

MINUTES OF THE MEETING
BUSINESS & INDUSTRY COMMITTEE
MONTANA STATE SENATE

January 17, 1985

The fifth meeting of the Business & Industry Committee was called to order by Chairman Mike Halligan in Room 410 of the Capitol Building at 10:05 a.m.

ROLL CALL: All committee members were present.

CONSIDERATION OF SENATE BILL 45: Chairman Mike Halligan stated to the committee that there was a difference of opinion on SB 45 as to what was intended by the Department of Revenue and the role they want to play in the filing of security interests for liquor licenses. The Department does not want to be involved as a final entity in the filing of security interests. Mary McCue, Legislative Staff Attorney, explained an amendment she had prepared which would change the language to read that the department shall accept these filings and keep a record of them and remove the language that deals with perfections. (See EXHIBIT 1) The bill if amended would provide a notice requirement and a filing with the department and not an actual perfection to make the security interest valid. Senator Kolstad wanted to know what, if any, advantage there would be in taking it out of the Secretary of State's office and was told there was none. Senator Christiaens said he felt it was possibly just one more paper step which was not really necessary. Mary McCue explained this would just take this procedure out of the regulations and put it into statute and make it clearer to the department what the procedure should be. Senator Christiaens stated he felt this would make it easier for financial institutions to be assured that the liens have been perfected. Senator Williams thought there might be a bill in the works which would make these type of records on a computer access.

DISPOSITION OF SENATE BILL 45: Senator Christiaens made a MOTION to adopt the amendments as written to SB 45. Motion carried.

Senator Christiaens then made a MOTION that SB 45 DO PASS AS AMENDED. On a roll call vote the motion failed 6 to 4.

DISPOSITION OF SENATE JOINT RESOLUTION 2: Senator Gage MOVED NOT TO ADOPT SJR 2. He expressed concern about preferences and who would keep track of employee-owned businesses and just who qualified for priority. Senator Goodover felt it should have been a bill and not a resolution. Senator Williams felt it should possibly be brought

to the floor for more discussion. Senator Thayer wondered if there might be some way to amend it to perhaps make it better. The motion passed with Senators Neuman and Williams voting no.

The meeting was adjourned at 10:40 a.m.



Senator Mike Halligan, Chairman

cd

ROLL CALL

BUSINESS & INDUSTRY

COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 1/17/85

DATE
SEAT
#

NAME	PRESENT	ABSENT	EXCUSED
CHAIRMAN MIKE HALLIGAN	X		
V-CHRM. B. F. CHRISTIAENS	X		
SENATOR PAUL BOYLAN	X		
SENATOR DAVID FULLER	X		
SENATOR DELWYN GAGE	X		
SENATOR PAT GOODOVER	X		
SENATOR ALLEN KOLSTAD	X		
SENATOR TED NEUMAN	X		
SENATOR GENE THAYER	X		
SENATOR BOB WILLIAMS	X		

Each day attach to minutes.

Amendment to SB 45, introduced copy.

1. Page 1, line 11 through ~~line~~ 18.

Following: "Section 1." on line 11

remainder of line 11 through "section" on line 18

Strike: "Filing" through "section." on line 18.

Insert: "Filing notices of security agreements-- procedure--fees.

(1) On written request to the department, the department shall accept and record notices of security agreements or other lien instruments in a license. The filing shall include the security agreement or other lien instrument creating the security interest, or a true copy of it certified by a notary public."

STANDING COMMITTEE REPORT

..... JANUARY 17 19 85

MR. PRESIDENT

BUSINESS & INDUSTRY

We, your committee on

SENATE BILL

45

having had under consideration..... No.....

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PROCEDURES FOR FILING SECURITY INTERESTS IN LIQUOR LICENSES

SENATE BILL

45

Respectfully report as follows: That..... No.....

be amended as follows:

1. Page 1, lines 11 through 18.

Following: "Section 1." on line 11,

Strike: "remainder of line 11 through "section" on line 18,

Insert: "Filing notices of security agreements -- procedure --
fees. (1) On written request to the department, the department

shall accept and record notices of security agreements or other
lien instruments in a license. The filing shall include the
security agreement or other lien instrument creating the security
interest, or a true copy of it certified by a notary public"

AND AS AMENDED

~~DO NOT PASS~~

~~DO NOT PASS~~

.....
Chairman.

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS & INDUSTRY

Date JANUARY 17, 1985 Bill No. SB 45 Time 10 a.m.

NAME		YES	NO
Chairman	Mike Halligan	X	
V-Chrm.	B.F. Christiaens	X	
Senator	Paul Boylan		X
Senator	David Fuller	X	
Senator	Delwyn Gage		X
Senator	Pat Goodover		X
Senator	Allen Kolstad		X
Senator	Ted Neuman		X
Senator	Gene Thayer		X
Senator	Bob Williams	X	

Carol Duval
Secretary

Mike Halligan
Chairman

Motion: Motion by Senator Christiaens to adopt the SB 45
as amended.

STANDING COMMITTEE REPORT

JANUARY 17

35

..... 19.....

MR. PRESIDENT

BUSINESS & INDUSTRY

We, your committee on.....

having had under consideration..... **SENATE JOINT RESOLUTION** No. **2**

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color

JOINT RESOLUTION REQUESTING EMPLOYEE-OWNED BUSINESSES GET GRANT PRIORITY

Respectfully report as follows: That..... **SENATE JOINT RESOLUTION** No. **2**

~~DO NOT PASS~~

DO NOT PASS

.....
Chairman.