

HOUSE BUSINESS AND INDUSTRY COMMITTEE

February 14, 1977

The meeting was called to order at 10:10 a.m. in Room 434 with all members present with the exception of Reps. Quilici and Bradley, who were excused.

House Bill No. 535 was discussed. Rep. Williams, chief sponsor, gave an explanation of the bill and an explanation of the amendments. He then introduced Mr. Chris Johansen with the Farmer's Union. Mr. Johansen stated that it would give the Department of Agriculture authority. It is the only business enterprise in Montana in which the legislature sets the rates to be charged. Rather than the legislature setting the rates it would be much easier for the Department to do it (testimony attached).

Mr. Elroy Legure, Mr. George Lackman, and Rep. Tower were also in support of this bill.

Rep. Williams, in closing, stated he would recommend the committee give a do pass vote on this piece of legislation.

Chairman Vincent stated that he would take care of House Bill No. 31 in executive session.

House Bill No. 384 was discussed. Rep. Uhde, chief sponsor, stated the bill was simple. He gave a brief explanation of the bill.

Ms. Virginia Jellison, social worker, stated she had been in the housing development for non-profit corporation for 8 years. She also stated that the people with a low income and social problems need more than just a manager of an apartment complex. It takes someone who can do more than simply collect rent and pay the bills. It is a different job than regular apartment management would be.

Rep. Dussault also expressed her support in the matter.

Mr. Walter Jacovich stated that they were not trying to step on the realtors fingers. The position deals with a multitude of things. Property such as this deals with day to day problems of living with individuals in a very close community. One would have to be a surveyor, contractor, financial wizard, budget director, and a relations psychologist.

Ms. Doris Richter stated she could not see where the realtor could handle this type of situation.

There were no opponents or questions from the committee.

House Bill No. 520 was discussed. Rep. Fagg gave an explanation of the bill, in which he stated it is a case for the morticians.

Mr. Don Pratt stated that the insurance would be handled by insurance agents. Also, the bill provides for selling of formal insurance in

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Montana.

Ms. Jo Driscoll testified as a opponent (testimony attached).

Mr. Pratt answered questions on the policy. If a person died and the body was never found, or if the person simply died; the beneficiary would respect the wish in which the policy states.

House Bill No. 764 was discussed. Rep. Ramirez, sponsor, gave an explanation of the bill. He stated that the 1955 law has been ignored statewide. It would let the cities do the licensing.

There were no proponents or opponents.

Rep. Ellison asked if the clerks had to be bonded. Rep. Ramirez responded by saying the auctioneer was the only one who needed to be bonded. He stated he did not see anything wrong with the clerk being bonded.

Rep. Ellison stated a case in which a truck was sold at an auction and the man did not pay for it. The burden then would be on the auctioneer, therefore, the clerk should be bonded.

House Bill No. 760 was discussed. Rep. Ellison, sponsor, gave an explanation of the bill. He gave a bizarre incident in Livingston in which 30 bodies were taken out of the mausoleum. This goes back in history of this cemetery where the first owner died and it was sold to another man. The cemetery was in ordinary financial order, but this man bought four or five cemeteries in the state, sold the vaults and markers then pocketed the money. He bought a ticket to South America. This bill would provide surety bonds so there would be some assurance of timely performance of contractual obligations. The insurance companies would then have the incentive to track these people down.

Mr. Gary Marks stated that the bill would provide protection for people against anyone who is not intending to live up to his obligations. Mr. Harold Adams concurred in Mr. Marks' testimony.

The committee then went into executive session.

Rep. Harper moved to TABLE House Bill No. 31. The motion carried unanimously.

Rep. Tower moved that House Bill No. 535 DO PASS. The motion carried with all members present voting yes.

Rep. Fabrega moved that House Bill No. 384 DO PASS. The motion passed unanimously.

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Rep. Kenny moved that House Bill No. 520 DO NOT PASS. Rep. Fagg made a substitute motion to defer action until Wednesday. The committee concurred in the substitute motion.

Rep. Fagg moved that House Bill No. 764 DO PASS. Rep. Metcalf asked the committee to defer action until Wednesday.

Rep. Metcalf moved to amend page 1, lines 23 through 25 on House Bill No. 760 by striking lines 23 through 25 and inserting "surety". The amendments were accepted. Rep. Ellison moved that House Bill No. 760 DO PASS AS AMENDED. The motion carried unanimously.

There being no further business, the meeting adjourned at 11:30 a.m.

  
JOHN C. VINCENT, Chairman