

MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

February 19, 1977

The thirteenth meeting of the Highways and Transportation Committee was called to order by Chairman Manning on the above date in Room 404 of the state capitol building at 9:30 a.m.

ROLL CALL: Senator Graham was absent. Senator Lockrem arrived at 9:47, Senator Healy at 10:05, and Senator Hager at 10:32. All other members were present.

Those present to testify included the following:

Joe Sol	Montana Highway Patrol
Duane B. Tooley	" " "
Thomas Schnider	Montana Public Employees Assoc.
Larry Huss	Montana Motor Carriers Assoc.
Terry Whiteside	Montana Department of Agriculture
James R. Beck	Department of Highways
Jack R. Beckert	" " "
John W. Larson	Union Pacific Railroad
Gene J. Carroll	Office of the Governor
Ken Clark	United Transportation Union
Don Calman	Montana Motor Carriers Assoc.
Dean Zinnecker	Montana Association of Counties
J.C. Purcell	General Motors
W.S. Gosnell	Fiscal Analyst
Roland D. Pratt	Montana Optometric Association
C.J. Knutson	Brotherhood of Motor Way Employees
David Foster	---
Jim Whitehead	---

CONSIDERATION OF SENATE BILL 411: Senator Larry Fasbender, chief sponsor of the legislation, testified that this bill would provide for civilian drivers' license examiners. He noted that the fiscal note would only be such a drastic increase if the state retained all of the existing personnel, and that was not the intent of the bill. Actually, the bill would result in a savings because the civilian examiner would not require the equipment or the salary of the patrolmen currently doing the examining. It is not the intent of the author to discharge all of the patrolmen examiners, but to transfer them to other areas and through retirement the examiners could collect their pension while transferring to a civilian examiner at a lower salary. Senator Fasbender indicated in the fiscal analyst's report to the committee that this plan could be implemented for a net savings do to attrition, etc.

Colonel Joe Sol of the Montana Highway Patrol testified that he did not agree that the uniform makes the examiner, but rather the quality of the person now hired be required to continue to keep the drivers' licensing program at its current level. If these quality people were hired, then there would be no savings. Currently the

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examiners are circuit riders, using their travel time to help patrol the highways. This would be lost with the civilian examiners. The current examiners are also used on weekends, holidays, etc., for special events, crisis situations, and the like and are a natural pool from which to draw. This too would be lost.

Mr. Tom Schnider, representing the Montana Public Employees Association, testified that this same bill gets better each session, but there are still problems with it. The act still does not guarantee the rights of the patrolmen who are now serving as examiners. There is nothing in the act that would make the patrolmen retire and then rehire at the lower paying civilian drivers' license examiner. Eighteen people and eighteen families will be adversely affected by this bill. The rights of seniority will also be affected for the examiners will have to bump or bid back into the regular patrol force. That will cause others to bump throughout the system in order to accomodate the examiners and the result will be the eighteen youngest patrolmen will be without a job. The Highway Patrol is different than other employees. These people were schooled, and then had to move to the places that the patrol needed. Once they are layed off, they will move back to the population areas to raise their families. There is no eighteen man attrition that will occur soon. Mr. Schnider suggested that this proposal be studied for two years, for now no one knows if the civilian can serve the same function. We are only looking at the savings and not at what we will gain or lose in the long run. If the study would show that the civilian could do a good job, then Mr. Schnider said he couldn't argue with the bill, but he would insist that the legislation be geared to change to that system without the loss of jobs.

Captain Duane Tooley of the Montana Highway Patrol, Chief Examiner, testified that he had two concerns: 1) a concern for the people who work for him; and 2) a concern with drivers' licensing in Montana. This proposal has the possibility of not working at all. About \$185 has been figured for the training of each civilian. That is not sufficient money for the type of educational programs that would be needed. The salary levels are also extremely low, like Washington's where there is a 44% turnover annually. That would result in severe problems with the training. A study to look at the direction the state ought to go would be more appropriate than this bill. The Montana Highway Patrol was not even consulted by the fiscal analyst about how the examiners program works in the state. At this point in time we must oppose the bill until such time as a study is made of the situation.

Mr. Don Pratt, representing the Montana Optometric Association, testified that he was concerned that the civilians would not be trained enough for the vision part of the examination. If that were taken care of, he would not be opposed to the bill. The relationship that the Optometric Association has with the Montana Highway Patrol is a very good one right now.

Mr. Bill Gosnell of the Office of the Fiscal Analyst, referred to pages 156-164 of the analysis of the Highway Patrol. This bill was a result of the fiscal analyst looking at ways to reduce the costs and put the Highway Patrolmen on the highways to enforce the law. On page

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160 of the report (See Attached #1) it is recommended that a total of 32 civilians be added to the driver license program. Being that the GVW program is a paper enforcement program into which the Highway Patrol has become enmeshed, the GVW enforcement program could be reduced by 18 FTE, moving 28 of the civilian examiners into the field for a net 14 FTE added. A grade of 9 would be given to the civilian examiners, based on the pay scale of the other states with this type of program. A patrolman now enters at grade 11, so that results in a substantial savings, including a savings in retirement, training, and equipment. It costs \$18,000 to train a Highway Patrolman, 10% of that time being devoted to drivers' license examinations. That averages out to \$700 per individual for the first year, with the savings starting in the second year when there is no overhead. The eighteen that would be laid off would fill some of the vacancies that are now open. 20-25% of these have 15 or more years service in. After 25 years, 1% per year are lost to retirement. With the incentive to become a civilian examiner with retirement, the problem should be somewhat taken care of.

Mr. Gosnell continued, 50% of the drivers' license examinations are now given in the major cities. The civilians would be used in the cities and the Highway Patrol could cover the outlying areas. There is no difference in the patrolmen or the civilian examiners in the resulting number of highway deaths. One-half of the states by 1974 had gone to the civilian examiners. The program is cost efficient and the transition can be worked for those 18 people, without any jobs being lost.

Senator Aber asked if there were any areas of the state in which the Highway Patrol had no jurisdiction. Mr. Gosnell answered that they did not have jurisdiction in the cities. Captain Tooley said that to a limited extent, the Highway Patrol does not exercise authority in the cities. They are not assigned permanently to the cities, but they do do some patrol work while they are there.

CONSIDERATION OF SENATE BILL 440: Senator Fasbender, chief sponsor of the bill, stated that he was most enthusiastic about SB 440. This is something that should have been done a long time ago in Montana. Montana is nearing a crisis situation in transportation, but has no grasp on transportation or planning. Senator Fasbender passed copies of a summary of the recommendations in transportation out to the committee. (See Attached #2) The legislative portion of this bill works on the same lines as reorganization did. The functions of the abolished agencies would be transferred to the Department of Transportation (DOT) where the structure of the new department for Montana would be determined. When the specifics are set statutorily, then the set-up becomes impossible to change; this bill does not set the structure and thus allows the DOT to make changes that might be important to smooth operation of the department.

Senator Fasbender referred to figure 2 on page 8, which shows the transportation and planning by agency. He noted that the Board of Personnel Appeals was changed in 1975 and should be crossed out on the figure.

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Senator Fasbender told the committee that four years ago the National Council of State Governments looked into the idea of states moving toward the Department of Transportation concept. The Senator's concern in this area grew last summer with regard to the railroad industry in Montana and the abandonment of lines and branches. In some cases such abandonment is probably a good idea, but there is now no way to look at the overall transportation facilities in Montana. If there is sufficient parallel transportation, we can give up some of our railroad lines, but we must do so from an overall plan that looks at the transportation area comprehensively. If we don't, Montana will become simply a bridge state, with the railroad running through it, but not contributing to it, and trucking not able to handle the load.

Senator Fasbender commented that 27 other states and Puerto Rico have gone to Departments of Transportation in the past 10 years. Ten other states are now considering the idea. If Montana recognizes the problems of transportation, then the DOT route would be the most comprehensive approach to dealing with the problems.

Senator Fasbender noted that under SB 440, the Public Service Commission would be split in two with the transportation function going to the DOT and the utility regulation being left with the PSC. The information gathering responsibility is too difficult for the PSC with both functions. The transportation area would be handled by a seven man board of qualified individuals. This board would sit as a quasi-judicial board.

In the past the PSC has concerned itself primarily with the utility industry regulation, leaving many delays and problems in the transportation regulation end. It is not possible under the current PSC set up to expect them to be able to deal with both transportation and utilities. In many instances there have been 18 month delays between the application and the hearing. By transferring the transportation regulation function to the DOT, efficiency would be gained in both the PSC and the DOT, and each could better deal with the respective areas more thoroughly.

Senator Fasbender noted that the Aeronautics Division of the Department of Community Affairs had requested a split in the hearing. The audit of the Aeronautics Division indicated that a transfer of this area to the DOT would be a good idea. It is the responsibility of the Aeronautics Division to develop air transportation and planning. This results in overlap with other transportation areas, and indicates that interplay is needed with the rest of the transportation areas in Montana.

Mr. Larry Huss, representing the Montana Motor Carriers Association, said that he was in support of the legislation. He said that his group saw Executive Reorganization as a valuable tool to eliminate duplication and thus inefficiencies. But Executive Reorganization failed in this area by failing to consolidate more functions together in the transportation area under the DOT. Right now the Motor Carriers are responsible to the PSC, the Montana Highway Patrol and the Department of Highways.

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Mr. Huss continued that the only reason the Motor Carriers were under the PSC is because of the rate setting function of the PSC. The only commonality with the utilities is rate setting, but the similarities end there because the utilities are a monopoly while the Motor Carriers are involved in a competitive system. The PSC has spent most of their time with the public utility regulation because it is more complex, of higher priority and resulting in more political exposure. The net result is that the motor carriers get the short end of the stick. The average time lag is 7 months in rate cases for the motor carriers and 18 months in the expanded authority cases. If a Department of Transportation were established, speedier responses might be possible because the board would be dealing with a single type of problem - transportation.

Senator Fasbender noted that he had contacted the executive branch and they were taking no stand at this time. Most of the various agencies had been contacted for information, however.

Mr. Gene Carroll, Director of the Marketing and Transportation Division of the Department of Agriculture, testified that he had spent the last 30 years working in transportation, the last 10 of which dealt with agricultural transportation. He commented that there were all types of problems when there was a lack of coordination and cooperation between state agencies. We are constantly exposed to the federal government's actions in transportation and yet there is no place in state government where coordination and cooperation between transportation functions can take place.

Mr. Carroll said that he saw two benefits from a DOT: 1) efficiency from a coordinated effort between agencies; 2) an impact on transportation users by more visible utilization of experience, resources and personnel. When he had testified for Montana in abandonment proceedings, he had often wonder if by protesting he was doing a disservice to Montana in the long run because of the adverse effect on the health of the railroad. With a DOT, a study could be done to answer those questions of long range effects.

Mr. Gordon Bollinger, Chairman of the Public Service Commission, testified that the PSC had taken no formal stand on this bill. He agreed with Senator Fasbender that transportation planning must be done in Montana. Mr. Bollinger testified that he knew of specific instances in which federal funds were not forthcoming to Montana because it did not have any Department of Transportation. As a specific example, Mr. Bollinger said that he had received a letter from a city bus lines that could not meet increased insurance rates and would go out of business April 1 if there was no assistance forthcoming.

Mr. Bollinger commented that the charge of the PSC's neglect of the transportation area was in part correct. The PSC lacks the staff and the funds to be able to research the areas of transportation thoroughly enough. They have been considering hiring another person, but decided to wait to see what the outcome of this bill would be. Mr. Bollinger also commented that the hearing of the transportation

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cases in the Department of Transportation would be fine if the people were represented by the Consumer Counsel.

Mr. John Delano of the Montana Railroad Association said that he was not appearing in opposition to the bill as he had just received it yesterday, but would respectfully request that a split hearing be held to allow the railroads to be participants in that hearing.

Mr. Kenneth Clark, representing the Railroad Brotherhood, commented that the brotherhood was concerned with transportation in Montana and with the safety of their people. He was not appearing in opposition to this bill or in support of it, but wanted to make sure that if this bill passes, that the safety functions be transferred to the DOT also.

Mr. Rick O'Brien, Chairman of the Board of Aeronautics, noted that he found himself in the same position as many of the other people who had already testified. He had just found out about the bill, so he would be speaking for himself, and not for the entire Board. As a background, the Division of Aeronautics is under the Department of Community Affairs. Mr. O'Brien has been on the board since it was commissioned. The Board's operations are funded by a user tax of 1 cent per gallon on aviation and jet fuel. The board is composed of seven members who are representatives from all areas of aeronautics. The board's primary function is to aid in airport development in the state and to coordinate with the FAA in order to receive federal funds.

Mr. O'Brien said that the aeronautics division was sort of an exception to the overall transportation industry, being a unique board with unique problems. It would be in the interest of aviation not to place the aeronautics under the DOT to be controlled by lay people who were not cognizant of the problems of aviation. The people in the industry are better informed to address the problems. In some states aeronautics is under a DOT, but seems not to be working well. Aeronautics is a small division that has only 18 full time employees with a budget of between \$400,000 and \$500,000 which would be overshadowed by the larger divisions.

Senator Smith asked about page 9 and the reference to the motor vehicle inspection functions. He said that there was a bill in now to repeal this section of the law. Would this bill supercede the repealer? Senator Fasbender said that it was all a matter of time and who passes the last bill and the effective dates.

Senator Smith asked about the quasi-judicial function of the board and the quasi-legislative function. He commented that the Governor has opposed any quasi-judicial boards. Had Senator Fasbender checked with the Governor on this? Senator Fasbender answered that all policy making functions are designated quasi-legislative. Boards do determine policy. Quasi-judicial functions are any decisions made at hearings. It is important that the board have this power. This same type of designation exists in Executive Reorganization. Senator Fasbender indicated that he had talked to the Executive and they had no opposition to the bill at this time. They may support or oppose the bill at a later date, but they did not dispute that section.

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Senator Hazelbaker asked if this bill would in any way jeopardize the relationship between the Department of Highways and the federal government. Mr. Jim Beck of the Department of Highways said that he foresaw no problem with this bill in that regard as other states have DOTs and are still able to qualify for federal funds. The problem that may arise with the implementation of this bill deals with the highway trust funds. The director's salary is paid from earmarked revenue funds prorated with general funds, a portion coming from each, which could create problems.

Senator Fasbender responded that there could be problems with those funds, but that he didn't believe that the situation would arise. Prorata and indirect costs are handled now. The federal funds should not be jeopardized because the bill allows discretion in the DOT to adjust to any such problems that may arise.

Senator Lockrem asked if there were any limitations on the board members. Senator Fasbender answered that he could designate the qualifications, but that the board would deal with a broad range of problems. With the Governor having the power to appoint the board members, he could make the considerations necessary. If the bill contained more specifics, then more people may be left out.

Senator Lockrem asked if the Governor would appoint with the confirmation of the appointment done by the Senate. Senator Fasbender answered yes.

Senator Etchart asked for clarification on page 10 with only 2 members from various areas, would it be unlikely that Aeronautics would have any member on the board? Senator Fasbender answered that they would have at least one, but no more than two. If the DOT was set up so that Aeronautics retained its identity, they could appoint an advisory board within DOT so that the same people presently employed in Aeronautics could transfer over to the DOT.

Chairman Manning told the committee that SB 432 would be held at the request of the sponsor.

DISCUSSION OF SENATE BILL 208: Senator Blaylock reported to the committee that he had gone to the Purchasing Department of the Department of Administration, had done further work with the Motor Pool, and had contacted the Environmental Quality Council, and after all that he was still on his own. Senator Blaylock suggested that the bill be amended as follows: 1) Amend the title, line 5, striking "US made"; 2) Amend page 1, line 22, after "purchase", insert "when feasible", strike "US made"; 3) Amend page 1, line 24, between the words "is" and "less", insert "not"; 3) Amend page 2, line 1, strike "US made".

Senator Blaylock said that he realized that "when feasible" was a big gate, but without that phrase, a laundry list would have to be put into the bill denoting all of the exceptions to the rule. This bill would still be a directive from the legislature, however, and there were good reasons not to use compacts for survey crews, etc. US made was struck after looking at the specs on the upper 1/3. Leaving

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US made in the bill would restrict competition too much. If foreign made are allowed, then all of the car dealers would be in the US anyway. In many cases now the foreign companies are establishing manufacturing units in the US, like Volkswagen, so the question of being US made is rapidly becoming moot.

Senator Lockrem asked if Senator Blaylock thought that the departments were making an effort right now towards fuel efficient automobiles. Senator Blaylock said that they are trying to buy compacts, but they were all six cylinder cars. He questioned why there were no four cylinder cars being purchased. The complaints that he still ran into were that four people with luggage would not fit well in the compacts and that they don't ride as well. The Motor Pool and the Department of Administration were making an effort, however. Senator Lockrem commented that we have gotten their attention.

Senator Etchart asked how many American cars were in the upper 1/3 in terms of fuel efficiency. Senator Blaylock answered that there were about four.

Senator Hager commented that he saw a difference in the upper 1/3 in fuel efficiency and the upper 1/3 of US made cars in terms of fuel efficiency. He suggested that US made refers to the average fuel efficiency and suggested that the amendment of Senator Blaylock was not needed.

John Hollow of the Legislative Council research staff suggested that the US makes in the upper 1/3 average 24.3 MPG while all makes average 27.8 MPG.

Senator Aber commented that by leaving US made in as Senator Hager suggested, the opposition to the bill would be cut down and more US makes would qualify.

Mr. Purcell of General Motors Corporation said that if it were a question of competition with only four makes in the upper 1/3 in terms of fuel efficiency, there were only four auto manufacturers in the US, therefore all corporations were in the upper 1/3.

Senator Blaylock said that we are all talking about saving energy and that the states should begin to show the way, thereby showing the people that we are serious about saving energy.

Mr. Purcell said that GM would support this bill in original form & can compete with either the American or the foreign makes of cars. Montana should consider coal as part of the solution to the energy problems. The production of coal and of leather could be affected if undo preference is given to foreign manufacturers.

CONSIDERATION OF SENATE JOINT RESOLUTION 36: Chairman Manning relinquished the chair to Vice Chairman Aber while he presented his testimony on SJR 36. Senator Manning noted that last November Congress passed an act which declared a section of the Missouri River in Montana

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to be a wild and scenic river. The state has been charged with managing the Missouri Breaks area according to the multiple use definitions within the act. Congress provided that a bridge may be built across the Missouri if it is constructed by a plan that is acceptable to the Federal, state and local governments and is consistent with the wild rivers act. People in the Winifred area have looked upon this as being in their best interest to get federal funds involved in the project. The Department of Highways plans to begin construction in 1978 with a plan that would involve federal funds that should be made available.

Mr. Jack Beckert of the Department of Highways testified that this resolution would create no problems for the Department of Highways. The Department of Highways has been working on plans for the bridge on the secondary road system and plan to award the contract in March of 1979. This bridge would qualify under federal-aid highway programs as being in the secondary system. The cost would be about \$2 million. The expenditures for Fergus County would be paid back under the bridge law. The Missouri splits two financial districts, however, and Chouteau County might not be eligible under the bridge law. Under this bridge law payments are deferred and the financial district pays back the money. Fergus County would pay back 1/2 of the state share, while Chouteau County would pay back 1/2 of the whole cost. If Chouteau County could qualify under the bridge law, they would only pay back 1/3 of the state's share. A letter from the Chouteau County Commissioners indicated that they were cool to the idea of obligating funds now, but if they were put under the bridge law, they would go along with it.

Senator Manning indicated that the last paragraph of the resolution invited the Secretary of the Interior, the director of the Department of Highways and the county officials of Chouteau and Fergus Counties to meet and formulate a planning committee for the bridge.

Senator Hager asked if SB 98 would in any way affect the construction of this bridge. Mr. Beckert answered no, that SB 98 had to do with the pay back provisions for funds available to match federal funds on emergency bridge projects. Mr. Beck added that the bridge replacement program dealt with safety only, not new bridges.

DISPOSITION OF SENATE JOINT RESOLUTION 36: Senator Smith moved that SJR 36 do pass. Senator Hazelbaker seconded the motion. The motion carried unanimously with Senator Graham absent.

DISPOSITION OF SENATE BILL 411: Senator Smith moved that SB 411 do not pass. Senator Aber seconded the motion. The motion carried with Senator Graham absent, Senator Lockrem votion no and all other members voting yes, with a vote of 8-1.

DISPOSITON OF SENATE BILL 432: Senator Lockrem moved that SB 432 be tabled. Senator Etchart seconded the motion. The motion carried unanimously with Senator Graham absent.

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DISPOSITION OF SENATE BILL 412: Senator Lockrem moved to table SB 412. Senator Hager seconded the motion. The motion carried unanimously with Senator Graham absent.

DISPOSITION OF SENATE BILL 208: Senator Lockrem moved that SB 208 do not pass. He commented that the Department of Administration is trying to accomplish the same thing as the bill calls for, that the bill has amendment problems, that the bill would be better as a resolution and that a resolution of similar intent had been introduced in the House. Senator Smith seconded the motion. Senator Hazelbaker noted that we had brought the problem to the attention of the departments and that passing this bill would simply clutter up the books. Chairman Manning said that he had requested that Senator Blaylock go to the Department of Administration to be educated a little as the the practices followed now. Senator Hager commented that it was hard to get Toyotas fixed. The committee voted unanimously, Senator Graham being absent, and the motion carried.

DISPOSITION OF SENATE BILL 386: Senator Smith moved to amend SB 386 on page 2, section 1, line 1, striking "franchise" and inserting "franchisee"; on page 8, section 4, line 16, following "only", inserting "; provided, however, that this section shall not effect the obligations of new motor vehicle dealers to perform such warranty repair and maintenance as may be required by law or contract." (See Attached #3) Senator Aber seconded the motion. The motion carried unanimously with Senator Graham absent. Senator Lockrem moved that SB 386 do pass as amended, reminding the committee that Senator Graham's effective date amendments had also passed the committee earlier. Senator Hazelbaker seconded the motion. The motion carried with Senator Graham absent, Senator Smith voting no and the rest of the committee voting yes.

DISCUSSION OF SENATE BILL 440: Senator Healy moved that SB 440 do pass, noting that there was practically no opposition to the bill. Senator Etchart commented that he felt that SB 440 was too large a package to pass without having a chance to really look at the bill. He suggested that the bill be held over the weekend to allow the committee to give the bill a harder look. Senator Healy withdrew his motion.

Chairman Manning said that he would hold the bill until next week. Senator Hazelbaker suggested that if the bill were passed without recommendation it would get adequate study on the floor. Chairman Manning commented that it was asking a lot of us to dump this bill on us Thursday. He noted that there was mild opposition but that the bill would set up lots of waves. If there is no opposition, the bill will be held for now.

ADJOURNMENT: There being no further discussion the meeting was adjourned at 11:15 a.m.


DAVE MANNING, CHAIRMAN

ROLL CALL

HIGHWAYS AND TRANSPORTATION COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 2/19

[illegible]

SENATE Highways & Transportation COMMITTEE

BILL SB 411, 440, 432,
SJR 36

VISITORS' REGISTER

DATE 2/19

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOS.
D. B. Tooley	MHP	411		✓
Joe B. Sol	MHP	411		✓
Thompson	MHP	411		✓
Larry Ann	Mont. Motor Carriers Assoc.	440	✓	
Kerry Whiteside	Mont. Dept. of Ag.	440		
Jim Whiteside	—	440		
John W. Larson	Union Pacific Railroad	440		
Russell Foster	—	440		
James R. Beck	D.O.H.	432 110	✓	
Jack R. Beck	D.O.H.	31235	✓	
Gen. J. Carroll	Office of Governor	440		
Ken Clark	United Transportation	440		
C. J. Anderson	Bro. Mtr. Wg. Emp.	440		
Don Coleman	Mont. Motor Carriers Assoc.	440	✓	
Wm. Zimmerman	Mont. Assoc. of Cos.	132	✓	
J. C. Swasey	Bozeman Motors	386		✓
W. S. Goswell	Fiscal Analyst	411	✓	
Roland D. Pratt	Mont. Optometric Assoc.	411		✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

NAME: Tom Schneider DATE: 2/24/77

ADDRESS: Box 5600

PHONE: 442-4600

REPRESENTING WHOM? MPER

APPEARING ON WHICH PROPOSAL: SB 411

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? XX

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STANDING COMMITTEE REPORT

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MR. President

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration SENATE Bill No. 386

Respectfully report as follows: That SENATE Bill No. 386,
introduced bill, be amended as follows:

1. Amend title, line 18.

Following: "PENALTIES"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Amend page 2, section 1, line 1.

Strike: "franchise"

Insert: "franchisee".

3. Amend page 8, section 4, line 16.

Following: "only"

Insert: "; provided, however, that this section shall not effect the obligations of new motor vehicle dealers to perform such warranty repair and maintenance as may be required by law or contract"

4. Amend page 17.

Following: line 10

Insert: "Section 9. Effective date. This act shall be effective upon ~~XXXXXX~~ passage and approval and shall be applicable to all acts and transactions commenced or completed after such effective date."

AND AS SO AMENDED, DO PASS

P. G.

STANDING COMMITTEE REPORT

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77

MR. **President**

We, your committee on **HIGHWAYS AND TRANSPORTATION**

having had under consideration **SENATE**

Bill No. **411**

Respectfully report as follows: That **SENATE**

Bill No. **411**

DO NOT PASS

~~DO NOT PASS~~

P.A.

STANDING COMMITTEE REPORT

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MR. President

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration SENATE Bill No. 208

Respectfully report as follows: That SENATE Bill No. 208

DO NOT PASS
~~DO PASS~~

PA.

STANDING COMMITTEE REPORT

.....February 19..... 19 77.....

MR. President.....

We, your committee on HIGHWAYS AND TRANSPORTATION.....

having had under consideration SENATE JOINT RESOLUTION..... Bill No. 36.....

Respectfully report as follows: That.....SENATE JOINT RESOLUTION..... Bill No. 36.....

BE ADOPTED
~~EXCERPTS~~

PA.

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1947, and Title 53-1 and 31-1, R.C.M. 1957. We recommend that Sections 82A-1204 and 1206 be repealed, and Section 82A-1205(1) be amended to delete reference to division of motor vehicles and substitute in lieu thereof "the office of the registrar of motor vehicles" and 82A-1205(2) be amended to delete reference to division of motor vehicles and substitute in lieu thereof "the office of chief, highway patrol."

Highway Patrol Operations

	Actual Fiscal 1976	Appropriate Fiscal 1977	LFA Recommended Fiscal 1978	Fiscal 1979	% Change Biennium 1977 - 79
FTE	32.88	32.88	32.88	32.88	
<u>Fund Source</u>					
General Fund	\$370,615	\$403,915	\$386,326	\$395,862	(1.0)
Other Funds-Appropriated	<u>118,575</u>	<u>126,596</u>	<u>161,003</u>	<u>166,769</u>	<u>33.7</u>
Total Funds	\$489,190 ¹	\$530,511 ²	\$547,329	\$562,631	8.9
Reversion-General Fund	8,517				
Appropriation Balance	14,457				
<u>Expenditures By Object</u>					
Personal Services	\$326,179	\$366,811	\$380,211	\$389,639	11.1
Operating Expenses	128,162	144,925	124,830	129,091	(7.0)
Capital	<u>11,875</u>	<u>18,775</u>	<u>19,720</u>	<u>20,480</u>	<u>31.2</u>
Total Operating Costs	\$466,216	\$530,511	\$524,761	\$539,210	6.75
Non-Operating Costs-Ret.	379,500 ³	505,000 ³	22,568 ³	23,421 ³	N/A
Total Expenditures	<u>\$845,716</u>	<u>\$1,035,511</u>	<u>\$547,329</u>	<u>\$562,631</u>	<u>N/A</u>

1 Highway Committee

Shuman
440

Fairhead

DEPARTMENT OF TRANSPORTATION

SUMMARY OF RECOMMENDATIONS

The need for an integrated transportation planning and development system in Montana has become increasingly evident. There are three basic approaches available for achieving such a system.

1. The Modal Approach. Under this approach to reorganization, a Department of Transportation would be organized around modes of transportation, including highways, airways, waterways, public transit, rail transit, etc.
2. The Functional Approach. The primary functions involved in transportation would be emphasized here: planning, design, construction, maintenance, etc. All of the basic modes would be covered in each function.
3. The Eclectic Approach. This would incorporate elements of both of the above approaches by utilizing a functional orientation for those kinds of services which can be centralized, and a modal approach for operation of line activities which furnish transportation services and facilities used by the public.

Any one of the above approaches would depend on transferring the Board and Division of Aeronautics to a new department of transportation, as well as responsibility for functional transportation planning from DCA and Agriculture, and the safety and regulatory functions from DCA, the Public Service Commission, and the Department of Justice. In addition, the Travel Promotion Unit to an economic development agency and the Board of Highway Appeals should be abolished.

Senator R. Smith

SUGGESTED AMENDMENTS TO SENATE BILL 386:

1. Amend page 2, section 1, line 1.

Strike: "franchise"

Insert: "franchisee"

2. Amend page 8, section 4, line 16.

Following: "only"

Insert: "; provided, however, that this section shall not effect the obligations of new motor vehicle dealers to perform such warranty repair and maintenance as may be required by law or contract."