

MINUTES

MONTANA SENATE  
54th LEGISLATURE - REGULAR SESSION  
COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By CHAIRMAN LARRY TVEIT, on March 14, 1995, at  
3:17 p.m. in Room 410.

ROLL CALL

**Members Present:**

Sen. Larry J. Tveit, Chairman (R)  
Sen. Charles "Chuck" Swysgood, Vice Chairman (R)  
Sen. Mack Cole (R)  
Sen. Ric Holden (R)  
Sen. Reiny Jabs (R)  
Sen. Arnie A. Mohl (R)  
Sen. Greg Jergeson (D)  
Sen. Linda J. Nelson (D)  
Sen. Barry "Spook" Stang (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Valencia Lane, Legislative Council  
Jeff Martin, Legislative Council  
Carla Turk, Committee Secretary

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

**Committee Business Summary:**

Hearing: HB 194  
HB 219  
Executive Action: HB 194 BE CONCURRED IN  
HB 219 BE CONCURRED IN  
SB 390 DO PASS AS AMENDED  
HB 111 BE CONCURRED IN AS AMENDED  
HB 248 BE CONCURRED IN AS AMENDED  
HB 364 BE NOT CONCURRED IN AS AMENDED  
HB 448 BE CONCURRED IN  
HJR 13 BE CONCURRED IN AS AMENDED

HEARING ON HB 194

Opening Statement by Sponsor:

REPRESENTATIVE ELLEN BERGMAN, HD 4, Miles City, stated HB 194 was  
an act eliminating the requirement for designing, erecting, and

maintaining welcome and farewell signs on highways at Montana's borders and was actually a repealer. She stated that it did not eliminate highway signs. She said that in 1962 the Montana Department of Transportation (MDT) adopted a design for welcome and farewell signs that were large in size and constructed of large dimension timber and planking. She reported that the signs were placed close to the road to resemble a gate in a fence, with one side of the sign stating "the gate is open, welcome to Montana" and the other side stating "so long, come back again to Montana". She explained that these signs were placed at all border crossings, and handed out (EXHIBIT # 1) which was a picture of the old signs. She said that in 1972 the Department adopted a new design for Welcome to Montana Signs, which was essentially green, with white lettering. She stated that from 1962-1972 the timber signs proved difficult to maintain and the crux of the Bill was the fact that the signs became a liability when they no longer met federal safety standards. She said that as the signs became unserviceable they were removed and those which were not removed, as a result of required maintenance, were replaced when the new design was adopted in 1972. She said that in 1987 the Welcome To Montana signs were again redesigned to contain the artwork from the State Centennial Logo, along with the words "welcome to". She reported that twenty-nine signs were installed by construction contract between January and October of 1987, and these signs remain the present design and are maintained by the Department at all twenty-nine locations. She said HB 194 would have no impact on those signs.

**REPRESENTATIVE BERGMAN** said the 1989 Legislature had directed the Department to design, erect and maintain Welcome and Farewell Signs at four Interstate border crossings and all federal aid Primary border crossings, totaling 12 locations. She said the Legislation further specified general sign sizes and required them to be similar to the 1962 design. She said that from 1989 to 1993 the Department attempted to comply with the legislative directive, but was unable to meet the required codes. She said that Legislature passed the legislation requiring return to the use of timber signs, but the Department couldn't comply, because the timber sign designs never met federal guidelines. She said that federal law required that the signs would break free if they were hit, and the timber sign designs never met that breakaway requirement. She said the signs also had to be placed too close to the road to be in compliance. She described additional setbacks as the fact that timber materials were not readily available and would have been a substantial expense, when shipped in from Oregon. She said there was not a federally approved break-away device designed to fit the size of pole these signs would have required, which would have necessitated placement of the signs 30 feet or more from the edge of the road. She maintained that this distance from the road would have dramatically reduced the desired gate effect of the sign. She reported these complications had rendered the Department unable to design the required sign, achieve the intent of the

legislation, and be in compliance with federal signing standards.

Proponents' Testimony:

**Bruce Barrett, Montana Department of Transportation, Maintenance Division,** said the Department was a proponent of the Bill and would be available to answer any technical questions the Committee may have, regarding why they had been unable to install, erect, and maintain these signs.

**John Blacker, Administrator of the Maintenance Division, Montana Department of Transportation,** said that for all of the before mentioned reasons, they supported HB 194. He clarified that the laws, rules, and regulations which guided the Department came from a nationally recognized manual on uniform traffic control devices, which all states used. He said the manual contained the rules and guidelines which set forth to break away standards and those types of issues. He emphasized the larger issue at hand as one of a liability for the State.

Opponents' Testimony:

None.

Questions From Committee Members and Responses:

**SENATOR BARRY STANG** said that the Legislation didn't state that the signs had to be set on the roadway, and stated that the Department could put them wherever they were deemed fit. He asked why the signs couldn't be put on the same wooden poles as the large break-away poles? He asked if holes couldn't be drilled in these signs too? **Mr. Barrett** stated the Department was required to design the signs similar to the 1962 design, which used a class-3 pole, which had a minimum 23" circumference at the top. He said there was no federally approved breakaway standard for a class-3 pole.

**SENATOR STANG** said the statute stated similar to, and asked if that meant exactly? He asked if a pole couldn't be found, which would fit within the guidelines, to put the planks on and make it work? He said it seemed that when they wanted to accomplish something they somehow found a manageable interpretation of the law, and asked why a workable interpretation couldn't have been found in this case? **Mr. Barrett** stated they were trying to meet the intent of the law. He stated that the timber planking, which had been used on the signs, could not be duplicated at a reasonable price. He said the cost estimates the Department submitted were based on materials which were timber in appearance but, actually fiberglass coated, plywood. He said the material was also chosen to reduce the weight because a pole to support the timbers with break away devices could not be found. He

maintained that even these modifications did not enable the Department to design the sign in a manner which would allow placement close enough to the road. He explained that federal standards required the sign to be placed 30 feet from the edge of the roadway.

**SENATOR STANG** asked if the real crux of the issue was that the MDT had originally opposed the bill, in the first place, because of the price of the sign? **Mr. Barrett** stated he did not know what the Department had opposed seven years ago, but he did know the cost had always been a consideration.

**SENATOR JABS** asked if HB 194 would repeal the requirement for these '62 style sign? **REPRESENTATIVE BERGMAN** replied yes this would repeal that old law.

Closing by Sponsor:

**REPRESENTATIVE BERGMAN** stated that by repealing 60-2-218 of the Code, (EXHIBIT # 2), the Department would no longer have the statutory requirement to construct signs which couldn't meet legislative intent, without being in conflict with federal signing standards. She said passage of the Bill would also allow reversion of the remaining \$200,000 in allocated funds. She urged the Committee's passage of the Bill.

HEARING ON HB 219

Opening Statement by Sponsor:

**REPRESENTATIVE DEB KOTTEL, HD 45, Great Falls,** said HB 219 told U.S. Citizens how proud we were of the Montana men and women who choose to serve our country. She said that under the current Soldiers and Sailors Act non-resident military personnel entering Montana for active military duty have an opportunity to buy military license plates at the cost of registration only. She said that HB 219 would allow Montana residents on active military duty, stationed outside Montana, to maintain and retain Montana license plates at the cost of registration only. She termed the Bill as one of fairness. She said the Bill provided equity, the same equity provided for out-of-state military personnel who come into Montana. She said the Bill allowed for our own Montanans serving active military duty out-of-state and provided 4-6,000 ambassadors to travel the United States while proudly bearing the standard of Montana, which is our Montana plate on their car. She related having heard stories from traveling Montanans who stated that people, who learned they were from Montana, came up and told how much they would like to visit Montana. She contended it would be positive to have 4-6,000 ambassadors throughout the United States.

**REPRESENTATIVE KOTTEL** said that as a practical matter, anyone whose plates expired, while on active duty outside of Montana, were given a licensing choice. She stated that under the Soldiers and Sailors Act these individuals could buy a \$30 plate from the state where they are stationed, or they could pay \$400 to maintain their Montana plate. She said an extensive record search had revealed that not one Montana resident, active duty person who chose to maintain the Montana plate. She reasoned that it is just was not economically feasible, and expressed feeling that Montana forced those people to obtain license plates from another state, because it was cheaper. She stated disagreement with the fiscal note, as it was based on the fact that everyone on active duty continued to buy Montana plates. She stated the belief that the Bill was revenue neutral, and the maximum impact to the State Revenue Fund would be \$11,000.

**Proponents' Testimony:**

**Jim Jacobson, Administrator, Montana Veterans Affairs Division,** said 100,000 veterans in the State of Montana supported HB 219, in support of the 5,935 Montanans presently on active duty. He stated that when he was on active duty he would have had a Montana plate, if it would have been affordable. He attested that it had always been cheaper to buy the plates from wherever stationed.

**Dean Roberts, Administrator of Motor Vehicles Division, Department of Justice,** said the Department found no problems with the Bill. He said the Bill would treat Montanans stationed out-of-state the same as those stationed in Montana. He said the out-of-state military person would pay, if a Montana resident, would be a \$5-registration fee, a \$10-license fee, and \$.25-highway patrol fee. He stated that under HB 219 all other fees and taxes would not apply. He said that if a Montana resident was stationed in Montana they would pay the full fees and taxes as a Montana resident.

**Opponents' Testimony:**

None.

**Questions From Committee Members and Responses:**

**SENATOR JABS** asked who made the military plates and would it cost the same? **Mr. Roberts** stated that "military plate" was just a term that referred to a plate that a military person had, it was actually just a regular Montana plate which cost about \$1.89 to make 2 of them.

Closing by Sponsor:

REPRESENTATIVE KOTTEL closed by urging the Committee to concur in the Bill. She reiterated that it showed equity, was fair, and thought it was important to show our pride in our men and women who serve in active military duty.

EXECUTIVE ACTION ON HB 219

Motion:

SENATOR LINDA NELSON MOVED HB 219 BE CONCURRED IN.

Discussion:

SENATOR STANG said REPRESENTATIVE KOTTEL mentioned the 6,000 ambassadors there would be with these license plates, but when she started to figure out how much this would cost the State and counties she rather reversed her testimony to state we would never get that many license plates. He stated that the possibility existed that, if that many license plates were issued, it could present a chance for a pretty substantial unfunded mandate on some of the counties.

SENATOR SWYSGOOD stated that if no one was buying the plates now the counties weren't getting anything now, were they? Mr. Roberts answered that was correct.

SENATOR JABS clarified that charges were determined to cover the cost of the plates, so the state would break even. Mr. Roberts stated that was correct.

Vote:

SENATOR NELSON'S MOTION THAT HB 219 BE CONCURRED IN CARRIED UNANIMOUSLY.

SENATOR CHRIS CHRISTIAENS WAS ASSIGNED TO CARRY THE BILL ON THE SENATE FLOOR.

EXECUTIVE ACTION ON HB 194Motion:

SENATOR STANG MADE A MOTION THAT HB 194 BE NOT CONCURRED IN.

Discussion:

SENATOR STANG reasoned that he made the motion for the simple fact that it appeared to be another bill, of the same nature as those which the Legislature had instructed the MDT to do something and they had not. He said the Department was instructed to put the new signs up as the old ones wore out, the money was provided, and the Department didn't want to do it. He maintained that the Department had not wanted to put the signs up when the Bill was passed, and as a result they were not going to comply. He said that even if the Bill was killed the Department probably still wouldn't do it. He expressed displeasure that when Legislature told the Department to do something, they would still not do it until they could come in and get the act repealed. He stated that the bill could be on the books 20 years and they wouldn't put up one sign, just because they don't want to, even though we have told them they have to.

SENATOR SWYSGOOD stated he agreed with SENATOR STANG.

SENATOR RIC HOLDEN asked SENATOR STANG if the Department wasn't actually trying to put up the signs, but of a different style? SENATOR STANG stated the he didn't know what they had done. The Interstate sign in his District was one of the centennial style. He said they may have been trying to put up a different style, but it was not what they were directed to do. He said that if the Bill was killed they still wouldn't put up the signs so it won't make much difference.

CHAIRMAN TVEIT stated this was a bill eliminating the requirement for designing, erecting, and maintaining welcome and farewell signs. He stated that if the Committee passed this Bill the Department didn't put any of these signs up and if they killed the Bill the Department still didn't put any up. He asked what the Department had a program for these, or did Tour Montana provide some sort of signs? Mr. Blackert stated he understood the frustration of SENATOR STANG, it was a difficult position to be put in. He stated that if the Committee killed the Bill, and the law remained as it was in the past, the Department would do everything in their power to get these signs up. He said that under the explanation, that you understand, that it will probably be outside the 30 foot clear-zone and would not reflect the original intent of the legislation. He reported that as the Departments concern, to let Legislature know what the legalities of this legislation would involve. He said it had been the intent to have a gate-like effect, and the law would not allow

that. He said that from the standpoint of standardization of signs, liability to the state, and the intent of the original bill, the Department could not follow that intent. He asked to refer to **Mr. Barrett** who had done most of the research regarding the signs.

**Mr. Barrett** stated they currently had signs at twenty-nine locations in the state, and those were the locations the Department intended to continue having welcome signs, until more was directed by the Legislature. He handed out (**EXHIBIT # 3**) which was a list of present locations of Welcome To Montana Signs. He said they had prepared a set of plans to build the signs as required by the statute. He said there were two sizes, one for Primaries and one for Interstates. He stated that they could meet the intent of the legislation by erecting these signs. He pointed out that the \$200,000 earmarked for these signs was earmarked out of the long-range building program, which meant long-range building program money was essentially being taken to erect highway signs. He stated they had always questioned the money source, as it was not highway earmarked revenue set aside. **Mr. Barrett** said the Department did have the plans and would erect the signs if HB 194 did not pass, but it would take an additional \$57,000 out of operating funds to erect the signs.

**SENATOR STANG** said the original bill stated, "as the signs deteriorate to replace them". He said the bill did not ask the Department to replace them all at once. He asked why all \$257,000 have to be used at once, rather than use a little each year and let the interest build in the account? **Mr. Barrett** stated the Department currently had all new signs which were erected in 1987, with a probable life of 10-14 years, depending on the location. He contended the Department would be taking down signs that were currently serviceable and installing new signs.

**SENATOR STANG** said that if the Committee looked at Section 3, it said "notwithstanding provisions of subsection, welcome or farewell signs placed on the Interstate Highway System under the provision of this Section must be utilized at locations, when these signs are not longer serviceable they must be replaced on the Primary System with the signs described in Section 2" which are these signs. He said that if these signs were still going to be serviceable for twenty years why did the Department need to replace them now. He said the signs would probably not need to be replaced for twenty years, so it appeared there was a lot of time to let that fund build up.

**CHAIRMAN TVEIT** directed the comment to **Mr. Barrett** and asked why they had to do them all at once, they had been directed to do them as they became unserviceable. **Mr. Barrett** stated as he understood the legislation the Department had been specifically required to put up the signs on the Interstate crossings, and were to replace the signs as it became necessary on the Primary, and the signs which had been taken off the Interstates could be

used on the Primaries. He said the problem was that there were two different size signs and the Department was not sure if they had sufficient right-of-way on some locations on the Primaries to move those signs.

**SENATOR MACK COLE** asked if they had 29 signs up? **Mr. Barrett** stated the signs currently up in the 29 locations were all Montana logo signs with "Welcome To" added. He said the Department intended to continue having signs at those 29 locations, and this was not an attempt to get rid of any signs that were out there or reduce the number.

**SENATOR ARNIE MOHL** asked what the difference would be if the Bill passed or not, the State would still have signs up? **Mr. Barrett** stated that the Legislative Auditors were looking at this issue before the Session started, as to why we had not complied with the legislation. He said the Department's intent, and the reason these plans were developed, was to proceed and have the signs up prior to Legislature. He stated that at this point the Governor and Director became involved in the process, and his Division was told to proceed with the plans. He said they had been told that if it was going to cost \$250,000 to replace signs which were up, they wanted to talk about the expense before the project went to contract. **Mr. Barrett** said the plans had been completed, cost estimates completed, and submitted the information to the Director. **Mr. Barrett** stated the instructions which came back to his Division were that the Department was not going to proceed with the plans, but try to get the legislation repealed in the next session. He stated the thought that the intent was to install the signs if not repealed.

**SENATOR MOHL** asked what would happen if the Bill passed? **Mr. Barrett** replied that if Legislature repealed the law the signs which were in place would remain, with continued maintenance, until a new standard or design may be adopted. He said that at that point the signs would be replaced on a systematic basis, like has been done in the past.

**SENATOR MOHL** asked if there was going to be an expense incurred? **Mr. Barrett** stated that the \$200,000, in long-range building would revert to long-range building.

**SENATOR STANG** stated that Section 3 of the law said the signs did not have to be replaced until they fell down, or wore out, and the Department was not going to have to spend any of that \$200,000 until that time. He stated that if the Committee killed HB 194 the Department was not going to have the \$200,000, of long-range building money, to spend on the signs, but would have to take money from the highway tax to fix those signs over the course of the years. He maintained that the money would still come out of the taxpayers pocket, and this money was already set aside. He said that if HB 194 passed the Department would still have to pay for maintenance of the signs. He asked what the funding source would be when the signs needed replaced? **Mr.**

**Barrett** stated he understood that the long-range building program for the MDT was funded with gas tax funds set aside, not General Fund. He said that if the law was repealed, the Department would not spend the \$200,000 on the signs and it would revert to the highway general fund, not the State General Fund. He said the signs were originally installed under a construction contract which had resulted in federal aid to install those signs, probably at a 80/20 match. He said that the Maintenance Division maintained those signs for the duration of their life, until a new standard or new design was adopted and construction again used the 80/20 match to instal the chosen replacement signs and the Maintenance Division again maintained them. He attested that the Department's Maintenance Division was budgeted to replace or repair the signs over the life of the signs, as it was a standard maintenance function.

**SENATOR STANG** asked what year the law had been passed? **Mr. Barrett** said passage was in 1989.

**SENATOR STANG** asked what year the Montana Centennial Logo Signs were erected? **Mr. Barrett** stated they had been built in 1987.

**CHAIRMAN TVEIT RELINQUISHED THE CHAIR TO VICE CHAIRMAN SWYSGOOD.**

**SENATOR JABS** asked to clarify whether passage of HB 194 would save \$200,000, and killing the Bill would mean spending it? He said **SENATOR STANG** had stated that the money shouldn't be spent until it was needed. **Mr. Barrett** stated that if HB 194 passed the \$200,000 would revert back to the Highway General Fund, and if the Bill was killed the signs would be installed as required by the previous legislation.

**SENATOR STANG** stated section 62-2-218, Section 3 said the signs didn't need to be replaced until they fell down, so the Department was doing exactly what should be done with the current law in effect. He said that the Department had not been directed to put these signs up until the other signs wore out, and that could be a progressive thing over a number of years. He said he could not see that passage of HB 194 would make the Department do anything different, until the signs wore out.

**THE QUESTION WAS CALLED FOR.**

Vote:

**SENATOR STANG'S MOTION THAT HB 194 BE NOT CONCURRED IN FAILED ON ROLL CALL VOTE #1.**

**SENATORS HOLDEN, COLE, MOHL, JERGESON, AND JABS VOTED NO.**

**SENATORS SWYSGOOD, NELSON, AND STANG VOTED YES.**

Motion/Vote:

SENATOR MOHL'S MOTION THAT HB 194 BE CONCURRED IN CARRIED  
5-3.

SENATORS HOLDEN, COLE, MOHL, JERGESON, AND JABS VOTED YES.  
SENATORS SWYSGOOD, NELSON, AND STANG VOTED NO.

SENATOR MOHL WAS ASSIGNED TO CARRY THE BILL ON THE SENATE FLOOR.

EXECUTIVE ACTION ON HB 111Motion:

ACTING CHAIRMAN SWYSGOOD MOVED TO ADOPT AMENDMENTS hb011101.avl,  
(EXHIBIT # 4).

Discussion:

SENATOR SWYSGOOD, stated he would have the Department personnel explain the amendments. He said the amendments basically dealt with removal of the Canadian jurisdictions, and insertion of state. He added that an amendment was also needed, as it related to provisions of enforcement of the PSC law regarding motor carriers.

Dave Galt explained that the amendments did two things, they removed "jurisdiction" and inserted "states" so it allowed the Department to enter into joint weigh station agreements with any state, but not with foreign countries. He said the amendments also eliminated the authority to enforce all the Public Service Commissioner requirements, from the enforcement statutes of the Motor Carriers Services Division Office, except 69-12-408 which was identification of a vehicle.

SENATOR SWYSGOOD said that his bill deregulating motor carriers from the PSC had left carriers for household goods, garbage, and passengers under PSC regulation. He said the amendment moved all, other than the identification enforcement and regulation of those specific carriers addressed in his bill, PSC duties regarding enforcement and regulation of the Motor Carrier Law, for other carriers, from the MDT Motor Carrier Division. He stated the duties of requirements of enforcement of the PSC Motor Carrier Law were not applicable to the Motor Carrier Division.

SENATOR STANG expressed concern that the amendment was a deviation of what the Bill originally meant to do. He said there had never been discussion, during the hearing of the deregulation bill, as to the PSC. He queried as to whether the amendment went beyond the scope necessary, when the elimination was made, unless the deregulation bill had already eliminated these functions for

the specifically named carriers. He asked if this was just technical clean up or an issue which had never been testified to?

**SENATOR SWYSGOOD** said the deregulation bill deregulated motor carriers of property out of the PSC, and the amendment attempted to remove the Motor Carrier Division from performing duties, which the PSC should be doing for those motor carriers left regulated by the PSC, other than issues like safety, others already under control of the Motor Carrier Division.

**SENATOR STANG** asked if the amendment did not relieve the PSC from those duties, but just the Department? **SENATOR SWYSGOOD** stated the amendments would relieve the Department of Transportation, Motor Carriers Service Division from doing the duties which were supposed to be done by the PSC, as it related to those motor carriers still regulated by the PSC.

**SENATOR STANG** asked if the Department currently did those things for the PSC, or did the PSC do them now. **Mr. Galt** replied that the Department currently enforced PSC laws. He said there were two Sections in Title 61, which granted Motor Carrier Services (MCS) officers authority, and the authority to enforce the safety restrictions, vehicle equipment, driver equipment, and enforcement of the PSC provisions. He stated those entities were all listed in Title 61-10-141, and their laundry list of authority which specifically stated what MCS could and could not arrest for; vehicle equipment, driver safety, and PSC laws were not included in that Statute. He said the Bill was intended to insert it in both Statutes and strike it from another Statute, so that all statutes read the same. He said MCS currently enforced, by virtue of 61-10-141, PSC Statute for the PSC.

**SENATOR STANG** stated it appeared to him that if the Department of Transportation was no longer going to enforce these statutes, and these carriers were still going through the weigh stations anyway, then the PSC would need to ask for budget authority to hire an extra enforcement person to be placed in these stations. He said it seemed that would not be very efficient, and potentially could produce some inefficiencies in what was being attempted in the process of dealing with these carriers. He queried whether causing two people to look at the carriers, instead of one person, didn't fly in the face of the one stop shopping rule, which Legislature had been trying to work toward? **Mr. Galt** stated that with passage of **SENATOR SWYSGOOD'S** deregulation Bill the single state registrations system, which mandated all Interstate Carriers to file insurance and pay their state registration, had been placed under the MDT and would be recodified into Title 61. He said that as a result of the recodification, MCS officers would have the authority to enforce that portion, but remaining regulated carrier would still need to have their authority checked. He said that with passage of the present form of this amendment, the remaining regulated carriers would not be the responsibility of the Motor Carriers Division.

**SENATOR STANG** asked what would happen if **SENATOR SWYSGOOD'S** deregulation bill died and HB 111 passed. **Mr. Galt** stated MCS wouldn't be enforcing for the single state registration plan system either if the Interstate Carriers went through the PSC.

**SENATOR SWYSGOOD** asked if it was known how many inspectors the PSC had left in their budget? **Wayne Bundt** stated they had one left.

**SENATOR SWYSGOOD** stated the PSC had five inspectors, previous to the deregulation of property motor carriers. He stated one of larger functions of the PSC had been the regulation of In-state Carriers, and those additional inspectors had been removed with the deregulation. He said that if the PSC determined that one inspector could not accomplish the remaining duties, it would be their responsibility to appear before the budget committee and justify hiring more inspectors.

**SENATOR STANG** asked if the Bill was amended with this provision, would the PSC be placed in the position of having to ask for more people to do the job? **Mr. Bundt** stated they probably would have to appear, and ask for the reinstatement of a couple inspectors. He said the PSC had assumed the GVW personnel would be available to assist on their enforcement, so that the one remaining inspector wouldn't be left alone to handle complaints in more than one area of the State.

**SENATOR STANG** stated he had no problem with the amendments to do away with the jurisdiction, but hated to put the PSC at a disadvantage, especially when this amendment was not proposed or discussed at the hearing.

Motion/Vote:

**SENATOR STANG MOVED TO SEGREGATE AMENDMENTS 1, & 3 FOR THE PURPOSE OF ADOPTION, SEE EXHIBIT # 4. THE MOTION CARRIED.**

**ACTING CHAIRMAN SWYSGOOD** said Amendments 2, 4, and & 5 still remained unadopted.

Discussion:

**SENATOR MOHL** asked who would have jurisdiction if the Committee adopted the amendment for removal? **SENATOR SWYSGOOD** stated it would be the PSC, as it was their responsibility and were the ones who wanted the carriers regulated.

**SENATOR MOHL** asked if that was the current language in the Bill? **SENATOR SWYSGOOD** responded no, right now the Department of Transportation did the PSC's work.

**SENATOR MOHL** asked if the PSC would possibly need to hire more people? **SENATOR SWYSGOOD** stated that was the decision the PSC would have to make. He stated that the PSC had five inspectors for over 600 carriers, he said the deregulation bill eliminated 300 carriers, and the PSC would still be responsible for the compliance of about 300 remaining regulated carriers. He said he assumed the MDT would still do the safety check on regulated carriers which came through.

**SENATOR STANG** stated he would argue, unless **Mr. Galt** could state otherwise, that the Department of Transportation wasn't going to reduce their number of employees, because of this amendment. He assumed the MDT would have the same number of employees out there doing the Department's duties, and maintained that the efficiencies of government made it easier for those MDT employees to execute the PSC's duties. He based his opinion on the fact that MDT employees were already in place, without the need to hire another PSC person to do the work. He stated that testimony revealed the number of PSC employees was reduced from 5-1, but they still had half of the workload. He said that already left the PSC at a disadvantage, and stated feeling the number of PSC employees should have only been cut by 1/2, as was the workload. He contended that the amendment would put a further burden on the PSC, and their employees. He stated that unless the five inspectors didn't have much work to start with, there had already been more of a burden placed on the PSC than should have been. He expressed the thought that Legislature should give this a chance to work the way it was. He said that if it was discovered the number of remaining carriers was lower than estimated, then the Legislature could handle this in two years. He said it may be known, by then, if one employee could handle it.

**SENATOR SWYSGOOD** stated his concern was that one agency was doing the work for another agency, even when they were regulated. He stated that if these remaining carriers want to be regulated, they should be responsible for the availability of the regulating entity. He commented the PSC was asking the Department of Transportation, Motor Carrier Services Division to check for the regulated carriers authority and compliance, when these carriers come through. He stated that was not the duty of the MCS, their job was to check for safety, etc. He stated it should not be the responsibility of the MCS to check whether a bus is in compliance with Statutes in the state of Montana. He identified that as the responsibility of the regulating agency, and stated that was the PSC. He stated that if the PSC didn't have enough money in their current budget, then they would have to return and justify the need for more people.

**SENATOR JABS** stated he couldn't see what was wrong with one department doing another department's work, if they are equipped, and had been doing it without additional personnel.

**SENATOR NELSON** said the amendment would be adding something to the Bill that wasn't there before, and expressed feeling that was irregular and should have been included in the hearing.

**SENATOR MOHL** stated he understood the language in the Bill and in amendments 2, 4, & 5 would put the responsibility back to the PSC. **SENATOR SWYSGOOD** stated yes, passage of these amendments would do that, with the exception of the signing on the door, which the deregulation bill already addressed.

**SENATOR MOHL** said he favored the amendment because the PSC was the one who didn't want to deregulate. **SENATOR STANG** stated the one thing bothering him was, there wasn't going to be anyone available to check these buses coming into the State. He said that if the MDT or the PSC wasn't checking the buses, there would not only be a need for more than one person, there would have to be a person checking buses at every port of entry. He said that otherwise the State would have buses running through it which hadn't been checked. He stated he did not think that was the intent of the original Bill and the feeling that the amendments would go beyond that intent.

**SENATOR SWYSGOOD** stated the Bill made reference to the enforcement on page 2, line 7, Title 69, Chapter 12, and maintained that the amendment did stick to the intent of the Bill. **Mr. Galt** stated the buses coming into the State were already taken care of. He said that if page 2, line 7 was taken into consideration, the Department's officers would enforce motor carrier services under PSC laws. He said if the Committee did not want the Department doing that, the amendment was necessary.

THE QUESTION WAS CALLED FOR.

Vote:

THE MOTION TO ADOPT AMENDMENTS 2, 4, & 5 OF EXHIBIT # 4 FAILED.

Motion:

**SENATOR JERGESON** MOVED TO REINSERT LANGUAGE FROM THE STRICKEN (2), WITH THE ADDITION OF "EXCEPT THIS SUBSECTION DOES NOT APPLY IN THE EVENT THE DEPARTMENT IS REQUIRED TO REDUCE FORCES GENERALLY.

Discussion :

**SENATOR SWYSGOOD** asked **Mr. Galt** wished to comment on the amendment just moved? **Mr. Galt** stated he had requested a similar amendment be prepared, hb011102.av1, if **SENATOR JERGESON** would like to review it, (EXHIBIT # 5). He said the amendment may also

address the question **SENATOR STANG** had in regard to that Section. **SENATOR JERGESON** stated he understood that if there was a general reduction of force required for the Department, then this wouldn't want to be applied, but it wasn't the desire to use these joint jurisdiction focuses as reason to eliminate existing positions.

**SENATOR SWYSGOOD** stated **EXHIBIT # 5** covered what **SENATOR JERGESON** wanted to accomplish, with the exception of the last part.

**SENATOR STANG** asked for an example of where the Department would reduce and reassign staff, when there was already a shortage of staff. **Mr. Galt** gave the example that if the Department built a joint port with North Dakota, inside the Montana border, the Department would contract with North Dakota, and therefore would not need 6 people. He said the amendment would allow him to reassign those people.

Motion:

**SENATOR STANG MADE A SUBSTITUTE MOTION TO ADOPT AMENDMENTS hb011102.av1, EXHIBIT 5 WITH THE ADDED LANGUAGE "EXCEPT IT DOES NOT APPLY IN THE REDUCTION TO THE DEPARTMENT AS A WHOLE" (EXHIBIT # 5A).**

Discussion:

**SENATOR MOHL** stated that if the Department was trying to become more efficient, the amendment would eliminate that opportunity by not letting them reduce forces. He said that by reassigning staff to another area, you may be increasing positions where they are not needed. He expressed concern for eliminating the Department's attempt to be efficient.

**SENATOR HOLDEN** asked the Department to address **SENATOR MOHL'S** concerns? **Mr. Galt** stated that had always the difficulty in drafting this type of clause, and trying to find the exact words to use. He said the original intent of the bill brought forth in 1993 had been for the Department to contract with other states, and in turn lay off a bunch of people in Montana and maybe senior officers. He stated having tried to eliminate that concern with some kind of language, and guessed he did not know what kind of language to put in there. He stated that if the Department made a joint weigh station, he would like to make sure that the officers were protected through that weigh station agreement. He said that did not state that future over-staffing wouldn't take positions out. He said he didn't know how to propose language which stated that particular people in a given location may be protected from termination because of a joint weigh station agreement, while reducing staff levels at the same time.

**SENATOR JERGESON** stated that sometimes a more efficient operation didn't necessarily mean providing the same level of service with fewer people. He said that sometimes efficiency may mean offering an approved level of service with the same number of people. He expressed feeling that with the proposed amendment HB 111 would achieve that goal. He said we would gain the assistance, processing and handling of these matters by people from other states, and improve the service of the motorists who have to stop at these stations.

**SENATOR STANG** stated many weigh stations have been understaffed since the beginning, and more often than not the station was closed. He stated thinking this amendment would give the Department the ability to reassign some people to that station. He said the reason he had asked for the amendment was that he didn't want our Montana residents at these stations being replaced by out-of-state residents.

**SENATOR MOHL** asked why this couldn't be addressed by stating that the Department may reduce staff "if no vacancy is available"? He said that if there was a position available, a staff member could be placed there, but if there wasn't a vacancy staff reduction could be made. He explained that in private industry when someone was unneeded they were laid off, and thought state government should be the same. He maintained that he didn't want to replace residents with nonresidents either.

**SENATOR STANG** said he thought that whatever amendment the Committee adopted, the House would probably reject it and at that time the Senate would have another week to formulate an acceptable approach.

**Jeff Martin** asked for clarification of the amendment; and proposed that starting the second sentence in the new Subsection (2) "the Department may not reduce, "except for a reduction in force in the Department as a whole". The Committee Members agreed with his suggestion.

Vote:

SENATOR STANG'S SUBSTITUTE MOTION TO ADOPT AMENDMENTS  
hb011102.av1, EXHIBIT 5 WITH THE SUGGESTED ADDED LANGUAGE "EXCEPT FOR A REDUCTION IN FORCE IN THE DEPARTMENT AS A WHOLE", CARRIED ON ROLL CALL VOTE #2.

Motion/Vote:

SENATOR STANG'S MOTION THAT HB 111 BE CONCURRED IN AS AMENDED CARRIED WITH SENATORS TVEIT, SWYSGOOD, AND MOHL VOTING NO.

SENATOR STANG WAS ASSIGNED TO CARRY THE BILL ON THE SENATE FLOOR.

EXECUTIVE ACTION ON HB 448Motion/Vote:

SENATOR COLE MOVED HB 448 BE CONCURRED IN AND THE MOTION CARRIED WITH SENATOR TVEIT VOTING NO.

SENATOR STANG WAS ASSIGNED TO CARRY THE BILL ON THE SENATE FLOOR.

EXECUTIVE ACTION ON HB 248Discussion:

SENATOR JERGESON stated there had been some discussion of a conflict between HB 248, SB 390, SB 83, and SB 34, but Committee discussion had involved a Section where no conflict actually existed. He stated there was a conflict elsewhere and Department personnel was present to explain. **Brenda Nordlund, Department of Justice**, explained there was a minuscule conflict on page 5, Subsection (4) in 61-5-110 language, line 15-20, and that conflict coordinated with the same or similar language in SB 34, 61-5-110, on page 5, lines 13-16. She reported having worked with **Greg Petesch, Legislative Council**, to arrive at the best way to resolve the conflict. She explained that the conflict provision was the second amendment on amendment number hbo24801.avl, (**EXHIBIT # 6**). She stated that since HB 248 had to be returned to the House to address amendment #2, they were proposing the need to clarify that in 61-5-105, which was the eligibility for a drivers license Section, those individuals who have lost consciousness or control could not get a commercial driver's license unless also comporting with commercial driver's license regulations. She attested this was only a clarification.

Motion/Vote:

SENATOR JERGESON MOVED TO ADOPT AMENDMENT NUMBER hb024801.avl AND THE MOTION CARRIED.

Motion:

SENATOR JERGESON MOVED HB 248 BE CONCURRED IN AS AMENDED.

Discussion:

Jeff Martin clarified that the adopted amendments resolved the conflict in SB 34, but asked about the conflict in SB 83. Ms. Nordlund explained that SB 390, which the Committee planned to do Executive Action on shortly, contained coordinating language for all three of these bills. She reported that as long as SB 390, the driver's license fees reduction bill, passed there should be no conflict in any of the three.

SENATOR MOHL asked what would happen if it didn't pass. Ms. Nordlund stated that if SB 390 did not pass the Committee would need to coordinate SB 83 and HB 248, only on the issue of the state traffic education fund and the percentage that will be allocated through the drivers license fee receipts in HB 248 versus SB 83. She explained that SB 83 currently provided that 35% of drivers license fees receipts would be allocated to the state traffic education fund, and if HB 248 passed it provided 22.75%. She reported that as the only thing which would need to be coordinated.

Vote:

SENATOR JERGESON'S MOTION THAT HB 248 BE CONCURRED IN AS AMENDED CARRIED, WITH SENATOR MOHL VOTING NO.

SENATOR JERGESON WAS ASSIGNED TO CARRY THE BILL ON THE SENATE FLOOR.

EXECUTIVE ACTION ON SB 390Discussion:

SENATOR JERGESON reminded the Committee that SB 390 had already been amended to allow application for a revised fiscal note to reflect the revised fees and the elimination of the motor vehicle registration fee provision originally contained in the Bill.

Motion:

SENATOR JERGESON MOVED SB 390 DO PASS AS AMENDED.

Discussion:

SENATOR MOHL asked for an explanation of the revised fiscal note? SENATOR JERGESON stated the difference with the revised fiscal note was that the elimination of the \$5 million/year loss, that the originally introduced Bill represented. He said the fiscal note represented the redistribution of the funds, as well as the

reduction of the drivers license fees. **Brenda Nordlund** stated that was correct, the fiscal note reflected the coordination done with SB 83, regarding the state traffic education issue, and it excised the \$5 vehicle registration fee no longer in the Bill.

**SENATOR MOHL** said the fiscal note stated, "if HB 248 passes"; he asked if the fiscal note was no good if HB 248 failed? **Ms. Nordlund** replied that the way SB 390 was written, if HB 248 did not pass SB 390 was void. She said they were absolutely contingent.

Vote:

SENATOR JERGESON'S MOTION THAT SB 390 DO PASS AS AMENDED CARRIED WITH SENATOR MOHL VOTING NO.

EXECUTIVE ACTION ON HJR 13

Motion:

SENATOR JERGESON MOVED HJR 13 BE CONCURRED IN.

Discussion:

**SENATOR SWYSGOOD** stated he was going to offer an amendment, as he had a problem with lines 19-21. He said he thought it was presumptuous to think that this could happen, and didn't think it needed to be in this Resolution. He expressed the feeling that the lines detracted from the importance of this Resolution.

Motion/Vote:

SENATOR SWYSGOOD MADE A SUBSTITUTE MOTION TO AMEND HJR 13 BY STRIKING LINES 19-21 (EXHIBIT # 6A). THE MOTION CARRIED WITH SENATORS JERGESON, AND STANG VOTING NO.

Discussion:

**SENATOR STANG** stated the thought that this bill was hypocritical because people in Congress had voted for the balanced budget amendment and it seemed crazy to ask the federal government to spend money at this time.

Motion/Vote:

SENATOR JERGESON RENEWED HIS MOTION THAT HJR 13 BE CONCURRED IN AS AMENDED CARRIED.

SENATOR GAGE CARRIED HJR 13 ON THE SENATE FLOOR.

ACTING CHAIRMAN SWYSGOOD RECESSED THE MEETING AT 4:51 P.M. UNTIL 7:00 P.M.

CHAIRMAN TVEIT RECONVENED THE MEETING AT 7:02 P.M.

EXECUTIVE ACTION ON HB 364

Motion:

SENATOR HOLDEN MOVED HB 364 BE CONCURRED IN.

Motion:

SENATOR MOHL MOVED TO AMEND HB 364 BY STRIKING "50%" AND INSERTING "30%", AMENDMENT hb036401.avl (EXHIBIT # 7).

Discussion:

SENATOR MOHL explained that he wanted to amend the Bill so it would take less people to make a protest.

SENATOR HOLDEN asked what he meant by less people, less shippers? SENATOR MOHL stated less shippers would have to show up to protest a closure.

Valencia Lane clarified that on page 2, lines 1, 2, 8, 9, 13, 14, he wished to strike "50%" and insert "30%".

SENATOR NELSON asked if it was intended that the railroads could close the facility with fewer numbers of people appearing.

SENATOR MOHL stated no it would take less shippers to keep it open.

SENATOR SWYSGOOD said that with the amendment you were cutting also reducing the amount of traffic served to 30%. He said it would also state that only 30% of the traffic would have to be served. SENATOR MOHL stated that would also reduce the volume so one big shipper couldn't control it.

**SENATOR HOLDEN** asked **Valencia Lane** if that was correct? She replied that was correct. She said the way it was currently written, "if the Commission does not receive written protest from 50% of the shippers or from shippers who generate 50% or more of the volume they can authorize a test period of 90 days". She stated that if the Commission did receive the requisite number of protests the implication was that the Commission could not authorize a test period.

**CHAIRMAN TVEIT** asked how the Department interpreted the language. **Wayne Bundt, Administrator of the Transportation Division**, said he understood the language to basically state that the railroad filed an application to conduct a test period of their station by telling the shippers they were going to make the application, and by notifying the Commission. He said the Commission would then issue a notice to the shippers, stating that the railroad had requested to do a test period. He said that notice would be sent out and if, within 15 days prior to the start of the test period, 50% of the shippers, or shippers generating more than 50% of the traffic appeared to state that they did not want a test period then the PSC would not grant a test period. He assumed that at that point, the process would move to a hearing on the application, but said he was not sure, as he was not sure there was a dual application process.

**Mr. Bundt** said that if the PSC did the test period and there were not protests from 50% of the shippers, then the Commission did another notice saying that; we are doing the test period, the Commission has approved the test period requested by the railroad, the test period will be for the dates named, and the station will be closed without a hearing, unless protest are received from 50% of the shippers or shippers generating 50% of the traffic. He said that if the Commission didn't get the protests, then they issued a default order that the station is closed. He said that if the protest was received, then they went to a hearing. He stated that was basically where the procedure reverted to the process stated in Section 2 of the Bill.

**SENATOR HOLDEN** asked, if the Bill was amended to 30%, if it would become more unlikely that the PSC would issue a permit to allow closure? **Mr. Bundt** replied it would depend, if there were 10 shippers it would take three shipper protests to render a hearing as necessary or to stop the test period.

**SENATOR HOLDEN** clarified that 30% would make it more favorable to the shippers, if they wanted to keep it open? **Mr. Bundt** replied that was correct.

Vote:

**SENATOR MOHL'S MOTION TO AMEND HB 364 BY STRIKING "50%" AND INSERTING "30%", AMENDMENT hb036401.avl (EXHIBIT # 7) CARRIED ON ROLL CALL VOTE #3. SENATORS TVEIT, SWYGOOD, AND STANG VOTED NO.**

Motion:

**SENATOR HOLDEN RENEWED HIS MOTION TO STATE THAT HB 364 BE CONCURRED IN AS AMENDED.**

Discussion:

**SENATOR JERGESON** stated he had drafted amendments he believed would have reinserted language providing the opportunity for the public to participate in the provisions that the Bill provided. He reported having circulated these amendments to the representatives of the principals interested in the Bill. He said those representatives had worked hard to come up with acceptable amendments. He said the representatives were close to a solution, when they approached their principals and discovered the principals were not interested in pursuing any amendments. He stated disappointment that the principals seemed to be determined to not come to any sort of conclusion eliminating the conflict that had been an issue so long. **SENATOR JERGESON** stated he wished to declare that no matter how he voted on this Bill he would probably have a conflict, as he was currently making changes in his life. He said those changes included applications he'd made to Burlington Northern and other potential employers of conflicting interest, and explained it may put him in a conflict on this Bill.

**SENATOR SWYSGOOD** asked if there was need for clarification of what would happen if a 30% protest was received, regarding the continuation to a hearing process provided for in current law? He asked if that was a foregone conclusion **Mr. Bundt** stated any clarification would obviously help. He stated the assumption that if the test period wasn't done, and the railroad wanted a depot closed, then the process would move to a hearing where the railroad presented their testimony just as currently provided for.

**SENATOR SWYSGOOD** asked, if the railroad didn't get the requested test period for closure of a station, would they submit an application similar to what current law provided for? He asked if that was the probable course of action the railroad would take? **Pat Keim** stated there were several approaches available, and thought it would depend on how the application for closure was drafted. He said he conceptualized that the railroad could submit an application for closure, with a request for the test period. He said that if the Commission noticed, and the test period was granted, but enough complaints were received during the test period to require having a hearing, the process would revert to current statute and a hearing would be held. He said he would submit, that it may be the choice of the railroad at that point to perhaps withdraw its application. He said it had been his experience that when there was significant shipper complaints, the railroad ran a high risk of losing to those shippers. He said he also thought the railroad could submit an

application for hearing for closure, without applying the provisions of the test period. He said in that case it would go straight to the closure hearing without doing the test period.

**SENATOR SWYSGOOD** asked **Mr. Keim** how he felt about the reduction to 30%? **Mr. Keim** stated that obviously it would have been good from the railroad's perspective to stay at the 50% level, but 30% was acceptable as a compromise.

**SENATOR JABS** asked what a test period was? **Mr. Keim** stated it referred to the 90-day test period that the commission would grant pursuant to the request of the RR assuming they met the objection level of the people. He said that during that 90 days, an alternative service would be rendered, the agency would be closed, but the agent would still be kept in position for that 90 days as determined by the Commission.

**CHAIRMAN TVEIT** asked **Maureen Cleary Schwinden** her feelings about the amendment? **Ms. Schwinden** stated that on behalf of the general public in the rural communities and shippers she represented, she needed to remind the Committee that the 30% did not include the general public's input. She said Section 1 of the existing language, page 1, line 20 and 21, general public was included. She said she knew many Committee Members had heard from shippers and members of the community who felt they would like to maintain the right to participate in the hearings. She stated that the new language, and even with the 30%, still eliminate the general public's input. She reported that was detrimental to the rural communities.

**SENATOR JERGESON** asked for clarification regarding his amendments that she had worked on. He said the amendments would have permitted public involvement in the various steps which would have allowed the general public to present testimony at the hearings. He said his amendment would have permitted 100 customers of shippers to; prevent a test period, triggered the necessity for hearing if the test period had been permitted. He said that apparently his suggested amendments were unacceptable, and wanted to know why the insertion of the public in these triggers was unacceptable to her Organization? **Ms. Schwinden** said she agreed that **Pat Keim, Russ Ritter** and I spent quite a bit of time in an effort to work up some amendments that everyone felt they could support. She said the particular problem they had with **SENATOR JERGESON'S** amendments had been with the phrase 'customers of the shippers'. She said it was a fairly ambiguous, difficult to define term. She said that she and **Mr. Keim** had decided that, in order to address the concerns of my membership, we would agree that 150 registered voters in the community could sign on, and both agreed to take the concept back to our principals. She said **Mr. Keim's** principals stated they could not live with the concept, and mine said you couldn't make a bad bill better. She contended the public would have needed to jump through hoops to meet the protocol for the BN. She said her Organization felt that with current standing law, the PSC hearing

process worked, even though it did take time. She said they had wanted to get the public back in there. She said that her Organization would have had to stand in opposition, even as amended because the public was excluded from the process, and the community members didn't feel they wanted to be excluded. She said that the new language in Section 1, and the technical note stated on the fiscal note were nearly in direct conflict. She questioned why a Bill was being passed which was in direct conflict with current language, instead of just repealing the law and being more straightforward.

**SENATOR STANG** expressed opposition to the Bill and stated he had gone through a couple of these station closures in his District, under current law, and I thought the railroad had received some beneficial information from the local people. He said there were a number of shippers who had testified it may, or may not have made any difference in the outcome of hearings. He said that many communities have a railroad running through, and dividing, the town and fire department access had to be made available at those crossings. He stated that the people had informed the railroad of the need, and some areas had reached concessions. He said there were also instances where people from subdivisions, who had to cross the tracks, had to wait as long as 30 minutes to get to their house, because two railroad engines were sitting on the crossing. He said it seemed ridiculous to have those engines sitting there, when the train could have broken differently, to move those engines back. He said that in the case of a fire, delays could cause the structure to be destroyed. He emphasized the importance that the public, and not just those who use the railroad as shippers, have access to a local agent people who can help make decisions regarding emergencies. He said it was good to make the railroad sit down and listen to the public's input, because the railroad affected more people than just the shippers.

**SENATOR SWYSGOOD** said they had all had experience with those types of situations, but questioned what that had to do with the station agent? He said their station agent was gone after 5 p.m. anyway, so if a fire occurred after 5 p.m. you were in trouble anyway. He said he thought most cities and towns had ordinances on how long a train could block a crossing, and the engineer could be cited.

**SENATOR NELSON** expressed opposition to the Bill. She said she felt the current process, with the PSC, allowed the public the right to participate, and they did participate. She said a lack of participation allowed for closure. She reported feeling that the system wasn't broken, so this Bill was not needed. She said that if the Bill would result in lower rates, she would be in favor, but as **Pat Keim** had testified, it probably would not result in lower rates. She maintained that Montanans didn't want to be calling another state for a solution to what needed done, simply because someone far away didn't understand what was going on in Montana. She stated that once everyone had their say, she would likely make a motion to Table.

**SENATOR MOHL** explained he had added the amendment because **SENATOR JERGESON** had testified that he had attended several closure hearings, as a member of the public, and was not recognized as a viable voice. He said the amendment lowered the minimum to 30%, and he thought that the shippers had a better voice than did the public. He said it seemed apparent the public wasn't currently being listened to, and he thought that 30% of the shippers would allow a better input.

**SENATOR STANG** said that even though a station agent was gone by 5 p.m., people basically knew how to locate him, and where he is the next day, and even if the agent had not been able to prevent a situation, it was better to have someone in the community who could relate an accurate account of the situation to the railroad for the purpose of rectifying that situation. He stated that local contact person was important to possible change, and when the agents were gone it was more difficult to work out problems with the railroad.

**SENATOR COLE** said the Bill was important enough that it should be passed from Committee, to facilitate its being heard on the Senate Floor for more discussion. He said he did not know how he would vote once the Bill reached the Floor, but said he didn't feel it was fair for the Committee to hold the Bill in Committee. He maintained the Bill deserved to be debated on the Floor.

**CHAIRMAN TVEIT** said he had a concern, having attended and participated in watching station closures over the years, regarding helping an out-of-state corporation to literally remove all local agents out of the State. He said that before long there would just be a couple railroad tracks running through the State. He maintained having a problem with endorsing a bill to make sure the railroad agents and agencies are moved out of Montana as quickly as possible, without any type of PSC regulations at all. He said that if something wasn't broken, don't fix it.

**SENATOR JABS** said that having a local man did help the community.

Motion/Vote:

**SENATOR NELSON** MOVED TO TABLE HB 364 THE MOTION FAILED 4 TO 5 ON ROLL CALL VOTE #4.

**SENATORS TVEIT, NELSON, STANG, AND JABS** VOTED YES.

**SENATORS SWYSGOOD, HOLDEN, COLE, MOHL, AND JERGESON** VOTED NO.

Discussion:

**SENATOR JERGESON** stated that because there was potential for conflict no matter how he voted, and that was magnified being a member of the committee since there are only nine. He stated that he could not vote to table, because that would potentially deny the opportunity for the Floor to either confirm or deny the

judgment of this Committee. He said that in despite of his conflict, he found himself needing to generally subscribe to the express public sentiment from his District in voting on the Bill.

Vote:

SENATOR HOLDEN'S MOTION THAT HB 364 BE CONCURRED IN AS AMENDED FAILED ON ROLL CALL VOTE #5.

SENATORS SWYSGOOD, HOLDEN, COLE, AND MOHL VOTED YES.

SENATORS TVEIT, NELSON, STANG, JERGESON, AND JABS VOTED NO.

Motion/Vote:

SENATOR JERGESON MOVED TO REVERSE THE VOTE AND AN ADVERSE COMMITTEE REPORT BE REPORTED TO THE FLOOR. THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Adjournment: CHAIRMAN TVEIT adjourned the meeting at 7:43 p.m.



SENATOR LARRY TVEIT, Chairman



Carla Turk, Secretary

LJT/cmt



SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 15, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration HB 111 (third reading copy -- blue), respectfully report that HB 111 be amended as follows and as so amended be concurred in.

Signed: Sen. Tveit  
Senator Larry Tveit, Chair

That such amendments read:

1. Title, line 8.

Following: "ANOTHER"

Strike: "JURISDICTION"

Insert: "STATE"

2. Page 1, line 14.

Following: "~~1~~"

Insert: "(1)"

3. Page 1, line 18.

Strike: "jurisdictions"

Insert: "states"

4. Page 1, line 23.

Insert: "(2) The department may enter into joint weigh station agreements with other states. If the department enters into a joint weigh station agreement with another state, the department may not reduce staff levels in the motor carrier services division of the department as a result of the agreement but may reassign staff. However, this subsection does not apply to a reduction in force for the department as a whole."

-END-



Amd. Coord.  
Sec. of Senate

Senator Stang  
Senator Carrying Bill

601222SC.SRF

SENATE STANDING COMMITTEE REPORT

Page 1 of 4  
March 15, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration SB 390 (first reading copy -- white), respectfully report that SB 390 be amended as follows and as so amended do pass.

Signed: Sen. Tveit  
Senator Larry Tveit, Chair

That such amendments read:

1. Title, line 5.

Following: "LICENSES"

Strike: ", "

Insert: "AND"

2. Title, line 6.

Following: "LICENSES"

Strike: ", AND REGISTRATION OF MOTOR VEHICLES"

Following: "SECTIONS"

Strike: "61-3-321, "

3. Title, line 7.

Strike: "63-3-325, "

Following: "61-5-111"

Strike: ", "

Following: "PROVIDING"

Strike: "AN"

Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES AND A TERMINATION DATE"

4. Page 1, line 11 through page 3, line 8.

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

5. Page 5, line 13.

Insert: "Section 2. Section 61-5-121, MCA, is amended to read:

"61-5-121. **Disposition of fees.** (1) The disposition of the fees from driver's licenses provided for in 61-5-111(7) (a), motorcycle endorsements provided for in 61-5-111(7) (b), commercial driver's licenses provided for in 61-5-111(7) (c), and duplicate driver's licenses provided for in 61-5-114 is as follows:

(a) The amount of ~~25%~~ 22.25% of each driver's license fee and 25% of each duplicate driver's license fee must be deposited into an account in the state special revenue fund. The department

 Amd. Coord.  
Sec. of Senate

601310SC.SRF

shall transfer the funds from this account to the Montana highway patrol officers' retirement pension trust fund as provided in 19-6-404.

(b) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of ~~3.75%~~ 3.33% of each driver's license fee and 3.75% of each duplicate driver's license fee must be deposited into the county general fund.

(ii) If the fees are collected by the department, the amount provided for in subsection (1)(b)(i) must be deposited into the general fund.

(c) (i) If the fee is collected by a county treasurer or other agent of the department, the amount of ~~5%~~ 3.34% of each motorcycle endorsement must be deposited into the county general fund.

(ii) If the fee is collected by the department, the amount provided for in subsection (1)(c)(i) must be deposited into the general fund.

(d) The amount of ~~8.75%~~ 27.25% of each driver's license fee and 8.75% of each duplicate driver's license fee must be deposited into the state traffic education account.

(e) In addition to the amounts deposited pursuant to subsections (1)(b)(ii) and (1)(c)(ii), the amount of ~~62.5%~~ 47.17% of each driver's license fee and 62.5% of each duplicate driver's license fee must be deposited into the state general fund.

(f) If the fee is collected by the county treasurer or other agent of the department, the amount of ~~3.75%~~ 3.13% of each commercial driver's license fee must be deposited into the county general fund, otherwise all of the fee must be deposited in the state general fund.

(g) The amount of ~~95%~~ 63.46% of each motorcycle endorsement fee must be deposited into the state traffic education account in the state special revenue fund, and the amount of 33.2% of each motorcycle endorsement fee must be deposited into the state general fund.

(2) (a) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and duplicate driver's licenses are collected by a county treasurer or other agent of the department, the county treasurer or agent shall deposit the amounts provided for in subsections (1)(b)(i) and (1)(c)(i) into the county general fund. The county treasurer or agent shall then remit to the state treasurer all remaining fees, together with a statement indicating what portion of each fee is to be deposited into the account in the state special revenue fund as provided in subsection (1)(a) and the state general fund. The state treasurer, upon receipt of the fees and statement, shall deposit the fees as provided in subsections (1)(a) and (1)(d) through (1)(g).

(b) If fees from driver's licenses, commercial driver's

licenses, motorcycle endorsements, and duplicate driver's licenses are collected by the department, it shall remit all fees to the state treasurer, together with a statement indicating what portion of each fee is to be deposited into the account in the state special revenue fund as provided in subsection (1)(a), the state special revenue fund, and the state general fund. The state treasurer, upon receipt of the fees and statement, shall deposit the fees as provided in subsections (1)(a), (1)(b)(ii), (1)(c)(ii), and (1)(d) through (1)(g)."

Renumber: subsequent sections

6. Page 6, line 1.

Following: "~~8.75%~~"

Strike: "11.67%"

Insert: "40.88%"

7. Page 6, line 4.

Following: "~~62.5%~~"

Strike: "50%"

Insert: "20.79%"

8. Page 6, line 26.

Following: "instruction."

Insert: "(1)"

9. Page 6, line 28.

Following: "["

Strike: "sections 3 and 4 of"

Following: "act]"

Strike: "are"

Insert: "is"

10. Page 6, line 29.

Insert: "(2) If House Bill No. 248 is passed and approved and if it includes one or more sections that amend 61-5-121, either temporarily or permanently, then those sections are void and are superseded by [sections 2 and 3 of this act].

(3) If Senate Bill No. 83 is passed and approved and if it includes a section that amends 61-5-121, then that section is void and is superseded by [sections 2 and 3 of this act]."

11. Page 6, line 30.

Strike: "date"

Insert: "dates"

Strike: "[This act] is"

Insert: "(1) [Sections 1, 2, 4, and 6] and this section are"

Following: "effective"

Strike: "July "  
Insert: "October"

12. Page 6, line 31.  
Following: line 30  
Insert: "(2) [Section 3] is effective October 1, 1999.

NEW SECTION. Section 6. Termination. [Section 2]  
terminates September 30, 1999."

-END-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 15, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration HJR 13 (third reading copy -- blue), respectfully report that HJR 13 be amended as follows and as so amended be concurred in.

Signed: *Sen. Tveit*  
Senator Larry Tveit, Chair

That such amendments read:

1. Page 1, lines 19 through 21.  
Strike: lines 19 through 21 in their entirety

-END-

*[Signature]*  
Amd. Coord.  
Sec. of Senate

*[Signature]*  
Senator Carrying Bill

601251SC.SRF

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 15, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration HB 248 (third reading copy -- blue), respectfully report that HB 248 be amended as follows and as so amended be concurred in.

Signed: Sen. Tveit  
Senator Larry Tveit, Chair

That such amendments read:

1. Page 2, line 17.

Following: "safely"

Insert: "and, if a commercial driver's license is involved, the person is physically qualified to operate a commercial motor vehicle under applicable state or federal regulations"

2. Page 9.

Following: line 30

Insert: "NEW SECTION. Section 9. Coordination instruction. If [this act] is passed and approved, then subsection (2) of 61-5-110 in [sections 4 and 5] of Senate Bill No. 34 (Chapter 53, Laws of 1995) is void."

Renumber: subsequent section

-END-

  
Amd. Coord.  
Sec. of Senate

  
Senator Carrying Bill

601229SC.SRF

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 15, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration HB 194 (third reading copy -- blue), respectfully report that HB 194 be concurred in.

Signed: *Larry Tveit*  
Senator Larry Tveit, Chair

  
Amd. Coord.  
Sec. of Senate

*Senator Christiaens*  
Senator Carrying Bill

601220SC.SRF

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 15, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration HB 219 (third reading copy -- blue), respectfully report that HB 219 be concurred in.

Signed: Sen. Tveit  
Senator Larry Tveit, Chair

  
Amd. Coord.  
Sec. of Senate

Senator Mohl  
Senator Carrying Bill

601217SC.SRF

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 15, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration HB 448 (third reading copy -- blue), respectfully report that HB 448 be concurred in.

Signed: Sen. Tveit  
Senator Larry Tveit, Chair



Amd. Coord.  
Sec. of Senate

Senator Stang  
Senator Carrying Bill

601244SC.SRF

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 15, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration HB 364 (third reading copy -- blue), respectfully report that HB 364 be amended as follows and as so amended be not concurred in.

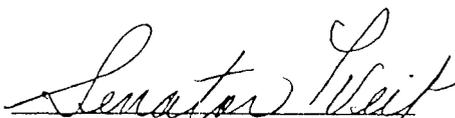
Signed: Sen. Tveit  
Senator Larry Tveit, Chair

That such amendments read:

1. Page 2, line 1.  
Page 2, line 2.  
Page 2, line 8.  
Page 2, line 9.  
Page 2, line 13.  
Page 2, line 14.
- Strike: "50%"  
Insert: "30%"

-END-

 Amd. Coord.  
Sec. of Senate

  
Senator Carrying Bill

601238SC.SRF











SENATE HIGHWAYS

EXHIBIT NO. 1

DATE 3/14/94

BILL NO. HB 194



**60-2-214 and 60-2-215 reserved.**

**60-2-216. Vocational-technical center signs — location — specifications.** (1) The department shall design, construct, and erect appropriate signs indicating access routes to each vocational-technical center designated in 20-16-106.

(2) The department shall locate each sign at the intersection or exit on the federal-aid highway system offering the nearest or the most practicable route to the vocational-technical center concerned.

(3) The style, size, and color of the signs must be consistent with the specifications required for other informational or directional signs installed on the federal-aid highway system.

History: En. Sec. 1, Ch. 423, L. 1985; amd. Sec. 34, Ch. 658, L. 1987.

**Cross-References**  
Department of Transportation to sign all Display of unauthorized signs, signals, or state highways, 61-8-203.

**60-2-217. Signs identifying mountain ranges — scenic loop highways — costs — responsibility of department.** (1) Subject to the provisions of federal law, the department shall design and erect at relevant locations signs, clearly visible to traffic, identifying:

(a) each prominent mountain range that is visible to an occupant of a vehicle traveling on a primary or interstate highway in Montana; and

(b) the junctions with primary or interstate highways in Montana of scenic highways designated under authority of the commission or the department. The signs must mark where the scenic loop leaves and returns to the primary or interstate highway.

(2) (a) The department may not pay the cost of the manufacture and erection of the signs provided for in subsection (1)(b) out of funds appropriated to the department.

(b) Scenic loop highway signs are intended to provide tourist information, and the department's responsibility for the construction, maintenance, or traffic operation of the highway so signed is not affected by the signs.

(c) Erection of scenic loop highway signs does not create a scenic highway.  
History: En. Sec. 1, Ch. 325, L. 1987; amd. Sec. 1, Ch. 144, L. 1989.

**60-2-218. Welcome and farewell signs — design, erection, maintenance — completion date — exceptions — use of existing signs.** (1) (a) The department shall:

(i) design, erect, and maintain welcome and farewell signs within Montana at the nearest practical location to the border of the state where each federal-aid interstate highway, except interstate 90 at the Montana-Idaho border in Mineral County, and each federal-aid primary highway enters or leaves Montana;

(ii) select locations for the signs consistent with the requirements for public safety and maximum visibility and with all applicable provisions of federal law; and

(iii) subject to the exception in subsection (1)(a), complete the construction and erection of welcome and farewell signs:

(A) on the four interstate highways and on highway 212 in Carter County before July 1, 1991; and

(B) on the remainder of the primary highways at the earliest possible date.

(b) However, nothing in this subsection (1) prevents the department from constructing and erecting signs on the remaining primary highways before July 1, 1991.

(2) Except as provided in subsection (3), the welcome and farewell signs must be:

(a) (i) on the interstate system, approximately 20 feet high and 38 feet wide; and

(ii) on the primary system, approximately 8 feet high and 16 feet wide;

(b) of substantial timber and plank construction, similar to those shown in the design dated July 16, 1962, and formerly in use at Montana's borders, with the inscriptions:

(i) at each entrance to Montana:

"The Gate is Open  
Welcome to  
MONTANA"; and

(ii) at each exit from Montana:

"So Long!  
Come Again to  
MONTANA".

(3) Notwithstanding the provisions of subsection (2), welcome or farewell signs in place on the interstate highway system on April 24, 1989, and required to be replaced under the provisions of this section must be utilized at locations on the primary highway system as long as those signs remain serviceable. When those signs are no longer serviceable, they must be replaced on the primary systems with signs described in subsection (2).

History: En. Sec. 1, Ch. 621, L. 1989.

**60-2-219. Department authorized to accept and expend funds for welcome and farewell signs.** The department may accept money from other state agencies, federal agencies, or private persons for the purposes of 60-2-218 and may expend the money received for those purposes.

History: En. Sec. 2, Ch. 621, L. 1989.

**60-2-220. Butte-Anaconda cultural heritage area — signs — location and design — funding.** (1) There is established a cultural heritage area encompassing Silver Bow County and Deer Lodge County.

(2) Subject to the provisions of federal law, the department shall, as funds are available under subsection (4), erect and maintain at specified locations on the primary and interstate highways in Silver Bow County and Deer Lodge County signs identifying those counties as a cultural heritage area.

(3) The consolidated governments of Butte-Silver Bow and Anaconda-Deer Lodge shall design the signs and designate the general locations for the signs. The department shall determine the exact location of each sign.

(4) The department may accept money from other state agencies, federal agencies, local governments, or private persons for the purposes of subsections

SENATE HIGHWAYS

EXHIBIT NO. 2

DATE 3/14/94

BILL NO. HB 194

Present Locations of "Welcome To Montana" Signs HB 194

I-15  
Idaho Line  
Canadian Line

Mont 59  
Wyoming Line

I-90  
Idaho Line  
Wyoming Line

Mont 72  
Wyoming Line

I-94  
North Dakota Line

Mont 87  
Idaho Line

US-2  
Idaho Line  
North Dakota Line

Mont 200  
Idaho Line

US-12  
Idaho Line  
North Dakota Line

Mont 287  
Yellowstone National  
Park

US-20  
Idaho Line (Targhee Pass)

Glacier Nat'l Park  
Port of Chief  
Mountain

US-89  
Canadian Line  
Yellowstone National Park (Gardiner)

US-93  
Idaho Line  
Canadian Line

US-212  
Wyoming Line (South of Red Lodge)  
Wyoming Line (South of Alzada)

US-310  
Wyoming Line

Mont 5  
North Dakota Line

Mont 13  
Canadian Line

Mont 16  
North Dakota Line (JCT 16 & 200)  
Canadian Line

Mont 23  
North Dakota Line

Mont 24  
Canadian Line

Amendments to House Bill No. 111  
Third Reading Copy (blue)

Requested by Senator Swysgood  
For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 9, 1995

1. Title, line 8.  
Following: "ANOTHER"  
Strike: "JURISDICTION"  
Insert: "STATE"
2. Title, line 9.  
Following: "SECTIONS"  
Insert: "61-10-141,"
3. Page 1, line 18.  
Strike: "jurisdictions"  
Insert: "states"
4. Page 2, line 7.  
Following: "(11)"  
Strike: "Title 69, chapter 12"  
Insert: "69-12-408"
5. Page 2, line 23.  
Insert: "Section 4. Section 61-10-141, MCA, is amended to read:  
"61-10-141. Officers authorized to weigh vehicles and require removal of excessive loads -- enforcement of motor carrier safety standards -- duty to obtain bills of lading for agricultural seeds. (1) A peace officer, officer of the highway patrol, or employee of the department of transportation may weigh any vehicle regulated by 61-10-101 through 61-10-110, except recreational vehicles as defined in 61-1-132, either by means of portable or stationary scales, and may require that the vehicle be driven to the nearest scales if those scales are within 2 miles. That person may then require the driver to unload at a designated facility that portion of the load necessary to decrease the weight of the vehicle to conform to the maximum allowable weights specified in 61-10-101 through 61-10-110. If the excess weight does not exceed 10,000 pounds, an excess weight permit may be issued in accordance with 61-10-121. The permit authorizes the driver of the excess weight load to proceed to a designated facility where the load can be safely reduced to legal limits.  
(2) Commodities and material unloaded as required by this section must be cared for by the owner or operator of the vehicle at the risk of that owner or operator. Commodities or material unloaded as required by this section may not be left on the highway right-of-way.  
(3) The department of transportation may establish, maintain, and operate weigh stations, either intermittently or on a continuous schedule, and may require vehicles, except passenger

cars and pickup trucks under 14,000 pounds G.V.W. and recreational vehicles as defined in 61-1-132 (that are not new or used recreational vehicles traveling into or through Montana for delivery to a distributor or a dealer), to enter for the purpose of weighing and inspection for compliance with all laws pertaining to their operation and safety requirements. The department may require vehicles over 10,000 pounds to be inspected and weighed by portable scale crews.

(4) The department of transportation shall work with the highway patrol in the enforcement of safety standards adopted pursuant to 44-1-1005. For the purposes of the joint enforcement, the highway patrol is designated as the lead agency. The highway patrol and the department of transportation shall cooperate to assure minimum duplication and maximum coordination of enforcement effort.

(5) In order to enforce compliance with safety standards adopted pursuant to 44-1-1005, the department of transportation shall designate employees as peace officers. The designated employees must be employed in the administration of the motor carrier services functions of the department of transportation. Each employee designated as a peace officer may:

(a) issue citations and make arrests in connection with violations of safety standards adopted under 44-1-1005;

(b) issue summons;

(c) accept bail;

(d) serve warrants for arrest;

(e) make reasonable inspections of cargo carried by commercial motor vehicles;

(f) make reasonable safety inspections of commercial motor vehicles utilized by motor carriers; and

(g) require production of documents relating to the cargo, driver, routing, or ownership of the commercial motor vehicles.

(6) In addition to other enforcement duties assigned under this section, an employee of the department of transportation has:

(a) ~~the same authority to enforce the provisions of the motor carriers law as that granted the public service commission under 69-12-203 69-12-408;~~ and

(b) the duty to secure or make copies, or both, of all bills of lading or other evidence of delivery for shipment of agricultural seeds as defined in 80-5-120 that have been sold or are intended for sale in Montana and to forward the copies to the department of agriculture within 24 hours of the date the bill of lading was obtained."

{ Internal References to 61-10-141:

OK 61-1-132

OK 61-10-144

Ok 61-10-145}

Amendments to House Bill No. 111  
Third Reading Copy (blue)

Requested by Senator Stang  
For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 9, 1995

1. Page 1, line 14.

Following: "~~(1)~~"

Insert: "(1)"

2. Page 1, line 23.

Insert: "(2) The department may enter into joint weigh station agreements with other states. If the department enters into a joint weigh station agreement with another state, the department may not reduce staff levels in the motor carrier services division of the department as a result of the agreement but may reassign staff."

Amendments to House Bill No. 111  
Third Reading Copy (blue)

For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 14, 1995

1. Title, line 8.

Following: "ANOTHER"

Strike: "JURISDICTION"

Insert: "STATE"

2. Page 1, line 14.

Following: "~~(1)~~"

Insert: "(1)"

3. Page 1, line 18.

Strike: "jurisdictions"

Insert: "states"

4. Page 1, line 23.

Insert: "(2) The department may enter into joint weigh station agreements with other states. If the department enters into a joint weigh station agreement with another state, the department may not reduce staff levels in the motor carrier services division of the department as a result of the agreement but may reassign staff. However, this subsection does not apply to a reduction in force for the department as a whole."

Amendments to House Bill No. 248  
Third Reading Copy (blue)

Requested by  
For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 9, 1995

1. Page 2, line 17.

Following: "safely"

Insert: "and, if a commercial driver's license is involved, the person is physically qualified to operate a commercial motor vehicle under applicable state or federal regulations"

2. Page 9.

Following: line 30

Insert: "NEW SECTION. Section 9. Coordination instruction. If  
[this act] is passed and approved, then subsection (2) of  
61-5-110 in [sections 4 and 5] of Senate Bill No. 34  
(Chapter 53, Laws of 1995) is void."

Renumber: subsequent section

Amendments to House Joint Resolution No. 13  
Third Reading Copy (blue)

For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 14, 1995

1. Page 1, lines 19 through 21.  
Strike: lines 19 through 21 in their entirety

Amendments to House Bill No. 364  
Third Reading Copy (blue)

For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 14, 1995

1. Page 2, line 1.  
Page 2, line 2.  
Page 2, line 8.  
Page 2, line 9.  
Page 2, line 13.  
Page 2, line 14.  
Strike: "50%"  
Insert: "30%"

DATE 3/14

SENATE COMMITTEE ON Highway

BILLS BEING HEARD TODAY: HB 194 HB 219

< ■ > PLEASE PRINT < ■ >

Check One

Name	Representing	Bill No.	Support	Oppose
Dew Roberts	MVD DOS	219	<input checked="" type="checkbox"/>	<input type="checkbox"/>
D. John Blacker	MDT	194	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jay T. Andrew	MDT	194	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bruce Bennett	MDT	194	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim Jacobson	MT DEF ALGAINS DIV	219	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY