

MINUTES

**MONTANA SENATE
57th LEGISLATURE - REGULAR SESSION
COMMITTEE ON BUSINESS AND LABOR**

Call to Order: By **CHAIRMAN MIKE TAYLOR**, on March 16, 2001 at 8:00 A.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Mike Taylor, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Edward Butcher (R)
Sen. Vicki Cocchiarella (D)
Sen. Sam Kitzenberg (R)
Sen. Dale Mahlum (R)
Sen. Glenn Roush (D)
Sen. Don Ryan (D)

Members Excused: Sen. Dale Berry (R)

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Kyanne Kelly, Committee Secretary

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

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 574, 3/13/2001; HB 596,
3/13/2001
Executive Action: HB 87; HB 530; HB 463; HB 437

HEARING ON HB 574

Sponsor: REPRESENTATIVE GEORGE GOLIE, HD 44, GREAT FALLS

Proponents: None

Opponents: Loren Solberg, Montana Land Title Association
Amy Koski, First Interstate Bank
Bill Gowen, Helena Abstract & Title Company
John Cadby, Montana Bankers Association
Mike Kleese, First American Title Company

Opening Statement by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 1.3}

REPRESENTATIVE GEORGE GOLIE, HD 44, GREAT FALLS, said this bill would require an escrow agent to record the deed with the county clerk and recorder upon completion of a contract, this would not apply if the person who has the deed does not want the deed recorded.

Proponents' Testimony: None

Opponents' Testimony:

Loren Solberg, Montana Land Title Association, said the provisions of this bill are contrary to good business practices.

Amy Koski, First Interstate Bank, handed in her written testimony. **EXHIBIT**(bus60a01)

Bill Gowen, Helena Abstract & Title Company, handed in his written testimony. **EXHIBIT**(bus60a02)

John Cadby, Montana Bankers Association, said escrow agents are only safe keepers, they are not interpreters. He said they simply hold the documents until the person can get their deed back.

Mike Kleese, First American Title Company, said this would impose a duty upon all escrow agents and the cost would be passed to the consumer. He said this would create chaos.

Questions from Committee Members and Responses:

SENATOR DALE MAHLUM asked about the real purpose of the bill.

REPRESENTATIVE GOLIE said the purpose of the bill was alleviate having to do a title search when someone wants to buy or sell the property. That takes time and extra expense.

SENATOR MAHLUM asked if this search was often necessary.

Representative Golie said no, not often.

SENATOR ED BUTCHER asked if it really makes any difference if someone doesn't want to record their deed.

Mike Kleese said no.

Closing by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 3.3}

REPRESENTATIVE GEORGE GOLIE, HD 44, GREAT FALLS, said this would not mandate the escrow agent to record the deed, if a person does not want it recorded then it wouldn't have to be recorded.

HEARING ON HB 596

Sponsor: REPRESENTATIVE ROD BITNEY, HD 77, KALISPELL

Proponents: Mark Staples, Montana Tavern Association

Opponents: None

Informational Witness: Lee Baerlocker, Department of Revenue

Opening Statement by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 5}

REPRESENTATIVE ROD BITNEY, HD 77, KALISPELL, said this bill would allow privately owned golf courses some of the same privileges that public courses now enjoy, it would allow golf courses to let people drink alcohol within the building without having a liquor license. He said this would be more of a service to the customers rather than an attempt to get more money from selling alcohol. **EXHIBIT (bus60a03)**

Proponents' Testimony:

Mark Staples, Montana Tavern Association, said they support this bill as long as it stays within the parameters as set forth in

the bill, and doesn't start spilling out to miniature golf courses and other types of courses.

Opponents' Testimony: None

Informational Witness: Lee Baerlocker, Department of Revenue, said he was available for questions.

Questions from Committee Members and Responses:

SENATOR COCCHIARELLA asked if the licenses could be moved to a different location.

Lee Baerlocker said the licenses can't be moved to another location.

SENATOR RYAN asked how many golf courses would be benefitted by this bill.

Lee Baerlocker said they don't have that information.

Closing by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 22}

REPRESENTATIVE ROD BITNEY, HD 77, KALISPELL, said he supports the technical amendment from the Department of Revenue.

EXECUTIVE ACTION ON HB 87

Motion/Vote: SEN. TAYLOR moved that **AMENDMENTS TO HB 87 BE ADOPTED.** Motion carried unanimously.

Motion/Vote: SEN. TAYLOR moved that **HB 87 BE CONCURRED IN AS AMENDED.** Motion carried unanimously.

EXECUTIVE ACTION ON HB 530

Motion/Vote: SEN. TAYLOR moved that **AMENDMENT TO HB 530 BE ADOPTED.** Motion carried unanimously.

Motion/Vote: SEN. KITZENBERG moved that **HB 530 BE TABLED.** Motion carried 5-4 with Cocchiarella, Roush, Ryan, and Taylor voting no.

EXECUTIVE ACTION ON HB 463

Motion/Vote: SEN. TAYLOR moved that **AMENDMENTS TO HB463 BE ADOPTED**. Motion carried unanimously.

Discussion: CHAIRMAN TAYLOR said he had concerns that once you start to tap this fund for things other than employment related reasons then it will open the door for other things to be used against this fund. SENATOR RYAN said that the job is the one place an abuser knows a victim has to go, and it makes them vulnerable to attack at work. SENATOR SPRAGUE this is a real problem, but the question is whether this is the solution. CHAIRMAN TAYLOR asked if there was some other way to fund this program other than the unemployment insurance fund. SENATOR KITZENBERG asked if there were some figures from other states. Patty Keebler from AFL-CIO gave a hand-out with those figures. EXHIBIT (bus60a04) SENATOR RYAN said we have to make sure the employers don't have to suffer from this bill. SENATOR ROUSH said that the fiscal note is an overestimate. SENATOR BUTCHER said he had a concern about converting an insurance program into a social program that there are already a lot of laid off folks, and now this would put another burden on the fund. SENATOR MAHLUM suggested making it 10 weeks instead of 14 weeks. After discussion, it was decided by the Chairman to defer voting on this bill until next week.

EXECUTIVE ACTION ON HB 437

Motion/Vote: SEN. BUTCHER moved that **HB 437 BE TABLED**. Motion failed 5-4 with Berry, Butcher, Sprague, and Taylor voting aye.

Motion: SEN. TAYLOR moved that **AMENDMENTS TO HB 437 BE ADOPTED**.

Discussion: SENATOR TAYLOR said there is a safety issue, but it will create a burden for business. Bart Campbell pointed out that if an elevator is inspected by an insurance company it fulfills the requirements of the bill. SENATOR RYAN asked if this would ultimately bring the cost of inspections down. Jim Brown said it could. SENATOR TAYLOR asked why the inspections are done yearly. Jim Brown said because that is the way it is done now for passenger elevators.

Vote: Motion carried 6-3 with Cocchiarella, Roush, and Ryan voting no.

Motion/Vote: SEN. ROUSH moved that HB 437 BE CONCURRED IN AS AMENDED. Motion carried unanimously.

ADJOURNMENT

Adjournment: 10:10 A.M.

SEN. MIKE TAYLOR, Chairman

KYANNE KELLY, Secretary

MT/KK

EXHIBIT (bus60aad)