

January 25, 1977
11:05 a.m.

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE

The meeting of the Business and Industry Committee was called to order by Chairman Frank Hazelbaker on the above date in Room 404 of the State Capitol Building at 11:05 a.m.

ROLL CALL: All members were present.

Chairman Hazelbaker explained to the visitors that there would be no hearing today but that we would take executive action on three bills, SB 4, SB 69, and SB 73, which have had committee hearings already. Senator Devine asked that his bill, SB 36, be held for another week as he is hoping that he won't need the bill after all. It will be scheduled for executive action on February 1, 1977.

SENATE BILL 4. "An Act For The General Revision And Clarification Of Laws Relating To Trade And Commerce."

Chairman Hazelbaker stated that at the meeting of January 18, 1977, motion was made and carried that this bill, as amended, do pass. However, Senator Regan wanted to know more about the amendments so it was held until today. A letter dated January 18, 1977, from Dave Cogley, Staff Attorney, Montana Legislative Council, has explained these amendments to Chairman Hazelbaker and Senator Regan's satisfaction so the bill has gone out of committee, As Amended, Do Pass.

SENATE BILL 69. "An Act To Require The Use Of Reusable Beverage Containers For Beer And Soft Drinks And Providing A Delayed Effective Date."

Senator Devine stated that he thinks the situation in the next few months may clear itself up so he recommended the bill Do Not Pass. Senator Peterson seconded the motion.

Senator Regan stated that she would recommend the bill Do Pass so that it may be debated on the floor of the Senate. She stated this is a bill that addresses itself to a problem that is recognized and a bill that the public would like to see enacted. She stated if the committee could not bring it out with a Do Pass then bring it out of committee Without Recommendation. There were over 100 people at the hearing with a tremendous amount of interest. She can't see that there were many real objections other than industry attraction and some fear

by small union groups. When you look at the type of testimony we heard, the proponents of the bill were just ordinary citizens and she urged that the bill Do Pass.

Senator Devine stated that he thought there were more opponents than proponents to the bill. He stated that it was the third time he had heard it. Senator Regan stated it has gained greater and greater strength and thought its time had come. It has been passed in Oregon, Michigan and Vermont and in South Dakota with a delayed effective date. After some discussion, Senate Bill 69 was put to a vote. The vote ended in a tie. Senate Bill 69 will come out of committee with a Do Pass Without Recommendation.

SENATE BILL 73. "An Act For The General Revision Of Laws Relating To A Three-Day Cooling Off Period On Door-To-Door Sales."

Senator Regan stated that there would be an amendment to the title of the bill. She asked Roger Tippy to read the amendment. It is as follows:

A BILL FOR AN ACT ENTITLED: "AN ACT FOR THE GENERAL REVISION OF LAWS RELATING TO A THREE-DAY COOLING OFF PERIOD ON DOOR-TO-DOOR SALES; AMENDING SECTIONS 85-501, AND 85-503 THROUGH 85-506, R.C.M. 1947; REPEALING SECTION 85-502, R.C.M. 1947."

Roger also stated that there were also a few misspellings and that the Secretary of the Senate could take care of these and they would not have to go on a Committee Report. Senator Regan moved the amendments. They were passed unanimously. Senator Regan then requested that SB 73, As Amended, Do Pass. After some discussion, Roger stated the intent of the Business and Industry Committee should be that the Department of Business Regulation does not need to make any rules under this bill, because it is clear enough that the Committee sees no intent to add any further recommendations. Senator Regan agreed. Senate Bill 73 was then voted on and As Amended, Do Pass.

ADJOURN: There being no further business, Chairman Hazelbaker adjourned the meeting at 11:45 a.m.



FRANK W. HAZELBAKER, CHAIRMAN

Business & Industry COMMITTEE

Date _____

[illegible]

SENATE COMMITTEE Business & Industry

Date 1-25-77 Senate Bill No. 69 Time _____

| NAME | YES | NO |
|----------------------------|-----|----|
| Pat Regan, Vice Chairman | ✓ | |
| Allen Kolstad | ✓ | |
| Pat Goodover | | ✓ |
| Bill Lowe | ✓ | |
| Jack Devine | | ✓ |
| Sandy Mehrens | ✓ | |
| Bob Peterson | | ✓ |
| Frank Hazelbaker, Chairman | | ✓ |
| | | |
| | | |
| | | |
| | | |

Annina C. Zander
Secretary

Hal L. ...
Chairman

Motion: To Pass without Recommendation

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE Business & Industry

Date 1-25-77 Senate Bill No. 13 Time _____

| NAME | YES | NO |
|----------------------------|-----|----|
| Pat Regan, Vice Chairman | ✓ | |
| Allen Kolstad | | ✓ |
| Pat Goodover | | ✓ |
| Bill Lowe | | ✓ |
| Jack Devine | ✓ | |
| Sandy Mehrens | ✓ | |
| Bob Peterson | ✓ | |
| Frank Hazelbaker, Chairman | ✓ | |
| | | |
| | | |
| | | |
| | | |

James C. Sanchez Secretary Halldor Chairman

Motion: and so recommended, do pass

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

January 25

19 77

President

MR.

We, your committee on Business and Industry

SENATE

having had under consideration Bill No. 4

Respectfully report as follows: That SENATE Bill No. 4
introduced bill, be amended as follows:

1. Amend title, line 7.

Following: "66-229,"

Insert: "84-2412,"

2. Amend page 31, section 16, lines 5 and 6.

Following: "and except"

Strike: "for financing statements filed pursuant to 87A-9-302.2"

Insert: "as provided in 87A-9-302.2(b)"

3. Amend page 22, section 17, lines 11 and 12.

Following: "except"

Strike: "for financing statements filed pursuant to 87A-9-302.2"

Insert: "as provided in 87A-9-302.2(b)"

4. Amend page 23, section 18, line 9.

Following: "87A-3-104"

Strike: "(2)"

~~DO PASS~~

AND AS SO AMENDED, DO PASS

STANDING COMMITTEE REPORT

January 25

19 77

MR. President

We, your committee on Business and Industry

having had under consideration SENATE Bill No. 69,

Respectfully report as follows: That SENATE Bill No. 69,

DO PASS WITHOUT RECOMMENDATION



STANDING COMMITTEE REPORT

January 25

19 77

MR. President

We, your committee on Business and Industry

having had under consideration SENATE Bill No. 73,

Respectfully report as follows: That SENATE Bill No. 73,

introduced bill, be amended as follows:

1. Amend title, line 7.

Following: "sales"

Strike: "."

Insert: "; AMENDING SECTIONS 85-501, AND 85-503 THROUGH 85-506,
R.C.M. 1947; REPEALING SECTION 85-502, R.C.M. 1947."

AND AS SO AMENDED

DO PASS

