

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT

Call to Order: By Bob Pavlovich, on January 6, 1989, at
10:05 a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Paul Verdon and Sue Pennington

Announcements/Discussion: Andy Poole, acting Director of
the Department of Commerce introduced himself and
pledged the department's assistance.

HEARING ON HOUSE BILL 16

Presentation and Opening Statement by Sponsor: Jerry
Driscoll, District 92, stated that this bill was
intended to protect businesses from unintentional
violation of laws proscribing discrimination against
senior citizens and minors.

List of Testifying Proponents and What Group they Represent:

Anne MacIntyre, Helena, Human Rights Division

List of Testifying Opponents and What Group They Represent:

None

Testimony:

See the attached exhibit for Ms. MacIntyre's testimony.

Questions From Committee Members: There were questions from
Representatives Thomas, Kilpatrick, and Bachini which
Ms. MacIntyre answered. Rep. Thomas asked Rep.
Driscoll if he would object to changing the wording to
read "persons of all ages" rather than only senior
citizens 60 years or older and minor children. Rep.
Driscoll stated that he had no problems with this.

January 6, 1989

Closing by Sponsor: Rep. Driscoll reiterated what they wanted to do through this bill.

DISPOSITION OF HOUSE BILL 16

Discussion: None

Amendments and Votes: Rep. Thomas made a motion to amend HB 16 to make it apply to persons of all ages, the committee as a whole seconded the motion

Recommendation and Votes: The above amendment approved unanimously.

DISPOSITION OF HOUSE BILL 16

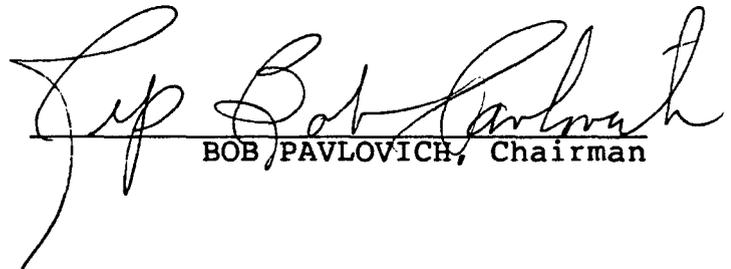
Discussion: Chairman Pavlovich referred HB 16 to a subcommittee consisting of Rep. Bachini, chairman, and Reps. Blotkamp and Wallin.

Amendments and Votes: None

Recommendations and Vote: None

ADJOURNMENT

Adjournment At: 10:15 a.m.


BOB PAVLOVICH, Chairman

BP/sp

0503.min

HB16

DAILY ROLL CALL

BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE

51th LEGISLATIVE SESSION -- 1989

Date 11/6/89

NAME	PRESENT	ABSENT	EXCUSED
PAVLOVICH, BOB	X		
DeMARS, GENE			
BACHINI, BOB			
BLOTKAMP, ROB			
HANSEN, STELLA JEAN			
JOHNSON, JOHN			
KILPATRICK, TOM			
McCORMICK, LLOYD "MAC"			
STEPPLER, DON			
GLASER, BILL			
KELLER, VERNON			
NELSON, THOMAS			
SIMON, BRUCE			
SMITH, CLYDE			
THOMAS, FRED			
WALLIN, NORM			
PAUL VERDON			

STANDING COMMITTEE REPORT

January 6, 1989

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Mr. Speaker: We, the committee on Business and Economic Development report that HB16 (first reading copy -- white) do pass as amended.

Signed: _____
Robert Pavlovich, Chairman

And that such amendments read:

1. Title, line 7.

Following: "PERSONS"

Strike: The remainder of line 7 and line 8 through "MINORS"

Insert: "OF ANY AGE"

2. Page 2, line 6.

Following: "individuals"

Strike: The remainder of line 6 through "minors"

Insert: "of any age"

1/6/89
Jaw 2:05 pm

Amendments to House Bill No. 16
First Reading Copy

For the Committee on Business and Economic Development

Prepared by Paul Verdon
January 6, 1989

1. Title, line 7.

Following: "PERSONS"

Strike: The remainder of line 7 and line 8 through "MINORS"

Insert: "OF ANY AGE"

2. Page 2, line 6.

Following: "individuals"

Strike: The remainder of line 6 through "minors"

Insert: "of any age"

Ann Mc Intyre
#1

EXHIBIT 1
DATE 1/6/89
HB 16

TESTIMONY IN SUPPORT OF HOUSE BILL 16
HOUSE BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE

Chairman Pavlovich, members of the House Business and Economic Development Committee:

The Human Rights Act, at section 49-2-304, MCA, prohibits discrimination by "public accommodations" based on a number of factors, including race, sex, age, handicap, and religion. The term "public accommodation" is a defined term in the Act and includes any "place which caters or offers its services, goods, or facilities to the general public subject only to the conditions and limitations established by law and applicable to all persons alike." The term includes restaurants, hotels, bars, barbershops, beauty parlors, theaters, swimming pools, transportation companies, and hospitals, as well as "all other public amusement and business establishments." § 49-2-101 (17), MCA.

The existing law makes the commonly accepted practice of offering discounts for senior citizens and children illegal. The purpose of House Bill 16 is to establish an exception to the general prohibition against discrimination based on age by public accommodations. Providing special benefits for our honored citizens and for children is not the type of invidious discrimination the civil rights laws were designed to prohibit. We should change our law to make sure that the good faith efforts of businesses to provide these special benefits are not illegal. Therefore, I request the committee recommend this bill do pass.

