

MINUTES

MONTANA SENATE
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & INDUSTRY

Call to Order: By CHAIRMAN JOHN HERTEL, on January 19, 1995, at
8:00 a.m.

ROLL CALL

Members Present:

Sen. John R. Hertel, Chairman (R)
Sen. Steve Benedict, Vice Chairman (R)
Sen. William S. Crismore (R)
Sen. C.A. Casey Emerson (R)
Sen. Ken Miller (R)
Sen. Mike Sprague (R)
Sen. Gary Forrester (D)
Sen. Terry Klampe (D)

Members Excused: Sen. Bill Wilson (D)

Members Absent: N/A

Staff Present: Bart Campbell, Legislative Council
Lynette Lavin, Committee Secretary

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

Committee Business Summary:

Hearing: None
Executive Action: SB 38 DO PASS AS AMENDED

EXECUTIVE ACTION ON SB 38

Motion: SEN. STEVE BENEDICT MADE THE MOTION THAT THE AMENDMENTS
REQUESTED BY SEN. BENEDICT BE ADOPTED.

Discussion: SEN. BENEDICT stated that the amendments were
prepared by the Department of Commerce when the bill was
introduced. The bill required some clean up of issues raised by
the banking industry.

SEN. CASEY EMERSON asked if the amendments were the same
amendments passed before. SEN. BENEDICT replied that these were
the same amendments. He explained that because the committee had
not acted on SB 38 after the amendments were passed, the bill
returns to its original form and the committee must start from
scratch.

Vote: The motion to adopt the amendments **CARRIED UNANIMOUSLY.**

Motion: **SEN. KEN MILLER MADE THE MOTION THE AMENDMENTS BE REQUESTED BE ACCEPTED.**

Discussion: **SEN. BENEDICT** stated that he had requested additional time for **SENATORS SPRAGUE AND MILLER** to work on the amendments they felt were necessary. He commended them for coming up with amendments that everyone could agree on and expressed his support.

Vote: The motion to adopt the amendments **CARRIED UNANIMOUSLY.**

Motion: **SEN. BENEDICT MADE THE MOTION THAT SB 38 DO PASS AS AMENDED.**

Vote: The motion **SB 38 DO PASS AS AMENDED CARRIED UNANIMOUSLY.**

Discussion: **SEN. BENEDICT** stated that the Society of CPA's missed the deadline for introduction of bills. He believes the committee bill process is the safety valve in the process in case someone misses a deadline, the committee can help out.

Motion: **SEN. BENEDICT** made the motion **Bart Campbell** be allowed to draft two committee bills for the Society of CPA's.

Discussion: **SEN. FORRESTER** asked how this motion would fit in with leadership's attempt to limit bills. He expressed concern that this may go against leadership's wishes.

SEN. HERTEL stated that he will limit the bills, but he felt this was a fine idea. He fully supports the concept of committee bills.

SEN. BENEDICT said that the committee is independent of leadership and the committee bill is part of that independence.

SEN. BILL CRISMORE asked **SEN. BENEDICT** to explain the committee bill process. **SEN. BENEDICT** explained that the committee bill process is a process where the committee can introduce a bill on the committee's behalf. It can be because the committee sees a need that is not being met or because someone brings an issue to the committee after the bill draft request deadline.

SEN. HERTEL asked **SEN. BENEDICT** to explain the voting process for a committee bill. **SEN. BENEDICT** explained that it was his understanding that it requires $\frac{3}{4}$ of the committees' votes to get the bill passed. It ensures that the majority party can not run away with a partisan bill and call it a committee bill.

SEN. SPRAGUE stated that there are some Senators that are very conservative and have not used all of their bill requests.

SEN. KLAMPE stated that for the record he had no comment. The committee applauded.

Vote: The motion to draft two committee bills **CARRIED UNANIMOUSLY.**

ADJOURNMENT

Adjournment: The meeting adjourned at 8:15 a.m.



SEN. JOHN HERTEL, Chairman



LYNETTE LAVIN, Secretary

JH/11

MONTANA SENATE
1995 LEGISLATURE
BUSINESS AND INDUSTRY COMMITTEE

ROLL CALL

DATE 1-19-95

NAME	PRESENT	ABSENT	EXCUSED
STEVE BENEDICT, VICE CHAIRMAN	✓		
WILLIAM CRISMORE	✓		
CASEY EMERSON	✓		
GARY FORRESTER	✓		
TERRY KLAMPE	✓		
KEN MILLER	✓		
MIKE SPRAGUE	✓		
BILL WILSON			✓
JOHN HERTEL, CHAIRMAN	✓		

SENATE STANDING COMMITTEE REPORT

Page 1 of 2
January 19, 1995

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration SB 38 (first reading copy -- white), respectfully report that SB 38 be amended as follows and as so amended do pass.

Signed: John R. Hertel
Senator John R. Hertel, Chair

That such amendments read:

1. Page 1, line 11.
Strike: "4"
Insert: "5"
2. Page 2, lines 1, 12, 17, 20, 26 (in two places).
Page 3, lines 2, 20, 24.
Page 4, line 12.
Page 5, lines 5, 12, 14.
Strike: "8"
Insert: "9"
3. Page 2, line 7.
Following: "people;"
Insert: "and"
4. Page 2, lines 9 through 11.
Following: "revenue" on line 9
Strike: remainder of line 9 through "practices" on line 11
5. Page 2, line 17.
Strike: "4"
Insert: "5"
6. Page 2, following line 29.
Insert: "NEW SECTION. Section 4. Loan applicant endorsement.
Applicants for job investment loans must be endorsed by local government entities or local economic development corporations."
Renumber: subsequent sections
7. Page 3, lines 13 and 14.
Following: "requiring" on line 13
Strike: remainder of line 13 through "and" on line 14
Insert: "that the percentage of project funding that must come from sources other than a job investment loan be a minimum of 50% when a job investment loan does not exceed \$100,000"

SA Amd. Coord.
SA Sec. of Senate

161240SC.SPv

and 67% for a maximum job investment loan of \$500,000. Loan participation from sources other than a job investment loan must be in increasing increments of .0425% over the minimum 50% for every \$1,000 of a job investment loan in excess of \$100,000, and the funds from other sources must include a loan from a financial institution.

(6) establishing appropriate loan loss reserves; and"
Renumber: subsequent subsection

8. Page 3, line 19.
Strike: "2%"
Insert: "20%"

9. Page 3, line 30.
Strike: "may"
Insert: "shall"

-END-

Amendments to Senate Bill No. 38
First Reading Copy

Requested by Senator Benedict
For the Committee on Business and Industry

Prepared by Bart Campbell
January 12, 1995

1. Page 1, line 11.
Strike: "4"
Insert: "5"
2. Page 2, lines 1, 12, 17, 20, 26 (in two places).
Page 3, lines 2, 20, 24.
Page 4, line 12.
Page 5, lines 5, 12, 14.
Strike: "8"
Insert: "9"
3. Page 2, line 7.
Following: "people;"
Insert: "and"
4. Page 2, lines 9 through 11.
Following: "revenue" on line 9
Strike: remainder of line 9 through "practices" on line 11
5. Page 2, line 17.
Strike: "4"
Insert: "5"
6. Page 2, following line 29.
Insert: "NEW SECTION. **Section 4. Loan applicant endorsement.**
Applicants for job investment loans must be endorsed by
local government entities or local economic development
corporations."
Renumber: subsequent sections
7. Page 3, line 13.
Strike: "equity or debt"
Following: "sources"
Insert: ", "
8. Page 3, line 14.
Following: "loan"
Insert: ", which sources must include a loan from a financial
institution"
Strike: "and"
9. Page 3, following line 14.
Insert: "(6) establishing appropriate loan loss reserves; and"
Renumber: subsequent subsection
10. Page 3, line 19.

Strike: "2%"
Insert: "20%"

11. Page 3, line 30.
Strike: "may"
Insert: "shall"

Amendments to Senate Bill No. 38
First Reading Copy

Requested by Senator Miller
For the Committee on Business and Industry

Prepared by Bart Campbell
January 18, 1995

1. Page 3, lines 13 and 14.

Strike: "requiring" on line 13 through "and;" on line 14

Insert: "requiring that the percentage of project funding that must come from sources other than a job investment loan be a minimum of 50% when a job investment loan does not exceed \$100,000 and 67% for a maximum job investemnt loan of \$500,000. Loan participation from sources other than a job investment loan must be in increasing increments of .0425% over the minimum 50% for every \$1,000 of a job investment loan in excess of \$100,000, and the funds from other sources must include a loan from a financial institution."