HOUSE BILL NO. 167

INTRODUCED BY MCCULLOCH BY REQUEST OF THE PUBLIC SERVICE COMMISSION

IN THE HOUSE

JANUARY 14, 1991 INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION. FIRST READING. JANUARY 23, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED. POSTED ON CONSENT CALENDAR. CONSENT CALENDAR, QUESTIONS AND ANSWERS. JANUARY 24, 1991 ENGROSSING REPORT. JANUARY 25, 1991 THIRD READING, PASSED. AYES, 96; NOES, 1. TRANSMITTED TO SENATE. IN THE SENATE INTRODUCED AND REFERRED TO COMMITTEE JANUARY 25, 1991 ON HIGHWAYS & TRANSPORTATION. JANUARY 26, 1991 FIRST READING. MARCH 8, 1991 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. MARCH 12, 1991 SECOND READING, CONCURRED IN. THIRD READING, CONCURRED IN. MARCH 13, 1991 AYES, 49; NOES, 0. RETURNED TO HOUSE. IN THE HOUSE

MARCH 14, 1991 RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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House BILL NO. 167
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BY REQUEST OF THE PUBLIC SERVICE COMMISSION

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SPECIAL 6 PROVISIONS RELATING TO MOTOR CARRIER TRANSPORTATION OF 7 BUILDINGS AND TO DELETE THE GRANDFATHER PROVISIONS AND 8 RULEMAKING AUTHORITY AS BEING SURPLUSAGE: AMENDING SECTION

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

69-12-331, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

12 Section 1. Section 69-12-331, MCA, is amended to read:

"69-12-331. Special provisions relating to transportation of buildings. (1) A certificate that permits the transportation of a building other than a mobile home, as defined in 15-1-101, from its existing foundation to a location shall must permit such transportation throughout the state and may not restrict transportation to a particular region of the state.

{2}--The-provisions-of-this-section-shall-apply-only--to those---licensed---motor---carriers--who--have--specifically identified-the-moving--of--buildings--or--certain--types--of buildings--as--an--area--of--authorization--on-their-present public-service-commission-certification-or--to--those--motor carriers--operating--under--an--authority--broad--enough---to

include--the--moving--of--buildings--who--have-been-actively 1 2 engaged-in-the-business-of-moving-buildings-for-a-period--of 7 2--years--prior--to--duly--1;--1979;--For--purposes--of-this subsectiony-a-motor-carrier-has-been-actively-engaged-in-the business-of-moving-buildings-if-the-moving-of-buildings--has 6 constituted--a--substantial--part-of-his-business-during-the 7 2-year-period-prior-to-July-17-1979-В (3)--The--commission--shall--adopt--rules--to--implement 9 subsection-(1)."

NEW SECTION. Section 2. Effective date. [This act] is 10 11 effective on passage and approval.

-End-



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     include--the--moving--of--buildings--who--have-been-actively
     engaged-in-the-business-of-moving-buildings-for-a-period--of
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     2--years--prior--to--duly--17--1979:--Por--purposes--of-this
     subsection; -a-motor-carrier-has-been-actively-engaged-in-the
     business-of-moving-buildings-if-the-moving-of-buildings--has
     constituted--a--substantial--part-of-his-business-during-the
     2-year-period-prior-to-July-17-1979:
         (3)--The--commission--shall--adopt--rules--to--implement
 9
      subsection-(1)-"
         NEW SECTION. Section 2. Effective date. [This act] is
10
11
     effective on passage and approval.
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-End-

THIRD READING

CONSENT CALENDAR

1	HOUSE BILL NO. 167
2	INTRODUCED BY MCCULLOCH
3	BY REQUEST OF THE PUBLIC SERVICE COMMISSION
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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SPECIAL
6	PROVISIONS RELATING TO MOTOR CARRIER TRANSPORTATION OF
7	BUILDINGS AND TO DELETE THE GRANDFATHER PROVISIONS AND
8	RULEMAKING AUTHORITY AS BEING SURPLUSAGE; AMENDING SECTION
9	69-12-331, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 69-12-331, MCA, is amended to read:
13	*69-12-331. Special provisions relating to
14	transportation of buildings. (2) A certificate that permits
15	the transportation of a building other than a mobile home.
15 16	the transportation of a building other than a mobile home, as defined in 15-1-101, from its existing foundation to a
16	as defined in 15-1-101. from its existing foundation to a
16 17	as defined in 15-1-101, from its existing foundation to a new location shall must permit such transportation
16 17 18	as defined in 15-1-101, from its existing foundation to a new location shall must permit such transportation throughout the state and may not restrict such
16 17 18 19	as defined in 15-1-101, from its existing foundation to a new location shall must permit such transportation throughout the state and may not restrict such transportation to a particular region of the state.
16 17 18 19 20	as defined in 15-1-101, from its existing foundation to a new location shall must permit such transportation throughout the state and may not restrict such transportation to a particular region of the state. (2)The-provisions-of-this-section-shall-apply-onlyto-
16 17 18 19 20 21	as defined in 15-1-101, from its existing foundation to a new location shall must permit such transportation throughout the state and may not restrict such transportation to a particular region of the state. (2)The-provisions-of-this-section-shall-apply-onlyto thoselicensedmotorcarrierswhohavespecifically
16 17 18 19 20 21 22	as defined in 15-1-101, from its existing foundation to a new location shall must permit such transportation throughout the state and may not restrict such transportation to a particular region of the state. (2)The-provisions-of-this-section-shall-apply-onlyto thoselicensedmotorcarrierswhohavespecifically identified-the-movingofbuildingsorcertaintypesof-

2	engaged-in-the-business-of-moving-buildings-for-a-periodof
3	2yearspriortoJulyl71979Forpurposesof-this
4	subsection;-a-motor-carrier-has-been-actively-engaged-in-the
5	business-of-moving-buildings-if-the-moving-of-buildingshas
6	constitutedasubstantialpart-of-his-business-during-the
7	2-year-period-prior-to-duly-17-1979-
8	(3)Thecommissionshalladoptrulestoimplement
9	subsection-(1)+"
10	NEW SECTION. Section 2. Effective date. [This act] is
11	effective on passage and approval.

-End-

include--the--moving--of--buildings--who--have-been-actively