

HIGHWAYS AND TRANSPORTATION COMMITTEE

March 10, 1977

The Committee on Highways and Transportation was called to order on March 10, 1977, at 10:00 a.m. with Chairman Baeth presiding and all members present, except Rep. Tropila.

The following bills were scheduled for discussion today:
SB 16, SB 147, SB 312 and SJR 36.

SENATE JOINT RESOLUTION 36

Senator Manning, chief sponsor of this resolution, said this was a joint resolution calling for a joint federal-state-local committee to formulate a plan for a bridge across the Missouri River in the vicinity of Winifred, Montana.

Senator Manning said this bridge is estimated to cost approximately \$3 million and the two counties of Chouteau and Fergus could not afford this construction from their secondary system funds. Some ground work and engineering has been done, however.

As background, Senator Manning said the Congress included the Missouri Breaks within the National Wild and Scenic Rivers System. This act provides that a bridge may be built across the Missouri River between Winifred and Big Sandy if such bridge is constructed in accordance with a plan which is mutually acceptable to the Secretary of the Interior and to the Montana Highway Commission and the governing bodies of Chouteau and Fergus Counties and is consistent with the purposes of the Wild and Scenic Rivers Act.

The joint committee would formulate a plan for the design, construction, funding and jurisdiction of a bridge across the Missouri River between Winifred and Big Sandy.

Senator Manning also said there is a lack in this state of north and south roads and this bridge would help in that area.

Senator Kolstad, another sponsor of this resolution, said he represents the counties to the north of this area and they are concerned with establishing more north and south roads. A bridge on this river is necessary. It would benefit the whole state.

There were no opponents. Hearing closed on SJR 36.

SENATE BILL 16

Senator Graham, sponsor of this bill, said this bill is a recodification bill. He asked Dave Cogley, attorney for the Legislative Council, to give the committee details on the changes.

Dave Cogley distributed a list of the changes to the committee and highlighted the main ones:

Page 4, lines 20 and 21: This portion relating to snowmobile lights was stricken because of other provisions that are more comprehensive.

Page 7, line 1: The word "board" is changed to "commission". The word "commission" means Fish and Game Commission. The word "board" is changed to "commission" throughout the whole bill.

Page 7, lines 5 and 14: "Board of equalization" does not exist any more and it is changed to "county treasurer".

Page 13, last three lines and page 14, first 7 lines: This wording is duplicated in section 69-3506, so this was deleted.

Page 18, line 25 and page 19, first half of page: This language was stricken because the date of April 30, 1976, as stated, is past. Therefore this language no longer applies.

Page 26, line 20: These small changes clarify the penalty provisions for violations.

Page 29, line 12: This language refers to tramways, which jurisdiction was transferred to the Department of Administration. Therefore, this language no longer applies.

There were no opponents. Hearing closed on SB 16.

SENATE BILL 147

Senator Graham, sponsor of this bill, said this bill revised the manner in which excess weight penalties are computed when an operator is found to be overweight at the first state scale.

Jim Beck, attorney for the Department of Highways, said this bill was introduced at the department's request. This is a penalty section. As the present law reads, there would be a fine for any excess weight and the load must be corrected at the scale. The changes would allow a 7% excess at the first scale. With the purchase of a \$10 permit, the truck would be

allowed to proceed to the nearest facility where the load can be adjusted or to his destination, at the discretion of the scale master.

If it is over 7% excess weight or if any excess is found at the second scale, a fine is imposed on a varying scale of \$25 to \$1000, depending on the violation.

There have been many problems with the present law because of interpretations of the language. It is not clear.

Proponent Robert Holding, representing the Montana Wood Products, said they support this bill. Under the present law, they must correct any excess weight at the scale, which requires unloading or cutting of logs, both unsafe practices. It is impossible to guess the weight of logs during loading because of many varying factors. These changes will allow loggers to get away from the dangerous necessity of unloading or cutting logs.

Proponent Gerald Neils, representing Montana Logging Association, said that this bill would help the loggers and they feel it is an excellent bill.

There were no opponents. Hearing closed on SB 147.

SENATE BILL 312

Senator Graham, sponsor of this bill, said this allows a person to transfer license plates from one car to another in one year without paying the registration fee again. This was the intent of earlier legislation, but an attorney general's opinion gave an opposite interpretation.

Proponent Jerry Raunig, representing Montana Auto Dealers Association, said this is a problem that universally affects everyone who owns a car and transfers those plates. We support this bill.

There were no opponents. Hearing closed on SB 312.

EXECUTIVE SESSION

SENATE BILL 312

Representative Keyser made a motion to be CONCURRED IN. This motion was unanimously approved, with Rep. Tropila absent.

Representative Kanduch will carry it through the House.

SENATE BILL 147

Representative Hansen made a motion to be CONCURRED IN. This motion was unanimously approved, with Rep. Tropila absent.

Representative Hansen will carry it through the House.

SENATE BILL 16

Representative O'Keefe made a motion to be CONCURRED IN. This motion was unanimously approved, with Rep. Tropila absent.

Representative O'Keefe will carry it through the House.

SENATE JOINT RESOLUTION 36

Representative Ernst made a motion to be CONCURRED IN. This motion was unanimously approved, with Rep. Tropila absent.

Representative Ernst will carry it through the House.

Session adjourned at 11:15 a.m.

William R. Baeth

William R. Baeth, Chairman