

MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

April 15, 1977

The 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 9:44 a.m.

ROLL CALL: Senators Graham and Lockrem were absent. All other members were present.

CONSIDERATION OF HOUSE BILL 205: Chairman Manning stated that the reason for this meeting was that HB 205, which had been deferred pending the outcome of SB 114, now needed to be considered because SB 114 had been killed in the House.

Chairman Manning asked that the minutes of the meeting at which HB 205 was considered be read for the informational purposes of the committee members. The secretary read portions of the minutes of the meeting of the Highways and Transportation Committee for February 8, 1977.

Senator Etchart stated that there are a number of people now that have portable tanks in their pickups instead of having a tank on their property. This is especially beneficial for those who live in town and have a farm near town where theft might be significant. Key pumps are helpful in cases such as these. The gas is for farm use and should be allowed for rebate.

Senator Aber stated that the bulk plants will open to let people fill their tanks on holidays and Sundays if the farmers would let them know. He added that he would like to prohibit the rebates from the key pumps.

Senator Etchart stated that there was a problem with the farmers operating on Sundays and past the closing time of the bulk plant. If they can run in to fill the portable tanks they don't need to have a separate tank on the property.

Senator Aber commented that it was the wrong way to operate with the key pumps. Senator Etchart stated that there is theft out of the tanks on the farms when the farmers live in town. Senator Aber suggested that the key operated pumps are killing the retail operator in that everybody can use the key pump and get the gas a bit cheaper. The key shouldn't be allowed for rebate.

Senator Etchart stated that it was working better now than in the past. Senator Berggren commented that he had talked to Mr. Nichols and he was not too concerned about the fate of this bill. Chairman Manning stated that he had also talked with Mr. Nichols. It might be possible for the department to work on tightening the

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controls without legislation.

Senator Etchart moved that HB 205 be not concurred in. Senator Hazelbaker seconded the motion.

Senator Aber stated that there is no law now against having a tank in the city limits. Senator Healy said that in Butte the fire marshall would not allow tanks within the city limits. Senator Aber stated that the fire marshall or the zoning of cities might prohibit tanks in town, but there was no state law that prohibited them.

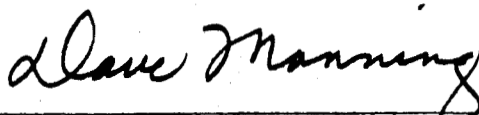
Senator Aber stated that he did not think that there was a need for this bill either.

Chairman Manning commented that things are really changing in the towns with more and more farmers living in town and running their operations from within the town. He suggested that some thought ought to be given to tightening up the regulations over the off-highway use of fuel rebates some time in the near future.

Senator Aber commented that if the farmers save the bulk tickets from the key operations, they could still get rebates on the per centage of total gallons used off the highways. He stated that he was against the key system because it was cutting the throats of the retail dealers.

The motion of Senator Etchart carried unanimously with Senators Graham and Lockrem absent.

ADJOURNMENT: There being no further business, the meeting was adjourned at 10:05 a.m.



DAVE MANNING, CHAIRMAN

ROLL CALL

HIGHWAYS AND TRANSPORTATION COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date 4/15

NAME	PRESENT	ABSENT	EXCUSED
Dave Manning, Chairman	✓		
Larry Aber, Vice Chairman	✓		
Tom Hager	✓		
Frank Hazelbaker	✓		
Lloyd Lockrem		✓	
Mark Etchart	✓		
Carroll Graham		✓	
John Healy	✓		
Richard Smith	✓		
Russell Bergren	✓		

STANDING COMMITTEE REPORT

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MR. President

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration HOUSE Bill No. 205

Respectfully report as follows: That HOUSE Bill No. 205

BE NOT CONCURRED IN

DO PASS

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