

MINUTES

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

Call to Order: By Chairman J.D. Lynch, on February 21, 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: None

HEARING ON SENATE BILL 380

Presentation and Opening Statement by Sponsor:

Senator Dave Rye, sponsor of the bill, stated that SB 380 will establish an insurance regulatory account which whom the state's special revenues fund based on the operations of the insurance department. This account would funded by fees currently paid by producers of the companies to the insurance department. Currently such fees are deposited into the general fund of the state. These fees amount to about one million three hundred fifty thousand dollars each year. This has no effect on premium tax collections, which we'd think would go to the general fund. The bill would also require an amount to be appropriated that is linked to the past year's actual expenses of the insurance department. The commissioner, by rule, would adjust the amount of fees so that they would approximate the amount that would be appropriated, and the unused amount would be carried forward to the next year and would be a factor in determining the fees. The purpose of this is to ensure that the department has

adequate, reliable funding to carry out the commissions.

Proponents' Testimony:

Dave Barnhill, deputy insurance commissioner representing Andy Bennett, state auditor and commissioner of insurance, spoke in favor of the bill (See Exhibit 1, Exhibit 1A, and Exhibit 1B).

Roger McGlenn, executive director of the independent insurance agents association of Montana, stated that in 1987 there was fees charged to the insurance agents and insurance companies to provide actuarial services requested either by the department or the legislature. There was one strong concern, if these fees were increased they would be appropriated and spent for the purpose that was intended. After 1987 a significant amount of those fees were not appropriated for the services that were outlined. There were not enough funds appropriated to find an actuary in the market place. Because of the lack of staffing and funding, combined with increased responsibilities, because of the changes in the market place and legislation, this problem has increased rather than declined over the years. The department is often forced into a crises management situation.

Larry Akey, representing the Montana association of life underwriters, stated that if we don't have adequate regulation and enforcement of insurance in this state, it hurts the agents of the state, and it hurts the insurance consumers of the state. Without adequate staffing and funding for the commissioner's office, it doesn't matter how good the laws are or the rules are. SB 380 is a way to ensure that the commissioner's office does have adequate staffing and funding to discharge the duties that this legislature has imposed upon them.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Hager asked about the fiscal note. It indicates that there is no money coming out of the general fund at the present time to fund the insurance companies.

Dave Barnhill stated that the fees collected are deposited into the general fund in the amount to about one million three thousand dollars.

Senator Lynch commented that the only opponents to this bill would be the members of the legislature.

Closing by Sponsor:

Senator Rye stated that this bill was requested by the commissioner of insurance who is also the state auditor.

Presentation and Opening Statement by Sponsor:

Senator Tom Beck, sponsor of the bill, stated that this bill was requested by the department of justice. This bill is to define what an automobile dealer is, it increases the bond on automobile dealers from five thousand to twenty five thousand, and it puts a license and control on automobile wholesalers or auto auctions.

Proponents' Testimony:

Daryll (Bud) Schoen, chief, registrar's bureau motor vehicle division department of justice, spoke in favor of the bill (See Exhibit 2).

Peter Funk, representing the attorney general's office, suggested a minor amendment to page 11 of the bill, the paragraph beginning on line 12 reading through line 23, which concerns off premises sales. The language as proposed in the bill would restrict those sales to a very limited area in which the dealer is licensed and operates. The recreational vehicle dealers of the state have a different situation than the car dealers in that they are licensed to operation in a larger geographical area than the sales of vehicles. The amendment would accept the RV dealers from the requirements from the sentence that begins on line 16, they would insert "except for off premise sales conducted by RV dealers". The other minor change is on the same lines 20-23, as proposed, the bill would restrict the off premisses sales to six consecutive business days, and no more than five off premises sales during the year. They would simply propose that both of those figures would be amended to ten.

Mark _____, a recreational dealer in Missoula, and representing the Montana management housing and RV association in Helena, stated that this is a good cleanup bill, and they support both the bill and the amendments proposed.

Steve Turkiewicz, executive vice president of the Montana auto dealers association, stated that they are in support of the bill and the amendments that have been proposed.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Kennedy asked if a dealer can be a wholesaler, and a wholesaler be a dealer.

Bud Schoen replied that a dealer can wholesale vehicles, a wholesaler has to become a licensed car dealer in order to legally sell vehicles.

Senator Williams asked how they got along before without this bill.

Bud Schoen replied that the primary purpose of the bill, the biggest problem that they are having with the wholesalers and auto auctions that are really not adequately licensed.

Senator Williams asked about page 11, the amendment is being made to satisfy the RV people. Why was it put in there to start with.

Bud Schoen replied that they thought that all dealers were more or less the same. RV dealers are unique in that they conduct a lot of their sales off premises.

Senator Hager asked about the bond being raised from five thousand to twenty five thousand, have they thought of making a sliding bond based on the load of business.

Bud Schoen replied that they haven't, but something could be considered.

Senator Gage asked how many bonds are called on in a year.

Bud Schoen replied no more than three or four a year.

Closing by Sponsor:

Senator Tom Beck stated that he isn't sure why there was such a hold up on this bill. There is some good things in this bill that are really needed by not only auto dealers, but by the department of justice and the motor vehicle division. Senator Hager had a good idea on the volume of business.

HEARING ON SENATE BILL 360

Presentation and Opening Statement by Sponsor:

Senator Del Gage, sponsor of the bill, stated that this bill is regarding confidentiality of information of pere review. If there is information at those reviews that could be obtained outside of those reviews, those would not be subject to confidentiality.

Proponents' Testimony:

David Johnson, a CPA in Helena and also the chairman of the legislative committee of the Montana society of CPA's serving on the pier review committee in the American institute of CPA's. The pere review process which started in 1979 was voluntary for a number of years, now it is a mandatory process. The purpose of this law is to ensure that candid communications take place between the firm being interviewed and the review team. The passage of this law would facilitate this.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Thayer asked if this relieves CPA's or accountants

from liability, is it only if they are serving on a non profit board.

Senator Gage replied yes.

Senator Thayer asked Senator Gage to explain a review panel.

Senator Gage stated that periodically they will call people in because of complaints they have had for instance or maybe just as a part of a review process. To question them of some activities that they have been involved with.

Closing by Sponsor:

Senator Gage closed.

HEARING ON SENATE BILL 387

Presentation and Opening Statement by Sponsor:

Senator Gene Thayer, sponsor of the bill, stated the language on line twenty, line nine of page two of the bill, the intent was to get the renter and the leaser together before they terminate the lease, so they don't find out later that they don't get their deposit back or a very small portion of it back. He has agreed that which would have been his major amendment for the reason that their fear would be that within that forty eight hours, that person could trash that apartment. The stricken language on page two, lines 15-22 that is existing law, the bill drafter struck that, and now we need to reinstate that. The last line of that where it says the tenant has forty eight hours to complete the cleaning, the problem with that is if most leases terminate at the end of the month. If someone was knowledgeable of the law, and they take an extra two days to clean the apartment, and that's two days that these people don't have to rent the apartment. They would loose rental days. He suggested that we reinstate all of the language on line 15-22 except that last line.

Proponents' Testimony:

Tom Hopgood, representing the Montana association of realtors, stated that they are in support of the bill and the only thing that they objected to was the forty eight hour notice.

Ronda Carpenter, president of income property owners and managers, inc., stated that they support the bill as amended. Forty eight hours was a problem, and Senator Thayer has agreed to change that for them, so they support the bill.

Larry Witt, representing the Montana landlord's association, stated that they support the bill as amended.

Martin Wilke, a representing Montana landlords, stated he supports the bill as amended.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Williams asked if Senator Thayer wanted an immediate effective date.

Senator Thayer replied that he would like an immediate effective date of July 1, 1991, since school would start in August.

Closing by Sponsor:

Senator Thayer closed.

EXECUTIVE ACTION ON SENATE BILL 387

Motion:

Senator Thayer moved to amend SB 387.

Senator Noble moved to do pass SB 387 as amended.

Discussion:

None

Amendments, Discussion, and Votes:

The amendments to SB 387 passed unanimously.

Recommendation and Vote:

SB 387 do passed unanimously with amendments.

EXECUTIVE ACTION ON SENATE BILL 360

Motion:

Senator Gage moved that SB 360 do pass.

Discussion:

None

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

SB 360 do passed unanimously.

EXECUTIVE ACTION ON SENATE BILL 323

Motion:

Senator Kennedy moved to amend SB 323.
Senator Thayer moved to do pass SB 323 as amended.

Discussion:

None

Amendments, Discussion, and Votes:

The amendments to SB 323 passed unanimously.

Recommendation and Vote:

SB 323 passed with amendments by 8 to 1 votes.

EXECUTIVE ACTION ON SENATE BILL 380

Motion:

Senator Noble moved that SB 380 do not pass.

Discussion:

Senator Hager mentioned that the fiscal note states that there is a thirteen one point three million hit on the general fund, because there is nine hundred thousand dollars coming out of the general fund, so there is actually four hundred thousand dollars coming out of there.

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

The motion to do not pass SB 380 passed 8 to 1 votes.

EXECUTIVE ACTION ON SENATE BILL 47

Motion:

Senator Gage moved to table SB 47.

Discussion:

Senator Gage stated that SB 47 was going to be put into the code commissioner's bill, the council decided it was more substantive to be put in there.

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

The motion to table SB 47 passed unanimously.

EXECUTIVE ACTION ON SENATE BILL 363

Motion:

Senator Thayer moved to amend SB 363.

Senator Thayer moved to do pass SB 363 as amended.

Discussion:

None

Amendments, Discussion, and Votes:

Senator Thayer was afraid that on line 25 of page 1 of the bill, when you strike "of the day that the meet is conducted" that somebody on the floor might think that there was some mischief that was intended.

Bart Campbell stated that it would now read that a person licensed under this chapter to hold a race meet may simulcast live races at a place in the race meet rounds. It is to clarify that they are not going to be showing races that have been run days before.

The motion to amend SB 363 passed unanimously.

Recommendation and Vote:

The motion to do pass SB 363 with amendments passed unanimously.

EXECUTIVE ACTION ON SENATE BILL 258

Motion:

Senator Gage moved to table SB 258.

Discussion:

Senator Lynch stated that tabling SB 258 they could amend

the same provisions on Representative Wallin's bill 209.

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

The motion to table SB 258 passed unanimously.

EXECUTIVE ACTION ON SENATE BILL 324

Motion:

Senator Franklin moved that SB 324 do pass.
Senator Franklin withdrew her motion.

Discussion:

Senator Noble stated that he has had two small rental firms in Great Falls call him in regards to this bill, and say that if this bill passes they will have to shut down their businesses.

Senator Williams asked that Senator Franklin withdraw her motion because he has been trying to get ahold of someone from national that testified.

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

None

EXECUTIVE ACTION ON SB 361

Motion:

Senator Thayer moved to do pass SB 361.

Senator Thayer withdrew his motion to do pass SB 361.

Senator Thayer moved to amend the language starting on line sixteen of page nine through the following section on line twenty four at page ten be stricken.

Senator Noble moved to amend SB 361 by striking section eighteen.

Senator Franklin moved to do pass SB 361 as amended.

Discussion:

Senator Thayer stated that the bill includes airport authorities and entities.

Senator Lynch spoke against the motion, because when you start taking away people's rights retroactively, and he's concerned about the people who have older home. The bill says this on section eighteen.

Senator Thayer stated that when he was on a city commission, and when this whole issue came up back in the start of all the heavy litigation that was going on all over, the city government was extremely concerned because they were having difficulty in getting liability insurance because cities all over the country were getting sued indiscriminately and because the city owns the airport but it is being managed by an airport authority, they did establish a corridor. That doesn't matter, it was not a matter that you were there before, or you come in and build in that corridor since then, that corridor is already exempt. This bill goes a little beyond that.

Amendments, Discussion, and Votes:

Senator Lynch stated that if the new section eighteen was stricken, he would vote for the bill.

Senator Gage stated that the language on page nine the first two sentences, 16-24 stricken.

The motion to amend SB 361 passed unanimously.

The motion to amend SB 361 by striking section eighteen passed by a 8 to 1 vote.

Recommendation and Vote:

The motion to do pass SB 361 passed unanimously.

ADJOURNMENT

Adjournment At: 11:40 a.m.



J.D. LYNCH, Chairman



DARA ANDERSON, Secretary

JDL/dia

ROLL CALL

B&I COMMITTEE

DATE 2/21/91

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
BRUSKI	X		
FRANKLIN	X		
GAGE	X		
NOBLE	X		
HAGER	X		
THAYER	X		
WILLIAMS	X		
KENNEDY	X		
LYNCH	X		

Each day attach to minutes.

Senate Bill 380
Senate Business and Industry Committee
February 21, 1991
David Barnhill, Deputy Insurance Commissioner
Montana Insurance Department

Good morning. For the record, my name is David Barnhill. I am the Deputy Insurance Commissioner. I am here today representing Andrea "Andy" Bennett, State Auditor and Commissioner of Insurance in support of SB 380.

The Insurance Department performs several functions. It collects premium taxes, audits the financial statements of admitted carriers to assure solvency, admits new carriers, licenses individuals and companies, answers consumer questions, resolves consumer complaints, prosecutes a variety of legal actions, and collects fees. The figures that show the extent of these activities are on a fact sheet I have distributed to you. These activities are typical of state insurance departments nationwide.

In 1988, the National Association of Professional Insurance Agents, in conjunction with the Consumer Insurance Interest Group, surveyed 47 insurance departments, including Montana. This survey concluded that the effectiveness of state regulation has increased in the past 10 years, but the advances lag behind the rising level of sophistication of the insurance industry and the increasing needs of insurance consumers.

Chief among the recommendations was that state governments adopt a specific ratio that insurance departments be funded at an amount equal to 10% of premium taxes collected.

The report is the inspiration for this bill. In 1990, the insurance department collected approximately \$25 million in premium taxes. Applying the formula described in the report translates into funding the Montana Insurance Department at \$2.5 million. The entire budget of the department is \$966,000.00, about 39% of the recommended amount.

According to the National Association of Insurance Commissioners, the Montana Insurance Department's budget is the third lowest of all reporting states. Exhibit "A", captioned "Budget and Funding", contains a breakdown of insurance department resources and budget ranking. Montana is in the national average in the number of licensed companies it regulates. It does, however, regulate more licensed insurance producers than its neighboring states with the exception of Idaho. This is demonstrated by Exhibit "B", captioned "Domestic Companies As Of December 31, 1989". Montana also handles more complaints than our neighboring states, with the exception of Idaho, though we're close to Idaho in numbers. You can see the complaint breakdown in Exhibit "C", captioned "Consumer Complaints". All of these exhibits are derived from an NAIC publication entitled "State Insurance Department Resources Report". This report is released annually by the NAIC. The exhibits I have distributed today are from the latest report which contains data reported for the 1989 calendar year.

This bill is a good idea. The duties of the Montana Insurance Department fluctuate with new legislation and the need for appropriate regulation. Legislation is often introduced and enacted without regard to the fiscal impact on this office. In terms of the ever-changing and increasing breadth of insurance in offering new products and the need to closely regulate for solvency concerns, this bill makes good sense. It also contains an important safeguard: if the Commissioner were to go overboard with pricing of fees, you can be sure that she would be voted out and I would be out of a job, too.

This bill provides a flexible approach to funding the Montana Insurance Department at a level designed to match the costs of services with the amount of fees collected. Thank you for your time and I urge your support of SB 380.

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	1990 BUDGET*	1991 BUDGET*	FUNDING:		PERCENT OF BUDGET FROM:	
			DEDICATED	QUASI-DEDICATED	FEES AND ASSESSMENTS	GENERAL FUND
ALABAMA	\$3,194,419 a	\$3,447,042 ab	NO	NO	34%	66%
ALASKA	\$1,956,400	\$2,654,800	NO	YES	100%	—
ARIZONA	\$2,717,600	\$3,182,500	NO	YES	—	100%
ARKANSAS	\$2,984,717	\$2,990,609	NO	NO	—	100%
CALIFORNIA	\$60,422,000	\$66,576,000	YES	NO	100%	—
COLORADO	\$3,056,500	\$3,313,000	NO	NO	10%	90%
CONNECTICUT	\$4,260,059	\$3,949,746	NO	NO	—	100%
DELAWARE	\$2,690,800	\$2,768,400	YES	—	71%	29%
DISTRICT OF COLUMBIA	\$2,061,000	\$2,070,000	NO	NO	—	100%
FLORIDA	\$39,037,189	\$40,674,224	YES	NO	100%	0%
GEORGIA	\$6,279,804	\$6,815,245	NO	NO	—	100%
GUAM	\$273,596	N/A	NO	NO	—	100%
HAWAII	\$1,931,724	N/A	NO	NO	—	100%
IDAHO	\$3,154,200	\$3,552,300	YES	NO	100%	0%
ILLINOIS	\$13,211,800	\$14,726,000	YES	NO	63%	37%
INDIANA	\$3,298,346	\$3,309,158	NO	NO	—	100%
IOWA	\$4,185,645	\$4,472,396	YES	NO	100%	—
KANSAS	\$4,487,539	\$4,641,593	NO	NO	—	100%
KENTUCKY	\$5,295,600	\$5,748,700	YES	YES c	100%	0%
LOUISIANA	\$5,689,000	\$6,013,994	NO	YES	100%	—
MAINE	\$3,121,772	\$3,380,079	YES	NO	100%	0%
MARYLAND	\$7,515,330	\$8,786,709	NO	NO	—	100%
MASSACHUSETTS	\$5,919,236	\$6,154,395	NO	NO	—	100%
MICHIGAN	\$6,705,800	N/A	NO	YES	59%	41%
MINNESOTA	\$4,262,000	\$4,367,000	NO	NO	—	100%
MISSISSIPPI	\$2,600,000	\$3,001,818	NO	YES	67%	33%
MISSOURI	\$2,105,540	N/A	NO	NO	7%	92%
MONTANA	\$969,908	\$902,243	NO	YES	—	100%
NEBRASKA	\$3,485,195	\$4,027,800	YES	NO	100%	0%
NEVADA	\$6,165,575	\$6,561,831	YES e	NO	80%	20%
NEW HAMPSHIRE	\$1,885,945	\$2,052,631	YES	NO	100%	0%
NEW JERSEY	\$12,087,000	\$12,245,000	YES	NO	36%	64%
NEW MEXICO	\$2,296,800	\$2,437,200	NO	YES	—	100%
NEW YORK	\$54,209,900 j	\$59,032,140	NO	YES	100% ^f	0%
NORTH CAROLINA	\$18,738,947	\$18,874,394	NO	YES	32%	68%
NORTH DAKOTA	\$853,750	\$853,750	NO	YES	100%	0%
OHIO	\$11,774,432	\$12,437,210	YES	NO	100%	0%
OKLAHOMA	\$4,286,391	\$4,286,391	NO	YES	40%	60%
OREGON	\$4,606,209 g	\$4,606,208 g	YES	NO	100%	0%
PENNSYLVANIA	\$11,274,000	\$11,414,000	NO	NO	—	100%
PUERTO RICO	\$2,113,559	\$2,237,398	NO	YES	30%	70%
RHODE ISLAND	\$1,962,909	\$1,932,035	NO	NO	33%	67%
SOUTH CAROLINA	\$5,451,409	\$5,440,207 h	NO	NO	—	100%
SOUTH DAKOTA	\$748,923	\$752,322	NO	YES	100%	0%
TENNESSEE	\$3,655,417	\$4,672,400	NO	YES	38%	62%
TEXAS	\$50,674,387 i	\$51,246,939 i	YES	NO	100%	0%
UTAH	\$2,036,200	\$2,007,400	NO	NO	—	100%
VERMONT	\$1,489,458 c	\$1,450,000 c	YES c	NO	100%	0%
VIRGINIA	\$8,896,362	\$10,380,150	YES	NO	100%	0%
VIRGIN ISLANDS	\$720,000	\$800,000	YES	NO	—	45%
WASHINGTON	\$6,189,133	\$6,449,410	YES	NO	100%	0%
WEST VIRGINIA	\$1,697,540	\$1,697,540	YES	NO	100%	0%
WISCONSIN	\$4,945,600	\$4,803,500	YES	NO	90%	10%
WYOMING	\$1,006,622	\$1,257,354	NO	NO	100%	0%
TOTAL	\$426,639,187	\$441,453,161	21	15		
AVERAGE	\$7,900,726	\$8,829,063			78%	51%

* Unless otherwise specified, reflects fiscal year: 1990= July 1, 1969 to June 30, 1990; 1991= July 1, 1990 to June 30, 1991.

a Fiscal year runs 10/1 to 9/30.

b Prepared before appropriation received for 7.5% increase.

c Maximum carry overs established.

d 1% from federal.

1989 INSURANCE DEPARTMENT SURVEY

1991 BUDGET
(DESCENDING ORDER)

CALIFORNIA	\$66,576,000
NEW YORK	\$59,032,140
TEXAS	\$51,246,939
FLORIDA	\$40,674,224
NORTH CAROLINA	\$18,874,394
ILLINOIS	\$14,726,000
OHIO	\$12,437,210
NEW JERSEY	\$12,245,000
PENNSYLVANIA	\$11,414,000
VIRGINIA	\$10,380,150
MARYLAND	\$8,786,709
GEORGIA	\$6,815,245
NEVADA	\$6,561,831
WASHINGTON	\$6,449,410
MASSACHUSETTS	\$6,154,395
LOUISIANA	\$6,013,994
KENTUCKY	\$5,748,700
SOUTH CAROLINA	\$5,440,207
WISCONSIN	\$4,803,500
TENNESSEE	\$4,672,400
KANSAS	\$4,641,593
OREGON	\$4,606,208
IOWA	\$4,472,396
MINNESOTA	\$4,367,000
OKLAHOMA	\$4,286,391
NEBRASKA	\$4,027,800
CONNECTICUT	\$3,949,746
IDAHO	\$3,552,300
ALABAMA	\$3,447,042
MAINE	\$3,380,079
COLORADO	\$3,313,000
INDIANA	\$3,309,158
ARIZONA	\$3,182,500
MISSISSIPPI	\$3,001,818
ARKANSAS	\$2,990,609
DELAWARE	\$2,768,400
ALASKA	\$2,654,800
NEW MEXICO	\$2,437,200
PUERTO RICO	\$2,237,398
DISTRICT OF COLUMBIA	\$2,070,000
NEW HAMPSHIRE	\$2,052,631
UTAH	\$2,007,400
RHODE ISLAND	\$1,932,035
WEST VIRGINIA	\$1,697,540
VERMONT	\$1,450,000
WYOMING	\$1,257,354
MONTANA	\$902,243
NORTH DAKOTA	\$853,750
VIRGIN ISLANDS	\$800,000
SOUTH DAKOTA	\$752,322
MISSOURI	N/A
MICHIGAN	N/A
HAWAII	N/A
GUAM	N/A
TOTAL	\$441,453,161
AVERAGE	\$8,829,063

Oregon operates on a biennium budget;
figure reflects 50% of 1989-91 budget.

1989 NAIC INSURANCE DEPARTMENT SURVEY

DOMESTIC COMPANIES
AS OF DECEMBER 31, 1989

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	TOTAL	L/H	P/C	HMO	FRAT.	OTHER
ALABAMA	99	44	33	10	5	7
ALASKA	14	1	10	0	0	3
ARIZONA	894	806 a	41	15	0	32
ARKANSAS	90	52	15	7	0	16
CALIFORNIA	260	56	169	—	8	27
COLORADO	293	27	28	15	4	219
CONNECTICUT	137	49	66	12	2	8
DELAWARE	193	76	104	7	0	6
DISTRICT OF COLUMBIA	32	7	14	5	4	2
FLORIDA	182	54	120	—	0	8
GEORGIA	131	33	51	13	13	21
GUAM	4	—	2	—	—	2
HAWAII	37	6	14	0	0	17
IDAHO	34	4	12	1	0	17
ILLINOIS	445	90	284	25	25	21
INDIANA	186	56	68	—	3	59
IOWA	243	38	70	6	1	128
KANSAS	70	18	37	8	0	7
KENTUCKY	71	15	19	8	0	29
LOUISIANA	229	102	51	13	7	56
MAINE	33	5	12	4	0	12
MARYLAND	96	19	44	12	0	21
MASSACHUSETTS	99	19	51	20	3	6
MICHIGAN	146	31	58	39	3	15
MINNESOTA	220	27	58	—	8	127
MISSISSIPPI	65	49	15	—	—	1
MISSOURI	220	53	72	16	2	77
MONTANA	21	5	4	0	0	12
NEBRASKA	150	33	43	6	2	66
NEVADA	18	4	5	2	0	7
NEW HAMPSHIRE	43	3	36	2	2	—
NEW JERSEY	115	14	67	21	5	8
NEW MEXICO	34	6	15	7	0	6
NEW YORK	364	90	205	30	8	31
NORTH CAROLINA	112	25	37	13	0	37
NORTH DAKOTA	62	11	15	2	0	34
OHIO	278	46	103	31	14	84
OKLAHOMA	136	53	55	6	0	22
OREGON	89	8	15	11	1	54
PENNSYLVANIA	347	62	201	21	35	28
PUERTO RICO	68	12	27	27	—	2
RHODE ISLAND	39	9	22	4	1	3
SOUTH CAROLINA	63	23	32	6	0	2
SOUTH DAKOTA	60	6	17	1	1	35
TENNESSEE	103	27	18	11	1	46
TEXAS	745	416	274	36	12	7
UTAH	58	28	15	11	0	4
VERMONT	188	7	17	—	—	164
VIRGINIA	99	16	13	11	0	59
VIRGIN ISLANDS	7	—	5	—	2	—
WASHINGTON	94	21	23	46	2	2
WEST VIRGINIA	23	2	4	1	0	16
WISCONSIN	304	31	90	25	11	147
WYOMING	9	3	4	0	0	2
TOTAL	8,152	2,698	2,880	567	185	1,822
AVERAGE	151	52	53	12	4	35

a Figure includes 694 Domestic Life/Disability Reinsurers

1989 NAIC INSURANCE DEPARTMENT SURVEY

LICENSED FOREIGN COMPANIES
AS OF DECEMBER 31, 1989

	TOTAL	L/W	P/C	OTHER
ALABAMA	1,255	650	570	35
ALASKA	1,038	522	496	20
ARIZONA	1,618	794	758	66
ARKANSAS	1,346	693	653	—
CALIFORNIA	1,021	—	—	—
COLORADO	1,498	748	677	73
CONNECTICUT	870	388	406	76
DELAWARE	1,198	587	553	58
DISTRICT OF COLUMBIA	1,258	614	594	50
FLORIDA	1,792	767	961	64
GEORGIA	1,420	658	735	27
GUAM	87	52	32	3
HAWAII	785	459	326	0
IDAHO	1,404	671	651	82
ILLINOIS	1,346	658	613	75
INDIANA	1,582	799	735	48
IOWA	1,341	607	653	81
KANSAS	1,400	671	691	38
KENTUCKY	1,342	644	674	24
LOUISIANA	1,577	831	700	46
MAINE	742	342	394	6
MARYLAND	1,397	594	635	168
MASSACHUSETTS	—	—	—	—
MICHIGAN	1,346	612	642	92
MINNESOTA	1,146	518	575	53
MISSISSIPPI	1,500	800	700	—
MISSOURI	1,423	718	639	66
MONTANA	1,354	693	633	28
NEBRASKA	1,429	705	680	44
NEVADA	1,367	603	525	239
NEW HAMPSHIRE	750	321	407	22
NEW JERSEY	947	382	466	99
NEW MEXICO	1,482	772	674	36
NEW YORK	538	62	406	70
NORTH CAROLINA	1,067	543	477	47
NORTH DAKOTA	1,286	628	618	40
OHIO	1,311	601	614	96
OKLAHOMA	1,498	737	674	87
OREGON	1,427	706	631	90
PENNSYLVANIA	1,141	511	553	77
PUERTO RICO	166	112	27	27
RHODE ISLAND	908	419	452	37
SOUTH CAROLINA	1,330	672	620	38
SOUTH DAKOTA	1,355	660	668	27
TENNESSEE	1,398	709	637	52
TEXAS	1,500	730	725	45
UTAH	1,433	750	619	64
VERMONT	791	372	404	15
VIRGINIA	1,312	631	618	63
VIRGIN ISLANDS	177	102	65	10
WASHINGTON	1,258	649	600	9
WEST VIRGINIA	1,263	614	517	132
WISCONSIN	1,275	529	630	116
WYOMING	1,103	575	457	71
AVERAGE	1,200	580	567	59

1989 NAIC INSURANCE DEPARTMENT SURVEY

CONSUMER COMPLAINTS

	TOTAL	REQUIRE WRITTEN COMPLAINTS	REQUIRE STANDARDIZED FORM	USE NAIC FORM	HAVE CONSUMER HOTLINE OR TOLL-FREE NUMBER
ALABAMA	4,423	YES	NO	NO	NO
ALASKA	390	YES	YES	—	NO
ARIZONA	8,675	YES	NO	NO	YES
ARKANSAS	4,776	YES	YES	YES	a NO
CALIFORNIA	40,433	YES	YES	NO	YES
COLORADO	9,367	NO	—	YES	NO
CONNECTICUT	57,638	NO	NO	NO	YES
DELAWARE	—	NO	—	—	YES
DISTRICT OF COLUMBIA	26,901	YES	NO	NO	NO
FLORIDA	52,147	YES	YES	NO	YES
GEORGIA	117,621	NO	—	NO	YES
GUAM	5	YES	YES	NO	NO
HAWAII	750	YES	YES	NO	YES
IDAHO	1,948	YES	NO	YES	NO
ILLINOIS	12,096 c	YES	NO	YES	NO
INDIANA	4,372	YES	NO	NO	YES
IOWA	5,000	YES	NO	YES	NO
KANSAS	8,852	YES	NO	YES	a YES
KENTUCKY	5,671	YES	NO	NO	NO
LOUISIANA	7,900	YES	YES	NO	NO
MAINE	1,962	YES	YES	—	—
MARYLAND	23,537	YES	YES	YES	YES
MASSACHUSETTS	9,396	YES	YES	YES	YES
MICHIGAN	7,940	YES	NO	NO	NO
MINNESOTA	8,483	YES	NO	NO	YES
MISSISSIPPI	15,000	YES	NO	YES	NO
MISSOURI	7,880	NO	NO	NO	NO
MONTANA	1,908	YES	NO	YES	a YES
NEBRASKA	3,848	YES	YES	YES	NO
NEVADA	2,932	YES	YES	YES	YES
NEW HAMPSHIRE	1,587	YES	NO	NO	YES
NEW JERSEY	15,024	YES	YES	YES	NO
NEW MEXICO	2,745	YES	NO	NO	NO
NEW YORK	35,000	YES	NO	NO	YES
NORTH CAROLINA	35,003	YES	YES	NO	YES
NORTH DAKOTA	1,225	YES	YES	NO	YES
OHIO	12,517	YES	NO	NO	YES
OKLAHOMA	79,927	NO	—	—	YES
OREGON	5,790	YES	NO	NO	NO
PENNSYLVANIA	31,761	YES	NO	NO	NO
PUERTO RICO	757	YES	NO	—	NO
RHODE ISLAND	1,200	YES	NO	NO	NO
SOUTH CAROLINA	5,289	YES	NO	NO	YES
SOUTH DAKOTA	1,510	YES	NO	YES	NO
TENNESSEE	2,679	YES	YES	NO	YES
TEXAS	26,000	YES	YES	NO	YES
UTAH	1,289	YES	NO	YES	a NO
VERMONT	1,711	YES	YES	NO	NO
VIRGINIA	10,149	YES	NO	NO	YES
VIRGIN ISLANDS	700	NO	NO	NO	NO
WASHINGTON	8,161	NO	NO	NO	YES
WEST VIRGINIA	1,806	YES	NO	YES	YES
WISCONSIN	9,251	YES	NO	NO	YES
WYOMING	757	YES	NO	YES	NO
TOTAL	743,689	46	17	17	27
AVERAGE	14,168				

a Modified version of NAIC form.

b Effective July 1990.

c Written complaints only.

SENATE BILL 323 - STATEMENT

Prepared by: Daryll E. (Bud) Schoen, Chief
Registrar's Bureau
Motor Vehicle Division
Department of Justice

Date: February 20, 1991

Section 1. Page 2, Lines 13 through 19 - A person would be required to obtain a dealers license if they allowed more than three vehicles, not titled in their name, to be displayed and offered for sale on their property, unless the property was leased to a licensed dealer.
(Reduce unlicensed sales on vacant lots.)

Section 2. Page 3, Lines 8 through 23 - Cleans up language and provides for the licensing of wholesalers.

Page 3, Lines 24 and 25 and Page 4, Lines 1 through 7 - Provides that a person may not sell more than three motor vehicles per year that are not titled in the seller's name without being licensed as a motor vehicle dealer or as a wholesaler. Also, licensed wholesalers are restricted to the use of demonstrator plates and shall not be issued dealer plates.

Page 4, Lines 10 through 12 - Authorizes a representative of the department of justice to verify information contained in a dealer or wholesaler license application. Under the current statutes only the highway patrol can verify this information.

Page 6, Lines 3 and 4 - Provides for the use of "RV" plates for recreational vehicle dealers. "RV" dealers were authorized in 1985 but the statute was not amended to include the use of "RV" plates.

Section 2. Page 6, Lines 7 and 8 - Authorizes the use of demonstrator plates by licensed wholesalers.

Page 6, Lines 15 through 23 - Requires a motor vehicle dealer to have a lot where vehicles are displayed and a building where records are kept. A wholesaler is not required to have a lot but must have a non-residential building or office where records are kept.

Page 7, Lines 7 through 14 - If two or more dealers or wholesalers share a location their records, office facilities and inventory must be kept separated. Each must display a sign readable from a minimum distance of 150 feet.

Page 8, Lines 1 through 11 - Increases the amount of a dealer bond from \$5,000 to \$25,000 for new vehicle dealers, used vehicle dealers and recreational vehicle dealers. The \$25,000 bond also applies to trailer dealers who sell special mobile equipment, commercial trailers exceeding 6,000 GVW, mobile homes and house trailers. Trailer dealers who sell trailers not exceeding 6,000 GVW and motorcycle dealers shall file a bond in the amount of \$10,000. Wholesalers of the same types of vehicles are also subject to the respective bond amounts.

Page 8, Subsection (b) beginning on Line 16 - Under current statutes a bond claimant who obtained a judgement against a dealer would collect the judgement from the state and the state would have to collect on the bond. The new language would enable the bond claimant to collect directly from the bonding company.

Section 3. Page 9, Line 14 through 16 - Added language that the department may refuse to issue a dealer or wholesaler license as allowed by law. Under current statutes it is questionable if the department can refuse a license even though an applicant may have been convicted of a previous motor vehicle related crime.

Section 3. Page 10, Lines 11 through 25 - New language provides for the issuance of demonstrator plates to wholesalers which shall be distinguished from dealer demonstrator plates; and a license fee of \$30 for wholesalers.

Page 11, Lines 12 through 23 - The new language allows a dealer to conduct off-premise sales 5 times a year by giving the department a 10-day notice. Sales are limited to 6 consecutive days. Current statutes do not allow off-premise sales.

Page 11, Beginning on Line 24 - New language in subsection (5) will require a new applicant for a wholesaler's license to pay \$300 in addition to the license fee of \$30. If the wholesaler has not sold more than 5 vehicles during the preceding year the \$300 must be paid again to renew the wholesaler license.

Section 4. Page 15, Lines 5 and 6 - A wholesaler may sell vehicles only to licensed dealers. They cannot conduct retail sales.

Page 15, Line 25 and Page 16, Lines 1 through 4 - Wholesaler demonstrator plates shall be clearly marked to separate them from dealer plates.

Page 17, Lines 4 through 8 - Provides for clear violations of the dealer licensing laws which would be cause for revocation of a dealer or wholesaler license.

Section 5. Page 18, Lines 15 through 24 - When a dealer or a wholesaler receives a title from a customer the name of the dealer or wholesaler must be entered in the purchaser's section of the assignment. When the dealer or wholesaler sells a vehicle, their customer's name must be entered in the assignment section of the title. All records must be kept on file in the building at the location where the dealer or wholesaler is licensed.

Section 6. Page 19, Beginning on Line 4 - Adds wholesalers and auto auctions to the penalty provisions for violations of the sections covering applications for a license, applying for and the use of dealer/demonstrator plates and keeping records.

Section 7. Page 20, Beginning on Line 1 - Adds wholesalers as a licensee required to file a change of ownership with the department.

Section 8. Page 20, Lines 20 through 25 - Increases the penalty for dealer permit violations and failure to provide titling documents from a minimum of \$25 to \$250 and a maximum from \$100 to \$500.

Section 9. Page 21, Beginning on Line 1 - Defines a wholesaler. A wholesaler may sell only to dealers and auto auctions.

Section 10. Page 21, Beginning on Line 10 - General regulations providing for the licensing of auto auctions and restricting sales to licensed dealers, wholesalers and wrecking facilities. Licensing procedures and regulations governing the conduct of the business are similar to those required of motor vehicle dealers. Notable exceptions are as follows:

Page 22, Beginning on Line 13 - An auto auction may offer for sale all types of vehicles. They may offer new vehicles for sale only when authorized by a manufacturer, importer or distributor who holds a Montana Manufacturer's License. New vehicles may be sold only to new motor vehicle dealers who may purchase only the line-makes for which they are franchised.

Section 10. Page 23, Line 7 - An auto auction must provide a bond in the amount of \$25,000.

Page 23, Line 17 through 19 - A first-time applicant must pay a \$500 fee. The license renewal fee is \$100.

Page 24, Line 1 through 19 - Auto auctions may issue 72-hour permits to buyers for the purpose of transporting vehicles to a point of destination. A \$10 fee must be paid to the department for each permit and the auto auction may recover the cost from the buyer.

Page 24, Beginning on Line 20 - Special license plates may be issued to auto auctions to transport vehicles to and from their place of business. The plates may be used for road testing, repairing and refurbishing. The license plates may be assigned to facilities with whom the auto auction contracts to service and repair vehicles consigned to the auction. The auto auction must report to the department the persons authorized to use the plates. The plates may not be used for personal purposes. The department may revoke an auto auction's permit and plate privileges for violation of this section.

Page 26, Beginning on Line 16 and ending on Page 27, Line 10 - An auto auction is not considered as an owner in the chain of ownership. They shall show their involvement in the sale by stamping their name and license number in the assignment section executed by the selling and buying dealer. If there is no place available for the stamp, a copy of the auction invoice may be attached to the title.

Page 27, Line 11 through 25 - The provisions for record retention are those mandated by the federal government.

Section 11. Lines 6 through 9 - A dealer who issues more than one permit per vehicle sale may have the permit privileges revoked for a period of time determined by the department.

Section 12. Page 28, Line 10 through 15 - Code Commissioner instructions to add "wholesalers" to relevant sections.

Section 13. Codification instructions.

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB380 Time 10:00

NAME	YES	NO
WILLIAMS	X	
THAYER		X
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D ANDERSON
Secretary

JD LYNCH
Chairman

Noble Motion: DO NOT PASS

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB323 Time 10:00

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D. ANDERSON
Secretary

JD LYNCH
Chairman

Motion: Kennedy
To AMEND

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB323 Time 10

NAME	YES	NO
WILLIAMS		X
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D. ANDERSON
Secretary

JD LYNCH
Chairman

Motion: Thayer Do Pass As Amended

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB 360 Time 10:00

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D ANDERSON
Secretary

JD LYNCH
Chairman

Motion: DO PASS

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB387 Time 10:00

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D ANDERSON
Secretary

JD LYNCH
Chairman

Motion: Noble DO PASS AS AMENDED

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB387 Time 10:00

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D. ANDERSON
Secretary

JD LYNCH
Chairman

Motion: TO AMEND

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB47 Time 10:00am

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D. ANDERSON
Secretary

JD LYNCH
Chairman

Motion: TABLED

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB258 Time 10:00

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D ANDERSON
Secretary

JD LYNCH
Chairman

Motion: TO TABLE

ROLL CALL VOTE

SENATE COMMITTEE B & I

Date 2/21/91 Bill No. SB 324 Time 10:00

NAME	YES	NO
WILLIAMS		
THAYER		
NOBLE		
HAGER		
GAGE		
FRANKLIN		
BRUSKI		
KENNEDY		
LYNCH		

D ANDERSON
Secretary

JD LYNCH
Chairman

Motion: Do PASS ~~WITHDRAWN~~

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB 361 Time 10:00

NAME	YES	NO
WILLIAMS		
THAYER		
NOBLE		
HAGER		
GAGE		
FRANKLIN		
BRUSKI		
KENNEDY		
LYNCH		

D ANDERSON
Secretary

JD LYNCH
Chairman

Motion: Do Pass WITHDRAWED

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB361 Time 10AM

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D ANDERSON
Secretary

JD LYNCH
Chairman

Motion: TO AMEND

ROLL CALL VOTE

SENATE COMMITTEE B&I

Date 2/21/91 Bill No. SB36 / Time 10 AM

NAME	YES	NO
WILLIAMS	X	
THAYER		X
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D ANDERSON
Secretary

JD LYNCH
Chairman

Motion: TO AMEND SEC 18

ROLL CALL VOTE

SENATE COMMITTEE B&T

Date 2/21/91 Bill No. SB361 Time 10:00

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D. ANDERSON
Secretary

JD LYNCH
Chairman

Motion: DO PASS AS AMENDED

ROLL CALL VOTE

SENATE COMMITTEE B & I

Date 7/21/91 Bill No. SB363 Time 10:00

NAME	YES	NO
WILLIAMS	X	
THAYER	X	
NOBLE	X	
HAGER	X	
GAGE	X	
FRANKLIN	X	
BRUSKI	X	
KENNEDY	X	
LYNCH	X	

D ANDERSON
Secretary

JD LYNCH
Chairman

Motion: DO PASS AS AMENDED

Amendments to Senate Bill No. 387
First Reading Copy

Requested by Senator Thayer
For the Committee on Business and Industry

Prepared by Bart Campbell
February 22, 1991

1. Title, lines 4 through 7.
Strike: "TO" on line 4 through "DEPOSIT;" on line 7
2. Title, line 8.
Strike: "LAW ON"
Insert: "LAWS PERTAINING TO"
3. Title, lines 9 and 10.
Strike: "AND" on line 9
Following: "MCA" on line 10
Insert: "; AND PROVIDING AN EFFECTIVE DATE"
4. Page 1, lines 20 through page 2, line 9.
Strike: "No" on line 20 through "subsection." on page 2, line 9
5. Page 2, line 22.
Following: "~~cleaning.~~"
Insert: "Additionally, cleaning charges may not be deducted until notice has been given to the tenant. The notice must include the cleaning not accomplished by the tenant and the additional cleaning that needs to be done by the tenant to restore the premises to the condition they were in at the time the tenant rented the premises. A deduction may not be made from the security deposit if the landlord fails to comply with this section."
6. Page 3, line 5.
Strike: "prospective"
7. Page 3, line 13.
Strike: "this chapter"
Insert: "Title 70, chapter 25,"
8. Page 4, line 16.
Following: line 15
Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 1991."

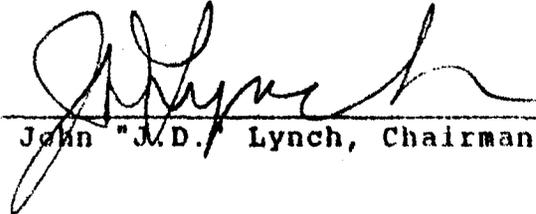
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 21, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill No. 380 (first reading copy -- white), respectfully report that Senate Bill No. 380 do not pass.

Signed:



John "J.D." Lynch, Chairman

1991 2/21/91
And. Coord.

SB 2/21 2:20
Sec. of Senate

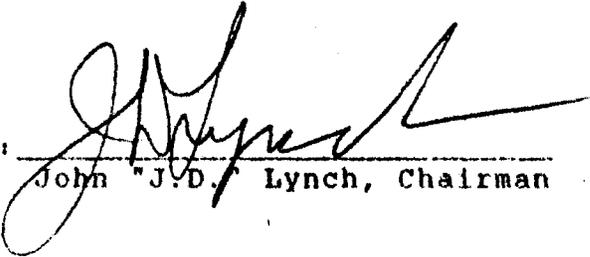
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 21, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill No. 363 (first reading copy -- white), respectfully report that Senate Bill No. 363 be amended and as so amended do pass:

1. Page 1, line 25.
Following: "~~conducted,~~"
Strike: "also provide"
Insert: "simulcast live races at"

Signed: 
John "J.D." Lynch, Chairman

2/21/91
Amd. Coord.

SB 2-21 2:20
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 21, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill No. 361 (first reading copy -- white), respectfully report that Senate Bill No. 361 be amended and as so amended do pass:

1. Title, lines 19 through 21.

Strike: "PROVIDING" on line 19 through "NOISE;" on line 21

2. Page 9, lines 16 through 24.

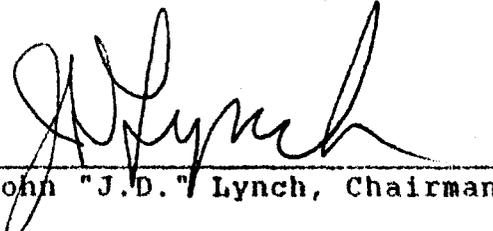
Following: "(2)"

Strike: "In" on line 16 through "section" on line 24

3. Page 28, line 2 through 7.

Strike: section 18 in its entirety

Renumber: subsequent sections

Signed: 

John "J.D." Lynch, Chairman

MA 2-21-91
Asst. Coord.

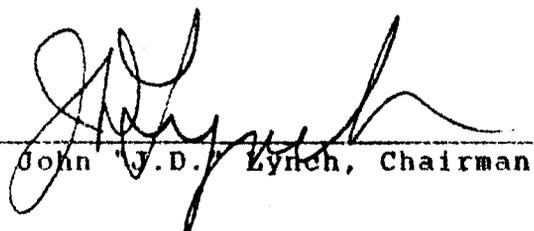
SB 2-21 2:45
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 21, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill No. 360 (first reading copy -- white), respectfully report that Senate Bill No. 360 do pass.

Signed: 
John J.D. Lynch, Chairman

126 2/21/91
And. Coord.

126 2/21/91
Sec. of Senate

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 21, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill No. 323 (first reading copy -- white), respectfully report that Senate Bill No. 323 be amended and as so amended do pass:

1. Page 11, line 16.

Strike: "An"

Insert: "Except for recreational vehicle dealers, an"

2. Page 11, line 20.

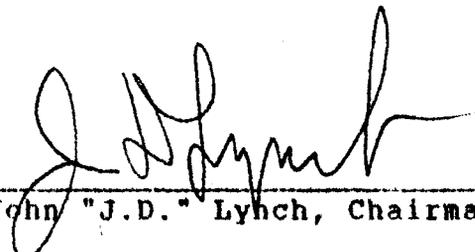
Strike: "6"

Insert: "10"

3. Page 11, line 22.

Strike: "five"

Insert: "10"

Signed: 

John "J.D." Lynch, Chairman

Jay 2-21-91
Mnd. Coord.

SB 2-21 2:45
Sec. of Senate

NOTICE OF COMMITTEE EXECUTIVE ACTION

(Do not use for actions resulting in report to floor).

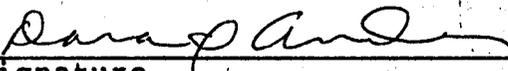
To: Secretary of the Senate

Dated this 21 day of February, 1991.

Committee: Business & Industry

Bill: SB258

Action: Tabled


Signature

SB 2-21-91 1:50

NOTICE OF COMMITTEE EXECUTIVE ACTION

(Do not use for actions resulting in report to floor).

To: Secretary of the Senate

Dated this 21 day of February, 1991.

Committee: Business & Industry

Bill: SB47

Action: TABLED

David Anderson

Signature

SB 2-21-91 1:50

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 22, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration Senate Bill No. 387 (first reading copy, -- white), respectfully report that Senate Bill No. 387 be amended and as so amended do pass:

1. Title, lines 4 through 7.

Strike: "TO" on line 4 through "DEPOSIT;" on line 7

2. Title, line 8.

Strike: "LAW ON"

Insert: "LAWS PERTAINING TO"

3. Title, lines 9 and 10.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

4. Page 1, lines 20 through page 2, line 9.

Strike: "No" on line 20 through "subsection." on page 2, line 9

5. Page 2, line 22.

Following: "cleaning"

Insert: "Additionally, cleaning charges may not be deducted until notice has been given to the tenant. The notice must include the cleaning not accomplished by the tenant and the additional cleaning that needs to be done by the tenant to restore premises to the condition they were in at the time the tenant rented the premises. A deduction may not be made from the security deposit if the landlord fails to comply with this section."

6. Page 3, line 5.

Strike: "prospective"

7. Page 3, line 13.

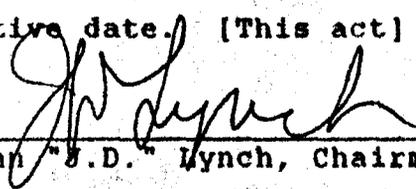
Strike: "this chapter"

Insert: "Title 70, chapter 25"

8. Page 4, line 16.

Following: line 15

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on July 1, 1991."

Signed: 

John "J.D." Lynch, Chairman

JAL 2-22-91
Asst. Coord.

SB 2-22 7:40
Sec. of Senate