

MINUTES

MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & INDUSTRY

Call to Order: By Chairman J.D. Lynch, on March 6, 1991, at
10:00 a.m.

ROLL CALL

Members Present:

J.D. Lynch, Chairman (D)
John Jr. Kennedy, Vice Chairman (D)
Betty Bruski (D)
Eve Franklin (D)
Delwyn Gage (R)
Thomas Hager (R)
Jerry Noble (R)
Gene Thayer (R)
Bob Williams (D)

Members Excused: None

Staff Present: Bart Campbell (Legislative Council).

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Announcements/Discussion: None

HEARING ON HOUSE BILL 529

Presentation and Opening Statement by Sponsor:

Representative Gary Feland, sponsor of the bill, stated that this bill is a bond validating act. It is brought in every year to change the dates on it.

Proponents' Testimony:

Karen Munro, representing the department of administration, spoke in favor of the bill (See Exhibit 1).

Opponents' Testimony:

None

Questions From Committee Members:

Senator Lynch asked if there was an absolute reason why this

bill has to be passage of approval.

Karen Munro stated that there is a reason. If they made it October 1, or July then you are ensuring the validity of bonds that haven't even been issued yet.

Senator Thayer asked how this bond validating act came about, and why it is necessary.

Karen Munro stated that she does not know how far back this legislation goes. It was put in there that you have different municipalities, school districts, all of them have bond issue authority. It is possible that they might issue bonds for technical defects.

Senator Lynch stated that if this is something that is automatically to be, why are the tax payers paying two thousand dollars for a bill to go through the process every two years. It should be made permanent in statute.

Senator Noble stated that maybe the effective date should be taken off of the bill.

Karen Munro stated that they do not want to validate bonds that will be issued in the future. They just want to validate the bonds that have been issued.

Closing by Sponsor:

Representative Feland asked Senator Thayer to carry the bill if it passes.

HEARING ON HOUSE JOINT RESOLUTION 15

Presentation and Opening Statement by Sponsor:

Representative Norm Wallin, sponsor of the bill, stated that this is a pleasant resolution to introduce.

Proponents' Testimony:

Casey Emerson, a resident of Bozeman, stated that he is involved in the Montana inventor's association, and the Montana manufacturer's association. He is trying to get the two associations together to help the economy of Montana. He has talked with the governor to get his okay. Last fall they had a joint meeting with the manufacturers and the inventors. There was some publicity from the governor's office, and had a little help to stimulate the two organizations and economy of the state in that way. They thought if they could get a week designated as a Montana inventors and innovators week, it would help those two organizations, and in general it would help the economy of the state of Montana.

Opponents' Testimony:

None

Questions From Committee Members:

Senator Lynch asked if representative Wallin checked with the governor's office that this is a good time to have this, so it would not conflict with some other week.

Representative Wallin stated that he verified what Mr. Emerson had told him that he had talked with the governor. He went down to the governor, and checked the proposal out with the governor. It was fine with him.

Closing by Sponsor:

Representative Wallin closed by saying that he asked Mr. Emerson how many people are inventors in Montana. He stated that there are about one thousand. There are about fifteen thousand people that come up with ideas but do not have the skill to put it together. It is something that you don't read about, or hear about, and maybe the recognition in the paper would help. He asked Senator Kennedy to carry HJR 15 if it passes.

EXECUTIVE ACTION ON HOUSE JOINT RESOLUTION 15Motion:

Senator Thayer moved that HJR 15 be concurred in.

Discussion:

None

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

The motion made that HJR 15 be concurred in passed unanimously.

EXECUTIVE ACTION ON HOUSE BILL 529Motion:

Senator Noble moved that HB 529 be concurred in.

Discussion:

Senator Kennedy asked that they maybe do something on the effective date of the bill.

Senator Lynch stated that they should still pass the bill, and then do research so they can fix this by next session.

Amendments, Discussion, and Votes:

None

Recommendation and Vote:

The motion that HB 529 be concurred in passed unanimously.

HEARING ON HOUSE BILL 367

Presentation and Opening Statement by Sponsor:

Representative Jan Brown, sponsor of the bill, stated that HB 367 is a bill that provides for expansion of the business improvement district. Helena and Great Falls have business improvement districts, and they were authorized through legislation that was passed back in 1985. Things are sometimes omitted when legislation is originally passed. It was based on setting up special improvement districts. Helena found at this time that they wanted to expand the business improvement district, and the law does not provide for doing this. The city attorney said in order to expand the district, Helena would have to go through the process of setting up the business improvement district. This would mean contacting all of the property owners in the districts and going through the whole routine. This would take a considerable amount of time. That is the reason for the submission of this bill. It was requested by the Helena business improvement district manager. It provides to expand the district, you would go through the same procedures when you set up a business improvement district, only it would just be in the new part of the district.

Proponents' Testimony:

None

Opponents' Testimony:

None

Questions From Committee Members:

Senator Thayer asked what kind of process would there be to allow the people to expand the district.

Representative Brown stated that the city commission would have to pass the resolution of intent. They would have to publish it in the newspaper, and send copies of the notice to all of the property owners within the proposed area of expansion.

Closing by Sponsor:

Representative Brown closed by asking that Senator Franklin carry the bill.

EXECUTIVE ACTION ON HOUSE BILL 367

Motion:

Senator Noble made a motion that HB 367 be concurred in.

Discussion:

None

Amendments, Discussion, and Votes:

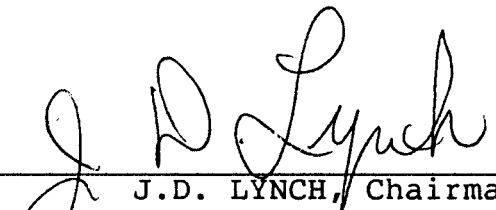
None

Recommendation and Vote:


The motion made that HB 367 be concurred in passed unanimously. Senator Franklin will carry the bill.

ADJOURNMENT

Adjournment At: 10:35 a.m.



J.D. LYNCH, Chairman



DARA ANDERSON, Secretary

JDL/dia

ROLL CALL

BUSINESS AND INDUSTRY COMMITTEE

DATE 3/6/91

52ND LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SENATOR BRUSKI	X		
SENATOR FRANKLIN	X		
SENATOR GAGE	X		
SENATOR HAGER	X		
SENATOR NOBLE	X		
SENATOR THAYER	X		
SENATOR WILLIAMS	X		
SENATOR KENNEDY	X		
SENATOR LYNCH	X		

Each day attach to minutes.

3/6/91

BUSINESS & INDUSTRY

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

HB529 Testimony
Karen Munro, Department of Administration
March 6, 1991

TITLE

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND THE APPLICATION OF THE BOND VALIDATING ACT; AMENDING SECTION 17-5-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

PURPOSE

The purpose is to extend the Bond Validating Act to cover bonds issued since the last legislative session.

SUMMARY

HB529 (Bond Validating Act) is a housekeeping bill that is brought to the Legislature each session to obtain legislative confirmation of the validity of bonds. It validates the bonds issued by the State, and any other public body since 3/20/89 (the date passed by the last legislative session). Many bonds are sold to individual investors who rely on the municipal authorities having complied with all statutory requirements in the issuance of the bonds. Should there be an irregularity, this bill cures the irregularity to ensure the validity of the bonds. In summary, it ensures bond holders the issuer will honor its debt repayment commitments even if there is a technical defect in the issuance of the bonds.

I urge you to support HB529.

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS AND INDUSTRY

Date 3/6/91 Bill No. HJR 15 Time 10 a.m.

NAME	YES	NO
SENATOR WILLIAMS	✓	
SENATOR THAYER	✓	
SENATOR NOBLE	✓	
SENATOR HAGER	✓	
SENATOR GAGE	✓	
SENATOR FRANKLIN	✓	
SENATOR BRUSKI	✓	
SENATOR KENNEDY	✓	
SENATOR LYNCH	✓	

DARA ANDERSON

J.D. LYNCH

Secretary

Chairman

Thayer
Motion:

BE CONCURRED IN.

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS AND INDUSTRY

Date 3/6/91 Bill No. HB529 Time 10 a.m.

NAME	YES	NO
SENATOR WILLIAMS	X	
SENATOR THAYER	X	
SENATOR NOBLE	X	
SENATOR HAGER	X	
SENATOR GAGE	X	
SENATOR FRANKLIN	X	
SENATOR BRUSKI	X	
SENATOR KENNEDY	X	
SENATOR LYNCH	X	

DARA ANDERSON

J.D. LYNCH

Secretary

Chairman

Motion: ^{Noble} BE CONCURRED IN

ROLL CALL VOTE

SENATE COMMITTEE BUSINESS AND INDUSTRY

Date 3/6/91 Bill No. HB 367 Time 10 a.m.

NAME	YES	NO
SENATOR WILLIAMS	X	
SENATOR THAYER	X	
SENATOR NOBLE	X	
SENATOR HAGER	X	
SENATOR GAGE	X	
SENATOR FRANKLIN	X	
SENATOR BRUSKI	X	
SENATOR KENNEDY	X	
SENATOR LYNCH	X	

DARA ANDERSON

Secretary

Motion: BE CONCURRED IN

J.D. LYNCH

Chairman

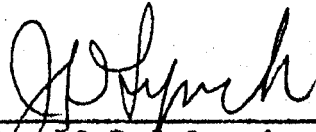
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 6, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Joint Resolution No. 15 (third reading copy - blue), respectfully report that House Joint Resolution No. 15 be concurred in.

Signed:


John J.D. Lynch, Chairman

LB 3/6/91
Amd. Coord.

SB 3-6 11:50
Sec. of Senate

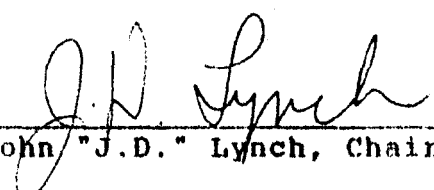
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 6, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Bill No. 367 (third reading copy -- blue), respectfully report that House Bill No. 367 be concurred in.

Signed: _____


John "J.D." Lynch, Chairman

RB 3/6/91
Amd. Cobrd.

SR 3-6 11:50
Sec. of Senate

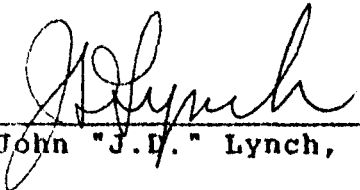
SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 6, 1991

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration House Bill No. 529 (third reading copy -- blue), respectfully report that House Bill No. 529 be concurred in.

Signed: _____


John "J.D." Lynch, Chairman

MA 3-6-91
Ad. Coord.

SP 3-6 11:50
Sec. of Senate