

SENATE COMMITTEE ON JUDICIARY

July 14, 2003
9:00 A.M.

Hearing Room 343
Tape 189

MEMBERS PRESENT: **Sen. John Minnis, Chair**
 Sen. Ginny Burdick, Vice-Chair
 Sen. Ted Ferrioli
 Sen. Charlie Ringo
 Sen. Vicki Walker

MEMBERS EXCUSED: **Sen. Charles Starr**

STAFF PRESENT: **Craig Prins, Counsel**
 Bill Taylor, Counsel
 Jane Bodenweiser, Committee Assistant

MEASURE/ISSUES HEARD: **SB 904 Work Session**
 HB 2318 Work Session
 HB 2094A Work Session
 HB 2368B Work Session

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 189, A		
003	Chair Minnis	Calls the meeting to order at 9:12 a.m. and opens a work session on SB 904.
<u>SB 904 WORK SESSION</u>		
004	Bill Taylor	Committee Counsel. Introduces SB 904 that abolishes Dispute Resolution Commission, and the -3 amendments (EXHIBIT A).
019	Sen. Walker	MOTION: Moves to ADOPT SB 904-3 amendments dated 7/10/03. VOTE: 5-0-1 EXCUSED: 1 - Sen. Starr
023	Chair Minnis	Hearing no objection, declares the motion CARRIED.
024	Sen. Walker	MOTION: Moves SB 904 to the floor with a DO PASS AS AMENDED recommendation and BE REFERRED to the Committee on Ways & Means BY PRIOR REFERENCE. VOTE: 5-0-1 EXCUSED: 1 - Sen. Starr
026	Chair Minnis	Hearing no objection, declares the motion CARRIED.
028	Chair Minnis	Closes the work session on SB 904 and opens a work session on HB 2318.
<u>HB 2318 WORK SESSION</u>		
030	Craig Prins	Committee Counsel. Introduces HB 2318 that makes technical corrections to statutes relating to records, and the -12 amendments (EXHIBIT B).

037	Craig Prins	Provides a section-by-section overview of the amendments (EXHIBIT C).
078	Bradd Swank	State Court Administrator's Office. Testifies in opposition to the -12 amendments to HB 2318, specifically sections 17 and 18.
095	Vice Chair Burdick	MOTION: Moves to ADOPT HB 2318-12 amendments dated 7/14/03.
099	Sen. Walker	Clarifies that sections 19 through 26 represent HB 2864.
117		VOTE: 5-0-1
		EXCUSED: 1 - Sen. Starr
118	Chair Minnis	Hearing no objection, declares the motion CARRIED.
120	Vice Chair Burdick	MOTION: Moves HB 2318 to the floor with a DO PASS AS AMENDED recommendation.
		VOTE: 5-0-1
		EXCUSED: 1 - Sen. Starr
121	Chair Minnis	Hearing no objection, declares the motion CARRIED. SEN. MINNIS will lead discussion on the floor.
123	Chair Minnis	Closes the work session on HB 2318 and opens a work session on HB 2094A.
<u>HB 2094A WORK SESSION</u>		
124	Craig Prins	Committee Counsel. Introduces HB 2094A that requires tobacco product manufacturers to report certain information to Attorney General, and the -A12 conflict amendments (EXHIBIT D).
132	Vice Chair Burdick	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote on HB 2094A.
		VOTE: 5-0-1
		EXCUSED: 1 - Sen. Starr
135	Chair Minnis	Hearing no objection, declares the motion CARRIED.
138	Vice Chair Burdick	MOTION: Moves to RECONSIDER the vote by which HB 2094A was sent the floor with a DO PASS as AMENDED recommendation.
		VOTE: 5-0-1
		EXCUSED: 1 - Sen. Starr
139	Chair Minnis	Hearing no objection, declares the motion CARRIED.
140	Vice Chair Burdick	MOTION: Moves to ADOPT HB 2094A-A12 amendments dated 7/11/03 to RESOLVE CONFLICTS.
		VOTE: 5-0-1
		EXCUSED: 1 - Sen. Starr
141	Chair Minnis	Hearing no objection, declares the motion CARRIED.

142 Vice Chair Burdick **MOTION: Moves HB 2094A to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 5-0-1

145 Chair Minnis **EXCUSED: 1 - Sen. Starr**
Hearing no objection, declares the motion CARRIED.
SEN. MINNIS will lead discussion on the floor.

147 Chair Minnis Closes the work session on HB 2094A and opens a work session on HB 2368B.

HB 2368B WORK SESSION

149 Craig Prins Committee Counsel. Introduces HB 2368B that makes technical and administrative changes to cigarette and tobacco products taxes to facilitate administration and endorsement, and the –B27 amendments (**EXHIBIT E**), and –B29 amendments (**EXHIBIT F**).

178 Sen. Ringo Explains what the –B29 amendments do.

192 Sen. Ringo **MOTION: Moves to ADOPT HB 2368-B29 amendments dated 6/27/03.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Starr

196 Chair Minnis **Hearing no objection, declares the motion CARRIED.**

199 Vice Chair Burdick **MOTION: Moves to ADOPT HB 2368B-B27 amendments dated 6/27/03.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Starr

204 Chair Minnis **Hearing no objection, declares the motion CARRIED.**

213 Vice Chair Burdick Asks about the sunset provision that was included in one of the amendments.

216 Prins Explains that it has already been adopted in the -B19 amendments.

219 Sen. Walker Explains that she would like to see the –B17 amendments passed with this legislation (**EXHIBIT G**).

239 Sen. Ferrioli Asks for clarification of the –B17 amendments.

246 Marshall Cobra Council of Independent Tobacco Manufacturers of America. Testifies in support of the -B17 amendments.

276 Sen. Walker **MOTION: Moves to ADOPT HB 2368B-B17 amendments dated 5/28/03.**
VOTE: 2-3-1
AYE: 2 - Ringo, Walker
NAY: 3 - Burdick, Ferrioli, Minnis
EXCUSED: 1 - Starr C.

286 Chair Minnis **The motion FAILS.**

291 Vice Chair Burdick **MOTION: Moves HB 2368B to the floor with a DO PASS AS AMENDED recommendation.**
VOTE: 5-0-1
EXCUSED: 1 - Sen. Starr

310 Chair Minnis **Hearing no objection, declares the motion CARRIED.**
SEN. RINGO will lead discussion on the floor.

318 Chair Minnis Closes the work session on HB 2368B and adjourns the meeting at 9:36 a.m.

EXHIBIT SUMMARY

- A – SB 904, -3 amendments submitted by staff, 32 pp**
- B – HB 2318, -12 amendments submitted by staff, 46 pp**
- C – HB 2318, section-by-section analysis submitted by staff, 1 p**
- D – HB 2094A, -A12 amendments submitted by staff, 8 pp**
- E – HB 2368B, -B27 amendments submitted by staff, 1 p**
- F – HB 2368B, -B29 amendments submitted by staff, 1 p**
- G – HB 2368B, -B17 amendments submitted by staff, 1 p**

SENATE COMMITTEE ON JUDICIARY

July 14, 2003
3:45 PM

Hearing Room 343
Tape 190

MEMBERS PRESENT: **Sen. John Minnis, Chair**
 Sen. Ginny Burdick, Vice-Chair
 Sen. Ted Ferrioli
 Sen. Charlie Ringo
 Sen. Vicki Walker

MEMBER EXCUSED: **Sen. Charles Starr**

STAFF PRESENT: **Craig Prins, Counsel**
 Jane Bodenweiser, Committee Assistant

MEASURE/ISSUES HEARD: **HB 2318 Work Session**

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<u>TAPE/#</u>	<u>Speaker</u>	<u>Comments</u>
TAPE 190, A		
004	Chair Minnis	Calls the meeting to order at 4:00 p.m. and opens a work session on HB 2318.
<u>HB 2318 WORK SESSION</u>		
006	Vice Chair Burdick	MOTION: Moves to SUSPEND the rules for the purpose of reconsidering the vote on HB 2318. VOTE: 5-0-1 EXCUSED: 1 - Sen. Starr
009	Chair Minnis	Hearing no objection, declares the motion CARRIED.
010	Vice Chair Burdick	MOTION: Moves to RECONSIDER the vote by which HB 2318 was sent to the floor with a DO PASS as AMENDED recommendation. VOTE: 5-0-1 EXCUSED: 1 - Sen. Starr
011	Chair Minnis	Hearing no objection, declares the motion CARRIED.
014	Craig Prins	Committee Counsel. Introduces the -13 conflict amendments to HB 2318 (EXHIBIT A).
029	Vice Chair Burdick	MOTION: Moves to ADOPT HB 2318-13 amendments dated 7/14/03 to RESOLVE CONFLICTS. VOTE: 5-0-1 EXCUSED: 1 - Sen. Starr
033	Chair Minnis	Hearing no objection, declares the motion CARRIED.
034	Vice Chair Burdick	MOTION: Moves HB 2318 to the floor with a DO PASS AS AMENDED recommendation. VOTE: 5-0-1 EXCUSED: 1 - Sen. Starr

036	Chair Minnis	Hearing no objection, declares the motion CARRIED. SEN. MINNIS will lead discussion on the floor.
038	Chair Minnis	Closes the work session on HB 2318 and adjourns the meeting at 4:14 p.m.

EXHIBIT SUMMARY

A – HB 2318, -13 amendments submitted by staff, 53 pp