

MINUTES

**MONTANA SENATE
52nd LEGISLATURE - REGULAR SESSION
COMMITTEE ON BUSINESS & INDUSTRY**

Call to Order: By Chairman J.D. Lynch, on January 17, 1991, at 10:00 a.m.

ROLL CALL

Members Present:

J.D. Lynch, Chairman (D)
John Jr. Kennedy, Vice Chairman (D)
Betty Bruski (D)
Eve Franklin (D)
Delwyn Gage (R)
Thomas Hager (R)
Jerry Noble (R)
Gene Thayer (R)
Bob Williams (D)

Members Excused: None

Staff Present: Bart Campbell (Legislative Council).

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

Announcements/Discussion: Senator Lynch announced that Senator Gage would not be able to attend today, they will carry on without him. If the bill looks like it is in trouble he would wait for Senator Gage. Senator Thayer will be carrying a bill to eliminate state stores altogether, and he indicated that he would like it to be held up. Senator Lynch continued to say that Senator Gage indicated that he would like the bill passed, he did not want it to be held up. So if the chief sponsor did not want it held up then he sees no reason for it to be.

HEARING ON EXECUTIVE ACTION FOR SB 60

Presentation and Opening Statement by Sponsor:

None

Proponents' Testimony:

None

Opponents' Testimony:

None

Questions From Committee Members:

None

Closing by Sponsor:

Senator Thayer motioned to have senate bill 60 tabled.

Senator Lynch commented that Senator Gage indicated that he didn't want the bill tabled, and asked Senator Thayer if he would allow Senator Gage to vote no on the motion to table.

Senator Thayer answered that he would allow Senator Gage to vote no. He went on to explain that he would have made a motion that it do not pass, but since Senator Gage was not present he made the motion to table it which would keep it alive. It has nothing to do with whether the bill he is carrying will pass or won't pass. He is opposed to the bill primarily because of the testimony we heard from Mr. Staples on support of the Montana Tavern Association that this has an affect on 60 small liquor stores in the area. They now enjoy that small amount of business on Sundays and state holidays. If you allow the agency liquor stores to stay open you're penalizing those small businesses. If three or more people will be benefitted buy 50 or 60 that are going to be put at a disadvantage, he supports the majority.

Senator Williams asked if Senator Thayer had any idea when his bill would be up.

Senator Thayer answered that he just saw the rough draft yesterday, and it should be presented early next week.

Senator Franklin commented that her concern of this in light of our current system assuming that privatization does not happen, might open up a box for stores 15 miles outside of "x" number national parks, what good cause for other people that consider themselves as recreational area to expect the same kind of special treatment.

Senator Lynch speaks against the motion to table for two reasons. He would rather up or down a bill rather than to just sit on it. Also, the consumer will benefit from this type of bill and that is who we are forgetting.

A roll call vote was taken to table SB 60 motioned by Senator Thayer. The motion failed 6 to 3 votes.

Senator Thayer moved that SB 60 do not pass.

Senator Williams made a substitute motion that SB 60 do pass.

A roll call vote was taken for SB 60 do pass. The motion to do pass failed 5 to 4 votes.

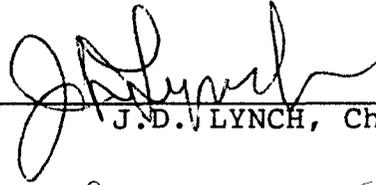
Senator Lynch commented that he was willing to wait until Senator Gage could attend to defend his own bill.

There were no objections.

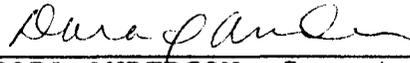
Executive action is scheduled for Friday, January 18, 1991 at 10:00 a.m.

ADJOURNMENT

Adjournment At: 10:15 a.m.



J.D. LYNCH, Chairman



DARA ANDERSON, Secretary

JL/da

ROLL CALL VOTE

SENATE COMMITTEE Business and Industry

Date 1/17/91 Bill No. SB 60 Time 10:00

| NAME | YES | NO |
|------------------|-----|----|
| Senator Bruski | X | |
| Senator Franklin | X | |
| Senator Gage | | X |
| Senator Hager | X | |
| Senator Noble | X | |
| Senator Thayer | X | |
| Senator Williams | X | |
| Senator Kennedy | X | |
| Senator Lynch | X | |
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Dara Anderson
Secretary

JD Lynch
Chairman

Motion: THAYER Do Not Pass SB60

ROLL CALL VOTE

SENATE COMMITTEE Business and Industry

Date 1/17/91 Bill No. SB 60 Time 10:00

| NAME | YES | NO |
|------------------|-----|----|
| Senator Bruski | X | |
| Senator Franklin | | X |
| Senator Gage | X | |
| Senator Hager | | X |
| Senator Noble | | X |
| Senator Thayer | | X |
| Senator Williams | X | |
| Senator Kennedy | | X |
| Senator Lynch | X | |
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Dara Anderson
Secretary

JD Lynch
Chairman

Motion: WILLIAMS
DO PASS

ROLL CALL VOTE

SENATE COMMITTEE Business and Industry

Date 1/17/91 Bill No. SB60 Time 10:00

| NAME | YES | NO |
|------------------|-----|----|
| Senator Bruski | | X |
| Senator Franklin | | X |
| Senator Gage | | X |
| Senator Hager | X | |
| Senator Noble | X | |
| Senator Thayer | X | |
| Senator Williams | | X |
| Senator Kennedy | | X |
| Senator Lynch | | X |
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Dara Anderson
Secretary

JD Lynch
Chairman

Motion: THAYER
MOTION TO TABLE - SB60