

MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION
MONTANA STATE SENATE

January 11, 1977

The second meeting of the Highways and Transportation Committee was called to order on the above date in Room 404 of the State Capitol Building by Chairman Manning at 9:30 a.m.

ROLL CALL: All members were present, with Senators Aber and Etchart arriving late.

The following witnesses were present to testify:

James Beck	Department of Highway
Donald Copley	Department of Highway
Curt Wheeling	Canyon Ferry Yacht Club
Jim Hughes	Canyon Ferry Yacht Club

CONSIDERATION OF SENATE BILL 24: Senator Thiessen, district 27, chief sponsor of the bill, said this bill takes out the requirement that one member of the Highway Commission has to be an attorney. He said the Governor had not asked him to have this bill drawn up, but that he was in favor of it. Senator Thiessen also stated that the Legislative Council had taken the responsibility to clear up some of the language in the bill, which he went over with the committee.

Jim Beck from the Highway Department said that an attorney on the Commission had been set up as part of the executive reorganization. He stated the Department had no stand on the bill.

Mr. Kenneth Clark, United Transportation Union appeared in support of the bill. He felt a person should be selected on his ability, not on whether he was an attorney.

CONSIDERATION OF SENATE BILL 16: Senator Graham presented this bill. He stated that this was a recodification bill. The staff attorney who had worked on the bill was appearing at another meeting and could not be present so Senator Graham felt the bill should be considered at the next meeting.

After some discussion from the members Senator Graham moved that the committee postpone Senate Bill 16 until the next scheduled meeting. Seconded by Senator Hazelbaker. Motion carried. Senators Aber and Etchart absent.

DISPOSITION OF SENATE BILL 24: Senator Lockrem moved that Senate Bill 24 DO PASS. Seconded by Senator Graham. Motion carried. Senators Aber and Etchart absent.

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Jim Beck, Highway Department presented the committee with six bills that the Department would like to have introduced. One bill would amend the Relocation Assistance Act, another would define the term "axle". The third bill was the "pro rate bill, which would enable the registrant the option of paying his fees at the time or being bill for them. The next bill would be for construction of off-system road funds to allocate these funds to the counties as per the secondary road formula. The fifth bill would amend the special bridge bill. The last bill would enable a trucker the right to proceed to the first scale if they were less than 5% overweight.

Senator Manning then asked for volunteers from the committee to introduce these bills, which he received.

CONSIDERATION OF SENATE BILL 16: Senator Graham moved that since the codifier for this bill had arrived that the committee reconsider its action taken earlier on this bill. Seconded by Senator Hazelbaker. Motion carried unanimously.

Dave Cogley, staff attorney from the Legislative Council presented the committee with a summary of the changes in this bill, (attached #1). He stated that most of the changes were just clearing up redundant language.

Mr. Jim Hughes, Canyon Ferry Yacht Club, said their main concern was wondering if the intent of the bill had been changed in so far as discharge of waste was concerned. They wondered how waste was actually defined.


Mr. Curt Wheeling, also from the Canyon Ferry Yacht Club, was concerned about this same factor. After some discussion it was felt this would be better covered in a new bill.

Dave Cogley said that it had been brought to his attention by the Fish and Game Department that a few small amendments should be made see exhibit "2".

DISPOSITION OF SENATE BILL 16: Senator moved the amendments. Seconded by Senator Graham. Motion carried unanimously.

Senator Hazelbaker moved that Senate Bill 16 DO PASS AS AMENDED. Seconded by Senator Aber. Motion carried unanimously.

Senator Aber moved the meeting be adjourned. Seconded by Senator Graham. Motion carried. Meeting adjourned.


SENATOR MANNING CHAIRMAN