

MINUTES OF THE MEETING
BUSINESS AND INDUSTRY COMMITTEE
MONTANA STATE SENATE

January 14, 1983

The meeting of the Business and Industry Committee was called to order by Chairman Allen Kolstad on January 14, 1983, at 11:00 a.m., in Room 404, State Capitol.

ROLL CALL: Roll was called with Senators Boylan and Dover being excused.

CONSIDERATION OF SENATE BILL 62: Senator Turnage, sponsor of the bill, stated this bill was recommended by the Revenue Oversight Committee, which was a suggestion from the Department of Revenue, Liquor Division. This bill has to do primarily with corporations and clarifying the licensing section of the liquor code. Senator Turnage wanted to remove the prohibition of immediate family ownerships as he thought it would be unconstitutional.

PROPOSERS OF SENATE BILL 62: Howard Hefflefinger, Liquor Division Administrator, gave the Committee a revised Senate Bill 62, with amendments. He stated that the State of Montana has a liquor license quota system which restricts the number of licenses and distributes them according to population. This seems to raise the market value of these licenses. It has also been State policy that anyone can get one all beverage liquor license per immediate family. At the same time, the law has provided, in regard to retail beer licenses, that anyone who wants to acquire an available license may do so regardless of whether he has another license. These licenses are much less valuable. He pointed out the amendments which had been inserted and Senator Turnage stated he agreed with the amendments 100%.

Chairman Kolstad instructed Staff Attorney Petesch to review the amendments. (This handout is attached to the minutes).

There were no further proponents and no opponents.

There being no further discussion, hearing on Senate Bill 62 was closed.

NO EXECUTIVE ACTION TAKEN ON SENATE BILL 62.

CONSIDERATION OF SENATE BILL 75: Senator Turnage, sponsor of the bill, stated this was another bill that the Liquor Division brought to the attention of the Revenue Oversight Committee. He asked that Mr. Hefflefinger explain the bill.

PROPOSERS OF SENATE BILL 75: Howard Hefflefinger, Liquor Division Administrator, stated in administering the retail beer licenses quota system, it has always been the clear understanding of the Department that they issue one such license per 500 inhabitants to cities of more than 500 inhabitants but not more than 2,000 inhabitants. In cities of over 2,000 inhabitants they would issue

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four licenses for the first 2,000 inhabitants and two additional licenses for the "next" 2,000 inhabitants. He stated they were simply adding some language to the lower portion of the bill and the only change being the words "first" to "next" on line 16, page 2.

ACTION ON SENATE BILL 75: Senator Gage made a motion that Senate Bill 75 Do Pass. Senator Christiaens seconded the motion. On a Roll Call Vote the Committee voted 8-0, with the exception of Senators Boylan and Dover, who were excused, that SENATE BILL 75 DO PASS. This Roll Call Vote is attached to the minutes.

ADJOURN: There being no further business, the meeting adjourned at 11:28 a.m.



ALLEN C. KOLSTAD, CHAIRMAN

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STANDING COMMITTEE REPORT

January 14

19 83

MR. President

We, your committee on BUSINESS AND INDUSTRY

having had under consideration SENATE Bill No. 75

Respectfully report as follows: That SENATE Bill No. 75

DO PASS

AK

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS AND INDUSTRY

Date 1/14/83 Senate _____ Bill No. 75 Time _____

NAME	YES	NO
PAUL F. BOYLAN		
B. F. CHRIS CHRISTIAENS	✓	
HAROLD L. DOVER		
DAVID FULLER	✓	
DELWYN GAGE	✓	
PAT M. GOODOVER	✓	
GARY P. LEE, VICE CHAIRMAN	✓	
PAT REGAN	✓	
PAT M. SEVERSON	✓	
ALLEN C. KOLSTAD, CHAIRMAN	✓	

Secretary _____ ALLEN C. KOLSTAD
Chairman

Motion: Do Pass

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

1-14-83

BUSINESS & INDUSTRY

[illegible]

(Please leave prepared statement with Secretary)

NAME:

Harold Hoffelinger

DATE:

1.14.83

ADDRESS:

1312 - 8th Ave

PHONE:

447-2540

REPRESENTING WHOM?

Liquor Division, Dept of Revenue

APPEARING ON WHICH PROPOSAL:

SB 62 + 75

DO YOU:

SUPPORT?

☒

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME :

DATE :

ADDRESS:

PHONE :

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.