

MINUTES OF THE MEETING  
BUSINESS & INDUSTRY COMMITTEE  
MONTANA STATE SENATE

March 5, 1979

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 10:00 A.M.

ROLL CALL: All members were present.

HOUSE BILL 609: Chairman Hazelbaker called on Representative Joe Tropila, sponsor of HB 609, to explain the bill to the Committee. This bill is an act requiring newspapers published in the State of Montana to indicate the author of any editorial comment.

PROONENTS OF HOUSE BILL 609: Representative Paul Pistoria spoke in support of HB 609.

Representative Edward Lien stated he is in support of HB 609.

OPPONENTS OF HOUSE BILL 609: Mr. Mike Meloy, representing Lee Newspapers, stated they oppose HB 609. He stated this bill interferes with the newspaper publishing business. He also stated there is no provision for the enforcement of the bill, and it singles out Montana newspapers.

Mr. Harold Stearns, representing the Montana Press Association, stated they are in opposition to HB 609. The newspapers stand behind the information they publish.

There were questions from the Committee.

Senator Goodover stated he didn't think the bill would solve any problem.

Senator Dover wondered how this bill would hurt Montana.

Mr. Meloy stated the Wall Street Journal doesn't have to sign editorials. In Montana the Montana newspapers are singled out.

Senator Dover stated that perhaps this would give more credibility to what people have to say.

Representative Tropila made closing remarks in support of HB 609.

Chairman Hazelbaker closed the hearing on House Bill 609.

HOUSE BILL 650: Representative Robert Pavlovich, sponsor of House Bill 650, explained the bill to the Committee. This bill

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is an act to change the expiration date of the law relating to joint underwriting associations for medical liability insurance.

PROPONENTS OF HOUSE BILL 650: Mr. Jerry Loendorf, representing M.M.O., stated they support the bill.

There were no other proponents or opponents present at the hearing. Mrs. Driscoll of the Insurance Department stated they neither support nor oppose the bill.

DISPOSITION OF HOUSE BILL 650: Senator Bob Peterson moved that HB 650 be concurred in. The Committee voted unanimously that HOUSE BILL 650 BE CONCURRED IN and placed on the Consent Calendar.

Senator Peterson will carry House Bill 650 on the floor.

HOUSE BILL 802: Representative Edward Lien, sponsor of HB 802, explained the bill to the Committee. This bill allows rural telephone cooperatives to establish and operate cable television and broadband systems.

PROPONENTS OF HOUSE BILL 802: Mr. Riley Childers, Great Falls, Montana, representing Montana Telephone Association, explained the bill further to the Committee. They are in support of HB 802.

Mr. P. J. Gilfeather, Great Falls, Montana, representing Mid-Rivers Telephone Coop., spoke in support of HB 802, stating this bill provides for the rural telephone people to furnish the services of cable television and the services of broadband to their members.

Mr. James J. Behan, Circle, Montana, representing Mid-Rivers Telephone Cooperative, Inc., spoke in support of HB 802. They want to get medical alarm services that could be provided and feel these services could be provided at a reasonable cost.

Mr. Lloyd Lanius, representing Northern Telephone Coop., and Montana Telephone Association, Shelby, Montana, spoke in support of HB 802. He stated that cable is not as good a quality as it could be, and they would like to be able to put it in their forward planning.

Sharon Peterson, Winidred, Montana, representing N.F.O. Farm Bureau, and Farmers Union, stated they support the bill.

There were no opponents to the bill.

Senator Dover wondered about the cost.

Mr. Behan stated they could be provided separately from the telephone. They probably would get a separate billing for it.

DISPOSITION OF HOUSE BILL 802: Senator Lowe moved that House Bill 802 be concurred in. Senator Dover seconded the motion. The Committee voted unanimously that HOUSE BILL 802 BE CONCURRED IN.

Senator Lowe will carry the bill on the floor.

HOUSE BILL 846: Representative Steve Waldron, sponsor of HB 846, explained the bill to the Committee. This bill is an act to generally revise the laws relating to real estate brokers and salesmen.

PROPONENTS OF HOUSE BILL 846: Mr. Cliff Christian, representing the Montana Association of Realtors, stated they support HB 846.

There were no other proponents or opponents to HB 846 at the hearing.

Representative Waldron made closing remarks in support of HB 846, and Chairman Hazelbaker then closed the hearing on House Bill 846.

HOUSE BILL 881: Representative Chris Stobie explained the bill to the Committee for Representative Quilici, sponsor of HB 881, who was unable to be present at the hearing. This bill is an act to re-establish the Board of County Printing.

PROPONENTS OF HOUSE BILL 881: Mr. Hal Stearns, representing the Montana Press Association, stated they support House Bill 881. Mr. Stearns distributed a statement to the Committee which is attached to the minutes.

Mr. Mike Meloy, representing the Montana Press Association, stated they support HB 881. Mr. Meloy stated that without HB 881, there is no method of determining what the cost of printing should be.

OPPONENTS OF HOUSE BILL 881: Vicki Johnson, Columbus, Montana, representing the Stillwater and Columbus News, stated they are in opposition to HB 881 because they see no need for the bill.

There was a question and answer period from the Committee.

Representative Stobie made closing remarks. He feels they would have a bad situation without the State Printing Board, and urged passage of HB 881.

Chairman Hazelbaker closed the hearing on House Bill 881.

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DISPOSITION OF HOUSE BILL 606: Senator Goodover distributed proposed amendments to HB 606 to the Committee.

Senator Regan stated she objects to the "five years" in the bill.

Mr. John Northey, representing the Legislative Auditor, stated that the regulatory function could exist in either department.

A Roll Call Vote was taken on the motion to strike the five years as it appears in the bill. The motion failed on a vote of 6-3.

Senator Regan made a substitute motion that the Committee accept three years in lieu of five. The substitute motion passed by a Roll Call Vote of 8-1.

Senator Goodover moved that House Bill 606 be concurred in as amended. The Committee voted that HOUSE BILL 606 BE CONCURRED IN AS AMENDED. Those voting "no" were Senators Blaylock, Mehrens, and Regan.

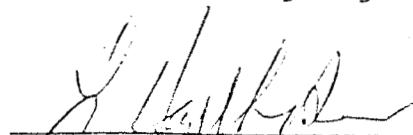
Senator Goodover will carry House Bill 606 on the floor.

DISPOSITION OF HOUSE BILL 609: A Roll Call Vote was taken on this motion. Senator Lowe moved that HB 609 Do Pass. The motion failed to pass. Senator Regan made a motion that HB 609 be not concurred in. She withdrew this motion since Senator Dover was not present and unable to vote.

No executive action was taken on House Bill 609.

DISPOSITION OF HOUSE BILL 881: Senator Regan moved that House Bill 881 do not pass. Senator Kolstad made a substitute motion that HB 881 Do Pass. A Roll Call Vote was taken on the motion. The Committee voted 5 - 4 that HOUSE BILL 881 BE CONCURRED IN. Senator Kolstad will carry the bill on the floor. No executive action was taken on HB. 846. The bill was turned over to Staff Attorney, Bob Pyfer, to work on amendments.

ADJOURN: There being no further business, the meeting adjourned at 12:10 p.m.



SENATOR FRANK HAZELBAKER, Chairman

## ROLL CALL

BUSINESS & INDUSTRY COMMITTEE

46TH LEGISLATIVE SESSION - - 1979

Date March 5

NAME	PRESENT	ABSENT	EXCUSED
Pat Goodover, Vice Chairman	✓		
Chet Blaylock	✓		
Harold Dover	✓		
Tom Hager	✓		
Allen Kolstad	✓		
Bill Lowe	✓		
John Mehrens	✓		
Bob Peterson	✓		
Pat Regan	✓		
Frank Hazelbaker, Chairman	✓		

SENATE COMMITTEE BUSINESS & INDUSTRYDate March 5, 1979 Bill No. HB 606 Time 11:44

NAME	YES	NO
Pat M. Goodover, Vice Chairman		✓
Chet Blaylock	✓	
Harold Dover		
Tom Hager		✓
Allen Kolstad		✓
Bill Lowe		✓
John Mehrens	✓	
Bob Peterson		✓
Pat Regan	✓	
Frank Hazelbaker, Chairman		✓

Marjorie Nichols  
Secretary

Frank Hazelbaker  
Chairman

Motion: (strike the) fine year 6-3

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

SENATE COMMITTEE BUSINESS & INDUSTRYDate March 5, 1979 Bill No. HB 606 Time 11:45

NAME	YES	NO
Pat M. Goodover, Vice Chairman		✓
Chet Blaylock	✓	
Harold Dover	—	—
Tom Hager	✓	
Allen Kolstad	✓	
Bill Lowe	✓	
John Mehrens	✓	
Bob Peterson	✓	
Pat Regan	✓	
Frank Hazelbaker, Chairman	✓	

SecretaryFrank HazelbakerChairmanMotion: 2 years is less than 1/5 - Pass

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

SENATE COMMITTEE BUSINESS & INDUSTRYDate Mar. 5, 1977<sup>N.B.</sup>Bill No. 606Time 11:46

NAME	YES	NO
Pat M. Goodover, Vice Chairman		✓
Chet Blaylock	✓	
Harold Dover		
Tom Hager		✓
Allen Kolstad		✓
Bill Lowe		✓
John Mehrens	✓	
Bob Peterson		✓
Pat Regan	✓	
Frank Hazelbaker, Chairman		✓

Marjorie Nichols

Secretary

J. Nichols

Chairman

Motion: Change Membership & Resists of 3 key members on Real Estate Board (Sen. Ryer made motion)

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

## SENATE COMMITTEE BUSINESS &amp; INDUSTRY

Date March 5 1979 Bill No. 606 Time 11:47

NAME	YES	NO
Pat M. Goodover, Vice Chairman	✓	
Chet Blaylock		✓
Harold Dover	✓	
Tom Hager	✓	
Allen Kolstad	✓	
Bill Lowe	✓	
John Mehrens	✓	
Bob Peterson	✓	
Pat Regan		✓
Frank Hazelbaker, Chairman	✓	

Margie Nichols  
SecretaryBill Nichols  
Chairman

Motion: Amendment to return it to Department of Professional & Occup. Licensing  
Concurred 8-2 -

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

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STANDING COMMITTEE REPORT

March 5, 1979

MR. President:

We, your committee on Business and Industry

having had under consideration House Bill No. 606

Ellis (Goodover)

Respectfully report as follows: That House Bill No. 606, third reading bill, be amended as follows:

1. Title, line 7.

Following: "OF"

Strike: "BUSINESS REGULATION"

Insert: "PROFESSIONAL AND OCCUPATIONAL LICENSING"

2. Title, line 10.

Following: "ESTATE;"

Strike: "PERMITTING ADOPTION OF A FEE SCHEDULE"

3. Title, line 11.

Following: "37-51-205,"

Strike: "37-51-311,"

4. Page 1, lines 22 and 23.

Following: "and" on line 22

Strike: "regulation of the real estate industry be transferred to"

BUWASS

(CONTINUED)

March 5

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5. Page 1, line 24.

Following: "of"

Strike: "business regulation"

Insert: "professional and occupational licensing be established to regulate the real estate industry"

6. Page 2, line 9.

Following: "than"

Strike: "5"

Insert: "3"

7. Page 2, line 21.

Following: "years."

Insert: "A member may not serve more than two terms or any portion thereof."

8. Page 4, line 18.

Following: "16"

Strike: "business regulation provided for in 2-15-1801"

Insert: "professional and occupational licensing, provided for in Title 2, chapter 15, part 16"

9. Page 5, line 11.

Following: "67-50"

Strike: "§35"

Insert: "§25"

10. Page 5, line 18 through line 5 on page 7.

Strike: Section 5 in its entirety

Renumber: all subsequent sections

11. Page 7, line 22.

Following: "16"

Strike: "business regulation provided for in 2-15-1801"

Insert: "professional and occupational licensing, provided for in Title 2, chapter 15, part 16"

12. Page 8, line 14.

Following: "16"

Strike: "business regulation provided for in 2-15-1801"

Insert: "professional and occupational licensing, provided for in Title 2, chapter 15, part 16"

13. Page 11, line 9.

Following: "part"

Strike: "13"

Insert: "16"

14. Page 11, line 10.

Following: "part"

Strike: "13"

Insert: "16"

And, as so amended

BE CONCURRED IN

# STANDING COMMITTEE REPORT

March 5,

19 79

MR. President:

We, your committee on Business and Industry,

having had under consideration House Bill No. 650

Pavlovich (Peterson)

Respectfully report as follows: That House Bill No. 650

BE CONCURRED IN  
AND PLACED ON CONSENT CALENDAR

DO PASS

file

# STANDING COMMITTEE REPORT

March 5, 1979

MR. President:

We, your committee on Business and Industry,

having had under consideration House Bill No. 802,

Lien (Lowe)

Respectfully report as follows: That House Bill No. 802,

BE CONCURRED IN

WOMAN

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STANDING COMMITTEE REPORT

.....March 5,.....19 79.....

MR. ....President:.....

We, your committee on .....Business and Industry.....

having had under consideration .....House..... Bill No. ....331....

Quilici (Kolstad)

Respectfully report as follows: That.....House..... Bill No. ....331....

BE CONCURRED IN

DOVAKS

*PA*

## SENATE COMMITTEE BUSINESS &amp; INDUSTRY

Date March 5, 1979Bill No. HB 881Time 12:06

NAME	YES	NO
Pat M. Goodover, Vice Chairman		✓
Chet Blaylock		✓
Harold Dover		
Tom Hager		✓
Allen Kolstad	✓	
Bill Lowe	✓	
John Mehrens	✓	
Bob Peterson	✓	
Pat Regan		✓
Frank Hazelbaker, Chairman	✓	

Marijne Nichols

Secretary

Chairman

Motion: Sub. Mot. HB 881 Do Pass

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

SENATE COMMITTEE BUSINESS & INDUSTRYDate March 5, 1979 Bill No. 609 Time 12:10

NAME	YES	NO
Pat M. Goodover, Vice Chairman		✓
Chet Blaylock		✓
Harold Dover		
Tom Hager		✓
Allen Kolstad	✓	
Bill Lowe	✓	
John Mehrens	✓	
Bob Peterson	✓	
Pat Regan		✓
Frank Hazelbaker, Chairman		✓

Margie Nichols  
Secretary

Chairman

Motion: HB 609 No Pass 5-4 vote - Motion failed

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

*Ter. 1/14/80*

## Amend title

Title, line 7

Strike: "BUSINESS REGULATION"

Insert: "PROFESSIONAL AND OCCUPATIONAL LICENSING"

Title, line 10, following ESTATE;

Strike: PERMITTING ADOPTION OF A FEE SCHEDULE;

Title, line 11

Strike: 37-51-311

1. Page 1, lines 22 and 23

Strike: "regulation of the real estate industry be transferred to"

2. Page 1, line 24

Strike: "business regulation"

Insert: "professional and occupational licensing be established to regulate the real estate industry"

3. Page 2, line 21 following "years."

Insert: A member may not serve more than two terms or any portion thereof.

4. Page 4, line 18.

Strike: "business regulation provided for in 2-15-1801"

Insert: "professional and occupational licensing provided for in Title 2, chapter 15 part 16"

5. Page 5, line 11

Strike: "\$35"

Insert: "\$25"

6. Page 5, line 18

Strike: Section 5 in its entirety. re-number sections.

7. Page 7, line 22

Strike: "business regulation provided for in 2-15-1801"

Insert: "professional and occupational licensing provided for in Title 2, chapter 15, part 16"

8. Page 8, line 14

Strike: "business regulation provided for in 2-15-1801"

Insert: "professional and occupational licensing provided for in Title 2, chapter 15, part 16"

9. Page 11, lines 9 and 10

Following: "part" on line 9

Strike: balance of line 9 and all of line 10

Insert: "16"

NAME: Mike Masi DATE: 3/5/79

ADDRESS: Securities Brokers

PHONE: 442-2442

REPRESENTING WHOM? Lee Neuspaer, M.T. Press Assoc.

APPEARING ON WHICH PROPOSAL: JIB 609

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE?

**COMMENTS:** \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: David Stearns DATE: 3-5-79

ADDRESS: 1515 Highland Avenue

PHONE: 443-5579 & 443-2801

REPRESENTING WHOM? Mount Pleasant

APPEARING ON WHICH PROPOSAL: HB Bill 87 809 & 181

DO YOU: SUPPORT? ✓ 81 AMEND? \_\_\_\_\_ OPPOSE? 6-9

COMMENTS: \_\_\_\_\_

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PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Lyne T. Loendorf DATE: 3-5-79

ADDRESS: Helen

PHONE: 447-6390

REPRESENTING WHOM? M. M. A.

APPEARING ON WHICH PROPOSAL: HG50

DO YOU: SUPPORT? / AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Riley W. Chidlers DATE: March 5/79

ADDRESS: P.O. 1306 Great Falls, Mont

PHONE: 4541-1521

REPRESENTING WHOM? Mont Telephone Ass'n

APPEARING ON WHICH PROPOSAL: H.B. 802

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS:

NAME: P. J. Giffenher DATE: 3/5/79

ADDRESS: 2816 4<sup>th</sup> Ave So Great Falls 59405

PHONE: 453-6700

REPRESENTING WHOM? Mid Rivers Tel. Corp.

APPEARING ON WHICH PROPOSAL: AB 802

DO YOU: SUPPORT? X AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: JAMES J. BEEHAN DATE: MAR 5

ADDRESS: CIRCLE MT 59215

PHONE: 485-3301

REPRESENTING WHOM? Mid-Rivers Electric Cooperative Inc

APPEARING ON WHICH PROPOSAL: House Bill 402

DO YOU: SUPPORT? YES AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

NAME: LLOYD LANIUS DATE: 3-5-79

DATE: 3-5-79

ADDRESS: 959 - No. MARIAS Ave ELLIOT - MT

PHONE: 406-4134-2790

REPRESENTING WHOM? Northeast Telephone Co., Inc. - Mt. Tel. Assn.

APPEARING ON WHICH PROPOSAL: HB 802

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Sharon Peterson DATE: March 5-79

ADDRESS: Bt 1 Box Windfall MT 59489

PHONE: 462-5543. home 443-5343. office

REPRESENTING WHOM? WIFE, NFO, FARM Bureau, Farmers Union

APPEARING ON WHICH PROPOSAL: HB 802

DO YOU: SUPPORT  AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: This would be good for people in rural areas.

etc

NAME: Jeff Whisman DATE: 5-27-76

ADDRESS: 501 N. Sanders - Hobart

PHONE: 1413-4032

REPRESENTING WHOM? MT Assn of Realtors

APPEARING ON WHICH PROPOSAL: J. B 846

DO YOU: SUPPORT?  AMEND?  OPPOSE?

**COMMENTS:**

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: John H. Murphy DATE: 3/26/81

ADDRESS:

PHONE:

REPRESENTING WHOM? Legislative Analyst

APPEARING ON WHICH PROPOSAL: H.B. 881

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS: Comments on H.B. 881 and H.B. 601

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Vicki Johnson DATE: 5/17/96

DATE: 5/7/9

ADDRESS: Starlite - Calumet 1686 Argyle

PHONE: 910-5684 455-9284

REPRESENTING WHOM? State v. Palmer, 1970

APPEARING ON WHICH PROPOSAL: HB 881

COMMENTS: \_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

*Submitted by  
Hal Stearns*

## HOUSE BILL 881

MONTANA PRESS ASSOCIATION'S STATEMENT ON HOUSE BILL 881 WHICH PROVIDES FOR RE-ESTABLISHMENT OF THE BOARD OF COUNTY PRINTING. THE BOARD WAS PHASED OUT UNDER THE SUNSET LAW, EFFECTIVE JULY 1, 1, 1979.

It is deemed necessary to have such a Board for the purpose of administering the schedule of prices for county printing.

Without an administrative board, chaos would be the result. The various county newspapers could establish their individual criteria for printing done for the county government, which could lead to a wide disparity of prices in the various counties.

By having a Board of County Printing, composed of two county commissioners, two representatives of the printing industry and one lay person; a fair and equitable schedule of prices would continue to be maintained for all counties.

A Board of County Printing would be acting for the best interests of the taxpaying public in the establishment of a state-wide code of prices.

Until 1967 the Legislature fixed the printing price schedule, this being the practice since 1895. After 1967 the Board of County Printing was established and has met to deliberate and determine printing prices which are fair to the taxpayers and the printing industry.

The existence of an established printing price schedule also enables the commissioners to determine their budgetary requirements.

The longtime practice of awarding county printing contracts to newspapers within the county is being maintained, thus insuring that each county will be able to continue having its own newspaper.

Re-establishment of the Board of County Printing is vitally needed to protect the public and newspaper printers alike.

Passage of this Bill is hereby recommended by the Montana Press Association. The House so agreed in approving HB 881 by a 76 to 22 vote.

James Rettig, Big Sandy, President, MPA

Hal Stearns, Editor, Montana Fourth Estate