

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY

Call to Order: Chair Jason Priest, on February 25, 2013 at 10:00 A.M., in Room 317
Capitol

ROLL CALL

Members Present:

Sen. Jason Priest, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Mary Caferro (D)
Sen. Greg Jergeson (D)
Sen. Fred Thomas (R)
Sen. David E. Wanzenried (D)

Members Excused:

Sen. Art Wittich (R)

Members Absent: None

Staff Present: Julie Emge, Committee Secretary
Alexis Sandru, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 372, 2/22/2013

Executive Action:	SB 84:	Do Pass as Amended
	SB 272:	Do Pass as Amended
	SB 297:	Do Pass as Amended
	SB 351:	Do Pass
	SB 358:	Tabled
	SB 372:	Do Pass
	SB 218:	Do Pass as Amended

HEARING ON SB 372

Opening Statement by Sponsor:

00:03:00 Sen. Scott Boulanger (R), SD 44, opened the hearing on SB 372, Revise landlord tenant laws regarding carbon monoxide detectors.

[EXHIBIT\(phs42a01\)](#)

Proponents' Testimony:

00:04:52 John Sinrud, representing Montana Landlords Association (MLA)
00:07:05 Bill Staffeldt, Vice President, Montana Landlords Association (MLA)
00:08:18 William Semenza, representing himself

Opponents' Testimony:

00:08:40 Kate Cholewa, representing City of Missoula (CM)

Informational Testimony: None

Questions from Committee Members and Responses:

00:09:38 Sen. Jergeson
00:12:47 Mr. Sinrud, MLA
00:12:55 Sen. Wanzenried
00:13:33 Sen. Thomas
00:15:31 Ms. Cholewa, CM
00:15:50 Sen. Jergeson
00:16:43 Ms. Cholewa
00:17:17 Sen. Wanzenried
00:17:57 Sen. Boulanger
00:18:18 Mr. Sinrud
00:18:57 Sen. Wanzenried
00:19:09 Mr. Sinrud
00:19:14 Sen. Thomas
00:19:30 Mr. Sinrud

Closing by Sponsor:

00:20:47 Sen. Boulanger

Committee Business:

00:21:33 Chairman Priest
00:22:25 Sen. Caferro
00:22:29 Chairman Priest

EXECUTIVE ACTION ON SB 84

00:23:27 **Motion:** Sen. Thomas moved that **SB 84 DO PASS.**

Discussion:

00:23:33 Chairman Priest

00:24:12 **Motion:** Sen. Thomas moved that **SB 84 BE AMENDED.**
EXHIBIT(phs42a02)

Discussion:

00:24:40 Alexis Sandru, Legislative Services Division (LSD)

00:25:54 Sen. Thomas

00:26:42 **Vote:** Motion carried 7-0 by voice vote. Sen. Wittich voted by proxy.

00:26:59 **Motion:** Sen. Priest moved that **SB 84 BE AMENDED.**
EXHIBIT(phs42a03)

Discussion:

00:28:49 Sen. Thomas

00:29:11 Sen. Wanzenried

00:30:55 Chairman Priest

00:32:40 Sen. Thomas

00:32:54 Sen. Wanzenried

00:33:41 Chairman Priest

00:34:29 **Vote:** Motion carried 4-3 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting no. Sen. Wittich voted by proxy.

00:34:55 **Motion/Vote:** Sen. Thomas moved that **SB 84 DO PASS AS AMENDED.**
Motion carried 6-1 by voice vote with Sen. Murphy voting no. Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 272

00:35:35 **Motion:** Sen. Thomas moved that **SB 272 DO PASS.**

00:36:03 **Motion:** Sen. Thomas moved that **SB 272 BE AMENDED.**
EXHIBIT(phs42a04)

Discussion:

00:36:17 Chairman Priest

00:36:20 Ms. Sandru, LSD

00:36:42 **Vote:** Motion carried 7-0 by voice vote. Sen. Wittich voted by proxy.

00:37:11 **Motion:** Sen. Wanzenried moved that **SB 272 BE AMENDED**.

Discussion:

00:38:02 Ms. Sandru
00:38:07 Sen. Jergeson

00:38:42 Without objection, Sen. Wanzenried withdrew the BE AMENDED motion.

00:38:45 **Motion/Vote:** Sen. Wanzenried moved that **SB 272 BE AMENDED**. Motion carried 7-0 by voice vote. Sen. Wittich voted by proxy.

EXHIBIT(phs42a05)

00:39:09 **Motion:** Sen. Thomas moved that **SB 272 DO PASS AS AMENDED**.

Discussion:

00:39:31 Chairman Priest
00:40:30 Sen. Caferro
00:41:32 Sen. Wanzenried
00:42:27 Chairman Priest
00:42:40 Sen. Wanzenried
00:43:25 Sen. Thomas

00:43:42 **Vote:** Motion carried 6-1 by voice vote with Sen. Murphy voting no. Sen. Wittich voted by proxy.

00:44:04 Chairman Priest
00:44:07 Sen. Wanzenried

EXECUTIVE ACTION ON SB 297

00:44:15 Chairman Priest
00:44:51 Ms. Sandru

00:45:00 **Motion:** Sen. Thomas moved that **SB 297 DO PASS**.

00:45:47 **Motion:** Sen. Thomas moved that **SB 297 BE AMENDED**.

EXHIBIT(phs42a06)

Discussion:

00:46:06 Ms. Sandru
00:48:26 Sen. Jergeson
00:48:44 Chairman Priest
00:48:55 Ms. Sandru
00:49:04 Chairman Priest
00:50:38 Aimee Grmoljez, Billings Clinic (BC)
00:51:15 Sen. Caferro
00:55:04 Jessie Luthur, Montana Hospital Association (MHA)

00:55:30 Chairman Priest
00:55:59 Sen. Wanzenried
00:59:24 Ms. Luthur, MHA
01:00:10 Sen. Jergeson
01:02:33 Chairman Priest

01:03:14 Without objection from the committee, Sen Jergeson requested that items 1-6 of the amendment be segregated from item 7.

Discussion:

01:04:01 Sen. Wanzenried
01:04:09 Sen. Jergeson

01:04:18 **Substitute Motion/Vote:** Sen. Priest made a substitute motion that **SB 297 BE AMENDED with items 1-6 of amendment sb02701.aas**. Substitute motion carried 5-2 by roll call vote with Sen. Caferro and Sen. Jergeson voting no. Sen. Wittich voted by proxy.

Discussion:

01:05:14 Chairman Priest
01:05:29 Sen. Jergeson
01:06:12 Chairman Priest

01:06:17 **Motion:** Sen. Jergeson moved that **SB 297 BE AMENDED**.
[EXHIBIT\(phs42a07\)](#)

Discussion:

01:06:36 Sen. Thomas

01:07:35 **Vote:** Motion carried 7-0 by voice vote. Sen. Wittich voted by proxy.

Discussion:

01:07:47 Ms. Sandru

01:08:02 **Motion/Vote:** Sen. Thomas moved that **SB 297 BE AMENDED**. Motion carried 6-1 by voice vote with Sen. Caferro voting no. Sen. Wittich voted by proxy.
[EXHIBIT\(phs42a08\)](#)

01:08:45 **Motion:** Sen. Thomas moved that **SB 297 DO PASS AS AMENDED**.

Discussion:

01:08:59 Sen. Wanzenried
01:09:22 Ms. Sandru
01:09:40 Sen. Jergeson
01:12:58 Sen. Thomas

01:15:58 Sen. Caferro

01:17:15 **Vote:** Motion carried 6-1 by roll call vote with Sen. Jergeson voting no. Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 351

01:17:44 Chairman Priest

01:18:49 Sen. Caferro

01:19:35 **Motion/Vote:** Sen. Thomas moved that **SB 351 DO PASS**. Motion carried 7-0 by voice vote. Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 358

01:20:29 **Motion:** Sen. Thomas moved that **SB 358 DO PASS**.

01:20:33 **Motion:** Sen. Thomas moved that **SB 358 BE AMENDED**.
[EXHIBIT\(phs42a09\)](#)

Discussion:

01:20:40 Chairman Priest

01:21:27 Ms. Sandru

01:21:39 Sen. Wanzenried

01:22:00 Ms. Sandru

01:22:03 Chairman Priest

01:23:32 Sen. Wanzenried

01:24:19 Sen. Caferro

01:24:47 Sen. Wanzenried

01:25:13 Chairman Priest

01:25:45 Sen. Wanzenried

01:26:03 Sen. Murphy

01:27:25 Sen. Wanzenried

01:27:29 Sen. Murphy

01:27:53 Sen. Thomas

01:29:21 Chairman Priest

01:30:32 Sen. Wanzenried

01:31:33 Chairman Priest

01:32:05 Sen. Thomas

01:32:31 Chairman Priest

01:32:40 Sen. Wanzenried

01:33:00 **Vote:** Motion failed 3-4 by roll call vote with Sen. Priest, Sen. Thomas and Sen. Wittich voting aye. Sen. Wittich voted by proxy.

Discussion:

01:33:35 Chairman Priest

01:33:45 Sen. Jergeson

01:37:14 **Motion/Vote:** Sen. Thomas moved that **SB 358 DO PASS**. Motion failed 3-4 by roll call vote with Sen. Priest, Sen. Thomas and Sen. Wittich voting aye. Sen. Wittich voted by proxy.

01:37:43 **Motion/Vote:** Sen. Jergeson moved that **SB 358 BE TABLED AND THE VOTE REVERSED**. Motion carried 6-0 by voice vote of those present and voting.

EXECUTIVE ACTION ON SB 372

01:38:10 Chairman Priest

01:38:50 **Motion:** Sen. Jergeson moved that **SB 372 DO PASS**.

Discussion:

01:38:55 Sen. Jergeson

01:40:14 Chairman Priest

01:40:27 **Vote:** Motion carried 6-1 by voice vote with Sen. Wanzenried voting no. Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 218

Discussion:

01:40:45 Chairman Priest

01:41:32 Ms. Sandru

01:41:41 Sen. Jergeson

01:41:43 Chairman Priest

01:41:48 Sen. Jergeson

01:42:06 Sen. Wanzenried

01:42:12 Chairman Priest

01:42:23 **Motion:** Sen. Caferro moved that **SB 218 BE REMOVED FROM TABLED**.

Discussion:

01:42:33 Chairman Priest

01:43:00 **Vote:** Motion failed 3-3 by voice vote with Sen. Murphy, Sen. Priest and Sen. Thomas voting aye. Sen. Wittich was excused.

01:45:00 Sen. Wittich entered the hearing.

01:45:28 **Motion/Vote:** Sen. Murphy moved that **SB 218 BE REMOVED FROM TABLED**. Motion carried 4-3 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting no.

01:46:13 **Motion:** Sen. Murphy moved that **SB 218 DO PASS**.

Discussion:

01:46:32 Chairman Priest

01:46:55 **Motion:** Sen. Murphy moved that **SB 218 BE AMENDED.**

Discussion:

01:47:32 Ms. Sandru
 01:48:46 Sen. Wanzenried
 01:49:03 Ms. Sandru
 01:49:57 Chairman Priest
 01:50:04 Ms. Sandru
 01:50:11 Sen. Wanzenried

01:50:44 **Vote:** Motion carried 4-3 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting no.

01:51:14 **Motion:** Sen. Priest moved that **SB 218 BE AMENDED.**
EXHIBIT(phs42a10)

Discussion:

01:53:58 Sen. Thomas
 01:57:20 Chairman Priest

01:57:30 Without objection from the committee, Sen Jergeson requested that items 2 and 6 be segregated from the amendment.

01:57:42 **Substitute Motion/Vote:** Sen. Priest made a substitute motion that **SB 218 BE AMENDED with items 2 and 6 of amendment sb021802.aas.** Substitute motion carried 5-2 by roll call vote with Sen. Thomas and Sen. Wanzenried voting no.

Discussion:

01:59:59 Chairman Priest

02:01:04 **Motion/Vote:** Sen. Priest moved that **SB 218 BE AMENDED with items 1, 3, 4, 5 and 7-11 of the amendment, with a conceptual change to item 7.** Motion carried 6-1 by roll call vote with Sen. Wanzenried voting no.

02:01:26 **Motion:** Sen. Murphy moved that **SB 218 DO PASS AS AMENDED.**

Discussion:

02:01:37 Sen. Jergeson
 02:02:21 Sen. Caferro
 02:05:12 Sen. Thomas

02:07:00

Vote: Motion carried 4-3 by roll call vote with Sen. Caferro, Sen. Jergeson and Sen. Wanzenried voting no.

ADJOURNMENT

Adjournment: 12:07 pm

Julie Emge, Secretary

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Additional Documents:

EXHIBIT([phs42aad.pdf](#))