

HOUSE BUSINESS AND INDUSTRY COMMITTEE

January 31, 1977

The meeting was called to order at 3:45 p.m. in Room 434 with all members present with the exception of Reps. Harrington and Scully who were excused.

House Bill No. 216 was discussed. Rep. Bradley, chief sponsor, stated the bill was self-explanatory. It allows a liquor license to go to five of the airports in Montana. They include Bozeman, Helena, Missoula, Kalispell and West Yellowstone. Rep. Bradley submitted proposed amendments to the bill (attached).

Proponents:

Mr. William Merrick expressed his support in the bill, along with Mr. Hugh Kelleher (testimonies attached).

Mr. Tom Page stated that Missoula was planning a construction of an airport addition which would total 2.5 million dollars. With the revenue bonds that they are in hopes of selling, they would have most every dollar count for the retirement of these bonds. He stated they plan on being successful with this plan, but the passage of this bill is needed.

Mr. Frank Walcut stated that the bar in the airport would not be competing with the bars in the area. If one cannot buy a drink at the airport, then he more than likely cannot go downtown to buy a drink. He also stated that some people need a drink to even enter the plane. Also, the going rate on a liquor license is \$50,000.

Mr. Art Korn testified in saying that this bill would get airports in business. Mr. Boyce Clarke stated that bars are needed at airports. He also stated that he sympathized with committee members who do not agree with the bill.

Rep. Ellerd asked the committee to give consideration to this bill. He said he had not received one phone call regarding this piece of legislation.

Opponents:

Mr. Bob Durkee and Mr. Curtis Lees expressed their opposition to the bill (testimonies attached).

Rep. Bradley stated in closing that there is only one license for every 20,000 people that come and go in the airports.

The committee then went into executive session.

Rep. Fagg moved to defer executive action on House Bill No. 216. Rep. Ellison seconded the motion. All members present concurred in the motion.

January 31, 1977, page 2.

Rep. Aageson made a motion that House Bill No. 58 DO NOT PASS. All members present voted yes. The motion carried unanimously.

Rep. Fagg moved that the amendments and House Bill No. 196 be referred to the Rules Committee. All members present agreed.

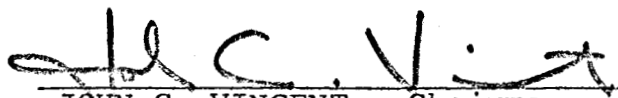
Rep. Tower moved that House Joint Resolution No. 12 DO PASS. There was some discussion on the bill. Rep. Quilici then made a substitute motion that House Joint Resolution No. 12 DO NOT PASS. The substitute was defeated, therefore, the resolution passed with 7 members voting yes, and 9 members voting no (attached).

Rep. Tropila moved to adopt the amendments on House Bill No. 304 (attached). All members presented voted yes. Rep. Tropila then moved that House Bill No. 304 DO PASS AS AMENDED. The motion carried unanimously.

Rep. Fagg moved that House Bill No. 225 DO NOT PASS. The motion carried unanimously.

Rep. Tropila moved the amendments to House Bill No. 238 be adopted (attached). All members present voted yes. Rep. Nathe moved that House Bill No. 238 DO PASS AS AMENDED. The motion carried unanimously.

The meeting adjourned at 5:00 p.m.



JOHN C. VINCENT, Chairman

BUSINESS AND INDUSTRY VOTING RECORD

January 31, 1977

HJR 12
DO NOT PASS

Aageson	NO
Bradley	EXCUSED
Burnett	NO
Ellison	NO
Fabrega	NO
Fagg	NO
Harper	YES
Harrington	YES
Kenny	NO
Metcalf	YES
Nathe	NO
Quilici	YES
Scully	NO
Shelden	YES
Tower	NO
Tropila	YES
Vincent	YES
	7 YES
	9 NO

Amendments to House Bill No. 304

1. Amend title, line 8.

Following: "8-103.4,"

Insert: "51-109,"

2. Amend title, line 11.

Following: "51-107,"

Strike: "51-109,"

3. Amend page 2, line 7.

Following: "trade"

Insert: ", except that any product or service of a public utility shall not be included within the term "article of commerce"

4. Amend page 23.

Following: line 22

Insert: "Section 18. Section 51-109, R.C.M. 1947, is renumbered 51-520 and is amended to read as follows:

"~~51-109~~ 51-520. Attorney-general Department to institute suit, when. Upon the third violation of any of the provisions of sections 51-101 to 51-108, inclusive, 51-505 through 51-514 by any corporation, ~~it shall be the duty of the attorney-general department to shall~~ institute proper suits or quo warranto proceedings in any a court of competent jurisdiction for the forfeiture of its charter, rights, franchises or privileges, and powers exercised by such corporation, and to permanently enjoin it from transacting business in this state. If in such action the court ~~shall find~~ finds that such the corporation is violating or has violated any of the provisions of sections 51-101 to 51-108, inclusive, 51-505 through 51-514, it ~~must~~ shall enjoin ~~said the~~ corporation from doing business in this state permanently or for such time as the court ~~shall order~~ orders, or ~~must~~ shall annul the charter, or revoke the franchise of such corporation."

Renumber: all subsequent sections

5. Amend page 29, line 12.

Following: "secondary"

Strike: "Proprietary"

Insert: "proprietary"

6. Amend page 30, line 15.

Following: "51-107,"

Strike: "51-109,"

Amendments to House Bill No. 238

1. Amend page 1, line 21.

Following: "rates,"

Strike: "15%"

Insert: "5%"

2. Amend page 1, lines 22 and 23.

Following: "with the"

Strike: "district court of the county where the municipality is located"

Insert: "public service commission"

3. Amend page 2, line 1.

Following: "The"

Strike: "district court"

Insert: "public service commission"

Following: "hearing"

Insert: "held in the municipality affected"

4. Amend page 2, line 6.

Following: "the"

Strike: "court"

Insert: "public service commission"