

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON TRANSPORTATION**

**Call to Order:** By Chairman Shiell Anderson, on February 10, 1997, at 3:00 p.m., in Room 420

**ROLL CALL**

**Members Present:**

Rep. Shiell W. Anderson, Chairman (R)  
Rep. Rick Jore, Vice Chairman (Majority) (R)  
Rep. Patrick G. Galvin, Vice Chairman (Minority) (D)  
Rep. Joe Barnett (R)  
Rep. Rod Bitney (R)  
Rep. Sylvia Bookout-Reinicke (R)  
Rep. Matt Brainard (R)  
Rep. Bob Clark (R)  
Rep. Charles R. Devaney (R)  
Rep. David Ewer (D)  
Rep. Marian W. Hanson (R)  
Rep. Rod Marshall (R)  
Rep. Gerald Pease (D)  
Rep. William M. "Bill" Ryan (D)  
Rep. Dorothy C. Simpson (D)  
Rep. Jack Wells (R)  
Rep. Bill Whitehead (D)

**Members Excused:** Rep. Sonny Hanson

**Staff Present:** Leanne Kurtz, Legislative Services Division  
Mary Lou Schmitz, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 400 - 2-7-97  
SB 86 - 2-7-97  
SB 129 - 2-7-97  
SB 173 - 2-7-97

Executive Action: SB 86 - CONCURRED  
SB 129 - CONCURRED  
SB 173 - CONCURRED  
HB 326 - TABLED  
HB 353 - TABLED  
HB 385 - DO PASS AS AMENDED

**HEARING ON HB 400**

"AN ACT AUTHORIZING THE ISSUANCE OF SCOUTING LICENSE PLATES; AUTHORIZING THE COLLECTION OF DONATIONS FOR BOY SCOUTS AND GIRL SCOUTS IN ADDITION TO REGULAR LICENSE PLATE FEES; AUTHORIZING THE DISTRIBUTION OF DONATIONS TO BOY SCOUT AND GIRL SCOUT COUNCILS; PROVIDING AN APPROPRIATION;"

{Tape: 1; Side: A; Approx. Time Count: 1.5; }

**Sponsor:** Rep. Toni Hagener, HD 90.

**Opening Statement by Sponsor:** Rep. Hagener explained the Sections of the Bill concerning the Scouting license plates.

{Tape: 1; Side: A; Approx. Time Count: 3.5 - 14.0 }

**Proponents:** Don Waldron, Big Sky Girl Scouts. **EXHIBIT 1.**

Susan Hunter, Executive Director, Girl Scouts Council.

Jennifer Madden, Big Sky Girl Scouts.

Bud Schoen, Motor Vehicle Division.

John Shontz, Boy Scouts of America. **EXHIBIT 2.**

Ray Chase, Boy Scouts of America.

{Tape: 1; Side: A; Approx. Time Count: 14.7; }

**Opponents:** None

{Tape: 1; Side: A; Approx. Time Count: 14.8 - 23.2 }

**Questions From Committee Members and Responses:** Reps. Clark, Bitney, Anderson, Ewer.

Responses by Susan Hunter; Bud Schoen; Don Waldron;

{Tape: 1; Side: A; Approx. Time Count: 23.4 - 24.7; }

**Closing by Sponsor:** Rep. Hagener closed the Hearing on HB 400.

**HEARING ON SB 173**

"AN ACT PROVIDING THAT A BUYER FOR VALUE OF A CHILD SUPPORT OBLIGOR'S MOTOR VEHICLE OR OTHER ITEM FOR WHICH A CERTIFICATE OF OWNERSHIP IS ISSUED BY THE DEPARTMENT OF JUSTICE WHO BUYS IN GOOD FAITH AND WITHOUT KNOWLEDGE OF THE SUPPORT LIEN TAKES THE PROPERTY FREE OF THE SUPPORT LIEN;"

**Sponsor:** Senator Walter McNutt, SD 50.

{Tape: 1; Side: A; Approx. Time Count: 26.9 29.9 }

**Opening Statement by Sponsor:** Senator McNutt said the Bill allows for the purchaser of a motor vehicle to take the property clear of liens.

{Tape: 1; Side: A; Approx. Time Count: 30.6 - 33.2 }

Proponents: Ron Ashabraner, State Farm Insurance Company.

Steve Turkiewicz, Montana Automobile Dealers Association.

Tempi Ruth, Montana Bankers' Association.

Bob Pyfer, Senior Vice President, Montana Credit Union League.

Bud Williams, Representative, Montana Manufactured Housing and RV Dealers' Association.

{Tape: 1; Side: A; Approx. Time Count: 33.3; }

Opponents: None

{Tape: 1; Side: A; Approx. Time Count: 33.5; }

Informational Witnesses: Bud Schoen, Motor Vehicle Division.

{Tape: 1; Side: A; Approx. Time Count: 34.0 - 45.7 }

Questions From Committee Members and Responses: Reps. Marshall, Galvin, Bookout, Jore, Anderson.

Responses by Senator McNutt; Tempi Ruth; Steve Tukrkiewicz;

{Tape: 1; Side: A; Approx. Time Count: 46.0 }

Closing by Sponsor: Senator McNutt closed the Hearing on SB 173.

#### HEARING ON SB 129

"AN ACT DEFINING A LOG LOADER AS SPECIAL MOBILE EQUIPMENT FOR REGISTRATION PURPOSES;"

Sponsor: Senator William Crismore, SD 41.

{Tape: 1; Side: A; Approx. Time Count: 49.9; }

Opening Statement by Sponsor: Senator Crismore said this is a Bill to allow log loaders to use an SM (Special Mobile Equipment) plate rather than a regular licensed truck.

{Tape: 1; Side: A; Approx. Time Count: 53.3 - 57.3; }

Proponents: Barton Cooper, Montana Logging Association, Boulder, Montana. **EXHIBIT 3.**

Dave Galt, Administrator, Motor Carrier Division, Department of Transportation. **EXHIBIT 4.**

Opponents: None

{Tape: 1; Side: A; Approx. Time Count: 57.4; }

Informational Testimony: Bud Schoen, Department of Justice, Motor Vehicle Division.

*{Tape: 1; Side: A; Approx. Time Count: 57.7 - 64.3 }*

Questions From Committee Members and Responses: Reps. Wells, Anderson, Brainard, Ryan.

Responses by Dave Galt, Senator Crismore.

*{Tape: 1; Side: A; Approx. Time Count: 64.5; }*

Closing by Sponsor: Senator Crismore closed the Hearing on SB 129.

HEARING ON SB 86

"AN ACT CLARIFYING THE RULE OF RIGHT-OF-WAY AT AN INTERSECTION;"

Sponsor: Senator Crismore, SD 41.

*{Tape: 1; Side: A; Approx. Time Count: 66.1;}*

Opening Statement by Sponsor: Senator Crismore said the Bill would clarify the rule of right-of-way vehicles approaching or entering intersections.

*{Tape: 1; Side: A; Approx. Time Count: 66.2;}*

Proponents: Frank Cote, Deputy Insurance Commissioner, State Auditor's Department.

Opponents: None

*{Tape: 1; Side: A; Approx. Time Count: 69.2 - 75.2 }*

Questions From Committee Members and Responses: Reps. Marshall, Devaney, Bookout, Anderson,

Responses by Frank Cote, Leanne Kurtz,

*{Tape: 1; Side: A; Approx. Time Count: 75.5; }*

Closing by Sponsor: Senator Crismore closed the Hearing on SB 86.

EXECUTIVE ACTION ON HB 353

*{Tape: 1; Side: A; Approx. Time Count: 77.3 }*

Amendments: Leanne Kurtz explained the amendments.

Motion/Vote Rep. Brainard moved HB 353 DO NOT PASS. Motion carried 13 - 1.

*{Tape: 1; Side: A; Approx. Time Count: 81.0; Comments: .}*

Discussion: Reps. Marian Hanson, Devaney, Simpson.

Motion/Vote: Rep. Devaney moved to TABLE HB 353. Motion carried unanimously. 15 - 0.

EXECUTIVE ACTION ON HB 326

*{Tape: 1; Side: A; Approx. Time Count: 81.9; }*

Motion: Rep. Brainard moved DO PASS on HB 326.

*{Tape: 1; Side: A; Approx. Time Count: 84.6; }*

Motion/Vote: Rep. Brainard offered a conceptual amendment to exempt municipalities from the zone. Motion carried unanimously. 14 - 0.

*{Tape: 1; Side: A and B; Approx. Time Count: 84.9 - 0.3; }*

Discussion: Reps. Brainard, Simpson, Devaney, Anderson.

*{Tape: 1; Side: B; Approx. Time Count: 1.7; }*

Amendments: Rep. Anderson offered amendment, Page 3, to eliminate county law enforcement officers from being the sole enforcers and to eliminate lines 27 and 28 because it is a self-feeding program and the money collected from these fines goes into the county's general fund to be used for costs incurred in the administration of sub-section 4.

*{Tape: 1; Side: B; Approx. Time Count: 4.1; }*

Discussion: Reps. Marian Hanson, Anderson, Marshall, Brainard, Bookout, Ryan, Wells, Ewer.

Amendments: Rep. Anderson withdrew his amendment.

Motion: Rep. Brainard withdrew the motion to DO PASS on HB 326.

Motion/Vote: Rep. Bitney moved to gently TABLE HB 326. Motion carried unanimously. 15 - 0.

*{Tape: 1; Side: B; Approx. Time Count: 12.3; }*

Rep. Ryan, Rep. Wells and Rep. Ewer formed a committee to meet with Rep. Brainard for further study.

EXECUTIVE ACTION ON HB 385

*{Tape: 1; Side: B; Approx. Time Count: 13.1; }*

Motion: Rep. Ryan moved HB 385 DO PASS.

*{Tape: 1; Side: B; Approx. Time Count: 14.8; }*

Motion/Vote: Rep. Marian Hanson moved an amendment to place "on-coming" traffic on Line 15, Page 2. Motion carried unanimously. 16 - 0.

*{Tape: 1; Side: B; Approx. Time Count: 15.1; }*

Motion/Vote: Rep. Brainard moved DO PASS AS AMENDED. Motion carried unanimously. 16 - 0.

EXECUTIVE ACTION ON SB 86

Motion/Vote: Rep. Ryan moved DO CONCUR with SB 86. Motion carried unanimously. 16 - 0.

EXECUTIVE ACTION ON SB 129

Motion/Vote: Rep. Wells moved DO CONCUR with SB 129. Motion carried unanimously. 16 - 0.

EXECUTIVE ACTION ON SB 173

Motion: Rep. Devaney moved DO CONCUR with SB 173.

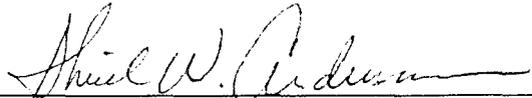
*{Tape: 1; Side: B; Approx. Time Count: 19.7 - 28.9 }*

Discussion: Reps. Devaney, Galvin, Bitney, Ryan, Marshall, Bookout, Brainard, Anderson.

Vote: Motion carried unanimously. 15 - 0.

ADJOURNMENT

Adjournment: 5:00 p.m.



REP. SHIELL W. ANDERSON, Chairman



MARY LOU SCHMITZ, Secretary

SWA/MLS