

MINUTES OF THE MEETING
BUSINESS & INDUSTRY COMMITTEE
MONTANA STATE SENATE

March 29, 1985

The forty-ninth meeting of the Business & Industry Committee met on Friday, March 29, 1985 at 8 a.m. in Room 410 of the Capitol Building. The meeting was called to order by Chairman Mike Halligan.

ROLL CALL: The committee members were all present.

DISPOSITION OF HOUSE BILL 858: A short discussion of whether or not there should be a vote of the people to assess a mill levy was held. Senator Goodover felt there should possibly be language inserted to indicate a vote of the people was necessary.

Senator Neuman then MADE A MOTION THAT HOUSE BILL 858 BE CONCURRED IN. The motion carried. Senator Thayer and Senator Goodover voted "no". Senator Williams will carry the bill on the Senate floor.

DISPOSITION OF HOUSE BILL 532: Senator Fuller MADE A MOTION THAT HOUSE BILL 532 BE CONCURRED IN. Senator Thayer commented if this bill passes, it will destroy private parking lots because there is no other way for them to enforce paid parking. He felt if there was some other way to offer a remedy he would vote for the bill but the way the bill stands presently he felt was simply not fair to the parking lot operators. Senator Gage wondered about giving them the same rights as the city government has and was told their powers are limited and enforcement is a problem because they do not have the authority to collect the fines. Most people would pay their tickets but there are always habitual offenders. Senator Boylan felt tying a barrel to a car was absolutely ridiculous. Senator Christiaens noted that it having an adverse affect in downtown Great Falls businesses.

Senator Thayer made a substitute motion THAT HOUSE BILL 532 BE TABLED. On a roll call vote Senator Christiaens, Senator Boylan, Senator Fuller, Senator Gage and Senator Williams voted "no". The motion carried 6-5.

DISPOSITION OF HOUSE BILL 420: Senator Goodover understood the committee would await House Bill 354 dealing with repeal of licensing before taking final action. Senator Halligan explained there had to be some positive action and if necessary it could be rereferred from the floor.

Senator Weeding felt that a \$25 fee was high enough for registration of the airports. He felt since the state already does this under contract with the FAA there was no need to establish a higher fee.

Senator Fuller stated that if House Bill 354 is killed then

the state will be required to license airports and he felt they should be able to charge to pay for those costs. Senator Weeding felt since the FAA requires certification of all municipal and commercial type airports anyway that a higher fee was not necessary. He wondered if this bill were enforced if they would be required to inspect and license all types of airports and charge each a fee. Senator Fuller noted again that if the other bill is killed, the state would be required to license and felt there should be the capacity to pay for it also. Senator Gage felt the same way.

Senator Weeding MOVED TO CHANGE THE FEE FROM \$1000 to \$25 PER AIRPORT. The motion failed.

A short discussion of just what the costs per airport should be. Senator Neuman then MOVED TO STRIKE \$1000 AND INSERT \$250. The motion carried. (EXHIBIT2)

Senator Fuller then MOVED THAT HOUSE BILL 420 BE CONCURRED IN AS AMENDED. Senator Goodover and Senator Weeding voted "no". Senator Weeding will carry the bill on the Senate floor.

CONSIDERATION OF HOUSE BILL 236: Senator Thayer felt some amendments should be added to this bill. He felt the language was clearer in Senate Bill 391 dealing specifically with Draw 80 Poker. He thought there should be language deleting the hookup and changing the fee schedule around to address the split of the license fee. Language concerning the revocation of license and a penalty for violations should be included also he felt. The language in SB 391 concerning a particular type of game was more specific and he felt that the way the bill is written now could be misinterpreted to include slot machines. He still favored a sunset provision and also that the counties should be able to have this as an option to be decided by the county commissioners. He also thought the license fee should be higher than \$1200 per machine also.

Senator Christiaens agreed with Senator Thayer that there should be reference to electronic poker games only. A brief discussion of just what mechanical machines were. He felt that specifically eliminating slots machines should be included in the bill. He thought too that there should be a provision stating that the money is not automatically paid out of the machine. He thought that the word "gaming" should be included before all beverage license also.

Senator Thayer wondered if the old machines should be grandfathered in that were previously licensed but state that any new licenses would have to meet the provisions that were set up in Senate Bill 391.

Senator Christiaens felt the machines should only be in locations where an all beverage license is established to keep them away from minors playing them. Senator Kolstad wondered why bars

should have exclusive privileges. He did not want to see them everywhere either however. Senator Christiaens felt if they were located in all beverage establishments it would eliminate minors though. Senator Gage wondered if areas such as golf clubs and areas that include restaurants with a bar attached would be able to place the machines anywhere. Senator Christiaens felt the particular location could be put in the statement of intent. Senator Thayer felt this might be something the rulemaking authority could establish. He felt if the language was tampered with too much it could enter into other aspects of the law.

Senator Williams felt if we are going to allow gambling that it should be statewide and not be left up to each county.

Senator Halligan felt that Senate Bill 391 kept the language to one specific game of Draw 80 Poker. Senator Neuman wondered if language could be placed in the statement of intent concerning the location of machines in all beverage license establishments without concerning other statutes. Mary McCue stated this could be done but it would not be law then.

Senator Christiaens wondered if it might be easier to just put together a combination bill. Senator Halligan asked for the committee's opinions on direction and guidance to assist Mary McCue in the drafting of a combination bill. It was decided to include removing the mechanical language, eliminate the slot machine language, add an all beverage liquor license applies only to video draw poker with language going into the statement of intent on the locations of the machines. It was felt the payoff should be given some direction also. There was some discussion of a penalty clause.

The committee felt SB 391 had clear language on the limitation of value of prizes paid out and should also be included.

There was some discussion of letting the counties have the option of having gaming machines. Senator Williams objected and it was decided this would be an option.

Next there was discussion of whether or not this might be interpreted to include blackjack and other card games. Senator Neuman felt the intent was not to include blackjack and wondered if this type of language could be included. Mary McCue felt this might be going beyond the scope of the bill however. She felt perhaps a separate section dealing with language concerning a specific video game could be a possibility.

Senator Neuman wondered about taking the old machines and putting a fee of \$5000 on these and any new machines would have to be on an electronic hookup.

Discussion of the size of the license fee. Senator Williams felt it was just a wild guess as to what each machine would produce. Senator Gage felt we need to decide if this is to be a revenue producer or just a licensing measure. Senator Thayer felt a license fee of \$5000 should be put into place. Senator Williams and Senator Kolstad were against this. The license fee should be raised the committee felt but were unsure of the exact amount.

The committee discussed a sunset provision and Senator Neuman objected to this.

DISPOSITION OF HOUSE BILL 420: Senator Goodover MOVED TO RECONSIDER THE ACTION TAKEN EARLIER ON HOUSE BILL 420. The motion carried.

Senator Goodover MOVED TO DELETE THE EFFECTIVE DATE TO MAKE THE MEASURE EFFECTIVE OCTOBER 1. The motion carried.

Senator Weeding MOVED TO CONCUR IN HOUSE BILL 420 AS AMENDED. The motion carried.

The meeting was adjourned at 9 a.m.



SENATOR MIKE HALLIGAN, Chairman

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ROLL CALL

BUSINESS & INDUSTRY

COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 3-29-85

SENATE
SENT

NAME	PRESENT	ABSENT	EXCUSED
Chairman Halligan	X		
V-chrm. Christiaens	X		
Senator Boylan	X		
Senator Fuller	X		
Senator Gage	X		
Senator Goodover	X		
Senator Kolstad	X		
Senator Neuman	X		
Senator Thayer	X		
Senator Williams	X		
Senator Weeding	X		

Each day attach to minutes.

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS & INDUSTRY

Date March 29, 1985 HOUSE Bill No. 532 Time 8:30 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
Senator Cecil Weeding	X	

Carol Duval
Secretary

Mike Halligan
Chairman

Motion: Motion by Senator Thayer that House Bill 532 BE TABLED.

Carried 6-5.

FIB 420

EXHIBIT 2
BUSINESS & INDUSTRY
March 29, 1985

2. Page 3, line 20.

Following: "EXCEED"

Strike: "\$ 1,000"

Insert: "\$ 250"

1. Title, line 10.

Following: "MCA"

Strike: "; AND PROVIDING AN
IMMEDIATE EFFECTIVE DATE"

3. Page 4, lines 3 and 4.

Strike: Section 2 in its entirety

STANDING COMMITTEE REPORT

MARCH 29

85

19.....

MR. PRESIDENT

BUSINESS & INDUSTRY

We, your committee on.....

HOUSE BILL

420

having had under consideration.....

No.....

third

reading copy (blue)
color

**RAISING LICENSE FEES FOR AIRCRAFT, AIRMEN, INSTRUCTORS, CHANGING
AIRPORT FEE (Weeding)**

Respectfully report as follows: That.....

HOUSE BILL

420

No.....

be amended as follows:

1. Title, line 10.

Following: "MCA"

Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3, line 20.

Following: "EXCEED"

Strike: "\$1,000"

Insert: "\$250"

3. Page 4, lines 3 and 4.

Strike: section 2 in its entirety

AND AS AMENDED
BE CONCURRED IN

~~XXXXXX~~
DO NOT PASS

~~XXXXXXXXXX~~
DO NOT PASS

Sen. Mike Halligan

Chairman.

STANDING COMMITTEE REPORT

MARCH 29

85

19

MR. PRESIDENT

BUSINESS & INDUSTRY

We, your committee on.....

HOUSE BILL 858

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

third reading copy (blue)
color

MUNICIPAL AND REGIONAL PORT AUTHORITIES
(Williams)

HOUSE BILL 858

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

BE CONCURRED IN

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~~XXXXXXXXXX~~

Sen. Mike Halligan

Chairman.