	431-6122	MT. Cancer Control Coalition	336	✓	
Travis Hoffma	11	11	387	✓	
Anna W. Hoffmann	728-1630	Summit Ind. Library	394	✓	
Pat Callbeck Harper		AARP-MT	387	✓	
John Fluit	442-1911	MHA		✓	
Pat Melby	442-7450	MT Med. Assn	387	✓	
LINDA STELL	(425) 9071	MT Local Health Officers	336	✓	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

**MONTANA STATE SENATE  
2007 LEGISLATURE**

**VISITOR REGISTER**

**PUBLIC HEALTH, WELFARE & SAFETY**

DATE 2/16/07

BILLS BEING HEARD TODAY SB 387; SB 336

**PLEASE PRINT**

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Kristin Page Nei	300 8752	American Cancer Society	SB 336	✓	
Kristin Page Nei	"	"	SB 387	✓	
Linda Lang	651-9457	"	SB 336	✓	
Tyler Q. Steinedach	822-3387	Superior High School	SB 336	X	
Sandra Sedley	461-4843	ACS	SB 387	✓	
Raymond Sedley	449-6932	ACS	SB 387	✓	
Olivia Holter	202-5658	Olivia Holter	SB 336	✓	
David Keith	727-7114	Keith's Country Store Inc	SB 336		✓
Terry Keith	452-1612	Keith's Country Store	SB 336		✓
Annisa Keith	452-1612	Keith's country store	SB 336	✓	✓
Ryan Keith	452-1612	Keith's Country Store	SB 336		✓
Betty Beverly	442-5341	IN SCA SB 387/537	SB 336	✓	✓
Pat Kelly	211-7553	Area TL Agency	SB 336	✓	
Pat Melny	412-7450	MT. Med Assn	SB 336	✓	
Don Judge	459-1708	MT Nurses Association	SB 336	X	
Robert Stupel	406-497-2202	New West	SB 336	✓	
Chiff Christian	443-6515	Am Heart Assn	SB 336	✓	
Pat Roylance	287-5846	Sutey Oil Co	SB 336		✓
Barbara Shreeman	651-6420	MT Local Health Officers/Local	SB 336		
Sheldon Feist	240-1203	MWDA	SB 336		-

**PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY**



Amendments to Senate Bill No. 336  
1st Reading Copy

Requested by Senator Greg Lind

For the Senate Public Health, Welfare and Safety Committee

Prepared by Lisa Mecklenberg Jackson  
February 16, 2007 (2:23pm)

1. Title, line 6.

**Following:** "PRODUCTS";

**Insert:** "AND"

2. Title, lines 8 and 9.

**Strike:** ";" through "MCA"

3. Page 1, lines 13 through 30.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

4. Page 2, following line 9.

**Insert:** "(4) For the purposes of this section, the following definitions apply:

(a) "Bidis" means a product containing tobacco that is wrapped in temburni leaf, also known as "Diospyros melanoxylon", or tendu leaf, also known as "Diospyros exculpra", or any other product offered to consumers as bidis or beedies.

(b) "Candy flavors" include the flavors of confections made from sugar or sugar substitute and the brand names of any of those confections and also include chocolate, cacao, mocha, vanilla, honey, maple, cinnamon, and licorice flavors.

(c) "Flavored cigarette or cigar" means any cigarette or cigar or component of a cigarette or cigar, including but not limited to tobacco, paper, roll, or filter, that contains a natural or artificial constituent or additive that causes the cigarette or cigar or its smoke to have a characterizing flavor other than tobacco or menthol, and the characterizing flavor includes but is not limited to candy or fruit flavors.

(d) "Flavored tobacco product" means smokeless or chewing tobacco and loose tobacco that contains a natural or artificial constituent or additive that causes the tobacco to have a characterizing flavor other than tobacco or menthol, and the characterizing flavor includes but is not limited to candy or fruit flavors."

5. Page 2, line 11 through page 3, line 1.

**Strike:** section 3 in its entirety

**Renumber:** subsequent section

6. Page 3, line 3.

**Strike:** "[Sections 1 and 2] are"

**Insert:** "[Section 1] is"

7. Page 3, line 4.

**Following:** the first "chapter 11,"

**Insert:** "part 3,"

**Following:** the second "chapter 11,"

**Insert:** "part 3,"

**Strike:** "[sections 1 and 2]"

**Insert:** "[section 1]"

- END -

Explanation - #1 and #2: Because the proposed definitions apply only to new section 2, it is appropriate to place those definitions in the new section itself. Otherwise, the new definitions should be incorporated into the existing definition sections at 16-11-302. Also, the reference to 45-5-637 has been removed from the definition section as the defined term does not appear in the proposed amendments to 45-5-637. #3: The definition of "tobacco product" found in 16-11-302 includes those products prohibited in this legislation. The proposed amendments to 45-5-637 are redundant.

## JOINT RESOLUTION #7

Chairman and Committee members, my name is Deborah Pate, I am the Area Director for the North Central Area Agency on Aging in Conrad, Montana. I am representing the Montana Area Directors for the ten Area Agency's on Aging in Montana.

We believe that background checks for anyone that is working in a Nursing Home, Assisted Living, or direct care services for our elderly should be required to have a complete criminal background check, we believe this to be a moral obligation to keep our most vulnerable citizens protected from criminal actions. from exploitation, sexual assault or even murder.

Most businesses require a criminal background check to protect their companies, why would we not make this a requirement of all nursing homes and assisted living homes or any direct care workers? I know there is a fee to have background checks done but is is one cost that could save an elderly or disabled citizen from criminal act.

The Area Directors support this Joint Resolution No. 7 for our most vulnerable citizens in Montana.

Deborah J Pate  
Area Director, North Central Area Agency on Aging  
600 S Main St Suite 4  
Conrad, Montana 59425

406-271-7553  
[ncaaa@3rivers.net](mailto:ncaaa@3rivers.net)