

March 12, 1977  
11:00 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 11:00 a.m.

ROLL CALL: All members were present with the exception of Senator Regan.

CONSIDERATION OF HOUSE BILL 685. "An Act To Amend Laws Relating To Tenant's Security Deposits To Allow Deductions For Cleaning Expenses And To Delete Requirement For Verification Of The List Of Damages."

Representative Harrison Fagg stated he was chief sponsor of this bill. He stated this is a bill that deals with landlord-tenant problems that have existed over the past 10-15 years regarding cleaning deposits. He stated this was not covered in the landlord-tenant act. This bill will give the tenant a 48-hour option to clean and/or take care of the damages. He stated he had one or two minor amendments which he will leave with the Committee. These are the amendments which contain both Representative Fagg's and Roger Tippy's.

1. Amend page 2, section 1, line 3.  
Following: "ACTUAL"  
Insert: "and necessary"

2. Amend page 2, section 1, line 5.  
Following: "OR"  
Strike: "THEIR"  
Insert: "his"

3. Amend page 3, section 2, line 8.  
Following: "CLEANING"  
Strike: "EXPENSE"  
Insert: "charges"  
Following: "BE"  
Strike: "COLLECTED"  
Insert: "deducted"

4. Amend page 3, section 2, line 9.

Following: "TENANT."

Strike: "SAID"

Insert: "The"

5. Amend page 3, section 2, line 10.

Following: "INCLUDE"

Strike: " ; "

6. Amend page 3, section 2, line 11.

Following: line 10.

Strike: "(I)"

Following: "TENANT"

Strike: " ; "

Insert: " , and "

7. Amend page 3, section 2, line 12.

Following: Line 11.

Strike: "(II)"

8. Amend page 3, section 2, line 14.

Following: "OF"

Strike: "THEIR"

Insert: "its"

Representative Fagg then introduced Eldon L. Piper, Montana Landlord Association.

#### PROPOSERS:

Eldon L. Piper, Montana Landlord Association. His testimony is attached. (Exhibit #1)

Hearing closed on HB 685.

#### DISPOSITION OF HOUSE BILL 685.

Senator Lowe made a motion that HB 685/<sup>As Amended</sup>Be Concurred In. Senator Kolstad seconded. All were in favor, except for Senator Mehrens.

Senator Lowe will carry this bill on the floor.

#### CONSIDERATION OF HOUSE BILL 610.

Representative Rex Manuel stated he introduced this bill at the request of the Department of Professional and Occupational Licensing. He stated when they need money, they do not have to come back every year for a request for higher fees. He stated there was some opposition from the horse racing people and barbers. He stated the Business and Industry Committee in the House amended the bill to a set fee of \$15.00. This satisfied the horse racing and barbers. The rest of the Board thought it was alright to give the Board the discretion of raising it instead of coming back in every year.

Tom Collins, Montana Association of Realtors, stated the only thing he would like to see on page 1 of this bill after the word "therapist" on line 16, insert the words "or real estate brokers or salesmen."

There being no opponents to the bill the hearing on HB 610 closed.

#### CONSIDERATION OF HJR 58.

Representative Aubyn Curtiss, District #20, stated she was chief sponsor of this bill. Her testimony is attached. (Exhibit #2)

#### OPPONENTS:

Stan Gerke, AFL-CIO. His testimony is attached. (Exhibit #3)  
In Mr. Gerke's testimony he suggests an amendment which follows:

1. Amend page 2, line 7.

Following: "SERVICE"

Insert: "with a savings to the state for the duration of such service."

Senator Lowe moved the amendment "with a savings to the state" be adopted. Senator Kolstad seconded.

Senator Lowe then withdrew his amendment.

Representative Curtiss then closed urging the concurrence of HJR 58.

Hearing closed on HJR 58.

#### DISPOSITION OF HJR 58.

Senator Goodover made a motion that HJR 58 Be Concurred In. Senator Devine seconded. All were in favor with the exception of Senators Mehrens and Peterson.

Senator Devine will carry this bill on the floor.

#### DISPOSITION OF HOUSE BILL 171.

Senator Lowe made a motion that the amendment as follows be adopted. 1. Amend page 2, section 1, line 20.

Following: "licensed"

Insert: "as a resident agent"

Senator Devine seconded. All were in favor.

Senator Lowe made a motion that HB 171, As Amended, Be Concurred In. Senator Devine seconded. All were in favor.

Senator Devine will carry the bill on the floor.

ADJOURN: There being no further business, Chairman Hazelbaker adjourned the meeting at 11:50 a.m.

  
\_\_\_\_\_  
FRANK W. HAZELBAKER, CHAIRMAN

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

