

MINUTES

**MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON LOCAL GOVERNMENT

Call to Order: By Senator Kennedy, on February 4, 1993, at
1:00 p.m.

ROLL CALL

Members Present:

Sen. Ed Kennedy, Chair (D)
Sen. Sue Bartlett, Vice Chair (D)
Sen. Dorothy Eck (D)
Sen. Delwyn Gage (R)
Sen. Ethel Harding (R)
Sen. John Hertel (R)
Sen. David Rye (R)
Sen. Bernie Swift (R)
Sen. Eleanor Vaughn (D)
Sen. Mignon Waterman (D)
Sen. Jeff Weldon (D)

Members Excused: None.

Members Absent: None.

Staff Present: Connie Erickson, Legislative Council
Rosalyn Cooperman, Committee Secretary

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

Committee Business Summary:

Hearing: SB 215, SB 221
Executive Action: None.

HEARING ON SB 215

Opening Statement by Sponsor:

Senator Fred Van Valkenburg, Senate District 30, stated SB 215 was drafted at the request of the Missoula chapter of Habitat for Humanity. He said SB 215 would allow local governments who acquire tax deed property to donate the property to a non-profit organization for the construction of residential housing. Senator Van Valkenburg stated Habitat for Humanity (Habitat) is a nationwide non-profit organization which constructs new housing

and rehabilitates existing housing for people who would otherwise be unable to own their own home. He said construction and rehabilitation of housing by Habitat for Humanity is done on a volunteer basis. Senator Van Valkenburg stated he was honored to be asked to carry this legislation by Professor Tom Payne of Missoula who ran against him for the State Senate in 1988.

Proponents' Testimony:

Ms. Nancy Griffin, Montana Building Industry Association, stated her organization promotes affordable housing. She said one of the single largest increases in Montana's housing expenses is the cost of property. As a result, Ms. Griffin said, this expense disenfranchises a large percentage of Montana's population from the housing market. She said SB 215 is a progressive piece of legislation that will allow local governments to get property back on the tax roles.

Professor Tom Payne, Missoula, spoke from prepared testimony in support of SB 215. (Exhibit #1) He stated he held Senator Van Valkenburg in high regard and appreciated his sponsorship of SB 215. Professor Payne also submitted to the Committee a letter in support of SB 215 from former Missoula County Commissioner Janet Stevens. (Exhibit #2)

Ms. Donna Ellison Ward, Bozeman chapter of Habitat for Humanity, spoke from prepared testimony in support of SB 215. (Exhibit #3)

Ms. Marjorie Burgan, Missoula chapter of Habitat for Humanity spoke from prepared testimony in support of SB 215. (Exhibit #4) She also submitted to the Committee a petition and letters from the Missoula Housing Task Force and Missoula County Commissioners in support of SB 215. (Exhibits #5-7)

Ms. Belinda Rinker, District Nine Human Resource Development Council (HRDC) of Bozeman, stated her organization's support for SB 215. She said the Bozeman chapter of Habitat for Humanity builds houses and sells them to families with annual incomes not exceeding \$26,000. Ms. Rinker said the chapter is also looking to build multi-family 4-plexes that would rent to families with incomes as little as \$800 a month. She said the two lots on which the chapter has built houses were purchased in tax sales for \$5,000 each. Ms. Rinker added lots in the same subdivision now sell for \$17,000 each which is out of the price range for Habitat for Humanity. She said the unprecedented increase in the cost of land does away with the level of affordability for moderately priced housing in Montana.

Mr. Alec Hansen, Montana League of Cities and Towns, stated his organization's unanimous support for SB 215.

Mr. Gordon Morris, Montana Association of Counties, stated his organization's support for SB 215.

Opponents' Testimony:

None.

Informational Testimony:

None.

Questions From Committee Members and Responses:

Senator Eck asked Mr. Morris or Mr. Hansen if SB 215 could extend to non-tax deeded property. Mr. Hansen stated he did not know the specific statute, but believed cities had the option of donating non-tax deeded property. Connie Erickson said 7-08-4201, which pertains to the disposal or lease of municipal property, states "the city or town council may sell, dispose of or lease any property belonging to the city or town". She said cities probably have more leeway than counties as state law has strict regulations as to how counties can dispose of property.

Senator Harding asked Ms. Burgan how many Montana Habitat for Humanity affiliates exist in Montana. She replied there are affiliates in Kalispell, Bozeman, Missoula, Great Falls, Helena and Billings plus interest in Butte and Polson.

Senator Waterman stated she had heard that Habitat for Humanity is the tenth largest builder in the nation. Ms. Burgan replied Habitat for Humanity is expected to be the nation's largest builder by the turn of the century.

Senator Gage asked Senator Van Valkenburg if SB 215 required the county to go through the tax deed sale process if they wanted to donate the property to Habitat for Humanity. Senator Van Valkenburg replied they would not.

Senator Gage asked what would happen if an individual offered to purchase tax deeded land for \$100,000 but the county wanted to instead donate the land to Habitat for Humanity. Senator Van Valkenburg replied he believes local government officials are the appropriate officials to make these decisions which is why he assigned SB 215 to this Committee.

Senator Hertel asked Senator Van Valkenburg who would be responsible for determining who meets the requirements to receive the donated tax deeded property. Senator Van Valkenburg replied SB 215 designates the corporation to which the property has been donated as the responsible party for the multi-family housing units. This would include operation, ownership and future taxes. He said in the case of single family housing units, the responsibility falls on the family and, ultimately, the Habitat for Humanity chapter. Ms. Burgan stated Habitat for Humanity carries the mortgage on the home so they are co-owners of the

house until it is paid off. She said Habitat also carries a second mortgage on a house which is measured in time. Ms. Burgan explained this means if the family decides to move to another location and the house is sold, the family will receive a percentage of the money derived from the sale of the house based on the amount of time they lived there. She said the remainder of the money from the sale would go to Habitat for Humanity. Ms. Burgan said the family pays the mortgage on the house to Habitat for Humanity and then the mortgage payments are recycled within the organization for more housing.

Senator Harding asked Senator Van Valkenburg if the non-profit organization identified in SB 215 is always Habitat for Humanity. Senator Van Valkenburg replied Habitat for Humanity would probably be the primary non-profit organization to benefit from SB 215, however, he stated the legislation cannot be that specific. Senator Harding asked Senator Van Valkenburg if local governments could have different eligibility requirements for non-profit corporations which would benefit from SB 215. Senator Van Valkenburg said yes. He added local governments should be trusted to make those decisions.

Senator Weldon asked how many parcels of tax deeded land might be available for donation in the Missoula area next year and how many parcels Habitat for Humanity could use to build houses. Professor Payne stated he was unsure, but, Habitat has only two lots left on which they plan to build houses. He said the prospects for the future would depend on the amount of money Habitat is able to raise and the frequency with which they would receive donated tax deeded property if SB 215 were enacted.

Senator Gage asked if Habitat for Humanity is a statewide organization, to which Professor Payne replied it is a nationwide organization with 750 affiliate chapters throughout the country. Senator Gage asked if it would be possible to start a Habitat chapter in Cut Bank, to which Professor Payne replied it would.

Closing by Sponsor:

Senator Van Valkenburg stated he thought SB 215 had the potential to pass the Senate with unanimous support. He hoped the Committee would let him know if they had any concerns about SB 215.

HEARING ON SB 221

Opening Statement by Sponsor:

Senator Terry Klampe, Senate District 31, stated SB 221 would allow local health boards the discretion to adopt regulations restricting or prohibiting smoking in enclosed public places. He

defined an enclosed public place as "any indoor area, room or vehicle used by the general public or serving as a place of work, including but not limited to restaurants, stores, offices, trains, busses, educational and health care facilities, auditoriums, arenas, assemblies and meeting rooms open to the public". This definition is in accordance with the Montana Clean Indoor Air Act. Senator Klampe said with the passage of SB 221, local health boards will have the authority to adopt these regulations but only after public meetings have been held to gain input. He said SB 221 strengthens enforcement power. Senator Klampe stated SB 221 would impose a \$25 per day fine in civil courts for establishments not in compliance, however, the fines would not take effect until ten days after the citation had been recorded. Senator Klampe concluded there were many people in attendance who wished to testify as proponents for SB 221.

Proponents' Testimony:

Mr. Gerry Brenner, Chair of the Missoula City-County Air Pollution Control Advisory Council, spoke from prepared testimony in support of SB 221. (Exhibit #8)

Ms. Kim Birck, Missoula City-County Air Pollution Control Advisory Council, stated her support for SB 221. She said there is no provision in Montana that requires non-smoking areas in public buildings. Ms. Birck said state law requires only that an establishment clearly identify non-smoking or smoking areas. She added this requirement is not widely complied with. Ms. Birck stated in the fall of 1990, the Advisory Council surveyed 26 grocery and convenience stores in the Missoula area and received responses from 19 establishments. She stated 17 of the 19 establishments were unaware of the existence of the Montana Clean Indoor Air Act, and 10 of the 19 had no official smoking policy for their establishments. She concluded the Advisory Council does not wish to force their preferences upon others but hopes to authorize local governments to make decisions in this matter.

Mr. Bob Ripley, American Cancer Society, spoke from prepared testimony in support of SB 221. (Exhibit #9) He also submitted to the Committee a brochure addressing the hazards of smoking. (Exhibits #10)

Ms. Glenda Herzberg, Missoula, stated her support for SB 221. She said the pollution of outdoor air in Missoula causes an increased risk for Missoula youths, including herself, of catching bronchitis and respiratory ailments. Ms. Herzberg stated SB 221 would help provide healthier indoor air by allowing local health boards to adopt more strenuous restrictions on indoor smoking. She said the majority of students in her high school government class support SB 221.

Dr. Robert Shepherd, Montana Medical Association, submitted to the Committee a pamphlet addressing the hazards of smoking.

(Exhibit #11) He said it was important for the Committee to consider the effects of tobacco. Dr. Shepherd said 400,000 Americans die each year from tobacco smoke. He said smokers are twenty-two times as likely to develop lung cancer and five times as likely to develop heart disease as non-smokers. Dr. Shepherd said fifteen times as many people die from tobacco smoke than die from AIDS. He said the magnitude of the smoking problem dwarfs any other public health issue in the United States, and he urged the Committee to treat SB 221 as a public health issue. He said the tobacco industry cannot debate the risks of smoking because the evidence against smoking is overwhelming. Dr. Shepherd stated the first report that linked tobacco smoke to lung cancer was published in 1952. He said ten years ago, reports surfaced which linked second hand smoke to lung disease; he added 30,000 people die each year from exposure to second hand smoke. He said if the United States had an epidemic of anything other than tobacco smoke which kills hundreds of thousands each year, people would be up in arms. Unfortunately, he said, because smoking has been socially accepted for so long, people ignore the health risks of tobacco use. He said the direct cost for Montana from tobacco related diseases is \$65 million. Dr. Shepherd said when smoking is allowed in a building, it creates the greatest single source of indoor air pollution. He added a non-smoker who sits in a room with a smoker is exposed to the second hand smoke of two to four cigarettes a day, on the average. Dr. Shepherd noted research indicates that non-smoking workers passively exposed for forty years with standard ventilation techniques would receive 250 times the lifetime risk of carcinogen exposure than what the EPA allows. He said buildings must have separate ventilation systems to insure that non-smoking areas do not become polluted by air recirculated from smoking areas, however, this alternative is cost prohibitive. Dr. Shepherd said source removal is the single best way to remove indoor air pollution. He concluded SB 221 is a simple and reasonable approach to the smoking problem and gives local health boards authority to regulate the harmful effects of smoking.

Mr. Jim Carlson, Missoula City-County Health Department, stated smoking is the number one cause of preventable, premature death in the United States. He said one of six Americans dies from smoking, and smoking is responsible for 30% of all cancer deaths. Mr. Carlson said exposure to second hand smoke causes between 150,000 to 300,000 cases of bronchitis or pneumonia and 3,000 lung cancers each year. He said local health boards were created to provide local control of adverse public health impacts. Currently, he said, local health boards have the authority to regulate communicable diseases on a broad basis, however, they do not have the authority to have any direct impact on the number one health issue in the United States. Mr. Carlson said when an activity has the significant public health impacts as previously described, public health officials cannot claim they are doing their jobs in a responsible fashion without involving themselves in the smoking debate. He said SB 221 is a reasonable way to

work towards minimizing the impacts of second hand smoke where local communities choose to do so.

Ms. Annie Bartos, American Lung Association, urged the Committee to support SB 221.

Mr. Bill Zepp, Montana Dental Association, spoke from prepared testimony in support of SB 221. (Exhibit #12)

Mr. Dale Taliaferro, Department of Health and Environmental Services, spoke from prepared testimony in support of SB 221. (Exhibit #13)

Ms. Paulette Kohlman, Montana Council for Maternal and Child Health, stated when adults smoke, they not only harm themselves but harm innocent people when they smoke near pregnant women and children. She reminded the Committee that smoking has been linked to Sudden Infant Death Syndrome which is the number two killer of infants in the United States.

Mr. Larry Fenster, Lewis and Clark City-County Health Department, stated his Department believes granting the authority to local health boards to restrict or eliminate smoking in public places is a step in the right direction. He said his Department supports SB 221 because it is permissive, not mandatory.

Mr. Jim Jensen, Montana Environmental Information Center, stated his organization supports indoor clean air as much as outdoor clean air. He said the Committee has a constitutional duty to pass SB 221 as outlined in Article 2, Section 3 which guarantees Montanans have a right to a clean and healthful environment.

Opponents' Testimony:

Mr. Mark Staples, Montana Tavern Association, reminded the Committee that tobacco is a legal product. He said most of the 2,000 bars, taverns and restaurants he represents realize they are subject to the provisions of the Montana Clean Indoor Air Act. Mr. Staples said Montana taverns and restaurants have spent thousands of dollars to segregate smoking and non-smoking sections. He noted one tavern in Great Falls is experimenting with a smoke-free environment and is failing miserably. Mr. Staples said the very patchwork nature of SB 221 is of concern to the Association. He said heart disease is a major killer and yet there is no regulation of fast food restaurants because they serve legal products. Mr. Staples said the ultimate censorship of the consumer is to cease patronizing the business whose atmosphere they find unacceptable. He concluded taverns should not be penalized because the Department of Health is not adequately enforcing the Montana Clean Indoor Air Act.

Mr. Jerome Anderson, Montana Tobacco Institute, spoke from prepared testimony in opposition to SB 221. (Exhibit #14)

Mr. John Delano, Phillip Morris Companies, stated SB 221 is far from a simple bill. He said people who want to regulate smoking should push for a statewide bill and not a bill that regulates smoking at the county level.

Informational Testimony:

None..

Questions From Committee Members and Responses:

Senator Gage asked Senator Klampe how public hearings would be held as specified under SB 221. Mr. Jim Carlson stated local health boards are required to provide due notice in newspapers three weeks prior to passage of local ordinances.

Senator Gage asked Mr. Ripley if the American Cancer Society has tried to do anything about the subsidies tobacco growers receive from the Federal Government. Mr. Ripley replied the Society opposes tobacco subsidies but cannot get this policy changed due to the power of the tobacco lobby. Mr. Anderson stated the word "subsidy" is inaccurate. He said tobacco growers receive price supports from the Federal Government however, the growers are required to pay that money back.

Senator Swift asked Mr. Carlson if SB 221 would give local health boards the authority to override existing smoking regulations if they so desire. Mr. Carlson said SB 221 would give local health boards broad authority to regulate smoking in public places. Senator Swift asked Mr. Carlson if SB 221 sets any specific standards of compliance for proprietors of public places, to which Mr. Carlson replied it did not. Mr. Brenner replied SB 221 does not mention exemptions under current law as listed under 50-40-107 which exempts bars, taverns, restaurants, and vehicles seating six or fewer passengers.

Senator Rye asked Mr. Brenner why he feels SB 221 is necessary since smokers now comprise only about 20% of the adult population. Mr. Brenner said business owners may be reluctant to enforce smoking regulations because they do not want to jeopardize any potential customers. Senator Rye asked Mr. Brenner if he believed people have a "live and let live" attitude about smoking which discourages them from seeking tougher smoking laws. Mr. Brenner replied was unsure why the smoke-free tavern in Great Falls was failing but added it may have nothing to do with the fact the tavern is smoke-free. He said it is impossible to verify any truth based on anecdotal evidence.

Senator Eck asked Mr. Staples how he would compare tobacco to pesticides, a legal product which is heavily regulated. He said the comparison was central to his argument regarding regulation since pesticides are regulated either too heavily or not heavily


enough depending upon one's opinion. He said pesticides are not regulated as aggressively as tobacco products. Dr. Shepherd suggested tobacco be made an illegal product and then be subject to the Food and Drug Administration approval process. He said the legality of tobacco is a historical accident and added he was doubtful tobacco would have been legalized had its health consequences been known. Mr. Staples said tobacco is a legal product because of the untold billions of tax dollars it has put in to the world, United States and Montana economies. Mr. Anderson stated the United States outlawed alcohol during Prohibition and added one of the reasons Franklin Roosevelt was elected was because of his promise to repeal the ban on liquor. Dr. Shepherd replied the Prohibition example was an unfair analogy and added the problem of making tobacco use illegal would be compounded by the inevitable formation of a black market to sell the product. He stated the health dollars spent as a direct result of tobacco use far outweighs the amount it generates in revenues.

Closing by Sponsor:

Senator Klampe submitted to the Committee copies of the EPA study on second hand smoke. (Exhibit #15) He reminded the Committee that bars would be exempt from SB 221 under the Montana Clean Indoor Air Act and added SB 221 would not outlaw smoking. Senator Klampe said Montana currently has a hodgepodge of laws pertaining to smoking and the passage of SB 221 would simplify these laws. He said the intent of SB 221 is two-fold. First, SB 221 would allow local health boards to adopt regulations and, second, SB 221 would give local health boards power to enforce their regulations.

ADJOURNMENT

Adjournment: 2:45 p.m.



SENATOR JOHN "ED" KENNEDY, Jr., Chair


ROSALYN COOPERMAN, Secretary

JEK/rlc

Remarks of Thomas Payne

in support of SB 215 (Van Valkenburg, Barnhart)

before Senate Committee on Local Government, State Senator Ed Kennedy, Chair
Thursday, February 4, 1 PM, Room 405, State Capitol Building

1. In supporting SB 2215 which would allow local governments to donate tax-deed land to a nonprofit corporation for the construction of residential housing, I am representing Habitat for Humanity of Missoula. I wish first to submit a supporting letter for SB 215 from Janet Stevens, Executive Director of Missoula's YWCA and formerly a Missoula County Commissioner.

2. Habitat in Missoula has built 3 homes for low-income families and has 2 planned for 1993. Nationally Habitat has built nearly 40,000 homes for low-income families.

a. building arrangements, costs, and repayment arrangements

3. Missoula housing, especially low-income housing, is in short supply. For Habitat, building sites are hard to find and costly.

a. Both city and county in Missoula have tax-deed property but, under present law, cannot donate it to Habitat.

4. SB 215 enables cities and counties to donate tax-deed property to organizations like habitat to in turn use for site for building a low-income home for a needy family which can then pay taxes on the home.

5. It must be stressed that the law here proposed does not impose a mandate but is permissive as far as local government is concerned.

a. But it is a good example of what Osborne and Gaebler call Reinventing Government, making possible the solution of a community problem through the joint action of public and private agencies.

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 1

DATE 2-4-93

BILL NO. SB 215

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 2

DATE 2-4-93

BILL NO. SB 215



January 29, 1993

1130 West Broadway
Missoula, MT 59802
(406) 543-6691

Senator Ed Kennedy and committee members:

I am writing in support of SB215 as a former County Commissioner and current Executive Director of the Missoula YWCA. There have been many times over my eight years as a County Commissioner that property the County had taken for tax deed would have been ideal property for various non-profit organization endeavors. Habitat for Humanity is one of many fine examples.

It seems to me that if Counties are allowed by statute to donate property for Developmental Disability projects that it only makes sense that a number of other worthy causes be afforded the same opportunity.

The Missoula YWCA currently manages the HUD and YWCA funded Transitional Housing program which provides housing up to eighteen months for homeless families and individuals. These families and individuals are assisted with learning to become self-sufficient and, in fact, 83% of our residents have achieved self-sufficiency by finding good paying jobs and adequate housing by the time they left our services. It would be a help to us to be recipients of certain tax deed property that may be suitable for multi-family housing so that we can expand the number of units we are currently able to provide. What a great contribution bare land would be for non-profit organizations that provide a definite benefit to our community and state.

I urge you to support SB 215 and would be happy to answer any questions you may have. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Janet Stevens".

Janet Stevens
Executive Director
Missoula YWCA
1130 W. Broadway
Missoula, Mt. 59802
B - 543-6691 H - 543-4177

Senator Kennedy, Chairman, and Senator Bartlett, Vice Chairman, and other Members of the LOCAL GOVERNMENT Committee:

I am Donna Ellison Ward of Bozeman and am speaking for the passage of SENATE BILL 215. I represent HABITAT for HUMANITY of GALLATIN VALLEY, a non-profit organization dedicated to providing adequate housing for families with low economic resources. In 1991 a family moved into the first house our organization in Gallatin Valley built. This week the second home will be inhabited by a family, and we plan to build more homes as resources are obtained.

Our most urgent and difficult problem is securing affordable land upon which to build. By the time we purchase land and build homes, the cost becomes prohibitive for the potential homeowner.

Homes are sold to the families at no profit with approximately a 20-year, no-interest mortgage. The monthly payments include the full cost of taxes and insurance as well as the amounts for gradual repayment of the loan's principal. These potential home owners do not make a high enough income to obtain a conventional loan.

Therefore, if county and city municipalities can donate land for non-profit multi- and single housing units, the families' payments can be within their economic means.

Through volunteer labor and donations of money, materials, and management expertise, HABITAT builds these homes with the help of the future home owners, who are required to invest sweat equity hours. This partnership reduces the cost of the house, increases the pride of ownership and fosters positive relationships within our communities. Their monthly mortgage payments are then "recycled" to support the construction of future homes.

Another important advantage of building these homes will be that the lots and residences will be added to the tax rolls.

I strongly recommend and ask you to vote for the passage of Senate Bill 215

Donna Ellison Ward
11 Hoffman Drive #29
Bozeman, MT 59715

(406) 586-6726

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 3

DATE 2-4-93

BILL NO. SB 215



A decent house, in a decent community for God's people in need,
Capital, not charity, & Co-workers, not caseworkers.
It works!

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 4

DATE 2-4-93

BILL NO. SB 215

February 4, 1993

Senate Local Government Committee
Senator Ed Kennedy, Chair
Senator Sue Bartlett, Vice-Chair

I strongly urge the passage of Senate Bill 215 which will allow counties and municipalities to donate land to a non-profit corporation for the purpose of constructing multi-family or single family housing which will be sold to low-income people.

I represent Habitat For Humanity of Missoula which is an ecumenical Christian housing ministry that builds simple decent houses WITH (not for) very low income people and then sells the house to them at No profit and No interest with a typical 30 year mortgage. The mortgage repayment is recycled to build more houses. Jimmy & Rosalynn Carter are the most famous volunteers.

We have built 3 houses in Missoula, putting 18 people (13 children) into simple, decent, safe, warm and affordable shelter. They have become property taxpayers. We plan to build WITH 2 more families this year, 1993 - (16 people-incl 12 children).

(Habitat for Humanity of Missoula has only been in existence 3 years. We were incorporated as a non-profit organization in the State of Montana in May, 1990. Habitat For Humanity International is 17 years old. We are moving to break the cycle of poverty one family at a time.)

After this year, we have no more property and no leads of acquiring property at a price at which we can afford to build a house and sell it to a low income family. No one seems to be willing to donate or even to sell any suitable property at a low cost - we have several real estate agents always looking for us.

Flathead Valley Partners, (the Habitat affiliate in Kalispell-Whitefish-Columbia Falls-Bigfork) is experiencing an even greater escalation of property values than the Missoula Valley has seen.

The passage of Senate Bill 215, would benefit Habitat affiliates all over the state - Kalispell, Missoula, Bozeman, Great Falls, Helena, Billings all have affiliates, with the Butte area and Polson wanting to start. We also hear that some areas of eastern Montana and the Bitterroot Valley are interested in starting Habitat affiliates.

Well built, affordable housing for low income families is greatly needed in this state. This bill has the potential to help us (Habitat For Humanity) build affordable housing. It could allow funds, which are donated to us, to go much farther, much faster.

In partnership,

Marjorie L.C. Burgan
President of the Board of Directors



A decent house, in a decent community for God's people in need,
Capital, not charity, & Co-workers, not caseworkers.
It works!

February 2, 1993

Senator Ed Kennedy, Chair
Senate Local Government Committee
Room 405 Capitol Building
Helena, MT 59601

SENATE LOCAL GOVERNMENT

BT NO. 5

2-4-93

ALL NO. SB 215

Dear Senator Kennedy,

WE THE UNDERSIGNED, ATTENDING THE ANNUAL MEETING OF HABITAT FOR HUMANITY OF MISSOULA, URGE THE PASSAGE OF SENATE BILL 215 WHICH ALLOWS COUNTIES AND MUNICIPALITIES TO DONATE LAND TO A NON-PROFIT FOR THE PURPOSE OF CONSTRUCTING MULTI-FAMILY OR SINGLE FAMILY HOUSING WHICH WILL BE SOLD TO LOW INCOME PEOPLE.

Sincerely, *Debra Tolson* 706 E. Travis M31A 59802
David Groffstein 2609 Sky Dr. Missoula 59801
Tom Facy 413 Plymouth St. Missoula
Bill Samson 4321 Timberlane Missoula, MT 59802
Lee & Mary Ellen Stubb 9180 Skunktail Trail, MT 59802
Vicki & Walt Tomaszak 143 Fairway Dr. Missoula, MT. 59803.
Larry & Wanda Hamon 626 Palmer Apt B Missoula, MT 59802
Ray & Susan Ziska 307 S. 4th W. Missoula, MT. 59801
John Collins 19 Greenbriar Lane, Missoula, MT 59802-3301
Annella D. Cooper 116 Wapi Riya Dr. Missoula
M. H. Cooper 116 Wapi Riya Dr. Missoula
Becky Kress 120 Wapikuya Missoula
Fran Higinbotham 3318 Hollis Missoula, MT. 59801
Laura J. Looley 615 Dickinson St. Missoula, MT. 59802 (over)

Jean L. Kuring 656 Coates Ave. Missoula, MT 598

Susie Rosh 302 S. 4th W. Msla. MT 59801

Anna & Patsie 247 S. East St Msla MT 59802

Edith Jensen 908 PARKVIEW MSLAM 59803

1016 Lynn Ln Msla MT 59801

Betty Roney 523 Dearborn Ave Msla MT 59801

John P. Kilmer 908 1/2 Elm Missoula, MT 59802

Sharon M. M. Cree 2404 RATHLESPARK, MISSOULA, MT 598

THOMAS DOLESE 238 E Sussex; Missoula, MT 5980

Olive L. Rodgers 2903 Duncan Dr., Missoula, MT 59802

Winifred Ooburnson 3208 Bancroft Missoula MT 59801

John R. C. 219 S. 4th St. W. Missoula, MT 5980

WAYNE FROSMAN 70. 3023, " " 5980

Eleanor Bussing SP 1141 Cleveland " " 5980

Leatha Massbach 219 S. 4th W. Msla 59801

Dorena J. Holand 2612 Cardinal Dr Missoula 59803

Marjy Jakobson 3000 Queen St. Missoula 59801

Dorothy Bussing SP 1141 Cleveland " " 5980

Mao Maraky 9125 Sharptail Dr. Msla, MT. 598

Catherine Matthews 120 Craighead Msla MT 59801

Shirley Hale 801 Cottonwood Msla, MT 59801

Dorothy Bussing 509 Hastings Msla, MT 59801

Peggy Helmach 2327 W. Vista - Msla, mt. 59803

Carol L. Graham 30 Willowbrook Missoula, MT 59802

Don Graham 216 Gribble Missoula, MT 59803

Sr Elizabeth Cline, OVM 2330 Cottage Court #A, Missoula 59

Missoula Housing Task Force

City of Missoula
Missoula County
The University of Montana

Phone: 406-523-4718

Senator Ed Kennedy, Chair
Senate Committee on Local Government
Room 405, Capitol Building
Helena, MT 59601

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 6
DATE 2-4-93
BILL NO. SB 215

Dear Chairman Kennedy:

On behalf of the Missoula Housing Task Force, we urge you to pass Senate Bill 215, which would allow local governments to donate land to non-profit organizations for the purposes of constructing housing for low income households. The Missoula Housing Task Force includes representation from over 35 community organizations and businesses including: all of Missoula's banks and savings and loans; Montana People's Action; Missoula County Association of Realtors; Missoula Building Industry Association; Missoula Food Bank; Missoula Housing Authority; District XI Human Resource Council; Missoula Habitat for Humanity; Alliance for the Mentally Ill; Aging Services; Summit Independent Living, Inc. (disabled advocate); Missoula Head Start; Poverello Center (Homeless Shelter); Stepping Stones (mentally disabled); WORD; YWCA; Refugee Assistance Council; The University of Montana; and individual property managers, developers, planners, and numerous city and county agency staff.

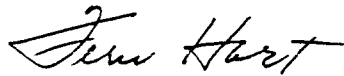
The Task Force as a whole has developed, endorsed, and is implementing over 35 recommendations to improve the availability of safe, healthy, affordable housing in Missoula. One of these recommendations is that Habitat for Humanity take the lead in pursuing the legislation necessary to permit the donation of land for affordable housing purposes. This ability is particularly critical in Missoula, where land values have increased substantially over the past two years in response to our severe housing shortage.

Missoula's vacancy rate for rental units is effectively less than 1%, and that for single-family homes is estimated to be less than 3%. Data indicates that average rental costs for a moderate 2-bedroom apartment have increased at least 40% since spring of 1990, and average home purchase cost has increased by 20%. In the face of these costs, affordable housing for rent or purchase is in very short supply. New construction of affordable units is a critical need.

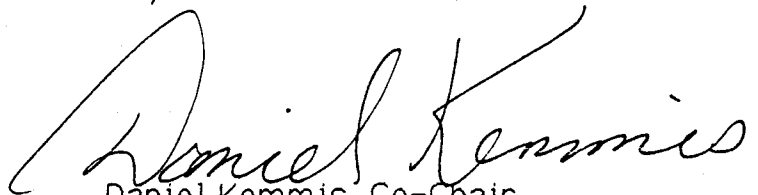
Data from the survey commissioned by the Task Force indicates that over half the households in Missoula make less than \$25,000 year. It is not possible for the market to construct new housing inexpensively enough to be affordable to many of these households. Enabling local governments to donate land will provide one tool in helping cut the cost of new construction so that housing will be available to the majority of Missoulians who can not afford more than \$500/month rent or \$600/month in mortgage payments.

Again, we urge you and the members of your committee to pass Senate Bill 215, and give us one tool we need to address our housing affordability needs.

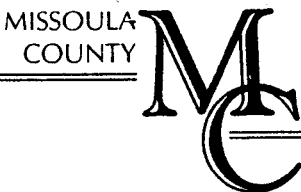
Sincerely:



Fern Hart, Co-Chair
Commissioner, Missoula County



Daniel Kemmis, Co-Chair
Mayor, City of Missoula



BCC-93-046
January 28, 1993

(406) 721-5700

Senator Ed Kennedy
Chair, Senate Local Government Committee
Montana State Legislature
Capitol Station
Helena, MT 59620

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 7

DATE 2-4-93

BILL NO. SB 215

Dear Senator Kennedy:

You and your fellow Committee members now have under consideration Senate Bill 215, a bill for an Act entitled, "An Act allowing a county or a municipality to donate tax-deed land to a nonprofit corporation for the construction of residential housing; and amending Sections 7-8-2301 and 15-17-319, MCA."

We, the members of the Board of County Commissioners of Missoula County, wish to express our support for Senate Bill 215, and urge your Committee to recommend its passage. We note with satisfaction that this legislation, if enacted, will not impose a mandate, but will grant counties discretionary authority enabling them, when their commissions deem it appropriate, to cooperate with nonprofit bodies which seek to provide housing for low-income families.

Our county currently is experiencing a shortage of such housing. We have noted and applauded especially the contributions that Habitat for Humanity of Missoula, a supporter of the bill under consideration, has already made and continues to make towards meeting housing needs in the Missoula area through its recent and current home-building program. The legislation now under consideration will provide a useful means by which public and private, nonprofit groups such as Habitat for Humanity, can cooperate in solving common local housing problems.

Respectfully submitted,

BOARD OF COUNTY COMMISSIONERS

Ann Mary Dussault, Chair

Barbara Evans, Commissioner

Fern Hart, Commissioner

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 8

DATE 2-4-93

BILL NO. SB 221

9280 Keegan Trail
Missoula, MT 59802
543-4452
30 January 1993

Senator "Ed" Kennedy, D.--Kalispell
Chair, Local Government Committee
Capitol Station
Helena, MT 59620

Dear Senator Kennedy:

As members of the Missoula City-County Air Pollution Control Advisory Council, we wish to present the following comments as testimony in support of Senate Bill 221.

Three preliminary remarks, if we may. First, this bill, we're proud to say, has its origin in this Advisory Council's ongoing efforts to improve the quality of air that Missoula citizens have a right to breathe. Second, we hope that this bill will enable our own and other counties' local boards of health to better safeguard the public's health against the known harm of secondary smoke. Third, we would emphasize that this bill is not a draconian set of inflexible laws that imperil local autonomy; rather, it allows local health boards the authority--following public hearings--to "adopt regulations restricting or prohibiting smoking in enclosed public places," places other, please note, than those taverns and restaurant-taverns currently exempted by the Clean Indoor Air Act.

CLARIFICATIONS ON SB 221

Senate Bill 221 will amend the 13-year-old "Montana Clean Indoor Air Act of 1979." SB 221 does not force any change upon anyone. It merely amends the existing Act to allow local boards of health to adopt more restrictive regulations for their own jurisdictions that go beyond those currently provided in 50-40-101 to 109. A public hearing is compulsory before any such restrictive regulations could be adopted.

In light of the recent Environmental Protection Agency report, which finds secondhand tobacco smoke a poison belonging in the highest category of cancer-causing agents, it would seem prudent to allow localities to protect their citizens from these dangerous chemicals. Indeed, local boards of health may already have this authority, for item 50-2-116 of the Montana Code, Section 2 (i), reads, "Local boards may . . . abate nuisances affecting public health and safety . . ." In addition, Section 2 (1) (ii) allows local health boards the authority "to adopt rules . . . for the removal of filth that might cause disease or adversely affect public health."

From these specific laws it could be argued that local boards already have the authority to regulate smoking in enclosed public places. SB 221, however, would eliminate confusion and ambiguity by stating clearly that authority, as proposed in 50-2-116 Section 2, which declares that "Local boards may: (k) adopt regulations restricting or prohibiting smoking in enclosed public places."

Please note: the State of Montana's regulatory authority will not be eliminated or superseded by this amendment. Counties or municipalities not wishing to strengthen their smoking policies may continue to be governed by the existing Act, even with the passage of SB 221. And proprietors or managers of enclosed public places are allowed to comply with existing state law, "Unless," as Section 50-40-104 (1) now would spell out, their individual practices are "inconsistent with more restrictive regulations adopted by the local board of health." In other words, existing state law will continue to apply to all municipalities unless their local health boards, after public hearings, establish new regulations restricting smoking in specific enclosed public places.

BACKGROUND ON THE NEED FOR SB 221

In the fall of 1990 we discovered that the Montana Clean Indoor Air Act of 1979 was not well understood. Many people erroneously assumed that the act required managers and proprietors of all business establishments to designate non-smoking areas in their "enclosed public places." But this is **not true**. They and all merchants and restaurateurs have **four** options to choose among for their establishments. They may

- (a) designate non-smoking areas with easily readable signs;
- (b) reserve a part of their establishment for non-smokers and post easily readable signs designating smoking areas;
- (c) designate their entire establishment as a smoking area by posting a sign that is clearly visible to the public, stating this designation, or
- (d) designate and reserve the entire establishment as non-smoking.

So to comply with existing state law, then, all that a proprietor or manager has to do is put up a few signs inside his or her establishment and at that establishment's public entrances, stating whether or not areas within have been reserved for nonsmokers. That's all.

Despite the apparent clarity, simplicity (and leniency, we would add) of the Clean Indoor Air Act, we found that compliance was far from universal. So in the fall of 1990 we conducted a survey of smoking policies and practices in targeted "enclosed public places." We sent out questionnaires to twenty-six (26) grocery and convenience stores in Missoula county. The managers or proprietors of nineteen (19) of them returned our questionnaires. Seventeen (17) of those nineteen (19) indicated that they were not knowledgeable of the Clean Indoor Air Act that had become law a decade earlier. Moreover, ten (10) of the nineteen (19) respondents acknowledged that they had no official policy governing smoking within the public areas of their establishments; eleven (11) reported that they did not post their public entrances; and seven (7) admitted that they had no signs designating smoking or non-smoking areas.

We believe that these numbers indicate very poor knowledge of and compliance with the existing law. While our efforts helped acquaint managers and proprietors with their obligations, many of those same establishments have done little more than post a small "Thank You for Not Smoking" sign on a doorway, often obscured by other notices and advertisements surrounding it. This bill, then, by **allowing** local boards of health to adopt county-wide or municipality-wide regulations would help increase compliance, ensure consistency within jurisdictions and, not the least of our concerns, safeguard the public's health.

LOCAL ARGUMENTS FOR SB 221

In some localities, it may be very desirable to allow the local board of health to strengthen the smoking policy within its jurisdiction. For example, Missoula unfortunately has outdoor air-quality problems that endanger the health of her residents and commuters. It would make a lot of sense for Missoula to strengthen local clean indoor air policies to provide healthier indoor air for those citizens while simultaneously working to reduce the pollutants in outside air. Moreover, the 1977 Montana Air Pollution Study (MAPS) documented a significant decrease in lung function in Missoula school children when compared to school children in windier, less-polluted localities. Any reduction in the chance and amount of environmental tobacco smoke these same children are exposed to when they patronize Missoula business establishments will give partial respite from the harmful health effects of breathing the polluted air of Missoula valley. This bill, then, will enable a local health board work toward that reduction.

We also believe that high tourism areas may also wish to consider adopting non-smoking regulations that SB 221 would allow. Tourists may well find that establishments with restricted smoking areas or non-smoking designations are more closely aligned with ones common in other parts of the country. Consequently, tourists may take their business elsewhere when they find establishments that lack signs designating non-smoking areas or enter grocery stores that don't guarantee a smoke-free environment.

We would underscore that SB 221 does not force any jurisdiction to change its current policy as regards indoor clean air and that, conversely, no board of health can impose changes without a public hearing. Indeed, the bill does not even specify that changes in regulations have to be county-wide. A county board of health can specify regulations that would be limited to a designated municipality. For instance, Missoula's City-County Health Board would restrict new regulations to the Missoula Valley air-containment zone if it determined that, say, the residents of the Seeley-Swan objected to being included.

In a word, we in Missoula feel that one way to correct a problem affecting our citizens is to push for passage of SB 221. But we are not trying to impose our solution or preference on those citizens in other parts of the state who may not share our problem or our solution. Rather we seek only for our local health board officials to be legally empowered to have the ability to change the rules in Missoula. And the only way to do this is through this legislation.

REBUTTALS TO ARGUMENTS MADE BY TOBACCO LOBBYISTS IN 1991 TO HB 880

1) "This bill will interfere with state-wide uniformity."

The truth is that the existing Act does not insist on state-wide uniformity inasmuch as each establishment's manager or proprietor, as noted above, has four options to choose among. With the existing Act and with SB 221, patrons will look for signs that designate a given establishment's policy and practice. Moreover, with SB 221, local boards of health could regulate for county-wide uniformity so that a county's citizens would know that county's regulations and wouldn't have to wonder, each time they approached an establishment, just what its designation might be.

The other implication is that SB 221 will enable smokers and non-smokers alike to determine the smoking policy within each public place, thereby reducing the potential for conflict practices among patrons who currently may be at sea when they enter an establishment.

2) "This bill would negatively impact chain stores and restaurants, which will have to comply with inconsistent standards from county to county."

The truth is that grocery chains, franchised eating establishments and the like already deal with rules that vary from state to state, region to region, so the regulations of a county health board will not constitute some new obstacle to their business processes. Moreover, most of these national chains and franchises already exceed our state requirements and routinely designate and provide non-smoking areas for their patrons, many of whom patronize their establishments because they appreciate the consistency of those businesses' concerns for public health. Finally, any manager or proprietor who objects about local ordinances might be raising a false cry, as if he or she isn't already beset by other regulations such as zoning requirements, building permits, health standards and the like.

3) "This bill will confuse tourists, overburden business owners and breed competition across county lines, all because of the zeal of some health nuts."

The truth is that SB 221 is no conspiracy of health nuts out to harass businesses. There is no conspiracy among subversive special-interest groups to undermine sound business practices. The nub of this bill is that concerned citizens are rightly alarmed at the information that secondary smoke is a major cancer-causing toxic that kills thousands each year and contributes to the illness of many more thousands. It is concerned citizens who are trying to find the least onerous way to allow localities to govern their own air quality and protect their citizens. EPA reports add credibility to our efforts and will probably be issuing stern regulations against secondary smoke. Must the citizens of Montana wait for the EPA to determine health standards for us? We think not.

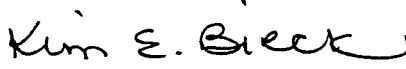
Thank you for your patience and interest. We urge you to vote for SB 221.

Sincerely yours,

Gerry Brenner, Chair, APCAC



Kim Birck, Vice-Chair, APCAC



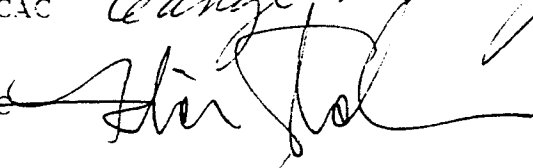
Bruce Ammons, Member, APCAC



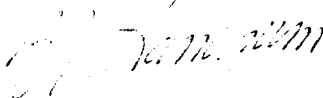
Carryl M. Meyer, Member, APCAC



Felice Stadler, Member, APCAC



Barbara Landrum, Alternate, APCAC





MONTANA DIVISION, INC.

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 9

DATE 2-4-93

BILL NO. 98 221

BARBARA ANDREOZZI
Chairman of the Board

CARLEY ROBERTSON, MD
President

ART DICKHOFF
Vice Chairman of the Board

BENJAMIN MARCHELLO, MD
Vice President

MARSHAL WIECK
Secretary

RON HECHT
Treasurer

E. STAN WIECZOREK
Executive Vice President

Testimony: Montana Senate Bill 221

Robert K. Ripley on behalf of the Montana Division of the American Cancer Society (ACS). February 4, 1993.

Ladies and Gentlemen:

My short testimony today on behalf of Senate Bill 221, and its proposed smoking prohibitions, is based upon the American Cancer Society's national and State position on the dangers of tobacco use, which include smokers themselves, and their non-smoking, but very much endangered fellow citizens, who breathe the secondhand smoke that smokers exhale. I want to introduce two points today that provide reasons for immediate passage of Bill 221.

First, there is now overwhelming published evidence that smoking dramatically increases the possibilities of cancer in all of us, including those who inhale so-called second hand smoke. Two recent studies, one by the Surgeon General, and one by the National Academy of Sciences, clearly and pointedly illustrate why health authorities must be able to act to prohibit smoking in public places. Even more recently, the EPA confirmed the dangers of second hand smoke. As you decide this legislation, I offer the points made in this American Cancer Society pamphlet, which not only spells out cancer dangers, but lists the many other health hazards that have been positively identified, caused, or fostered, by secondhand smoke. Most Montanans and most Americans now know tobacco products are deadly; and smoking by others is deadly to innocent people who breathe their secondhand smoke.

Second, the preponderance of public opinion is capsuled in yesterday's editorial in the Missoulian, copies of which I brought for the Committee. The bottom line is, "There's no place for tobacco in a health-conscious America." Please read the editorial, as it speaks directly and simply to the question at hand.

You will hear, I am sure, from many people who derive livelihood from tobacco products. They always self-righteously champion "smokers' rights." Beware of the specious and misleading arguments against this bill, or any bill dealing with public health that seeks to restrict tobacco use, or seeks sensibly to limit tobacco use to curtailed areas, particularly in public buildings. I urge you to discount those arguments for what they are, self-serving. Montanans that value their lives and health, will thank you for helping to free America from the tobacco killer and maimer.

I urge you to pass this bill on behalf of all of us that visit public buildings. You may have different ideas on how this bill should be worded, but, whatever those discussions, please pass this bill. Montana needs it.

I would be pleased to answer any questions.

MISSOULIAN EDITORIAL

Smokers don't have a case

There's no place for tobacco in a health-conscious America

A spate of contradictory bills in the state Legislature reflect our society's changing views of smoking.

Public policy in Montana and the country in general clearly is trending toward increasing discouragement and sometimes intolerance for America's deadliest vice. Those attitudes are reflected in worthwhile legislative proposals to increase state tobacco taxes to raise money for health programs and proposals to allow further restrictions on smoking in public places. Meanwhile, increasingly pressured to stop or restrict tobacco use, smokers are fighting back with their own proposed laws aimed at securing smoking zones in public buildings and barring employers from refusing to hire smokers. Such "smokers' rights" bills ignore the government's primary responsibility to protect public health, as well as businesses' legitimate needs to protect worker safety, safeguard productivity and control health-care costs.

Any rational balancing of smokers' rights with the rights and interests of the public in general will leave smokers empty-handed.

That's because it's an indisputable fact that tobacco always is unhealthy and often is deadly. The ill effects of smoking aren't restricted to the user; the U.S. Environmental Protection Agency last month published the definitive report on the subject of so-called secondhand smoke, and its conclusion was that breathing smoke from someone else's cigarette can kill you. The cancer threat from

secondhand smoke is classified as greater than that of radon.

Smoking already is restricted in most buildings and businesses. The U.S. Labor Department is considering a ban on smoking in all workplaces. In any case, fewer and fewer businesses can afford to provide non-productive space in buildings for smokers or to install expensive ventilation systems capable of preventing smoke from cycling through a building.

There's even more bad news for smokers. Employers increasingly are declining to hire people who smoke. This is not an act of vindictiveness. It's an act of self-preservation. Good businesses provide health-care coverage for their workers; soon, all employers may be required to provide such coverage. That coverage is a substantial cost of doing business, and for employees whose employers can't afford it, the lack of coverage presents a tremendous hardship. It doesn't make sense, then, for businesses to encourage a vice that so clearly is linked to higher health care costs, and sometimes it even makes sense to actively discourage employees from smoking.

Taxpayers, too, have a stake in all this. Because taxes are used to subsidize public assistance and health care programs, taxpayers have a legitimate interest in discouraging personal behaviors that drive up the cost of those programs. As the nation searches for a way to provide adequate and affordable health coverage for all, we can't afford to ignore the fact that much of the money currently being spent on Medicaid, Medicare and other public and private health care programs is used to treat the ill effects of smoking.

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 10

DATE 2-4-93

BILL NO. SB 221

Who's Taking Action?

As we learn more about the harmful effects of involuntary smoking, the public interest in nonsmoking rules grows. There has been an increasing amount of new legislation protecting the rights of nonsmokers:

- As of 1990, forty-five states, the District of Columbia, and 480 municipalities limit or restrict smoking in public places.
- Thirty-five states have enacted laws that address smoking in public workplaces, 15 have enacted laws that address it in private workplaces.
- Smoking restrictions have been put into effect in all US Government buildings.
- The US Army adopted a new policy banning smoking in Army facilities, except in established smoking areas.
- In 1986, a nationwide survey of 662 private employees showed that 36% had policies on employee smoking. Another 21% had policies under consideration.
- Hotels, motels, and car rental agencies continue to set aside more rooms and vehicles for nonsmokers.
- Smoking has been banned on all domestic flights in the continental US.

What Can You Do?

Now that you know that all smoke is harmful, what can you do to help fight the problem?

- If you smoke, stop.
- If others in your household smoke, help them to stop.
- Ask to be seated in the nonsmoking sections of restaurants and public transportation.
- Make certain that your children's schools and their child-care situations are smoke-free.
- Help negotiate for a smoke-free work environment.
- Ask visitors not to smoke in your home.
- Encourage hospitals and clinics to become smoke-free.
- Let your legislators know where you stand on nonsmokers' rights issues, and that you will support their efforts to pass laws designed to protect the nonsmoker.
- Call your local American Cancer Society and ask how you can become active in the effort to reduce smoking in your community.

The Smoke Around You

The Risks of Involuntary Smoking

What Should You Know?

Have you ever breathed the smoke that curls up from the tip of someone's cigarette? Have you ever breathed the smoke exhaled by a smoker? If so, then you have breathed most of the same harmful, cancer-causing parts of smoke inhaled by smokers. As an involuntary smoker—a nonsmoker breathing the smoke from others—you are at increased risk. Former US Surgeon General C. Everett Koop said, "It is now clear that disease risk due to inhalation of tobacco smoke is not limited to the individual who is smoking."

The risk of developing disease depends on the amount of tobacco smoke exposure. As an involuntary smoker, you breathe less tobacco smoke than an active smoker because the smoke mixes with the air around you. But the Environmental Protection Agency estimates that 3,700 lung cancer deaths annually—nearly 3% of the annual lung cancer death toll—have been caused by involuntary smoking.

Involuntary smoking also causes heart disease, aggravates asthmatic conditions, and impairs blood circulation.

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 10

DATE 2-4-93

BILL NO. 80221

Why Should You Know?

The Surgeon General and the National Academy of Sciences recently examined the evidence surrounding involuntary smoking. Both studies agreed:

Exposure to other people's smoke increases the risk of developing lung cancer.

Other studies have also proven there are dangers for nonsmokers who breathe the smoke from cigarettes. The studies found out that:

Overall, nonsmoking wives of husbands who smoke have a 30% increased risk of lung cancer compared with women whose husbands don't smoke.

In several studies, nonsmokers married to heavy smokers were found to have 2 to 3 times the risk of lung cancer compared with those married to nonsmokers.

An American Cancer Society study found that nonsmokers exposed to 20 or more cigarettes a day at home had twice the risk of developing lung cancer.

Such studies have focused on people who live with smokers; if you live with just one smoker, you are at risk for lung cancer.

There's also cause for concern in the workplace. Tobacco smoke spreads quickly, and each workday is more than enough time to expose most people within many working environments. Even if you don't sit next to smokers, the smoky air within a building may be harmful.

What About Kids?

Lung cancer is not the only hazard that faces involuntary smokers. For instance, the children of smokers have a greater chance of developing certain illnesses such as:

- colds;
- bronchitis and pneumonia, especially during the first two years of life;
- chronic coughs, especially as children get older;
- ear infections; and
- reduced lung function.

As with adults, the more smoke a child is exposed to, the more that child's risk is increased. Therefore, if it is the smoking parent who handles most of the child care, the child's chances of developing the ailments listed above is greater. And of course, the risk is highest if both parents smoke.

The original is stored at the Historical Society at 225 North Roberts Street,
Helena, MT 59620-1201. The phone number is 444-2694.

Exhibit # 11
3-4-93
SB-231

SMOKING TOBACCO & HEALTH

A FACT BOOK



Montana Dental Association

P.O. Box 1154 • Helena, MT 59624
(406) 443-2061 • FAX: (406) 443-1546

Constituent: AMERICAN DENTAL ASSOCIATION

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 12

DATE 2-4-93

BILL NO. SB 221

February 4, 1993

Officers - 1992-1993

President

Terry J. Zahn, D.D.S.
690 SW Higgins Avenue
Missoula, MT 59803

President Elect

James H. Johnson, D.D.S.
2370 Avenue C
Billings, MT 59102

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130 13th Street
Havre, MT 59501

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Southgate Mall
Missoula, MT 59801

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Don A. Spurgeon, D.D.S.
2615 16th Avenue South
Great Falls, MT 59405

Delegate at Large

Roger L. Kiesling, D.D.S.
121 N. Last Chance Gulch
Helena, MT 59601

Executive Director

William E. Zepp
P.O. Box 1154
Helena, MT 59624

To: The Senate Local Government Committee
From: Bill Zepp, Executive Director
Re: SB 221

Chairperson Kennedy and Members of the Committee:

My name is Bill Zepp and I am the Executive Director of the Montana Dental Association.

The Montana Dental Association, composed of 94% of the licensed resident dentists in the state, is concerned not only for the oral health, but the overall health of Montana citizens.

We are proud to support SB 221 and urge the Committee to pass SB 221 immediately.

Thank you for your consideration.

**Testimony on SB221
For Senate Local Government Committee
by Dale Taliaferro, Administrator
Health Services Division**

Tobacco is responsible for at least one of every six deaths in the United states and is the most important single preventable cause of death and disease in our society. Based on national data, cigarette smoking accounts for 1,170 deaths yearly in Montana.

The recent Environmental Protection Agency report provides evidence exposure to environmental tobacco smoke (ETS) presents a serious and substantial public health impact. Second hand smoke is a combination of the smoke given off by the burning ends of cigars, cigarettes and pipes. The smoke is exhaled by someone who is smoking and can be inhaled by a non-smoker. ETS is a human lung carcinogen responsible for approximately 3,000 lung cancer deaths annually in the U.S.

S.B. 221 represents a minimal public health standard for the Montana Clean Indoor Air Act. Although the bill is not categorized as "restrictive", it would offer local entities the opportunity to offer more stringent laws. The local health departments would provide the public hearing forum and local compliance monitoring for the Montana Clean Indoor Air Act.

DHES would appreciate the committee's favorable vote on this measure.

SENATE LOCAL GOVERNMENT

EXHIBIT NO. 14
DATE 2-4-93
BILL NO. SB 221

**COMMENTS OF THE TOBACCO INSTITUTE
IN OPPOSITION TO SENATE BILL 221**

Senate Bill 221 would allow local boards of health to adopt regulations restricting or prohibiting smoking in enclosed public places. The effect of the proposed legislation would be to allow local boards of health to nullify the provisions of the "Montana Clean Indoor Air Act" (sections 50-40-101 through 50-40-109).

The "Montana Clean Indoor Air Act" now in effect throughout Montana is recognized nationally as one of the most restrictive smoking regulatory acts in existence in any of the 50 states.

The history of the "Montana Clean Indoor Air Act" is one of mediation and accommodation. The first provisions of the Act were passed by this legislative body in 1979. It was amended in 1981--again in 1985--again in 1989--and finally in 1991. Thus, the present statutory provisions have been worked out over the past 14 years. The Act recognizes the rights of those who do not choose to be users of tobacco products or to be associated with those who use the product. It also recognizes the rights of those who choose to use tobacco products and provides for the provision of segregated areas with regard to such use.

We agree that the question of use of the product is a matter of choice. We agree that there are certain people who desire to be segregated from those who use the product. The present law allows for that and also allows for uniform application of the regulatory provisions of the law across the state of Montana.

A copy of the "Montana Clean Indoor Air Act" is attached hereto for your examination. The provisions of the Act are simple--and easy to understand. It provides for areas where smoking is prohibited and areas where smoking is allowed on a segregated basis. It provides for enforcement of the Act by local boards of health under the direction of the Department of Health and Environmental Sciences of the State of Montana.

We believe that maintaining uniformity in smoking restriction on a statewide basis is critical to avoid conflict and confusion for the public and an unnecessary and unjustified burden on business. Statewide uniformity also prevents conflict among state, county, and local laws, and facilitates predictable, consistent compliance with and enforcement of the law.

Montana's present law eliminates the confusion of its residents as to where they can smoke throughout the state. Confusion among the smoking public is inevitable unless there is uniformity, as it is unrealistic and unfair to expect people to know what restrictions are in effect in each locality. This can adversely affect the public's ability and willingness to comply.

Our statewide law eliminates local legislative chaos evident in states such as Massachusetts and California regarding this issue. A great deal of time and money is being spent in such jurisdictions to adopt local ordinances which in turn create confusion as to what law prevails where.

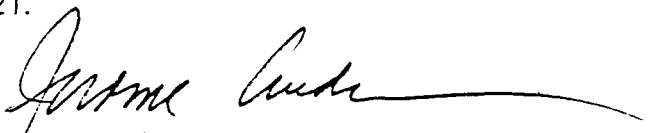
Unless smoking laws are set and maintained at the state level, conflicts can also develop between city and county ordinances, increasing the confusion and burden on business.

Our statewide law makes compliance with its regulatory features easier. One law for the entire state makes the restrictions easier to remember and easier to abide by by both businesses and individuals. Compliance is facilitated by this reasonable statewide law.

Economically, businesses benefit from a statewide law. No town or city has a competitive advantage over another. Studies have shown that customers will go to another city to dine in a restaurant with both designated smoking and non-smoking sections under circumstances where smoking is banned in their city.

Montana's present statewide law has not resulted in undue hardship. Undue hardship could be the result of a myriad of conflicting local regulatory ordinances governing this issue.

We urge you to vote against Senate Bill 221.


Jerome Anderson
Representing The Tobacco Institute

**CHAPTER 40
SMOKING IN PUBLIC PLACES**

Part 1 — Montana Clean Indoor Air Act

- 50-40-101. Short title.
- 50-40-102. Purpose.
- 50-40-103. Definitions.
- 50-40-104. Designation or reservation of smoking or nonsmoking areas — notice.
- 50-40-105. No smoking signs in certain places.
- 50-40-106. Requirements of health care facilities.
- 50-40-107. Exemptions.
- 50-40-108. Enforcement.
- 50-40-109. Penalties.

Part 2 — Government Offices and Work Areas

- 50-40-201. Reservation of smoking and nonsmoking areas in work areas in local government buildings.
- 50-40-202. Public policy.
- 50-40-203. Definitions.
- 50-40-204. Smoke-free buildings — designated smoking areas.
- 50-40-205. Signing — smoking receptacles.

Part 1

Montana Clean Indoor Air Act

50-40-101. Short title. This part may be cited as the "Montana Clean Indoor Air Act of 1979".

History: En. Sec. 1, Ch. 368, L. 1979.

50-40-102. Purpose. The purpose of this part is to protect the health of nonsmokers in public places and to provide for reserved areas in some public places for those who choose to smoke.

History: En. Sec. 2, Ch. 368, L. 1979.

50-40-103. Definitions. As used in this part, the following definitions apply:

(1) "Department" means the department of health and environmental sciences provided for in Title 2, chapter 15, part 21.

(2) "Enclosed public place" means any indoor area, room, or vehicle used by the general public or serving as a place of work, including but not limited to restaurants, stores, offices, trains, buses, educational or health care facilities, auditoriums, arenas, and assembly and meeting rooms open to the public.

(3) "Establishment" means an enterprise under one roof that serves the public and for which a single person, agency, corporation, or legal entity is responsible.

(4) "Person" means an individual, partnership, corporation, association, political subdivision, or other entity.

(5) "Smoking" or "to smoke" includes the act of lighting, smoking, or carrying a lighted cigar, cigarette, pipe, or any smokable product.

(6) "Smoking area" means a designated area in which smoking is permitted.

(7) "Place of work" means an enclosed room where more than one employee works.

History: En. Sec. 3, Ch. 368, L. 1979; amd. Sec. 1, Ch. 460, L. 1981.

50-40-104. Designation or reservation of smoking or nonsmoking areas — notice. (1) The proprietor or manager of an enclosed public place shall:

(a) designate nonsmoking areas with easily readable signs;

(b) reserve a part of the public place for nonsmokers and post easily readable signs designating a smoking area;

(c) designate the entire area as a smoking area by posting a sign that is clearly visible to the public stating this designation; or

(d) designate and reserve the entire area as a nonsmoking area.

(2) The proprietor or manager of an establishment containing enclosed public places shall post a sign in a conspicuous place at all public entrances to the establishment stating, in a manner that can be easily read and understood, whether or not areas within the establishment have been reserved for nonsmokers.

(3) The proprietor or manager of an establishment containing both a restaurant and a tavern, in which some patrons choose to eat their meals in the tavern, is not required by this part to post a sign described in subsection (2) in the tavern area of the establishment.

(4) The proprietor or manager of an intrastate bus that is not chartered shall prohibit smoking in all parts of the bus.

History: En. Sec. 4, Ch. 368, L. 1979; amd. Sec. 2, Ch. 460, L. 1981; amd. Sec. 2, Ch. 505, L. 1985; amd. Sec. 1, Ch. 458, L. 1989; (4) En. Sec. 2, Ch. 281, L. 1991.

Compiler's Comments section, provided: "(This act) is effective July 1, 1991."
Effective Date: Section 4, Ch. 281, L. 1991, which chapter enacted subsection (4) of this

50-40-105. No smoking signs in certain places. No smoking signs must be conspicuously posted in intrastate buses that are not chartered, elevators, museums, galleries, kitchens, and libraries of any establishment doing business with the general public.

History: En. Sec. 5, Ch. 368, L. 1979; amd. Sec. 1, Ch. 281, L. 1991.

Compiler's Comments made minor change in style. Amendment effective July 1, 1991.
1991 Amendment: Near middle inserted "intrastate buses that are not chartered"; and

50-40-106. Requirements of health care facilities. (1) Health care facilities shall:

50-40-107

HEALTH AND SAFETY

(a) ask all in-patients, prior to admission, to designate their preference for a nonsmoking or smoking patient room and, when possible, accommodate such a preference;

(b) prohibit smoking in all kitchens, laboratories, and corridors;

(c) prohibit smoking in storage areas for supplies or materials and wherever flammable liquids, gases, or oxygen is stored or in use;

(d) provide a nonsmoking area in all waiting rooms;

(e) prohibit employees from smoking in patient rooms; and

(f) require visitors to obtain express approval from all patients in the patient room, or from the patients' physicians, prior to smoking.

(2) Nothing in this section shall prohibit a health care facility from banning smoking on all or a part of its premises.

(3) All areas of a health care facility not specifically referred to in this section may be considered smoking areas unless posted otherwise.

History: En. Sec. 6, Ch. 368, L. 1979.

Cross-References

"Health care facility" defined, 50-5-101.

50-40-107. Exemptions. The following shall be exempt from this part:

(1) restrooms;

(2) taverns or bars where meals are not served;

(3) vehicles or rooms seating six or fewer members of the public;

(4) school district buildings and facilities designated as tobacco-free by the board of trustees of the school district;

(5) community college buildings or facilities designated as tobacco-free by the board of trustees of the community college district;

(6) state government buildings declared smoke-free.

History: En. Sec. 7, Ch. 368, L. 1979; amd. Sec. 2, Ch. 466, L. 1989; amd. Sec. 5, Ch. 539, L. 1991.

Compiler's Comments

1991 Amendment: Inserted (6) concerning state government buildings declared smoke-free. Amendment effective May 1, 1991.

50-40-108. Enforcement. The provisions of this part shall be supervised and enforced by the local boards of health under the direction of the department.

History: En. Sec. 8, Ch. 368, L. 1979.

Cross-References

Local Boards of Health, Title 50, ch. 2.

50-40-109. Penalties. A person who fails to designate or re-designate a smoking or nonsmoking area in his establishment as provided for in 50-40-107 is guilty of a misdemeanor and is subject to a fine of not more than \$25.

History: En. Sec. 3, Ch. 460, L. 1981.

Government Offices and Work Areas

50-40-201. Reservation of smoking and nonsmoking areas in work areas in local government buildings. In offices and work areas in buildings maintained by a political subdivision, except a school or community college facility designated as tobacco-free by the board of trustees of the school district or community college district, in which seven or more employees of the political subdivision are employed, the manager or person in charge of the work area shall arrange nonsmoking and smoking areas in a convenient area.

History: En. Sec. 1, Ch. 505, L. 1985; amd. Sec. 1, Ch. 466, L. 1989; amd. Sec. 6, Ch. 539, L. 1991.

Compiler's Comments

1991 Amendment: In two places, before reference to political subdivision, deleted ref-

erence to state; and made minor changes in style. Amendment effective May 1, 1991.

50-40-202. Public policy. In recognition of the increased health hazards of passive smoke on the nonsmoker, it is the declared public policy of the state of Montana that all buildings maintained by the state are to be smoke-free.

History: En. Sec. 1, Ch. 539, L. 1991.

Compiler's Comments

Effective Date: Section 8, Ch. 539, L. 1991, provided: "[This act] is effective May 1, 1991."

50-40-203. Definitions. As used in 50-40-202 through 50-40-205, the following definitions apply:

(1) "Agency head" means a director, commissioner, or constitutional officer in charge of an executive, legislative, or judicial branch agency or of an agency of the Montana university system.

(2) "Department" means the department of administration provided for in Title 2, chapter 15, part 10.

(3) "Smoking" means any lighted cigar, cigarette, or pipe or any other lighted tobacco product.

History: En. Sec. 2, Ch. 539, L. 1991.

Compiler's Comments

Effective Date: Section 8, Ch. 539, L. 1991, provided: "[This act] is effective May 1, 1991."

50-40-204. Smoke-free buildings — designated smoking areas. (1) In buildings maintained by the state, smoking is prohibited in the following areas:

- (a) general office space;
- (b) auditoriums, classrooms, and conference rooms;
- (c) elevators;
- (d) corridors, lobbies, restrooms, and stairways, except as provided in subsections (2)(b) and (4);
- (e) medical care facilities;
- (f) libraries; and

(g) hazardous areas.

(2) An agency head shall establish at least one "designated smoking area" in each building, except in those areas listed in subsection (1), suited by architectural design and functional purpose to be used as a smoking area.

(a) An agency head may designate a smoking area in a cafeteria. The size of the area must be determined by an estimate of the number of smoking and nonsmoking patrons served.

(b) An agency head may designate a corridor, lobby, or restroom as a smoking area when it is not possible to designate another smoking area.

(3) In establishing designated smoking areas, as provided in subsection (2), an agency head shall consider:

(a) the number of smokers and nonsmokers in the agency;

(b) the building ventilation system;

(c) the availability of space; and

(d) the protection of nonsmokers from involuntary exposure to smoke.

(4) Agencies in multitenant buildings are encouraged to work together to identify designated smoking areas.

History: En. Sec. 3, Ch. 539, L. 1991.

Compiler's Comments

Effective Date: Section 8, Ch. 539, L. 1991,
provided: "[This act] is effective May 1, 1991."

50-40-205. **Signing — smoking receptacles.** (1) The department shall place signs near each entrance to a building stating that the building is smoke-free.

(2) An agency head shall place signs stating where the designated smoking areas are located.

(3) An agency head is responsible for providing adequate ash tray receptacles in the designated smoking areas.

(4) In buildings of historical significance, the department shall place signs that are aesthetically pleasing and that fit the architectural style of the building.

History: En. Sec. 4, Ch. 539, L. 1991.

Compiler's Comments

Effective Date: Section 8, Ch. 539, L. 1991,
provided: "[This act] is effective May 1, 1991."

STATE LOCAL GOVERNMENT
BIT NO. 15
2-4-93
NO. SB 221

United States
Environmental Protection
Agency

Research
and Development
(RD-689)

Air and
Radiation
(6203 J)

January 1993



Respiratory Health Effects of Passive Smoking

RECEIVED

JAN 26 1993

Fact Sheet

MONTANA DEPARTMENT OF HEALTH
AND ENVIRONMENTAL SCIENCES
700 S. UNIVERSITY AVENUE

Summary

The U.S. Environmental Protection Agency (EPA) has published a major assessment of the respiratory health risks of passive smoking (*Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders; EPA/600/6-90/006F*). The report concludes that exposure to environmental tobacco smoke (ETS) – commonly known as secondhand smoke – is responsible for approximately 3,000 lung cancer deaths each year in nonsmoking adults and impairs the respiratory health of hundreds of thousands of children.

Background

EPA studies of human exposure to air pollutants indicate that indoor levels of many pollutants often are significantly higher than outdoor levels. These levels of indoor air pollutants are of particular concern because it is estimated that most people spend approximately 90 percent of their time indoors.

In recent years, comparative risk studies performed by EPA and its Science Advisory Board have consistently ranked indoor air pollution among the top five environmental risks to public health. EPA, in close cooperation with other federal agencies and the private sector, has begun a concerted effort to better understand indoor air pollution and to reduce peoples' exposure to air pollutants in offices, homes, schools and other indoor environments where people live, work and play.

Tobacco smoking has long been recognized as a major cause of death and disease, responsible for an estimated 434,000 deaths per year in the United States. Tobacco use is known to cause lung cancer in humans, and is a major risk factor for heart disease

In recent years, there has been concern that non-smokers may also be at risk for some of these health effects as a result of their exposure ("passive smoking") to the smoke exhaled by smokers and smoke given off by the burning end of cigarettes.

As part of its effort to address all types of indoor air pollution, in 1988, EPA's Indoor Air Division requested that EPA's Office of Research and Development (ORD) undertake an assessment of the respiratory health effects of passive smoking. The report was prepared by ORD's Office of Health and Environmental Assessment.

The document has been prepared under the authority of Title IV of Superfund (The Radon Gas and Indoor Air Quality Research Act of 1986), which directs EPA to conduct research and disseminate information on all aspects of indoor air quality.

Public and Scientific Reviews

A draft of this assessment was released for public review in June 1990. In December 1990, EPA's Science Advisory Board, a committee of independent scientists, conducted a review of the draft report and submitted its comments to the EPA Administrator in April 1991. In its comments, the SAB's Indoor Air Quality/Total Human Exposure Committee concurred with the primary findings of the report, but made a number of recommendations for strengthening it.

Incorporating these recommendations, the Agency again transmitted a new draft to the SAB in May of 1992 for a second review. Following a July 1992 meeting, the SAB panel endorsed the major conclusions of the report, including its unanimous endorsement of the classification of environmental tobacco smoke (ETS) as a Group A (known human) carcinogen.

EPA also received and reviewed more than 100 comments from the public, and integrated appropriate revisions into the final risk assessment.

Major Conclusions

Based on the weight of the available scientific evidence, EPA has concluded that the widespread exposure to environmental tobacco smoke in the U.S. presents a serious and substantial public health risk.

In adults:

- ETS is a human lung carcinogen, responsible for approximately 3,000 lung cancer deaths annually in U.S. nonsmokers. ETS has been classified as a Group A carcinogen under EPA's carcinogen assessment guidelines. This classification is reserved for those compounds or mixtures which have been shown to cause cancer in humans, based on studies in human populations.

In children:

- ETS exposure increases the risk of lower respiratory tract infections such as bronchitis and pneumonia. EPA estimates that between 150,000 and 300,000 of these cases annually in infants and young children up to 18 months of age are attributable to exposure to ETS. Of these, between 7,500 and 15,000 will result in hospitalization.
- ETS exposure increases the prevalence of fluid in the middle ear, a sign of chronic middle ear disease.
- ETS exposure in children irritates the upper respiratory tract and is associated with a small but significant reduction in lung function.
- ETS exposure increases the frequency of episodes and severity of symptoms in asthmatic children. The report estimates

that 200,000 to 1,000,000 asthmatic children have their condition worsened by exposure to environmental tobacco smoke.

- ETS exposure is a risk factor for new cases of asthma in children who have not previously displayed symptoms.

Scope of the Report

In 1986, the National Research Council (NRC) and the U.S. Surgeon General independently assessed the health effects of exposure to ETS. Both of these reports concluded that ETS can cause lung cancer in adult non-smokers and that children of parents who smoke have increased frequency of respiratory symptoms and lower respiratory tract infections. The EPA scientific assessment builds on these reports and is based on a thorough review of all of the studies in the available literature.

Since 1986, the number of studies which examine these issues in human populations has more than doubled, resulting in a larger database with which to conduct a comprehensive assessment of the potential effects which passive smoking may have on the respiratory health of adults as well as children.

Because only a very small number of studies on the possible association between exposure to secondhand smoke and heart disease and other cancers existed in the scientific literature at the time this assessment was first undertaken, EPA has not conducted an assessment of the possible association of heart disease and passive smoking. EPA is considering whether such an assessment should be undertaken in the future, but has no plans to do so at this time.

Scientific Approach

EPA reached its conclusions concerning the potential for ETS to act as a human carcinogen based on an analysis of all of the available data, including more than 30 epidemiologic (human) studies looking specifically at passive smoking as well as information on active or direct smoking. In addition, EPA considered animal data, biological measurements of human uptake of tobacco smoke components and other available data. The conclusions were based on what is commonly known as the total "weight-of-evidence" rather than on any one study or type of study.

The finding that ETS should be classified as a Group A carcinogen is based on the conclusive evidence of the dose-related lung carcinogenicity of mainstream smoke in active smokers and the similarities of mainstream and sidestream smoke given off by the burning end of the cigarette. The finding is bolstered by the statistically significant exposure-related increase in lung cancer in nonsmoking spouses of smokers which is found in an analysis of more than 30 epidemiology studies that examined the association between secondhand smoke and lung cancer.

The weight-of-evidence analysis for the noncancer respiratory effects in children is based primarily on a review of more than 100 studies, including 50 recent epidemiology studies of children whose parents smoke.

Beyond the Risk Assessment

Although EPA does not have any regulatory authority for controlling ETS, the

Agency expects this report to be of value to other health professionals and policymakers in taking appropriate steps to minimize peoples' exposure to tobacco smoke in indoor environments.

In cooperation with other government agencies, EPA will carry out an education and outreach program over the next two years to inform the public and policy makers on what to do to reduce the health risks of ETS as well as other indoor air pollutants.

For Further Information

A limited number of copies of the complete report can be obtained free of charge from:

Center for Environmental Research
Information (CERI)
U.S. EPA
26 W. Martin Luther King Drive
Cincinnati, OH 45268
Telephone: 513-569-7562
Fax: 513-569-7566

Ordering Number: EPA/600/6-90/006F

or

U.S. Environmental Protection Agency
Indoor Air Quality Information
Clearinghouse (IAQ INFO)
P.O. Box 37133
Washington D.C. 20013-7133
Telephone: 1-800-438-4318
Fax: 301-588-3408

A number of government agencies can provide additional information addressing the health risks of environmental tobacco smoke. These include:

Office on Smoking and Health/Centers for
Disease Control
Center for Chronic Disease Prevention and
Health Promotion
Mail Stop K-50, 4770 Buford Highway
Atlanta, GA 30341

National Cancer Institute
Building 31, Room 10A24
Bethesda, MD 20892
1-800-4-CANCER

The National Heart, Lung, and Blood
Institute
Information Center
4733 Bethesda Avenue, Suite 530
Bethesda, MD 20814

National Institute for Occupational Safety
and Health
4676 Columbia Parkway
Cincinnati, Ohio 45226-1998
1-800-35-NIOSH

DATE 4 February 1993

SENATE COMMITTEE ON Local Government

BILLS BEING HEARD TODAY: SB 215 - Van Valkenburg
SB 221 - Klange

Name	Representing	Bill No.	Check One	
			Support	Oppose
Dorcas Ellison Ward	Habitat for Humanity	215	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Margaret LeBurgan	Habitat for Humanity	215	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Prissy Helbach	Habitat for Humanity	215	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kristy Byrnes	Habitat for Humanity	215	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Janet Oullette	Habitat for Humanity	215	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shirley Hale	Habitat for Humanity	215	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Hunt	Habitat for Humanity	215	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Kim BIRCK	Miss Air Pollution Adv Council	221	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Blenda Herzberg	Miss Air Pollution Adv Council	771	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gerry Brenner	Miss Air Pollution Adv Council	221	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kate Johnson	L+C City-County Health Dept	221	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomas Payne (PAYNE)	Habitat for Humanity	215	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jerome Anderson	Tobacco Institute	221	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Larry Fenster	L+C City-County Health Dept	221	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Belinda D. Bender	Miss Air Pollution Adv Council	215	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Jensen	MEIC	221	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE 4 February 1993

SENATE COMMITTEE ON Local Government

BILLS BEING HEARD TODAY: SB 215 - Van Valkenburg;
SB 221 Klumpke

Name	Representing	Bill No.	Check One	
			Support	Oppose
William E. Zeno Helena	Montana Dental Association	221	X	
Gordon Morris	M.A.C.			
Robert M. Shepard HLW	Myself + A.M.C.	221	X	
Bob DeBruin	ACS	221	X	
Jim Coulson	Missouri Co	221	X	
Alan English	" "	221	X	
Marian Lude	Bd. of Housing			
Kurt Henneford	ACS	221	X	
Annie Barts	American Lung Ass	221	X	
Judith Carlson	HRDCS	215	X	
Nancy Guggin	Mont. Bldg Industry Assoc.	215	X	
Paulette Korman	Mt Council Natl Ch Hh	221	✓	
Wes Hansen	Cities + Towns	215	✓	
John T. Laender	Mt. Med' Assoc	221	✓	
Dale Tolson	MDHES	221	✓	
John DeJano	Public Health	221		✓

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY