

MINUTES OF THE MEETING  
BUSINESS & INDUSTRY COMMITTEE  
MONTANA STATE SENATE

January 25, 1979

The meeting of the Business and Industry Committee was called to order by Chairman Frank Hazelbaker on the above date in Room 404 of the State Capitol Building at 10:00 a.m.

ROLL CALL: All members were present with the exception of Senator Mehrens who was excused.

SENATE BILL 70:

Chairman Hazelbaker introduced Senator Thiessen who sponsored the bill. Senator Thiessen stated this bill is an act to exempt house movers and house moving from regulation by the Public Service Commission. He stated the PSC has no jurisdiction over the charges of house movers. The charges are whatever the traffic will bear, and sometimes this is too high. He stated that he is aware there are problems with deregulation.

PROPOSERS OF SENATE BILL 70: Mr. Gordon Bollinger, Chairman of the Public Service Commission, stated that he was testifying as an individual and not for the Commission. He stated the PSC does not regulate the prices of Class C authority (which most of the small movers hold) just the Class B. They do, however, regulate the areas they serve in all cases. He stated the PSC receives very few complaints on house movers. Regulation should only be used where monopolies exist, where some areas will not be adequately served or a specific compelling reason.

Mr. Vern Buller, a house mover from Richey, Montana, feels house moving should be exempt from PSC regulation.

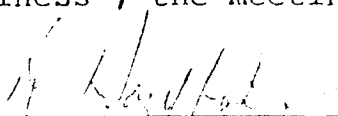
OPPOSERS OF SENATE BILL 70: Mr. Forrest Zion of Zion House Moving in Great Falls, Montana, also gave testimony in opposition to the bill. (See Attachments 1 and 2.)

Rosemary Zion, representing Zion House Moving, also spoke in opposition to Senate Bill 70. She stated that all house movers must adhere to any federal regulations. Deregulation is not a simple issue.

There were several others with brief testimonies in opposition to Senate Bill 70 and their names and addresses are attached.

No action was taken on Senate Bill 70 at this meeting.

ADJOURN: There being no further business, the meeting was adjourned at 11:20 a.m.

  
FRANK HAZELBAKER, CHAIRMAN



My name is Gordon Bollinger, Chairman of the PSC, today I am testifying as an individual not for the commission. The reason we have regulation of any industry is the fact that there are some natural monopolies, this was recognized by the Montana Legislature back in 1907. The Railroads were the first to be regulated and then came the Utilities and transportation or as the statutes say (Motor Transport) I would assume that if a housemover used horses to move buildings he would not be regulated. Certainly housemoving does not lend itself to being a monopoly. Most housemovers in the State have a small area in which they have authority to serve, generally 3 or 4 Counties. There are two State wide authorities and one that has 17 Counties, the owner of this certificate has testified at hearings I have conducted that he does very little business at the extreme areas of his ~~Area~~ district. The PSC does not regulate the prices of class C authority (which most of the small movers hold) just the class B, we do regulate the areas they serve in all cases. A local mover is certainly in an excellent competitive position to compete if his competitor has to move into the area from a hundred miles or more. We receive very few complaints on housemovers, over the last four years I can recall when we did have to grant temporary authority to movers outside a District so that the proper service could be rendered but this has happened only a few times. Having been in the competitive business for the past 35 years I believe that is the better system as long as it remains competitive. Regulation should only be used where monopolies exist, where some areas will not be adequately served or a specific compelling reason. The PSC is sponsoring HB 14 that does de-regulate sand and gravel hauling, again in my opinion the industry and people can be served by a competitive business that does not lend itself to regulation and should be de-regulated.

BILLS TO BE HEARD BY  
THE SENATE BUSINESS AND INDUSTRY COMMITTEE

JANUARY 25, 1979

Bill  
SB 70

Sponsor  
Thiessen

This bill exempts the moving of buildings other than mobile homes from regulation by the public service commission. A carrier whose exclusive business is the moving of buildings would be completely exempt from PSC regulation. Carriers who do other types of business would be partially exempt.

I think it may concern

In 1977 I applied for P.S.C. license  
for moving buildings, I ask for county  
but was only given 3 counties. Because  
I think it is a handicap for me.

I have Dawson, Richland & Mc Cone,  
I was asked for Wilcox, Warren & Talton  
but did not get them.

BEST COPY  
AVAILABLE

My reason for feeling that it is a  
handicap is, I was asked to move two  
houses from Dawson to Richland, but  
they had to be moved to the east side  
of the Yellowstone river, the only way that  
they could be moved was to cross the  
river at Glendive take I 94 to Wilcox and  
then to ~~Richland~~ Richland County, I could  
not do them because I did not have Wilcox  
County.

I also could of moved a school house  
from Dawson to Wilcox, and a house from  
Warren to Dawson.

BEST COPY  
AVAILABLE

these are only four, there have been others  
and there will be more.

I feel that house moving should be  
exempted from P. S. C. jurisdiction.

I feel there are not that many house  
movers in Montana that need to be  
restricted as to where I can move  
buildings.

Bern Buller

Rickie

Montana

59259

BEST COPY  
AVAILABLE

HONORABLE SENATOR HAZEL BAKER

I'm Bureau Director of Lutes Movers

PSC 1759 ICC No. MC 140 832

BSC is for Sheridan, Daniels, Roosevelt and Richland  
ICC Mont. and N. Dak

The power companies won't favor movers  
that are in a hurry, neglect power lines  
that obstruct the route.

Passage of S.B. 70 would give incentive to  
cut throat moving, which would lower the  
quality of house moving, because of the number  
of people involved it would force the  
professional house movers out of business  
thus the customer would be the one  
that would be the loser

The Customer is the one that you  
people are representing

we advertise in the telephone  
directory and Household Goods carriers

Sincerely

Lutes Movers  
by  
Bureau Lutes

is there for we are opposed

1/25/79

Received of Industry

BILL NO. 51870

## VISITOR'S REGISTER

| NAME              | REPRESENTING                          | Bill   | Check Off |     |
|-------------------|---------------------------------------|--------|-----------|-----|
|                   |                                       | No. 70 | Support   | Opp |
| Raymond T. Lutnes | Lutnes Movers <sup>Westby</sup> Mont. |        |           | X   |
| Ed Overhulse      | Overhulse House-Mowing                |        |           | X   |
| Marv McInerney    | ELMER MEETING RM <sup>of</sup> Mading |        |           | A   |
| Lester Tack       | Zion House Mowing                     |        |           | X   |
| Daniel R. Carstho | Zion House Mowing                     |        |           | X   |
| Melvin P. ...     | Cross House Mowing                    |        |           | X   |
| Robin Carstho     | Tamietti House Mow.                   |        |           | X   |
| W. H. ...         | Clark House Mowing <sup>G Falls</sup> |        |           | X   |

(Please leave prepared statement with Secretary)



NAME: Forrest L. Ziv DATE: JAN 25-1979

ADDRESS: Box 2082 - AT 115

PHONE: 453-4696

REPRESENTING WHOM? Ziv Const + House Moving

APPEARING ON WHICH PROPOSAL: S. B 70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: Will give testimony & evidence

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Wayne L. Overhul DATE: Jan 25, 1977

ADDRESS: Columbus, Mont.

PHONE: 312 5929

REPRESENTING WHOM? Overhul Trucking + House Moving

APPEARING ON WHICH PROPOSAL: S.B. #76

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: Will testify

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

Leo Brennan

DATE:

1/25/79

ADDRESS:

7905 6th Ave. No. Bethesda

PHONE:

79-5681 Bus. 79-5155 home

REPRESENTING WHOM?

Anne Astern Miller Manning

APPEARING ON WHICH PROPOSAL:

SB 70

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

X

COMMENTS:

will testify

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Ether McRinger DATE: Jan 25, 1971

ADDRESS: Mc 2 5<sup>th</sup> Ave W. Glasgow Montana

PHONE: 228-8417

REPRESENTING WHOM? McRinger's Moving

APPEARING ON WHICH PROPOSAL: SB70

DO YOU: SUPPORT?        AMEND?        OPPOSE? X

COMMENTS: Not given testimony

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: DYANE LUTNES

DATE: JAN 25 1979

ADDRESS: RT 2 Box 4

PHONE: 385-2282

REPRESENTING WHOM? LUTNES MOVERS

APPEARING ON WHICH PROPOSAL: SB 70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: will give testimony

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Bernard B. Lutner DATE: JAN 25 1971

ADDRESS: R 2 Box 46 Westly Mont 59

PHONE: 385-2537

REPRESENTING WHOM? Lutner Movers

APPEARING ON WHICH PROPOSAL: SB 70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: will comment.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Renee Coppe DATE: Jan 25-1979

ADDRESS: PO Box 1113 Stilliston ND

PHONE: 701-572-3458

REPRESENTING WHOM? Neil Coppe Inc.

APPEARING ON WHICH PROPOSAL: S. B. 70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: Will Comment

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

Hylen L. Thaefer, partner  
Ray E. Thaefer

DATE:

1-25-78

ADDRESS:

556 N E Woodlawn, Carroll, MI

PHONE:

961-3337

REPRESENTING WHOM?

Kay's Enterprises

APPEARING ON WHICH PROPOSAL:

5 B 70

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

✓

COMMENTS:

Will comment

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



NAME: Wm. KRASKE DATE: 1/25/79

ADDRESS: 1401 GRANITE DRIVE

PHONE: 252-8127

REPRESENTING WHOM? KRASKE HOUSEMOVING

APPEARING ON WHICH PROPOSAL: SB-70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: WILL TESTIFY AND SHOW EVIDENCE

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

Lee a Hall

DATE:

1-25-78

ADDRESS:

Box 262 Chinook Montana

PHONE:

357-4110

REPRESENTING WHOM?

Hall House Moving

APPEARING ON WHICH PROPOSAL:

S B <sup>It</sup> 70

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

X

COMMENTS:

Deregulation of House Movers will  
cause a very Bad effect on the citizens  
of Montana because of fraud on payments  
by inexperienced movers

C.S.C. took charge to ensure that there  
would be good service to the public  
if regulation is taken off House movers. Service  
will decline rapidly.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Carl R Christensen DATE: Jan 25-1979

ADDRESS: Longview Mt 59848

PHONE: 741 3580

REPRESENTING WHOM? SB (Christensen) Hand Power

APPEARING ON WHICH PROPOSAL: S.B. 70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: Will give testimony

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Mike Draine DATE: 1-25-79

ADDRESS: Mald. Mass.

PHONE: 549 3768

REPRESENTING WHOM? M K Draine House moves

APPEARING ON WHICH PROPOSAL: J B 70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: Will Comment

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: \_\_\_\_\_

DATE: 11/25/79

ADDRESS :

PHONE :

## REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Rosemary B. Zim DATE: 1/25

ADDRESS: P.O. Box 3141, Helena

PHONE: 4412-3261

REPRESENTING WHOM? Zion House Moving & Construction

APPEARING ON WHICH PROPOSAL: 5-B 70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: See attached testimony  
of F H Zion

R B Zim

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Don Tamiotti DATE: Jan 25, 1970

ADDRESS: 3010 Dexter Butter

PHONE: 792-4843

REPRESENTING WHOM? Tamiotti Home Heating

APPEARING ON WHICH PROPOSAL: S.B. 70

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? X

COMMENTS: Will comment

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Wayne Burt DATE: 1/25/79

ADDRESS: 911 Edgewille

PHONE: 453-296 449-2549

REPRESENTING WHOM? Mont Public Service Comm

APPEARING ON WHICH PROPOSAL: SB 7

DO YOU: SUPPORT? \_\_\_\_\_ AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: Answer Question

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



*Business Industry Committee*  
*Attachment # 2*  

---

*January 25, 1997*

LISTING OF BUILDING MOVERS LICENSED IN MONTANA  
WITH TERRITORIES FOR WHICH LICENSED

PSC NO. 2615

FORREST L. ZION, P.O. Box 2082, 3016 5th Avenue No.,  
Great Falls, Montana.

CLASS C - bridges, intact outdoor movie screens, intact silos, intact radio, television and electrical towers, and grandstands of unusual size or shape or weight, requiring the use of special equipment, to, from and between all points and places in the State of Montana.

SUB A

CLASS C - houses, buildings and large used water tanks requiring special equipment, with headquarters in Great Falls, Montana, between all points and places in the State of Montana.

PSC NO. 2165

CARL R. and/or IVA L. CHRISTENSEN d/b/a CHRISTENSEN  
HOUSE MOVERS, Hot Springs, Montana 59845.

CLASS B - buildings, between all points and places  
within the State of Montana.

PSC No. 719 -- Eldon J. Cook, Box 46, Choteau, MT

CLASS C--Buildings within the city of Choteau, Montana, and to or from points and places in Teton and Pondera Counties.

CLASS C--Property, in the City of Choteau, Montana, and to or from points and places within a radius of thirty miles thereof, and feed, oils and greases in containers, farm machinery and equipment between Great Falls, Montana and farms and ranches within thirty miles of Choteau, Montana. LIMITATIONS: The transportation of property (except household goods) between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited.

LIMITATION: Transportation of ashes, trash, waste, refuse, rubbish, garbage is prohibited.

(SUB A) CLASS D- Ashes, trash, waste, refuse, rubbish and garbage in the City of Choteau, Montana and to or from points and places within a radius of thirty miles thereof. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

PSC No. 1617 -- Lyle C. Davis, Box 51, Nashua, MT 59248

CLASS C--Shacks and houses within the town of Glasgow, Montana, and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town.

SHERIDAN COUNTY

PSC NO. 1759-  
-- Duane Lutnes and Bernard B. Lutnes d/b/a/ Lutnes Movers, (  
Rt. 2, Box 4, Westby, Mt. 59275

SUB A ) CLASS C - Property within the town of Scobey, Montana, and to or  
from points tributary thereto, but within a distance not exceeding  
fifty (50) miles in any direction from said town. LIMITATION:  
Transportation of ashes, trash, waste, refuse, rubbish and garbage  
is prohibited.

CLASS B- Buildings, mainly houses; steel buildings (set up) and  
packages and components thereof, between all points and places  
in Sheridan, Richland, Roosevelt and Daniels Counties.

PSC NO. 1896

IRA A. HALL, Box 262, Chinook, Montana 59523.

CLASS C - houses, livestock, farm machinery, farm products and bridge lumber, within the town of Malta and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town.

LIMITATIONS: Service between points served by railroad or motor carriers is prohibited.

SUB A

CLASS C - houses and buildings of all types and sizes, between all points and places in the following counties: Glacier, Toole, Liberty, Hill, Blaine, Phillips, Pondera, Teton, Chouteau, Cascade, Judith Basin, Fergus, Petroleum, Garfield, McCone, Dawson, Prairie, Wibaux, Custer, Fallon, Sheridan, Roosevelt, Richland and Daniels.

LIMITATIONS: Transportation between points and places in Valley County, Montana is prohibited.

SUB B

CLASS C - houses and buildings of all types and sizes between all points and places in Valley County, over any or all state highways, country and county roads.

PSC NO. 2134

NEWTON E. CUMMINGS, Box 1041, Malta, Montana.

CLASS C - buildings in Malta, Montana and between points and places within a radius of 50 miles of Malta, Montana.



PSC NO. 2208

ARNOLD B. DIRKES, P.O. Box B, Great Falls, Montana.

CLASS C - buildings only between points and places within a radius of one-hundred (100) miles of Fairfield, Montana.

PSC NO. 2221

VICTOR E. KUNESH, P.O. Box 1412, Great Falls, Montana  
59401.

CLASS C - buildings in Great Falls, Montana and within  
a radius of 100 miles of Great Falls, Montana.

PSC No. 2558- WAYNE OVERHULS, COLUMBUS, MT. Box 544

CLASS B- Authorized to transport Livestock as a common carrier in Intrastate by motor vehicles for hire over and on the public highways of the State of Montana, between all points and places in the State of Montana.

Sub.A) CLASS C - Authorized to transport property as a Contract carrier in Intrastate by motor vehicles for hire over and on the public highways of the State of Montana within the town of Columbus, Mt., and to and from points and places tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from Columbus. LIMITATIONS: Transportation of petroleum products in bulk, and heavy mining machinery and equipment is prohibited. Service is not authorized between points and places served by rail carriers, by Class "A" and Class "B" motor carriers operating over U.S. Highway 10, and between Columbus and Absorokee over unnumbered country roads. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

(SUB. B) CLASS C :- Authorized to transport houses and buildings of all types as a Contract carrier in Intrastate for hire over and on the public highways of the State of Montana between all points and places in the following counties: Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Powell, Lewis & Clark, Ravalli, Granite, Deer Lodge, Beaverhead, Madison, Silver Bow, Jefferson, Broadwater, Meagher, Wheatland, Golden Valley, Musselshell, Treasure, Rosebud, Carter, Powder River, Big Horn, Yellowstone, Carbon, Stillwater, Sweet Grass, Park and Gallatin. LIMITATIONS : Transportation between points and places in Valley, Daniels, Roosevelt, Sheridan and Richland Counties is prohibited.

(SUB. C) CLASS D - Authorized to transport ashes, trash, waste, refuse, rubbish and garbage, as a Class D common carrier, within the town of Columbus, Montana, and to and from points and places tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from Columbus. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. LIMITATIONS: Transportation of petroleum products in bulk, and heavy mining machinery and equipment is prohibited. Service is not authorized between points and places served by rail carriers, by Class A and Class B motor carriers operating over U.S. Highway 10 and between Columbus and Absarokee over unnumbered county roads.

PSC NO. 2676

ARVID JOHN BLESSING, Box 114, Havre, Montana.

CLASS C - houses and buildings between Hingham and Lothair, Montana along U.S. Highway No. 2 and over county and other rural roads, within a distance not to exceed fifty (50) miles north of said U.S. Highway and fifty (50) miles south of said U.S. Highway as it runs between these points of Hingham and Lothair.

PSC NO. 2984

ELMER MEIDINGER, #2 5th Ave. North, Glasgow, Montana  
59230.

CLASS C - buildings, houses and grain bins between all  
points and places in Valley, Phillips, Roosevelt,  
McCone and Daniels Counties.

PSC NO. 3085

DUANE OSTERMILLER, 129 Charlene Street, Billings, Montana 59101.

CLASS C - houses and all types of buildings (not including knocked down or disassembled prefabricated structures) between all points and places within a 150 mile radius of the City of Billings, Montana.

PSC NO. 3122

GEORGE LOUDON and MADELINE E. LOUDON d/b/a LOUDON HOUSE  
MOVING, P.O. Box 122, Brockway, Montana.

CLASS C - houses and other buildings between points and  
places in the Counties of McCone and Richland.

SUB A      CLASS B - houses and buildings between all points and  
places within the counties of Dawson, Prairie, Gar-  
field, Fallon, Wibaux and Custer.

GARY TREWEEK d/b/a TREWEEK CONSTRUCTION, Kalispell, Montana 59901.

CLASS B - houses and buildings (1) between points and places in Flathead County; (2) from points and places in Flathead County to points and places in Sanders, Lake and Lincoln Counties; and (3) from points and places in Sanders, Lake and Lincoln Counties to points and places in Flathead County.

SUB A

CLASS C - buildings and structures, with headquarters at Polson, Montana, between points and places within Lake and Sanders Counties and between points and places 100 miles north of Polson, Montana on U.S. Highway 93 and 100 miles south of Polson, Montana, on U.S. Highway 93.



PSC NO. 3236

NELS J. SORENSON, JR., Dagmar, Montana.

CLASS C - steel bins, between all points and places in  
Sheridan, Daniels and Roosevelt Counties.

PSC NO. 3323

RAY E. WOLFE d/b/a RAY'S ENTERPRISES, 556 Wilcox Lane,  
Corvallis, Montana 59828.

CLASS C - houses and buildings of all types between all  
points and places in Ravalli County, Montana.

SUB A

CLASS C - houses and buildings in a completely con-  
structed form (but not including pre-fabricated or  
disassembled houses and buildings) between all points  
and places in Montana situated west of a line drawn  
from the northwest corner of the State of Wyoming and  
extending due north to the Canadian border.

PSC NO. 3348

CHARLES R. PERRY, Shields Route, Livingston, Montana  
59047.

CLASS B - houses, barns and garages, to and from all  
points and places in Park and Gallatin Counties, Mon-  
tana.

SUB A CLASS C - buildings of all types, between points and  
places within a radius of 150 miles of Helena, Montana.

PSC NO. 3348

CHARLES R. PERRY, Shields Route, Livingston, Montana  
59047.

NOTE: September 16, 1977 - authority is leased to Dale E.  
Popoe Sr., and Donald I. Popoe d/b/a D & D Movers, Box  
725, Big Timber, Montana 59011 (Sweet Grass County).

PSC NO. 3475

JOSEPH S. GATES, Route #1, Box 232, Stevensville, Montana.

CLASS C - houses and buildings (1) between all points and places in Ravalli County; (2) between Lolo, Montana and a five (5) mile radius thereof, to all points and places in Ravalli County; and (3) between points and places in Wisdom, Montana and a five (5) mile radius thereof to all points and places in Ravalli County.

PSC NO. 3713

DONALD L. TAMIETTI, 3010 Dexter Street, Butte, Montana  
59701.

CLASS C - houses and buildings of all types between  
points and places in the following counties: Silver  
Bow, Deer Lodge, Beaverhead, Jefferson, Madison, and  
Powell.

1270001 12700  
PSC No. 3860 -- O'Neil-Coppe, INC, P.O. Box 113, Williston,  
North Dakota 58801

CLASS B -- Wooden and metal buildings of all descriptions set up  
and component packages thereof between all points and places in the  
Counties of Sheridan, Roosevelt and Richland.

(SUB A) CLASS B -- ~~Authorized to transport~~ wooden and metal buildings of  
all descriptions, set up and component packages thereof between  
all points and places in the following counties: Dawson, Wibaux,  
Prairie and Fallon.

PSC NO. 3870

DOEDEN CONSTRUCTION INC., 614 West 12, Williston, North  
Dakota 58801.

CLASS C - houses and double wide trailers between  
points and places in Roosevelt County, only.



PSC No. 3977 William W. Kraske d/b/a Kraska House Moving,  
Billings, Mt.

CLASS B Authorized to transport houses and buildings as a Class  
B common carrier in intrastate service, by motor vehicles for hire  
over and on the public highways of the State of Montana between  
all points and places within Yellowstone County, Montana.

CLASS C - Buildings of all descriptions serving Big Horn, Yellowstone,  
Carbon, Treasurer & Rosebud counties

PSC NO. 2206

MELVIN CROSS, Rt. 36, Box 167, Havre, Montana.

CLASS C - property as specified (1) heavy machinery and equipment (not including oil well equipment), and grain, between points and places within a radius of fifty miles of Big Sandy, Montana; (2) buildings between points and places within a radius of one-hundred and fifty miles of Big Sandy, Montana.

LIMITATIONS: Transportation of property except buildings between points served by rail carriers and between points served by Class A motor carriers is prohibited.

PSC NO. 2919

MIKE K. DRAINE, P.O. Box 136, Missoula, Montana.

CLASS B - houses and buildings in a complete, constructed form, but not including prefabricated or dismantled houses and buildings between all points and places in the following counties: Sanders, Lake, Mineral, Ravalli, Granite and Powell.

SUB A

CLASS B - houses and buildings in a completely constructed form (but not including pre-fabricated or disassembled houses and buildings), between points and places within Missoula County.

PSC NO. 2936

BATT JOHN PESANTI d/b/a PESANTI HOUSE MOVING, 141 West Daly Street, Walkerville, Montana 59701.

CLASS C - houses, buildings, garages and structures of all types (with and without contents) between all points and places within Silver Bow, Deer Lodge and Beaverhead Counties, Montana.

SUB A CLASS C - houses, buildings, garages and structures of all types (with or without contents) between all points and places in Granite, Jefferson, Madison and Powell Counties.

LIMITATIONS: Transportation of oil field tanks and equipment (as defined in the Mercer Authorities cases) is prohibited; transportation of tanks is restricted to used tanks in farm, ranching and mining operations.

PSC No. 3348: Charles R. Perry, Shields Route, Livingston, MT 59047

Class B--houses, barns and garages, to and from all points and places in Park and Gallatin Counties, Montana.

Sub. A, Class C--buildings of all types, between points and places within a radius of 150 miles of Helena, Montana.

September 16, 1977 - authority is leased to Dale E. Popoe, Sr. & Donald I. Popoe d/b/a D & D Movers, Box 725, Big Timber, Montana 59011 (Sweetgrass County)

LEWIS & CLARK COUNTY

PSC No. 4226 --JAMES P. BRANNING \_ 2000 Billings Ave., Helena, Mt.

CLASS C- Authorized to transport buildings and houses of all types and used scale decks as structural units, and tanks used in farm and ranch operations as a contract carrier in intrastate service class C by motor vehicles for hire over and on the public highways of the State of Montana between all points and places in Lewis & Clark, Powell, Granite, Madison, Jefferson, Broadwater, Meagher, Gallatin, and that part of Missoula County on the north of the Lower Jocko River Road from its intersection with Montana Highway 209 on the east and the west boundary of Missoula County.

LIMITATIONS:

Transportation of oil field tanks and equipemnt (as defined in the Mercer Authorities is prohibited; transportation of scale decks is restricted to movement between farm & ranch properties.

PSC NO. 3236

NELS J. SORENSON, JR., Dagmar, Montana.

CLASS C - steel bins, between all points and places in  
Sheridan, Daniels and Roosevelt Counties.

*Attachment # 1*  
*January 25, 1979*  
*Business & Industry*  
*Committee*

F. L. ZION  
BUILDING CONTRACTOR  
PHONE 453-9096 - P. O. BOX 2082  
GREAT FALLS, MONTANA 59403

January 25, 1979

RATIONALE FOR OPPOSITION TO S.B. 70

Members of the Business and Industry Committee, Mr Chairman:

My name is Forrest Zion, owner of Zion House Moving and Construction, Great Falls Montana. I appear before you today in opposition to Senate Bill 70. This bill would remove from regulation by the Public Service Commission the transportation of buildings other than mobile homes from their foundations to new locations. I oppose this bill because I believe that it will have the effect of reducing the availability and quality of building moving services to the people of Montana and will threaten the enviable safety record which building moving (house moving) now enjoys in Montana. I hope you will bear with me while I explain some of the reasons why I believe this bill will have these undesirable consequences.

1. THE MOVING OF BUILDINGS ON THE PUBLIC HIGHWAYS IS A COMPLICATED, POTENTIALLY DANGEROUS OCCUPATION.

I have been a house mover and mover of large structures for many years now, since after World War II. I have moved houses, barns, apartment buildings. I have even moved such large, cumbersome structures as a grain elevator, a grandstand, and a bridge. I have had the opportunity over the years to observe the work of other building movers in Montana. I can tell you from my personal experience that it takes skill, experience and the right equipment to move buildings with safety. An inept mover or one with inadequate equipment or crew can do a great deal of harm -- damaging the building, endangering the public on the highway, damaging other property. A mover who knows what he is doing and uses the proper equipment and an adequate size crew can relocate even large, cumbersome buildings without danger to the public or to property.

I have brought with me some photographs of buildings that have been moved in Montana, some by me, one by another licensed mover. I would ask you to look at these photographs and ask yourselves whether this appears to be a job that can safely be done by operators who are untrained, poorly equipped and cutting corners.

2. AT THE PRESENT TIME, THE MOVING OF BUILDINGS ON THE PUBLIC HIGHWAYS IN MONTANA IS ACCOMPLISHED WITHOUT ENDANGERING THE PUBLIC.

The safety record of the licensed house movers in Montana is enviable. I have enquired of both the Highway Patrol Bureau and the Gross Vehicle Weight Division of the Department of Highways. They have informed me that they do not know of one accident involving a licensed house mover in the past two years ( I did not ask them to look back farther than that). Yet in 1978, 208 permits for the moving of buildings were issued by the GVW Division. That is 208 complicated moving operations on the public highway without a single accident. I believe this is an impressive record. (Copies of the letters I received from the Highway Patrol and the GVW Division are attached to this testimony).



3. IF THE MOVING OF BUILDINGS WERE NOT REGULATED, THERE WOULD BE NO ADEQUATE CONTROL OVER INCOMPETENT OPERATORS.

I do not believe that the enviable safety record of the licensed house movers in Montana will be maintained if S.B. 70 is passed. Removal of building moving from Public Service Commission regulation will open the field to incompetent, cut-rate operators who will charge low rates for inadequate work. This will not only result in hardship to the people who hire such movers. It will inconvenience and endanger the public as well.

I have brought with me an incident report and photographs from the GVW Division files which tell of an incident involving a man who got around PSC licensing requirements because he owned the house he was moving. This operator was moving a building on the interstate east of Bozeman. He broke down and went broke at about the same time. So he just left the building on the right of way by the interstate. Numerous attempts to get him to claim his building failed. Several months later, with the building still there, the Highway Department finally got a licensed mover to come in and get the building out of there. This was a great inconvenience to everybody. I am certain that you will see a lot more of this kind of operation if you remove the licensing requirement for building movers and let every man with a truck, a couple of logs, and \$5000 for his bond start moving buildings down the highway.

On another occasion, several years ago, on the road from Big Timber to Harlowtown, I saw a house being moved by one of these amateurs. The house was coming down the hill, out of control, toward me. There was no flagman. I drove into the ditch to get out of the way. As he passed me, the driver yelled, "No brakes! Get the hell off the road!" Fortunately I was the only person on the highway at that time. Officials from the Public Service Commission ran this fellow down and cited him for illegal moving. This stopped his illegal, haywire operation.

I could tell you about the fellow who tried to move his own house and broke down across the railroad track with a passenger train due. But I believe one of the other movers here is more familiar with that situation. The point is that these incompetent, dangerous operations could become common in the house moving business in this state if PSC regulation of house moving is removed, particularly if no other licensing or regulatory procedures are developed to replace PSC licensing. I cannot believe that this result will serve the public.

4. THE PRESENT SYSTEM OF REGULATED HOUSE MOVING UNDER LICENSES BY THE PUBLIC SERVICE COMMISSION ALLOWS THE PUBLIC TO BE ADEQUATELY SERVED BY COMPETENT, ACCOUNTABLE BUILDING MOVERS.

Under the present law, which requires building movers to be licensed by the PSC, the public is being served by 30 licensed building movers. Two of these movers, myself included, have authority to move buildings over the entire state. The rest serve particular areas within the state. I have included with my testimony a list of the building movers in the state. I have also made available to the committee a copy of the licensing records I obtained from the Public Service Commission which identify the areas for which each mover is licensed and the types of buildings which the mover can move.

With this many building movers located throughout the state, the entire state is served by building movers. In addition, since

movers are Class C carriers, operating under contracts, there are a variety of fees charged for moving services. I have gone over my records for the period from January of 1975 to the end of 1976. In that period I bid on 167 jobs located all over the state. My bid was accepted on 36 of those jobs. In the other 131 cases the job went to another mover who outbid me. (I have attached the records of the jobs I bid on to this testimony). I believe this record shows that building moving is not a monopoly. There is plenty of competition among the licensed building movers. The public does have a choice of fees and services.

There have been cases, I realize, where someone wanted to have a building moved and could not find a mover who could do the job as soon or as cheaply as was wanted. Sometimes this is just because the customer has an unrealistic idea of what it costs to safely move a building. But if there is a problem finding a mover, it is my experience that the PSC steps in and locates a mover who can do the job. If it is necessary, the PSC will issue a temporary authority to allow a mover to go beyond his territory. This practice actually helps the public to find a mover and puts pressure on the licensed movers to provide services in the isolated areas of the state, which might go unserved without this activity by the PSC.

If a building mover can demonstrate that there is an area that is under served and that he is able to provide moving services to that area, and is financially sound and fit to do this work, he can get a license from the PSC for this area. I have attached a fairly short, simple PSC order extending the territory of a mover into an underserved area to demonstrate what kinds of factors the PSC looks at in deciding that additional service is justified. (Please note that this mover in his earlier applications had already demonstrated his fitness and financial soundness.) It is important to note that the granting of this license allowed the people of that county a choice of movers licensed to operate in their county.

##### 5. CUT-THROAT COMPETITION AMONG BUILDING MOVERS WILL PUT HONEST OPERATORS OUT OF BUSINESS AND DECREASE ACTUAL SERVICE TO THE PUBLIC.

I suspect that the reason for this bill is that some people believe that wide open, unlicensed competition in the building moving business will increase the services available to the public and decrease the cost. I do not believe that this will be the long range result of this change.

Right now, as I explained, there is competition among building movers in regard to services and fees. But the competition is not cut throat or irresponsible, because all of us know that we must maintain certain standards of performance and accountability. If we don't, we could lose our license. In addition, while we do compete, we do not have to compete in a market glutted with cheap, irresponsible operators who charge artificially low prices.

I believe that if this bill becomes law, you are going to see a lot of honest building movers losing business to fly-by-night operations that can charge lower rates because they do not maintain their equipment, do not have adequate sized crews and cut corners where safety is concerned. Quite honestly, this will not affect me as much as some of the other operators. I get called on for a lot of particularly difficult moves, where the customer wants and is willing to pay for a specialist. But what about the other movers, the fellows who bid lower than I did on some basic jobs but who

do a competent jobs. They will lose business to these cheap operators. You could come to a point where the only kinds of building movers available were higher priced specialists and irresponsible incompetents. That won't do the public any good.

In addition, if building moving is opened up to unfit operators, you will see the accident rate go up, the safety rate go down. There will be a lot of mistakes made. This will give building moving a bad name. Eventually, we will all be faced with higher insurance rates, higher bonding rates, and possibly increased legal restrictions on our operations. I would hate to see this happen, because building movers do provide a valuable service to the public. We recycle buildings that would otherwise be lost. We save people money.

Finally, removing building moving from PSC jurisdiction will not increase service to isolated areas. Building movers, like any other businessman, will concentrate on those areas where it is economic for them to operate. They will not be any more accessible to areas that are uneconomic because of their isolation than they are now. In fact, without the PSC there calling movers on the phone and getting them out there, it will be harder for rural people to find a building mover, particularly a competent one, than it is now.

#### 6. LICENSING AND REGULATION BY THE PUBLIC SERVICE COMMISSION HELPS TO ASSURE THAT BUILDING MOVERS ARE COMPETENT AND FINANCIALLY SOUND.

Regulation of building movers by the Public Service Commission helps to insure that building movers are competent, properly equipped and financially sound. The Public Service Commission requires much more extensive documentation concerning equipment, insurance, financial responsibility than does the GVW Division. (See attached forms).

Anyone who wants to obtain a license for building moving from the PSC must be prepared to demonstrate that he is fit and financially sound. He must show that there are people in the community who want his service and who believe that he can do a good job. He must be prepared to answer questions from other movers who may appear in protest. These questions can deal with his ability, experience and equipment, as well as with the public need.

Any motor carrier who has a license from the PSC is bound by PSC regulations. These regulations require all motor carriers to comply with the motor carrier safety regulations promulgated by the various agencies of the Federal government, including the Department of Transportation and the Interstate Commerce Commission. This is important because building movers generally operate in state rather than between states. In many cases, they do not travel on Federal highways. Regulation by the PSC means that wherever a building mover is traveling on a public highway, he must observe these safety standards. No other state agency places this requirement upon the in state carrier. (See Rule 38-2.16(1)-S670(2) M.A.C.)

The Public Service Commission has the power to regulate not only the territory and eligibility of motor carriers, but also their practices. 69-12-201(1)(c), M.C.A. No other agency of state government has this authority. Removal of building movers from PSC jurisdiction will remove the only real means available of preventing abuses and dangerous practices by building movers. GVW jurisdiction will not make up the difference if this authority is lost.

7. THE ISSUE OF DEREGULATION OF MOTOR CARRIERS SHOULD NOT BE APPROACHED IN A PIECEMEAL, HAPHAZARD FASHION.

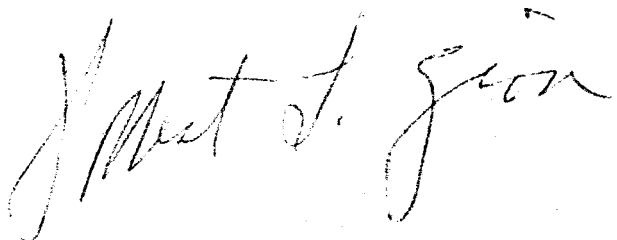
At the present time there is a lot of debate about the deregulation of motor carriers. President Carter has called for the deregulation of interstate motor carriers. I believe there is a bill before this legislature calling for deregulation of motor carriers in Montana. There is a great deal that can be said pro and con about this whole issue. But it should be clear that a piecemeal, haphazard approach to deregulation will not serve the public. If motor carriers are to be removed from PSC licensing requirements, then some alternative means should be proposed at the same time to assure the safety and financial soundness of motor carrier operations. If some motor carriers are to be deregulated, then all motor carriers should be looked at at the same time. In any planned deregulation, some provision should be made to meet the needs of isolated rural areas.

S.B. 70 does not consider any of these issues. It does not propose any alternatives to the clearly beneficial features of public regulation of house movers. It does not provide any clear basis for distinguishing building movers from other structure movers. Under S.B. 70, a motor carrier moving a double wide mobile home from the sales yard would be regulated. A motor carrier moving a double wide from a foundation might not be. Moving a house would be unregulated. Moving a mobile home would not be. Among the three more unusual moves I mentioned earlier in my testimony, I would be regulated when I moved the bridge; I would not be regulated when I moved the grain elevator. I am not sure whether or not I would be regulated for moving the grand stand. This is no way to deal with the issue of structure moving.

In conclusion, I have tried to show through this testimony that the business of building moving is better conducted in the context of PSC licensing and regulation than it would be in an unregulated, cut throat environment. There is competition among house movers. But that competition is tempered by the requirements of safety and accountability which presently affect the industry. S.B. 70 would open up the occupation of building moving to irresponsible, incompetent people. The public would not be served. It would be deceived.

If changes do need to be made in the regulation of building movers, these changes should be made with adequate attention to the requirements of safety and accountability. Mere deregulation, without some alternative system of accountability, will not improve service to the public. It will merely discredit this valuable occupation.

I respectfully request that S.B. 70 do not pass.

A handwritten signature in cursive script, appearing to read "Mark J. Green". The signature is written in dark ink on a light background.

ATTACHMENTS TO TESTIMONY

LETTERS REGARDING SAFETY RECORD OF  
BUILDING MOVERS



# MONTANA HIGHWAY PATROL

1014 National Avenue Helena, Montana 59601 Telephone (406) 449-3000



22  
January  
1979

Mr. Forest L. Zion  
Zion Construction Company  
Building Contractors  
P. O. Box 2082  
Great Falls, MT 59403

Re: House Movers Involved in Accidents

Dear Mr. Zion:

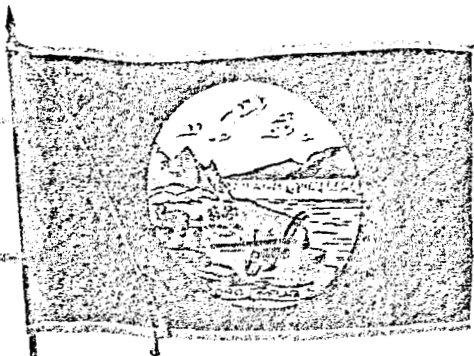
The Accident Records Section of the Montana Highway Patrol does not have a record of an accident within the past two (2) years involving a house in transit.

Hopefully this is the desired information.  
If I can be of additional service in any way,  
please feel free to contact me.

Sincerely,

ROBERT J. GRIFFITH, Lt. Colonel  
Assistant Chief  
Highway Patrol Bureau

RJG:sam



STATE OF MONTANA  
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

RONALD F. RICHARDS  
DIRECTOR OF HIGHWAYS

Mr. Forrest L. Zion  
Zion Construction & House Moving  
P.O. Box 2082  
Great Falls, MT 59401

IN REPLY REFER TO

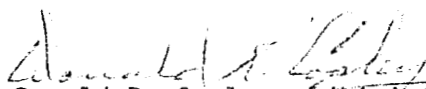
22 GVW 310

January 23, 1979

Dear Mr. Zion:

In response to your recent inquiry, we would advise that to our knowledge there have been no accidents involving State licensed house movers during the past year.

Very Truly Yours,

  
Donald R. Copley, Administrator  
Gross Vehicle Weight Division

DRC/mrc



INCIDENT REGARDING IRRESPONSIBLE MOVE

INTER-DEPARTMENTAL MEMORANDUM

DEPARTMENT OF HIGHWAYS

To: Wilber E. Frickel, Chief  
Collections & Licensing Bureau - G.V.W. Div  
From: Richard L. Miller, Chief  
Field Maintenance Bureau

Subject: House Moving  
Mark Adrian  
Date: 2220:RLM

January 22, 1979

I will try to give you all the information I can remember on this move. I cannot locate any of the correspondence in our files.

In August of 1973 a permit was issued to Mark Adrian to move a large two story house from adjacent to the old Elk's Club on Babcock and Black in Bozeman to a location East of Bozeman on Old US 10.

This move required the crossing of I 90 near the Bozeman East Interchange and was made on August 21, 1973. The movers encountered considerable difficulty on I 90 and the house was hung up for a time in the median ditch. Also, Adrian found out that he did not have a place to set the house as the party he thought he had the house sold to did not want it. That left everyone in a bind with a big two story house sitting in the middle of the frontage road (Old US 10) East of the interchange.

I gave Adrian permission to temporarily move the house on to an approach until he could arrange to move it to a location off of the R/W. Mr. Adrian then disappeared.

August 24, 1973 I wrote Mr. Adrian a letter and sent it to his last known address giving him until August 28th to move the house or the Department would impound it. We did not hear from Adrian until September 20, 1973 at which time he said he was bankrupt and could not move the house.

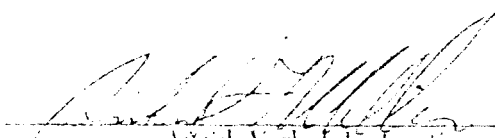
The house was then advertised for disposal and Mr. Chas. Perry, a house mover from Livingston, agreed to tear down the house and dispose of everything on the R/W for the salvage. I believe he completed this work sometime in November 1973.

This whole thing was a real hassle and inconvenience to a lot of people in addition to the Department. Now we try to check the reputation and credentials of movers to try to keep this from happening again.

I am sending you a slide of the house where it came to rest on the R/W. I would like this slide returned.

RLM:lm

Attach

  
Avoid Verbal Instructions

LICENSED BUILDING MOVERS IN MONTANA

# MONTANA ACTIVE HOUSE MOVERS LIST

AS AT JANUARY 15, 1979

Business House Movers  
 Astby, Montana  
 Phone: 385-2262 or 385-2237

Malvin Cross  
 Route 36, Box 167  
 Havre, Montana 59501  
 Phone: 265-7016

Fire-Week Construction  
 Kalispell, Montana 59901  
 Phone: 735-1312

Arvid John Blessing  
 Box 144  
 Rudyard, Montana 59540

Jim Branning  
 Helena, Montana  
 Phone: 442-1222

London House Moving  
 Box 122  
 Brockway, Montana 59214

Bill Kraske  
 Billings, Montana

Ira Hall  
 Box 262  
 Chinook, Montana 59523  
 Phone: 357-4110

Ethel J. Hall  
 Chinook, Montana 59523

Elmer Meidinger  
 25th Ave. No.  
 Glasgow, Montana 59230  
 Phone: 228-8417

Duane Ostermiller  
 129 Charlene St.  
 Billings, Montana 59101  
 Phone: 259-5601

F.L. Zion Const. & House Moving  
 P.O. Box 2932  
 Great Falls, Montana 59403  
 Phone: 453-9096 or 453-3023

Ways Enterprises (Ray Wolff)  
 Corvallis, Montana  
 Phone: 961-3337

Arnold Birkes

Vic Kunesh  
 Box 1412  
 Great Falls, Montana 59401  
 Phone: 761-5132

Mike K. Dineen  
 Box 136  
 Missoula, Montana 59801  
 Phone: 549-3768

Newton E. Cummings  
 Malta, Montana 59538  
 Phone: 654-1182

Eldon J. Cook  
 Choteau, Montana 59422  
 Phone: 466-2454

Joseph S. Gates  
 RR#1, Box 232  
 Stevensville, Montana 59870

Carl L. Christianson  
 Hot Springs, Montana 59545  
 Phone: 741-3580

Nels J. Sorenson, Jr.  
 Rt. #2, Box 27  
 Dagmar, Montana 59219  
 Phone: 463-5211

Mark Pasanti House Moving  
 141 West Daly Street  
 Walkerville, Montana 59701  
 Phone: 494-5538

Wayne Overalls  
 812 - 1st Ave. No.  
 Columbus, Montana 59019

Lyle C. Davis  
 Nashua, Montana 59248

Donald N. Tamietti  
 101 Plur St.  
 Butte, Montana 59701  
 Phone: 792-4893

D & B House Moving (Charles Perry)  
 Shields Route  
 Livingston, Montana 59047  
 Phone: 222-6331 (Perry)

D & M Service  
 Helena, Montana 59601

O'Neil Coppe House Movers  
 Williston, North Dakota

Franklin Street

MONTANA ACTIVE HOUSE MOBILE LIST

AS AT JANUARY 12, 1974

Bill Sensiba, Jr.

Box 749

Glasgow, Montana 59230

Phone: 226-6658

JOB'S BID BY F.L. ZION

1/75 through 12/76

did.

Moved by her - 26  
moved by others 131

| DATE    | NAME                   | AGE                          | DESCRIPTION  |           |
|---------|------------------------|------------------------------|--|-----------|
| 3/26/75 | John McIntosh          | Greenfield Bench, Mont.      | Move railroad depot (18' x 8')   | 3,920.00  |
| 3/26/75 | Walter Mackin          | Helena, Montana              | Move house & garage  | 800.00    |
| 4/23/75 | Mr. Fitzgerald         | Brady, Montana               | Move double wide trailer house   | 4,900.00  |
| 4/29/75 | Nice Realty            | Helena, Montana              | Move theatre bldg, Gore Hill   | 3,640.00  |
| 5/5/75  | Harlen Blair           | White Sulphur Springs, Mont. | Move Silver City Depot to East Helena<br>24 x 40 frame house from Lovesh to White<br>Sulphur Springs, Montana. | 10,720.00 |
| 5/8/75  | Montana Fish & Game    | Great Falls, Montana         | Move 30' x 22' bldg. from Bear Tooth<br>Ranch to Log Gulch.  | 3,400.00  |
| 5/14/75 | Ronald Schottle        | Absorkee, Montana            | Move bldg.   | 3,000.00  |
| 5/16/75 | Nick Fatz              | Carter, Montana              | Move grainery & silo   | 1,040.00  |
| 5/17/75 | Shelby Public School's | Shelby, Montana              | Move 240' x 60' Butler Metal Building from<br>P.A.R. Site to Shelby.   | 23,422.00 |
| 5/12/75 | Albert Caulkins        | Carter, Montana              | Move house from Carter to Ulm.   | 5,200.00  |
| 5/19/75 | Sam Young              | Townsend, Montana            | Move 30' x 40' quonset   | 1,575.00  |
| 5/19/75 | Charlie Bovey          | Great Falls, Montana         | Move hanging barn from White Sulphur Springs<br>to Virginia City.  | 2,500.00  |
| 5/26/75 | Mrs. Peck              | Butte, Montana               | Move Milwaukee sub-station house from<br>Piedmont to Whitehall.  | 2,800.00  |
| 6/2/75  | Allen Armstrong        | Great Falls, Montana         | Move barn in Helena to Green Meadow Ranch  | 3,800.00  |
| 6/5/75  | William Henderson      | Absorkee, Montana            | Move double wide trailer   | 1,200.00  |
| 6/12/75 | Mr. Harris             | Absorkee, Montana            | Move building  | 3,140.00  |
| 6/15/75 | Chet Moran             | Columbus, Montana            | Move double wide trailer house   | 1,500.00  |
| 6/23/75 | Severly Cunningham     | Great Falls, Montana         | Move 24 x 34 house from Highwood to Great<br>Falls   | 3,000.00  |
| 6/27/75 | Mark Young             | Great Falls, Montana         | Move house from Highwood to Sand Coulee  | 3,000.00  |
| 7/2/75  | Pacific Hide & Fur     | Great Falls, Montana         | Move 3 buildings   | 2,360.00  |

## January 1, 1975 thru December 6, 1976

| DATE     | NAME                             | ADDRESS              | JOB DESCRIPTION  | BID PRICE   |
|----------|----------------------------------|----------------------|--|-------------|
| /10/75   | Neifert-White Lumber Co.         | Townsend, Montana    | Move teepee Burner   | \$79,000.00 |
| /17/75   | Charles Anderson                 | Anaconda, Montana    | Move car wash, demolition of concrete, pour new concrete floor. (60' x 30')  | \$17,260.00 |
| /5/75    | B.W. Jones                       | Helena, Montana      | Move bus garage (50' x 180')   | 12,700.00   |
| /28/75   | Mr. McFarland                    | Northeast of Conrad  | Move Teton River Bridge to ranch (29'x54')                                   | 9,740.00    |
| /5/75    | Lyle Snell                       | Sunburst, Montana    | Move Target Bar from Conrad to Sunburst                                      | 15,952.00   |
| /2/75    | Flynn Realty                     | Havre, Montana       | Move Butler Bldg. & metal & frame bldg. (50' x 100') (30' x 50')             | 7,380.00    |
| /24/75   | Larry Stillman                   | Sun River, Montana   | Move 2-story Christainsen House  | 6,000.00    |
| /9/75    | John Sutton                      | Great Falls, Montana | Raising Brick 4-Plex   | 4,800.00    |
| /16/75   | Power Farmers Elevator Co.       | Power, Montana       | Remove Rocky Mountain Elevator from site.                                    | 6,758.00    |
| /20/75   | Morris Holm                      | Conrad, Montana      | Move building at Conrad  | 7,980.00    |
| /14/75   | Clerk of Mill Flat School        | Livingston, Montana  | Move Elbow-Rosedale School to Arrowhead                                      | 5,600.00    |
| /17/75   | Don Connors,                     | Three Forks, Montana | Move 40' sq. building from Eustance to Three Forks.                          | 3,500.00    |
| /14/75   | Lee Herron                       | Danvers, Montana     | Move 150' Bridge Span on Judith River  | 11,640.00   |
| 10/29/75 | Richard Robbins                  | Whitehall, Montana   | Move frame building from Piedmont to South of Whitehall                      | 3,500.00    |
| 22/30/75 | Montana State Highway Dept.      | Great Falls, Montana | Move 2 round wooden 10,000 bushel bins and place on slab.                    | 8,550.00    |
| 17/75    | Lewis & Clark Memorial Committee | Fort Benton, Mont.   | Moving granite rock from Square Butte to Fort Benton for Bicentennial statue | 3,966.00    |
| 2/12/75  | Lewis & Clark Memorial Committee | Lewistown, Montana   | Relocate Administration Bldg.  | 17,000.00   |
| 2/26/75  | Bill Neuman                      | Power, Montana       | Move Cotton Bridge to new location.  | 2,980.00    |
| 7/75     | Javloro Paul,                    | Havre, Montana       | Move 2 houses in Havre   | 5,400.00    |
| 11/75    | Boraman Land & Survey            | Boraman, Montana     | Move 3 buildings at Airport.   | 55,000.00   |
| 4/75     | Calvin Johnson                   | Beauregard, Montana  | Move 2 wood shed trailers  | 1,440.00    |
| 11/75    | John Lewis                       | Great Falls, Montana | Move 2 wood shed trailers to 12' x 12' x 12' shed.                           | 1,440.00    |



| Date     | Name                     | From                    | To                      | Description   | Amount    |
|----------|--------------------------|-------------------------|-------------------------|---|-----------|
| 7/10/75  | Richard Wortman          | Bozeman, Montana        | Bozeman, Montana        | Move dwelling from Coz Brown Ranch, Alder to Earl Lucille's Ranch, Billings.      | 1,000.00  |
| 7/11/75  | Charles Thomas           | Great Falls, Montana    | Great Falls, Montana    | Move 3 duplex's   | 17,900.00 |
| 8/15/75  | Bud Heistebach           | Loma, Montana           | Loma, Montana           | Move house  | 3,010.00  |
| 7/29/75  | Harold Gust-Bull         | Bozeman, Montana        | Bozeman, Montana        | Move 2 bldg. from Earl Bonita to Browning. (35 x 70, 2 story) (35 x 105, 2 story) | 15,000.00 |
| 9/3/75   | Dean Eric                | Great Falls, Montana    | Great Falls, Montana    | Move Log Cabin to Earl's Creek.   | 1,080.00  |
| 9/1/75   | Joe Smith                | Denton, Montana         | Denton, Montana         | Move 24 x 28 house  | 2,940.00  |
| 9/18/75  | Mr. Clinton              | Lewistown, Montana      | Lewistown, Montana      | Also bins   | 600.00    |
| 9/22/75  | David Moritz             | Conrad, Montana         | Conrad, Montana         | Move two story brick motel.   | 41,120.00 |
| 10/13/75 | W.L. Hincok              | Los Angeles, California | Los Angeles, California | Move house, Brady   | 3,750.00  |
| 10/9/75  | Bud Allen                | Whitehall, Montana      | Whitehall, Montana      | Move house from Ennis Fish Hatchery to his ranch at Ennis                         | 7,500.00  |
| 10/4/75  | Montana Air Nat'l Guard  | Great Falls, Montana    | Great Falls, Montana    | Move house  | 3,500.00  |
| 12/11/75 | Dill Diehl               | Helena, Montana         | Helena, Montana         | Move ammo shed  | 1,585.00  |
| 12/16/75 | Burt Tillman, Don Finley | Havre, Montana          | Havre, Montana          | Move Grand View Motel, Helena (House)   | 3,020.00  |
| 12/22/75 | Art Neiffer              | Fairfield, Montana      | Fairfield, Montana      | 60 x 100 metal Butler Bldg.   | 5,500.00  |
| 12/4/75  | Douglas Standley         | Fairfield, Montana      | Fairfield, Montana      | Move 30 x 30 barn   | 1,100.00  |
|          |                          |                         |                         | Move house  | 3,000.00  |

| DATE    | NAME                 | LOCATION                 | DESCRIPTION   | PRICE      |
|---------|----------------------|--------------------------|---|------------|
| 2/2/76  | Earl Stafford        | Great Falls, Montana     | clay house  | \$2,500.00 |
| 2/3/76  | Earnest Reed         | Lawson, Montana          | Move house to Luck Creek, east of Luck Creek.   | 1,980.00   |
| 2/8/76  | Louette Trailer Co.  | Great Falls, Montana     | Move double wide trailer  | 1,200.00   |
| 2/2/76  | Carl Stafford        | Cascade, Montana         | Move house (Webb Smith)   | 1,800.00   |
| 2/2/76  | George Meder         | Great Falls, Montana     | Move barracks   | 550.00     |
| 2/26/76 | David Vaughn         | Burton, Montana          | Move house  | 5,480.00   |
| 2/9/76  | Bill Anders          | Helena, Montana          | Move 2 frame bldgs. 30' x 50'   | 4,800.00   |
| 2/19/76 | Ken Jareczeski       | Dover, Montana           | Move elevator   | 10,000.00  |
| 2/19/76 | Kenneth Warrior      | South of Turner, Montana | Move 2-story house 28 x 28  | 7,000.00   |
| 2/22/76 | Russ or Phil Bradley | Judith Gap, Montana      | Move house, 26' x 32'   | 2,980.00   |
| 2/23/76 | Sands Lonst.         | Fairfield, Montana       | Move two 30' bins   | 1,500.00   |
| 2/20/76 | Clarence Lindseth    | Great Falls, Montana     | Move house  | 4,000.00   |
| 2/23/76 | Harry Wilson         | Fairfield, Montana       | Move double wide trailer  | 1,500.00   |
| 2/24/76 | Ronald Zbinden       | Great Falls, Montana     | Move house - 2 story  | 5,000.00   |
| 2/23/76 | Craig Winterburn     | Helena, Montana          | Move 1½ story house   | 3,250.00   |
| 2/27/76 | Scotts Lumber Co.    | Fort Benton, Montana     | Move house from Fort Benton to Loma<br>(30' x 46')  | 2,850.00   |
| 3/1/76  | Larry Dodge          | Helena, Montana          | Move 1½ story house from Helmsville to<br>Silver City   | 3,450.00   |
| 3/1/76  | Alice Hartman        | Livingston, Montana      | Move 2 house to Clyde Park (One house is at<br>Whitehall the other 7 miles out of Clyde Park) | 7,500.00   |
| 3/2/76  | Richard Motzger      | Fairfield, Montana       | Move double wide trailer from Fairfield to<br>Stockett, Montana                               | 2,000.00   |
| 3/3/76  | William Werhame      | Belgrade, Montana        | Move bldg.  | 3,500.00   |
| 3/4/76  | Russell Barber       | Denton, Montana          | Move 20 x 24 house  | 1,350.00   |
| 3/4/76  | Richard McFarland    | Williams, Montana        | Move bunkhouse & schoolhouse  | 10,100.00  |
| 3/16/76 | Jim Hous             | Phillipsburg             | Move log house from Rock Creek to Middle<br>Fork  | 7,290.00   |

## DESCRIPTION

Address

Name

Date

|         |                             |                          |  |           |
|---------|-----------------------------|--------------------------|--|-----------|
| 1/25/76 | Leo Bellini                 | Ruffalo, Montana         | 2 story house 25 x 36, Move  | 15,500.00 |
| 2/15/76 | Mark Burnham Conner         | Moore, Montana           | Move 1 1/2 story house, 24 x 36  | 3,000.00  |
| 3/11/76 | Montana Mineral Field, Inc. | Choteau, Montana         | Move elevator from Dryden to Choteau   | 10,750.00 |
| 3/29/76 | Fred Bligh                  | Geraldine, Montana       | Move Church from Square Butte to Geraldine   | 6,000.00  |
| 3/31/76 | Dr. Fallister               | Boulder, Montana         | Move greenhouse  | 2,750.00  |
| 4/1/76  | Monse Lodge                 | Conrad, Montana          | Move Target Bar to Conrad  | 20,000.00 |
| 4/15/76 | Dorothy Tobin               | Helena, Montana          | Move house   | 3,950.00  |
| 4/15/76 | Montana Power Co.           | Butte, Montana           | Move building from Ledger to Great Falls   | 3,000.00  |
| 4/23/76 | Terry Sullivan              | Geyser, Montana          | Move 25 x 52 building  | 4,500.00  |
| 4/8/76  | John Reinmuth               | Sheridan, Montana        | Move 40 x 90 old theatre building  | 11,600.00 |
| 4/13/76 | Jerry Tempel                | North of Joplin, Montana | Move double wide from west of Vaughn to Joplin.                                      | 3,000.00  |
| 4/12/76 | Pastor Bullock              | Great Falls, Montana     | Move 34 x 24 house   | 3,250.00  |
| 4/8/76  | Jack Lawson                 | Boulder, Montana         | Move 46 x 28 house located between Boulder and Whitehall                             | 3,000.00  |
| 4/12/76 | Bob Strouf                  | Hobson, Montana          | Move depot   | 3,000.00  |
| 4/12/76 | St. John's Lutheran Church  | Great Falls, Montana     | Move building.   | 5,760.00  |
| 4/23/76 | Mrs. Leonard                | Great Falls, Montana     | Move double wide trailer   | 1,400.00  |
| 4/22/76 | Ray Haugland                | Balgrade, Montana        | Move 20,000 bu. wood elevator  | 9,000.00  |
| 4/23/76 | John Sveum                  | Great Falls, Montana     | Move 26 x 32 house from Sunburst to Oilmont.   | 3,742.00  |
| 4/27/76 | Russ Largent                | Ulm, Montana             | Move house 50' x 40'   | 7,116.00  |
| 4/23/76 | Harold Tokorud              | Opheim, Montana          | Move duplex from Brady to Conrad.  | 5,850.00  |
| 4/23/76 | Gerald Bruner               | Conrad, Montana          | Move 25' x 54' quonset to Brady  | 1,250.00  |
| 4/9/76  | Ray Tweeten                 | Havre, Montana           | Move Montana Power house in Havre  | 4,600.00  |
| 4/6/76  | Walter Johnson              | North of Cut Bank, Mont. | Move house and garage, 36 x 68   | 7,560.00  |
| 4/2/76  | Harry Keith                 | Great Falls, Montana     | Move house   | 5,200.00  |
| 4/30/76 | Fish & Game Dept.           | Helena, Montana          | Move Barn from Three Forks to Bozeman  | 10,000.00 |
| 5/4/76  | Chuck Worral                | Big Sandy, Montana       | Move old motel unit from 90 miles north of Great Falls to 20 miles west of Big Sandy | 1,200.00  |

January 1, 1976 - January 1, 1976

RIP

PRICE

| DATE    | NAME                      | ADDRESS              | JOB DESCRIPTION  | PRICE     |
|---------|---------------------------|----------------------|--|-----------|
| 5/7/76  | Archie Dera               | Corrad, Montana      | Move 1 story house, 30 x 32 from Midway Road to Conrad.          | 12,000.00 |
| 5/12/76 | Terry Allen               | Great Falls, Montana | Move double wide trailer   | 1,800.00  |
| 5/17/76 | Mrs. Bob Brown            | Eden Route           | Move double wide trailer   | 1,800.00  |
| 5/27/76 | Frank Drga                | Rig Sandy, Montana   | Move 28 x 140 Butler Bldg.                                       | 6,400.00  |
| 6/1/76  | Nels Cornelius            | Fairfield, Montana   | Move house in Fairfield  | 5,000.00  |
| 6/7/76  | Dennis Shupak             | Hilger, Montana      | Move bridge at Judith  | 13,500.00 |
| 6/7/76  | Burton Ray                | Garnet               | Move 17 x 24 bldg.   | 800.00    |
| 5/27/76 | Hill County Commissioners | Havre, Montana       | Move State Highway Dept. buildings                               | 34,960.00 |
| 5/3/76  | Turner Agency             | Shelby, Montana      | Move two houses  | 8,000.00  |
| 6/24/76 | Phil Cassel               | Havre, Montana       | Move 50' x 100' Butler bldg.                                     | 8,735.00  |
| 6/11/76 | Earnest Nelson            | Big Timber, Montana  | Move house   | 7,560.00  |
| 6/30/76 | Gordon Coker              | Stanford, Montana    | Move Dover Grain Elevator  | 11,800.00 |
| 6/30/76 | Dan Morse                 | Havre, Montana       | Move schoolhouse   | 3,000.00  |
| 6/30/76 | George Peterson           | Danton, Montana      | Move Coffee Creek School   | 11,500.00 |
| 6/30/76 | Don Happer                | Great Falls, Montana | Move double wide mobile trailer approx. 39 miles                 | 1,750.00  |
| 7/6/76  | Fred Sackmann             | Fallon, Montana      | Move 53' x 32' house to Miles City                               | 7,680.00  |
| 7/20/76 | George Frankovich         | Butte, Montana       | Move house   | 4,000.00  |
| 7/8/76  | Lambros Realty            | Missoula, Montana    | Move brick house   | 17,500.00 |
| 7/15/76 | Dean Hellinger            | Devon, Montana       | Move 30 x 40 metal bldg. from West of Shelby to Devon            | 3,200.00  |
| 7/22/76 | Gene Coder                | Havre, Montana       | Move house, 38 x 40  | 6,600.00  |
| 7/29/76 | Malmstrom AFB             | Great Falls, Montana | Move 51 x 63 metal building                                      | 6,520.00  |
| 7/29/76 | Bill Cox                  | Havre, Montana       | Move house, 36 x 40  | 4,800.00  |
| 7/16/76 | Temple Beaver             | Great Falls, Montana | Move Bulk Plant  | 9,980.00  |
| 7/12/76 | Halcro                    | Power, Montana       | Move barn, 20 x 70, 20 high                                      | 1,920.00  |
| 7/16/76 | John Morris               | Livingston, Montana  | Move 24 x 28 house   | 3,690.00  |
| 7/13/76 | Steve Oreskovich          | Great Falls, Montana | Move old Fish and Game house located at [redacted] to [redacted] | 5,000.00  |

December 6, 1976

Country

County

State

DATE

NAME

ADDRESS

JOB DESCRIPTION

PRICE

|          |                             |                           |   |            |
|----------|-----------------------------|---------------------------|---|------------|
| 10/10/76 | Ray Newman                  | Choteau, Montana          | Move double wide trailer  | \$1,200.00 |
| 11/22/76 | Frank Kraft                 | Inverness, Montana        | Move 8 bldg.  | 5,000.00   |
| 11/27/76 | Wayne Riley                 | Great Falls, Montana      | Move house  | 2,200.00   |
| 11/26/76 | Bill Werhane                | West Yellowstone, Montana | Move 26 x 40 house with attached garage                         | 5,500.00   |
| 11/3/76  | Sharon Hulett               | Bozeman, Montana          | Move stone house located at Winston                             | 10,000.00  |
| 11/3/76  | Charlie Bovey               | Virginia City, Montana    | Move two bldgs. from Iron Rod to Nevada City                    | 3,600.00   |
| 11/3/76  | Larry Bender                | Bozeman, Montana          | Move bldg. 22 x 40 x 20 high                                    | 4,400.00   |
| 11/3/76  | Columbia Gardens Foundation | Butte, Montana            | Move portions of old Columbia Gardens                           | 24,310.00  |
| 11/3/76  | Mary Pollie                 | Great Falls, Montana      | Move house from Ulm to Great Falls                              | 3,200.00   |
| 11/3/76  | Warren Woodburn             | Geraldine, Montana        | Move building   | 5,760.00   |
| 11/3/76  | Greg Nelson                 | Great Falls, Montana      | Move modular home onto foundation                               | 1,600.00   |
| 11/3/76  | Barry Neumack               | Great Falls, Montana      | Move house from Riceville to ranch                              | 7,640.00   |
| 11/3/76  | Mr. Toenyes                 | Great Falls, Montana      | Move old Milwaukee Bldg.  | 4,800.00   |
| 11/9/76  | Leo Bialek                  | Inverness, Montana        | Move house from Inverness to Rudyard                            | 3,520.00   |
| 11/9/76  | M.W. Quanbeck               | Bozeman, Montana          | Move 40 x 80 building   | 7,630.00   |
| 11/5/76  | Otis Pyatt                  | Great Falls, Montana      | Move 24 x 30 house  | 3,200.00   |
| 11/9/76  | Con Agre                    | Great Falls, Montana      | Move Fertilizer Plant to Townsend                               | 26,930.00  |
| 11/9/76  | Bob Anderson                | Augusta, Montana          | Move barn from Choteau to Augusta                               | 2,500.00   |
| 11/9/76  | Jesse Spotted Bear          | Browning, Montana         | Move house from Two Medicine to Browning                        | 3,600.00   |
| 11/9/76  | Paul Talmage                | Great Falls, Montana      | Move trailer addition to Great Falls from Browning. 44' x 12'4" | 2,500.00   |
| 11/10/76 | Floyd Meland                | Star Route, Vaughn, Mont. | Move house (Webb Smith)   | 3,000.00   |
| 11/10/76 | Owen Pett                   | Fort Denton, Montana      | Move 2 story house, 30 x 50                                     | 6,400.00   |
| 11/10/76 | D.J. Const.                 | Cut Bank, Montana         | Move 24' x 30' house  | 3,200.00   |
| 11/10/76 | Froman Drilling             | Cut Bank, Montana         | Move 20 x 30 house  | 2,500.00   |
| 11/10/76 | M.J. McKay                  | Helena, Montana           | Move 1 story house 25 x 35                                      | 3,600.00   |
| 11/10/76 | Jack Strong                 | Bozeman, Montana          | Move 30 x 80 Railroad Station                                   | 3,200.00   |
| 11/11/76 | Mr. Dohony                  | Dutton, Montana           | Move house in Fort Denton                                       | 4,500.00   |

PAID TO THE ORDER OF

DATE: 12/11/76

NO.

PP. 01

\$4,600.00  
1,600.00  
4,360.00  
3,000.00

| DATE     | NAME             | ADDRESS               | JOB DESCRIPTION                              |
|----------|------------------|-----------------------|--|
| 12/11/76 | William Hutchins | Phillipsburg, Montana | Move 6 2E x 32 log cabin                     |
| 2/1/76   | Robert Mong      | Chester, Montana      | Move double wide trailer                     |
| 2/5/76   | Sam Sawyer       | Billings, Montana     | Move 24 x 26 house with attached 8 x 10 room |
| 2/5 76   | John Boone       | Fairfield, Montana    | Move 2 story house, 24 x 30                  |

ORDER GRANTING EXTENSION OF TERRITORY

Service Date: January 10, 1978

FINDINGS AND PROPOSED ORDER NO. 2472

DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION

DOCKET NO. 3432

Application of Ira A. Hall, P.O. Box 262, Chinook, Montana 59523, for a certificate of public convenience and necessity authorizing the transportation of houses and buildings of all types and sizes, as a Class C carrier, between all points and places in Valley County, over any or all State highways, country and county roads.

Notice being given, the public hearing in Docket No. 3432 was held in the Public Library, Chinook, Montana, at 10:00 a.m., October 19, 1977.

APPEARANCES

FOR THE APPLICANT:

Ira A. Hall

Loren J. O'Toole, Attorney  
at Law, Plentywood, Montana

FOR THE PROTESTANT:

Elmer Meidinger  
Lyle Davis (By Letter)

FOR THE COMMISSION:

Rob Smith, Staff Attorney

BEFORE:

Chairman Gordon E. Bollinger, Hearing Examiner



HELD

APPLICATION GRANTED.

From the Evidence, the Commission makes the following:

FINDINGS OF FACT

1. Applicant Ira A. Hall, was the first witness. Mr. Hall holds certificates MRC 1896 and 1896(a); these certificates authorize the moving of buildings in 24 counties in Montana.

2. Mr. Hall's principal office is at his farm seven miles north of Chinook. Mr. Hall has engaged in building moving for more than 30 years, and presently employs five people.

3. Mr. Hall owns three large trucks and three pickup trucks. He owns sufficient equipment now to work in Valley County, and would be willing to purchase more equipment if the need outstrips his projections. Mr. Hall introduced a Financial Statement (Exhibit 1) to support his testimony.

4. Mr. Hall received several calls to move houses during the summer: several that he did not record, as well as calls from Floyd Nelson, Gary J. Martin and Mrs. Carolyn Rasmussen. He stated that he referred the callers to the protestant, Mr. Meidinger, but they returned and insisted that Mr. Hall move them. Mr. Hall estimated that he generally gets 5-6 calls per year from Valley County.

5. Mr. Hall makes his service known to the public through calenders, pads, and pencils, as well as newspaper, radio and

telephone directory advertisements.

6. Mr. Hall was supported by two individuals who had houses moved: Mrs. Carolyn Rasmussen and Mr. Gary Martin. Both witnesses stated that they judged protestant Meidinger unsatisfactory because of waiting periods or a reputation for inadequate service. Both witnesses found the applicant's service conscientious and timely.

7. Bob Montgomery, G.V.W. Inspector in Havre, also supported Mr. Hall. Mr. Montgomery stated that the continuing unauthorized operations of Bill Sensibaugh demonstrate that there is business in Valley County. Mr. Montgomery testified that he has never had problems with either the applicant or the protestant.

8. The applicant's final supporting witness was Milton "Shorty" Cross, a house mover from Havre, Montana. Mr. Cross holds MRC certificate No. 2206, authorizing house moving within a 150 mile radius of Big Sandy.

9. Mr. Cross testified that he also has calls from Valley County; he cannot take these, as his authority does not extend that far. Mr. Cross stated that he often works with Mr. Hall, and always finds his work satisfactory.

10. The only protestant was Elmer Meidinger, a Glasgow house mover. Under examination, Mr. Meidinger admitted that although he does not actively solicit business, he has all the business that he can handle.

CONCLUSION OF LAW

Public Convenience and Necessity require the authorization of the proposed service for these reasons:

- (a) A clear need for expanded building moving service in Valley County was shown;
- (b) The applicant is fit, willing and able to provide such service;
- (c) Existing service, while of adequate quality, appears insufficient to handle all the requirements of Valley County; and
- (d) Authorization of the proposed service will have no ill effects on existing services in the area in the foreseeable future.

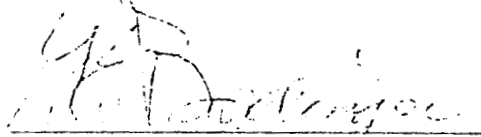
ORDER

THEREFORE IT IS ORDERED that the application of Ira A. Hall, P.O. Box 262, Chinook, Montana 59523, for a certificate of public convenience and necessity authorizing the transportation of houses and buildings of all types and sizes, as a Class C carrier, between all points and places in Valley County, over any or all State highways, country and county roads, be granted.

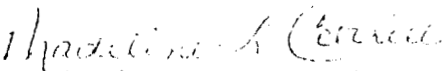
IT IS FURTHER ORDERED, pursuant to MAC 1-1.6(2)-P6190, that this is a proposed order. Any party shall have the opportunity to file exceptions to this initial decision, present briefs and make oral arguments before a majority of the Commission, provided such exceptions, briefs and requests for oral argument are presented to this Commission within thirty (30) days from the service date of this proposed order.

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the applicant herein, and by first class United States mail to all other appearances herein.

DONE at Helena, Montana, this 3rd day of January, 1978.

  
GORDON E. BOLLINGER, Chairman  
& Hearing Examiner

ATTEST:

  
Madeline L. Cottrill  
Acting Secretary

(SEAL)

INFORMATION REQUIRED BY PUBLIC SERVICE COMMISSION

DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION

Here, enclosed, is an application for PSC authority.

If completing paragraph 4(b), the following type of wording should be used on the first two lines: (This will not, of course, cover all situations, but will give a general idea as to the type of wording required.)

If you wish to transport within a city and a certain radius thereof, say: "Within the city of \_\_\_\_\_ and a \_\_\_\_\_ mile radius thereof".

If you wish to transport within a county or counties, say: "Between all points and places within \_\_\_\_\_ county" or "Between all points and places in the following counties:", then name the counties.

If you wish to originate and terminate within a specified area, say: "Between all points and places in the following counties: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. LIMITATION: Transportation must originate and terminate in \_\_\_\_\_ county."

If you wish statewide authority, say: "Between all points and places in the state of Montana".

If you have any questions before completing the form, please call or write and we will be glad to assist you. You may also need assistance in completing paragraph 5. Call 449-2549, leave a message, and we will be glad to return your call.

Please remember that it is necessary at a public hearing to have your application supported by "shipper" witnesses in person. This means the actual individuals who have asked or who would ask to use the services for which you are applying. These "shipper" witnesses must testify in support of the application in regard to public convenience and necessity or the "demand" existing for the granting of this application.

Fees for applications are based on the number of counties in which you wish to operate. Effective July 1, 1977, the fees are:

|                        |   |          |
|------------------------|---|----------|
| 1 through 5 counties   | - | \$100.00 |
| 6 through 25 counties  | - | \$200.00 |
| 26 through 56 counties | - | \$300.00 |

If, after a public hearing, your application is approved, we will inform you of other fees, insurance and possible tariff and time schedule requirements.

If for any reason you do not complete your request for a Certificate of Public Convenience and Necessity, your application will be cancelled and you will be required to refile and pay proper fees.

**DEPARTMENT OF PUBLIC SERVICE REGULATION**  
**APPLICATION FOR INTRASTATE CERTIFICATE OF**  
**PUBLIC CONVENIENCE AND NECESSITY**

**THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MONTANA**

Application is hereby made to the Public Service Commission of the State of Montana for an intrastate certificate of public convenience and necessity, as provided by Chapter 1 of Title 8, R. C. M. 1947, as amended, and in this behalf it is respectfully represented:

**PLEASE ANSWER EACH QUESTION DEFINITELY**

1. Name of Applicant \_\_\_\_\_  
 (Print or type)  
 Address \_\_\_\_\_  
 (Street and Number) (City and State)  
 How long have you been a resident of (a) \_\_\_\_\_ (b) \_\_\_\_\_  
 (Montana) (The City or town above mentioned)
2. If partnership, give name and address of partners; if corporation, give name and address of the president and secretary \_\_\_\_\_  
 \_\_\_\_\_
3. Applicant proposes to operate as a Class \_\_\_\_\_ carrier.  
 (Class A, B or C)
4. The route over which it is intended to operate is:  
 (a) If Class A service fill in the following:  
 Between \_\_\_\_\_ and \_\_\_\_\_ over \_\_\_\_\_  
 (Give numbers of highways)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Intermediate and off-route points to be served: \_\_\_\_\_  
 \_\_\_\_\_  
 (b) If Class B or C service fill in the following:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 (Territory and towns to be served, distance by highways and highway numbers)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
5. Applicant proposes to transport the following (specify articles to be transported):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 (Give types of commodities in detail)
6. Applicant proposes to transport (a) \_\_\_\_\_ (b) \_\_\_\_\_  
 (Persons) (Baggage and express)  
 (Over)

7. Names and addresses of all persons, firms, or corporations now furnishing similar service by means of motor lines, rail lines or other means, between any of the points or along any portion of the route proposed to be served:

---

---

---

---

---

8. The conditions which are relied upon by applicant as justifying the issuance of a Certificate are

---

---

---

(Must be amply supported by evidence at hearing)

9. LIST OF EQUIPMENT:

| Year and Make of Vehicle | Motor Number | Seating Capacity | Tonnage Capacity |
|--------------------------|--------------|------------------|------------------|
|                          |              |                  |                  |

10. PROPOSED TIME SCHEDULE (Required only of Class A carriers)

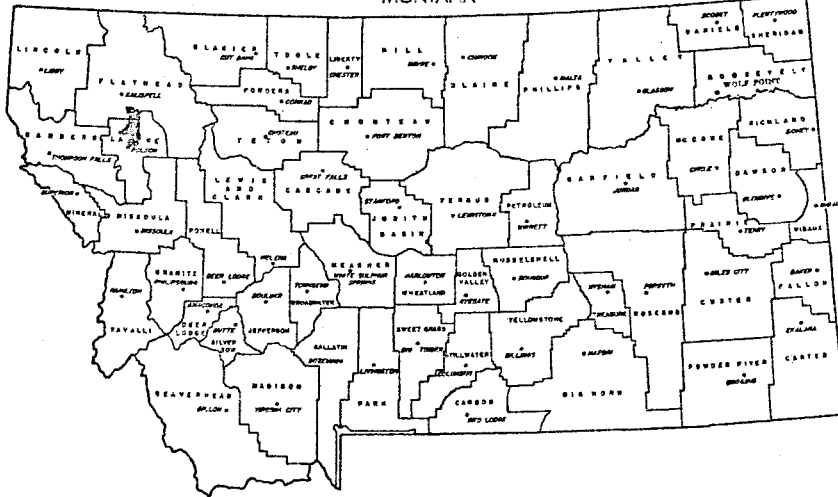
| Mileage | Stations | Read Down | Read Up |
|---------|----------|-----------|---------|
|         |          | Lv.       | Ar.     |
|         |          | Ar.       | Lv.     |

11. PROPOSED TARIFF OF RATES AND CHARGES per adult passenger or per 100 lbs. freight.  
(Required only of Class A and B carriers)

---



- 12.



- 13.

| Description | Assets | Liabilities |
|-------------|--------|-------------|
|             |        |             |
| Total       |        |             |

- 14.

Will you do so? \_\_\_\_\_  
(Yes or No)

- 15.

(FOR INFORMATION OF COMMISSION ONLY)

- 19.

**DIRECTIONS**—Applicant **MUST** attach to this application certifications of support from each supporting witness who will testify in applicant's behalf. The certifications of support must be prepared in the form prescribed in the Appendix to this application form. This certification of support must be signed by the individual, or by an authorized representative of the corporation, association, or partnership, upon whose support applicant intends to rely.

Except for good cause shown, no application for a certificate of public convenience and necessity will be accepted for filing unless it is accompanied by the certifications of support of such witnesses. The submission of the certifications will not prevent applicant from presenting evidence of additional witnesses. The certifications of support will not be considered as supporting evidence but merely as notification to the Commission of the type and quantity of evidence to be received. The certifications will serve the additional purpose of notifying this Commission of the approximate number of witnesses who will be present in support of an application.

(Over)

STATE OF MONTANA,

County of \_\_\_\_\_

} ss.

\_\_\_\_\_, being first duly sworn, deposes and says that he is the applicant named above; that he has read the foregoing application and knows the contents thereof; that the same is true of his own knowledge, except as to matters which are therein stated on information or belief, and as to those matters he believes it to be true.

Date \_\_\_\_\_, 19\_\_\_\_

(Signature of Applicant)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public for the State of \_\_\_\_\_

Residing at \_\_\_\_\_

My Commission expires \_\_\_\_\_

## APPENDIX

### CERTIFICATION FORM

#### TO THE PUBLIC SERVICE COMMISSION OF THE STATE OF MONTANA:

The undersigned states that he, or the corporation, association, or partnership which he represents, has agreed to support the application filed by: \_\_\_\_\_

(Name of Applicant)

and to which application this certification will be attached; that applicant's proposed service is desired for the transportation of \_\_\_\_\_

(Indicate the type of service desired by this witness)

from and to or between the following points or areas:

(Indicate areas desired by this witness for additional service)

At the public hearing to be held on this application, the undersigned, or an authorized and qualified representative of the corporation, association, or partnership which he represents, will appear and testify on applicant's behalf.

Should the support for this application be withdrawn or changed in whole or in part, the undersigned agrees immediately so to inform the Public Service Commission of the State of Montana, 1227 11th Avenue, Helena, Montana 59601.

The undersigned hereby states that he is duly qualified and authorized to make this certification of support.

Dated \_\_\_\_\_, 19\_\_\_\_

(Firm, corporation, association, partnership, etc., represented, if any.)

(Signature)

(Title)

# Inland Marine Insurance (Cargo)

## ENDORSEMENT MV-2

### PROPERTY BEING TRANSPORTED

The policy to which this endorsement is attached is written in pursuance of and is to be construed in accordance with Chapter 310, Revised Codes of Montana, 1935, (Sections 3847.1-3847.28), and the rules and regulations of the Public Service Commission of the State of Montana adopted thereunder. The policy is to be filed with the State in accordance with said statute.

In consideration of the premium stated in the policy to which this endorsement is attached, the Company hereby agrees to pay, within the limits of liability hereinafter provided, any shipper or consignee for all loss of or damage to all property belonging to such shipper or consignee, and coming into the possession of the Insured in connection with its transportation service, for which loss or damage the Insured may be held legally liable, regardless of whether the motor vehicles, terminals, warehouses, and other facilities used in connection with the transportation of the property hereby insured are specifically described in the policy or not. The liability of the Company extends to such losses or damages whether occurring on the route or in the territory authorized to be served by the Insured or elsewhere.

Within the limits of liability hereinafter provided it is further understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, or any other endorsement thereon or violation thereof, or of this endorsement by the Insured, shall affect in any way the right of any shipper or consignee, or relieve the Company from liability for the payment of any claim for which the Insured may be held legally liable to compensate shippers or consignees, irrespective of the financial responsibility or lack thereof or insolvency or bankruptcy of the Insured. However, all terms, conditions, and limitations in the policy to which this endorsement is attached are to remain in full force and effect as binding between the Insured and the Company. The Insured agrees to reimburse the Company for any payment made by the Company on account of any loss or damage involving a breach of the terms of the policy and for any payment that the Company would not have been obligated to make under the provisions of the policy, except for the agreement contained in this endorsement.

The liability of the Company for the limits provided in this endorsement shall be a continuing one notwithstanding any recovery hereunder. The Company shall not be liable for an amount in excess of \$1,000, in respect of any loss of or damage to or aggregate of losses or damages of or to the property hereby insured occurring at any one time or place, nor in any event for an amount in excess of \$1,000, in respect of the loss of or damage to such property carried on any one motor vehicle, whether or not such losses or damages occur while such property is on a motor vehicle or otherwise.

This endorsement may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the Insured giving thirty (30) days' notice in writing to the Public Service Commission at its office at 1227 11th Avenue, Helena, Montana 59601, said thirty (30) days' notice to commence to run from the date notice is actually received at the office of said Public Service Commission.

Attached to and forming a part of Policy No..... issued by the  
..... (herein called Company) of.....  
..... to.....

Dated at..... this..... day of....., 19.....

Countersigned by.....  
(Authorized Company Representative)

# CASUALTY INSURANCE

## Endorsement MV-4

The policy to which this endorsement is attached is written in pursuance of and is to be construed in accordance with the MOTOR CARRIER ACT, (TITLE 8, CHAPTER 1, RCM 1947, Sections 8-101 to 8-130), and the rules and regulations of the Public Service Commission of the State of Montana adopted thereunder. The policy is to be filed with the state in accordance with said statutes and rules.

In consideration of the premium stated in the policy to which this endorsement is attached, the Company hereby agrees to pay any final judgment recovered against the insured for bodily injury to or the death of any person or loss of or damage to property of others (excluding injury to or death of the insured's employees while engaged in the course of their employment, and loss of or damage to property of the insured, and property transported by the insured, designated as cargo), resulting from the negligent operation, maintenance, or use of motor vehicles under certificate of public convenience and necessity or permit issued to the insured by the Public Service Commission of the State of Montana, under the Motor Carrier Act (R.C.M. 1947, Sections 8-101 et seq.), within the limits of liability hereinafter provided, regardless of whether such motor vehicles are specifically described in the policy or not. It is understood and agreed that upon failure of the Company to pay any such final judgment recovered against the insured, the judgment creditor may maintain an action in any court of competent jurisdiction against the Company to compel such payment. The bankruptcy or insolvency of the insured shall not relieve the Company of any of its obligations hereunder. The liability of the Company extends to such losses, damages, injuries, or deaths whether incurring on the route or in the territory authorized to be served by the insured or elsewhere in the State of Montana.

The liability of the Company on each motor vehicle for the following limits shall be a continuing one notwithstanding any recovery hereunder:

### SCHEDULE OF LIMITS

#### MOTOR CARRIERS — BODILY INJURY LIABILITY — PROPERTY DAMAGE LIABILITY

| (1)<br>KIND OF EQUIPMENT                                       | (2)<br>Limit for bodily injuries to or death of one person | (3)<br>Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of \$25,000 for bodily injuries to or death of one person) | (4)<br>Limit for loss or damage in any one accident to property of others (excluding cargo) |
|--|--|--|---|
| Passenger Equipment (Seating Capacity)                         |  |  |   |
| Seven passengers or less.....                                  | \$25,000   | \$100,000  | \$10,000  |
| 8 to 12 passengers, inclusive.....                             | 25,000   | 150,000  | 10,000  |
| 13 to 20 passengers, inclusive.....                            | 25,000   | 200,000  | 10,000  |
| 21 to 30 passengers, inclusive.....                            | 25,000   | 250,000  | 10,000  |
| 31 passengers or more.....                                     | 25,000   | 300,000  | 10,000  |
| Freight Equipment  |  |  |   |
| All motor vehicles used in the transportation of property..... | \$25,000   | \$100,000  | \$10,000  |

Nothing contained in the policy or any other endorsement thereon, nor the violation of any of the provisions of the policy or of any endorsement thereon by the insured, shall relieve the Company from liability hereunder or from the payment of any such final judgment.

This endorsement may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the Public Service Commission of the State of Montana at its offices at 1227 11th Avenue, Helena, Montana 59601, said thirty (30) days' notice to commence to run from the date notice is actually received at the office of said Commission.

Attached to and forming a part of Policy No.....issued by the

Insurance Company to

INFORMATION REQUIRED BY GROSS VEHICLE WEIGHT DIVISION

G.V.W. FORM NO. 32-J, Rev. 8/15/77  
Page 1

MAC 18-2.10(14)-S10180

APPLICATION FOR SPECIAL PERMIT (32-1127.2) FOR HOUSE MOVING, BUILDINGS, GRAIN ELEVATORS,  
AND ALL OTHER LARGE AND UNUSUAL OBJECTS OR ARTICLES.

(Each line must be completed. All attachments must be furnished before application will  
be reviewed.)

THE STATE OF MONTANA - DEPARTMENT OF HIGHWAYS, G.V.W. DIVISION HELENA OFFICE ONLY WILL  
PROCESS THIS APPLICATION. DATE \_\_\_\_\_

NAME OF APPLICANT \_\_\_\_\_

STREET ADDRESS OF APPLICANT \_\_\_\_\_  
(Post Office Box is not sufficient address)

TELEPHONE NO. \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

P.S.C. NO. \_\_\_\_\_ I.C.C. NO. \_\_\_\_\_ PRIVATE MOVE \_\_\_\_\_

IF A LEASE IS CONCERNED WITH OPERATING AUTHORITY, ATTACH A COPY.

POWER UNIT LICENSE NO. \_\_\_\_\_ STATE \_\_\_\_\_ YEAR \_\_\_\_\_

UNIT NO. \_\_\_\_\_ VIN NO. \_\_\_\_\_ MAKE \_\_\_\_\_ YEAR \_\_\_\_\_

IF LEASE IS CONCERNED, ATTACH A COPY.

TRAILING UNIT LICENSE NO. \_\_\_\_\_ STATE \_\_\_\_\_ YEAR \_\_\_\_\_

UNIT NO. \_\_\_\_\_ VIN NO. \_\_\_\_\_ MAKE \_\_\_\_\_ YEAR \_\_\_\_\_

TRAILING UNIT LICENSE NO. \_\_\_\_\_ STATE \_\_\_\_\_ YEAR \_\_\_\_\_

UNIT NO. \_\_\_\_\_ VIN NO. \_\_\_\_\_ MAKE \_\_\_\_\_ YEAR \_\_\_\_\_

NAME OF INSURANCE COMPANY \_\_\_\_\_

POLICY NO. \_\_\_\_\_ AGENT \_\_\_\_\_

AGENT'S ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_, MONTANA

CERTIFICATE OF INSURANCE MUST BE ON FILE.

MINIMUM INSURANCE REQUIREMENTS: P.L. \$25,000/\$100,000; P.D. \$10,000.

DESCRIPTION (IN DETAIL) OF HOUSE, BUILDING, OR OBJECT TO BE MOVED \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

NAME OF OWNER OF PROPERTY TO BE MOVED \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

WIDTH: \_\_\_\_\_ FT, \_\_\_\_\_ IN.; HEIGHT: \_\_\_\_\_ FT, \_\_\_\_\_ IN.; LENGTH: \_\_\_\_\_ FT, \_\_\_\_\_ IN.

LENGTH OF COMBINATION: \_\_\_\_\_ FT, \_\_\_\_\_ IN.

WEIGHT: \_\_\_\_\_ ESTIMATED \_\_\_\_\_ ACTUAL \_\_\_\_\_

STARTING DATE \_\_\_\_\_ ESTIMATED TIME \_\_\_\_\_

ENDING DATE \_\_\_\_\_

EXACT LOCATION OF ORIGIN OF MOVE \_\_\_\_\_

EXACT LOCATION OF DESTINATION \_\_\_\_\_

NAME OF OWNER OF PROPERTY AT DESTINATION \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE & ZIP \_\_\_\_\_

PRINCIPAL MATERIAL IN CONSTRUCTION \_\_\_\_\_

OTHER MATERIALS: PLASTER \_\_\_\_\_, BRICK \_\_\_\_\_, STONE \_\_\_\_\_, STUCCO \_\_\_\_\_, OTHER \_\_\_\_\_

ROUTE (IN DETAIL): \_\_\_\_\_

NAME OF UTILITIES REQUIRED TO CLEAR ROUTE \_\_\_\_\_

RAILROAD CROSSING LOCATION \_\_\_\_\_

ARE YOU PREPARED TO BE BONDED IN FAVOR OF THE STATE OF MONTANA TO GUARANTEE COMPLETION OF THE MOVE, COST OF REPAIRS TO DEPARTMENT OF HIGHWAYS PROPERTY, AND COSTS OF REMOVING AND REPAIRING SIGNS, SIGNALS, ETC.? \_\_\_\_\_

NAME OF BONDING COMPANY \_\_\_\_\_

AGENT - BONDING COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_

HIGHWAY PROPERTY WHICH WILL REQUIRE REMOVAL AND REPLACEMENT \_\_\_\_\_

EXACT LOCATION OF HIGHWAY PROPERTY \_\_\_\_\_

BRIDGES - OVERPASSES - OVERHEAD SIGNALS AND SIGNS ON ROUTE WHICH MUST BE CLEARED BY  
LOCATION \_\_\_\_\_

ATTACH DRAWING OF WHEEL AND AXLE ARRANGEMENT SHOWING THE PROPOSED WEIGHT DISTRIBUTION.

ARE PILOT CARS TO BE USED RADIO EQUIPPED? \_\_\_\_\_ TOW VEHICLE? \_\_\_\_\_

OTHER INFORMATION \_\_\_\_\_

ATTACH PHOTOGRAPHS OF PROPERTY TO BE MOVED, IF AVAILABLE.

THE APPLICANT AGREES TO PAY ALL COSTS OF THE DEPARTMENT OF HIGHWAYS IN PROCESSING APPLICATION OR GRANTING A PERMIT HEREUNDER. AND THE APPLICANT FURTHER AGREES TO PAY ALL THE COSTS OF REMOVAL AND REPLACEMENT OF SIGNS, SIGN STRUCTURES, DELINEATORS, OR ANY OTHER PROPERTY THE DEPARTMENT OF HIGHWAYS REMOVES AND REPLACES. APPLICANT AGREES TO SOLE RESPONSIBILITY FOR THE MOVE DESCRIBED. THE APPLICANT FURTHER UNDERSTANDS THAT A MINIMUM OF 72 HOURS MAY BE REQUIRED TO PROCESS THIS APPLICATION.

I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND WILL ABIDE BY THE REGULATIONS GOVERNING THIS APPLICATION; AND I FURTHER UNDERSTAND THAT A PERMIT IS SUBJECT TO CONFISCATION FOR VIOLATION OF THE LAW, DEPARTMENT REGULATIONS, OR FOR ALTERATION OF ANY WORD OR FIGURE THEREON.

SIGNATURE OF APPLICANT \_\_\_\_\_

DATE OF APPLICATION \_\_\_\_\_



FOR STATE USE ONLY --

APPROVAL: CHIEF - FIELD MAINTENANCE BUREAU (Approval must be obtained from each  
Division travelled.)

NAME \_\_\_\_\_ LOCATION \_\_\_\_\_

DATE NOTIFIED \_\_\_\_\_ TIME \_\_\_\_\_ REPLY DATE \_\_\_\_\_ TIME \_\_\_\_\_

SIGNATURE \_\_\_\_\_

NAME \_\_\_\_\_ LOCATION \_\_\_\_\_

DATE NOTIFIED \_\_\_\_\_ TIME \_\_\_\_\_ REPLY DATE \_\_\_\_\_ TIME \_\_\_\_\_

SIGNATURE \_\_\_\_\_

CONTACT COUNTY COMMISSIONERS IF ANY TRAVEL INVOLVES COUNTY ROADS.

P.S.C. APPROVAL \_\_\_\_\_

APPROVAL: HIGHWAY PATROLMAN \_\_\_\_\_ LOCATION \_\_\_\_\_

HIGHWAY PATROL CONDITIONS \_\_\_\_\_

CONDITIONS IMPOSED BY G.V.W. \_\_\_\_\_

FINAL APPROVAL: SUPERVISOR - PERMIT SECTION, G.V.W. \_\_\_\_\_

LEGAL DIVISION \_\_\_\_\_

PERMIT NUMBER ISSUED \_\_\_\_\_ DATE \_\_\_\_\_

BY \_\_\_\_\_ DATE \_\_\_\_\_

*Atty General #1*

F. L. ZION  
BUILDING CONTRACTOR  
PHONE 453-9096 - P. O. BOX 2082  
GREAT FALLS, MONTANA 59403

*January 25, 1979*  
*Business & Industry*  
*Committee*

January 25, 1979

RATIONALE FOR OPPOSITION TO S.B. 70

Members of the Business and Industry Committee, Mr Chairman:

My name is Forrest Zion, owner of Zion House Moving and Construction, Great Falls Montana. I appear before you today in opposition to Senate Bill 70. This bill would remove from regulation by the Public Service Commission the transportation of buildings other than mobile homes from their foundations to new locations. I oppose this bill because I believe that it will have the effect of reducing the availability and quality of building moving services to the people of Montana and will threaten the enviable safety record which building moving (house moving) now enjoys in Montana. I hope you will bear with me while I explain some of the reasons why I believe this bill will have these undesirable consequences.

1. THE MOVING OF BUILDINGS ON THE PUBLIC HIGHWAYS IS A COMPLICATED POTENTIALLY DANGEROUS OCCUPATION.

I have been a house mover and mover of large structures for many years now, since after World War II. I have moved houses, barns, apartment buildings. I have even moved such large, cumbersome structures as a grain elevator, a grandstand, and a bridge. I have had the opportunity over the years to observe the work of other building movers in Montana. I can tell you from my personal experience that it takes skill, experience and the right equipment to move buildings with safety. An inept mover or one with inadequate equipment or crew can do a great deal of harm -- damaging the building, endangering the public on the highway, damaging other property. A mover who knows what he is doing and uses the proper equipment and an adequate size crew can relocate even large, cumbersome buildings without danger to the public or to property.

I have brought with me some photographs of buildings that have been moved in Montana, some by me, one by another licensed mover. I would ask you to look at these photographs and ask yourselves whether this appears to be a job that can safely be done by operators who are untrained, poorly equipped and cutting corners.

2. AT THE PRESENT TIME, THE MOVING OF BUILDINGS ON THE PUBLIC HIGHWAYS IN MONTANA IS ACCOMPLISHED WITHOUT ENDANGERING THE PUBLIC.

The safety record of the licensed house movers in Montana is enviable. I have enquired of both the Highway Patrol Bureau and the Gross Vehicle Weight Division of the Department of Highways. They have informed me that they do not know of one accident involving a licensed house mover in the past two years ( I did not ask them to look back farther than that). Yet in 1978, 208 permits for the moving of buildings were issued by the GVW Division. That is 208 complicated moving operations on the public highway without a single accident. I believe this is an impressive record. (Copies of the letters I received from the Highway Patrol and the GVW Division are attached to this testimony).

3. IF THE MOVING OF BUILDINGS WERE NOT REGULATED, THERE WOULD BE NO ADEQUATE CONTROL OVER INCOMPETENT OPERATORS.

I do not believe that the enviable safety record of the licensed house movers in Montana will be maintained if S.B. 70 is passed. Removal of building moving from Public Service Commission regulation will open the field to incompetent, cut-rate operators who will charge low rates for inadequate work. This will not only result in hardship to the people who hire such movers. It will inconvenience and endanger the public as well.

I have brought with me an incident report and photographs from the GVV Division files which tell of an incident involving a man who got around PSC licensing requirements because he owned the house he was moving. This operator was moving a building on the interstate east of Bozeman. He broke down and went broke at about the same time. So he just left the building on the right of way by the interstate. Numerous attempts to get him to claim his building failed. Several months later, with the building still there, the Highway Department finally got a licensed mover to come in and get the building out of there. This was a great inconvenience to everybody. I am certain that you will see a lot more of this kind of operation if you remove the licensing requirement for building movers and let every man with a truck, a couple of logs, and \$5000 for his bond start moving buildings down the highway.

On another occasion, several years ago, on the road from Big Timber to Harlowtown, I saw a house being moved by one of these amateurs. The house was coming down the hill, out of control, toward me. There was no flagman. I drove into the ditch to get out of the way. As he passed me, the driver yelled, "No brakes! Get the hell off the road!" Fortunately I was the only person on the highway at that time. Officials from the Public Service Commission ran this fellow down and cited him for illegal moving. This stopped his illegal, haywire operation.

I could tell you about the fellow who tried to move his own house and broke down across the railroad track with a passenger train due. But I believe one of the other movers here is more familiar with that situation. The point is that these incompetent, dangerous operations could become common in the house moving business in this state if PSC regulation of house moving is removed, particularly if no other licensing or regulatory procedures are developed to replace PSC licensing. I cannot believe that this result will serve the public.

4. THE PRESENT SYSTEM OF REGULATED HOUSE MOVING UNDER LICENSES BY THE PUBLIC SERVICE COMMISSION ALLOWS THE PUBLIC TO BE ADEQUATELY SERVED BY COMPETENT, ACCOUNTABLE BUILDING MOVERS.

Under the present law, which requires building movers to be licensed by the PSC, the public is being served by 30 licensed building movers. Two of these movers, myself included, have authority to move buildings over the entire state. The rest serve particular areas within the state. I have included with my testimony a list of the building movers in the state. I have also made available to the committee a copy of the licensing records I obtained from the Public Service Commission which identify the areas for which each mover is licensed and the types of buildings which the mover can move.

With this many building movers located throughout the state, the entire state is served by building movers. In addition, since

movers are Class C carriers, operating under contracts, there are a variety of fees charged for moving services. I have gone over my records for the period from January of 1975 to the end of 1976. In that period I bid on 167 jobs located all over the state. My bid was accepted on 36 of those jobs. In the other 131 cases the job went to another mover who outbid me. (I have attached the records of the jobs I bid on to this testimony). I believe this record shows that building moving is not a monopoly. There is plenty of competition among the licensed building movers. The public does have a choice of fees and services.

There have been cases, I realize, where someone wanted to have a building moved and could not find a mover who could do the job as soon or as cheaply as was wanted. Sometimes this is just because the customer has an unrealistic idea of what it costs to safely move a building. But if there is a problem finding a mover, it is my experience that the PSC steps in and locates a mover who can do the job. If it is necessary, the PSC will issue a temporary authority to allow a mover to go beyond his territory. This practice actually helps the public to find a mover and puts pressure on the licensed movers to provide services in the isolated areas of the state, which might go unserved without this activity by the PSC.

If a building mover can demonstrate that there is an area that is under served and that he is able to provide moving services to that area, and is financially sound and fit to do this work, he can get a license from the PSC for this area. I have attached a fairly short, simple PSC order extending the territory of a mover into an underserved area to demonstrate what kinds of factors the PSC looks at in deciding that additional service is justified. (Please note that this mover in his earlier applications had already demonstrated his fitness and financial soundness.) It is important to note that the granting of this license allowed the people of that county a choice of movers licensed to operate in their county.

##### 5. CUT-THROAT COMPETITION AMONG BUILDING MOVERS WILL PUT HONEST OPERATORS OUT OF BUSINESS AND DECREASE ACTUAL SERVICE TO THE PUBLIC.

I suspect that the reason for this bill is that some people believe that wide open, unlicensed competition in the building moving business will increase the services available to the public and decrease the cost. I do not believe that this will be the long range result of this change.

Right now, as I explained, there is competition among building movers in regard to services and fees. But the competition is not cut throat or irresponsible, because all of us know that we must maintain certain standards of performance and accountability. If we don't, we could lose our license. In addition, while we do compete, we do not have to compete in a market glutted with cheap, irresponsible operators who charge artificially low prices.

I believe that if this bill becomes law, you are going to see a lot of honest building movers losing business to fly-by-night operations that can charge lower rates because they do not maintain their equipment, do not have adequate sized crews and cut corners where safety is concerned. Quite honestly, this will not affect me as much as some of the other operators. I get called on for a lot of particularly difficult moves, where the customer wants and is willing to pay for a specialist. But what about the other movers, the fellows who bid lower than I did on some basic jobs but who

do a competent jobs. They will lose business to these cheap operators. You could come to a point where the only kinds of building movers available were higher priced specialists and irresponsible incompetents. That won't do the public any good.

In addition, if building moving is opened up to unfit operators, you will see the accident rate go up, the safety rate go down. There will be a lot of mistakes made. This will give building moving a bad name. Eventually, we will all be faced with higher insurance rates, higher bonding rates, and possibly increased legal restrictions on our operations. I would hate to see this happen, because building movers do provide a valuable service to the public. We recycle buildings that would otherwise be lost. We save people money.

Finally, removing building moving from PSC jurisdiction will not increase service to isolated areas. Building movers, like any other businessman, will concentrate on those areas where it is economic for them to operate. They will not be any more accessible to areas that are uneconomic because of their isolation than they are now. In fact, without the PSC there calling movers on the phone and getting them out there, it will be harder for rural people to find a building mover, particularly a competent one, than it is now.

#### 6. LICENSING AND REGULATION BY THE PUBLIC SERVICE COMMISSION HELPS TO ASSURE THAT BUILDING MOVERS ARE COMPETENT AND FINANCIALLY SOUND.

Regulation of building movers by the Public Service Commission helps to insure that building movers are competent, properly equipped and financially sound. The Public Service Commission requires much more extensive documentation concerning equipment, insurance, financial responsibility than does the GVW Division. (See attached forms).

Anyone who wants to obtain a license for building moving from the PSC must be prepared to demonstrate that he is fit and financially sound. He must show that there are people in the community who want his service and who believe that he can do a good job. He must be prepared to answer questions from other movers who may appear in protest. These questions can deal with his ability, experience and equipment, as well as with the public need.

Any motor carrier who has a license from the PSC is bound by PSC regulations. These regulations require all motor carriers to comply with the motor carrier safety regulations promulgated by the various agencies of the Federal government, including the Department of Transportation and the Interstate Commerce Commission. This is important because building movers generally operate in state rather than between states. In many cases, they do not travel on Federal highways. Regulation by the PSC means that wherever a building mover is traveling on a public highway, he must observe these safety standards. No other state agency places this requirement upon the in state carrier. (See Rule 38-2.16(1)-S670(2) M.A.C.)

The Public Service Commission has the power to regulate not only the territory and eligibility of motor carriers, but also their practices. 69-12-201(1)(c), M.C.A. No other agency of state government has this authority. Removal of building movers from PSC jurisdiction will remove the only real means available of preventing abuses and dangerous practices by building movers. GVW jurisdiction will not make up that difference if this authority is lost.

7. THE ISSUE OF DEREGULATION OF MOTOR CARRIERS SHOULD NOT BE APPROACHED IN A PIECEMEAL, HAPHAZARD FASHION.

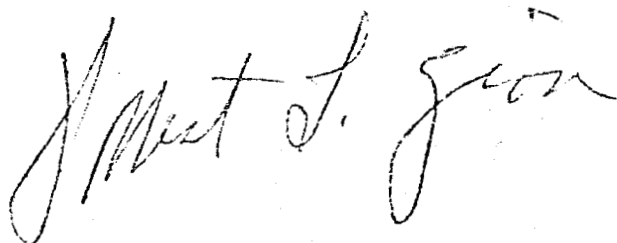
At the present time there is a lot of debate about the deregulation of motor carriers. President Carter has called for the deregulation of interstate motor carriers. I believe there is a bill before this legislature calling for deregulation of motor carriers in Montana. There is a great deal that can be said pro and con about this whole issue. But it should be clear that a piecemeal, haphazard approach to deregulation will not serve the public. If motor carriers are to be removed from PSC licensing requirements, then some alternative means should be proposed at the same time to assure the safety and financial soundness of motor carrier operations. If some motor carriers are to be deregulated, then all motor carriers should be looked at at the same time. In any planned deregulation, some provision should be made to meet the needs of isolated rural areas.

S.B. 70 does not consider any of these issues. It does not propose any alternatives to the clearly beneficial features of public regulation of house movers. It does not provide any clear basis for distinguishing building movers from other structure movers. Under S.B. 70, a motor carrier moving a double wide mobile home from the sales yard would be regulated. A motor carrier moving a double wide from a foundation might not be. Moving a house would be unregulated. Moving a mobile home would not be. Among the three more unusual moves I mentioned earlier in my testimony, I would be regulated when I moved the bridge; I would not be regulated when I moved the grain elevator. I am not sure whether or not I would be regulated for moving the grand stand. This is no way to deal with the issue of structure moving.

In conclusion, I have tried to show through this testimony that the business of building moving is better conducted in the context of PSC licensing and regulation than it would be in an unregulated, cut throat environment. There is competition among house movers. But that competition is tempered by the requirements of safety and accountability which presently affect the industry. S.B. 70 would open up the occupation of building moving to irresponsible, incompetent people. The public would not be served. It would be deceived.

If changes do need to be made in the regulation of building movers, these changes should be made with adequate attention to the requirements of safety and accountability. Mere deregulation, without some alternative system of accountability, will not improve service to the public. It will merely discredit this valuable occupation.

I respectfully request that S.B. 70 do not pass.

A handwritten signature in cursive script, reading "Janet L. Gion". The signature is written in dark ink and is located at the bottom of the page.

ATTACHMENTS TO TESTIMONY

LETTERS REGARDING SAFETY RECORD OF  
BUILDING MOVERS





Department of Justice

## MONTANA HIGHWAY PATROL

1014 National Avenue Helena, Montana 59601 Telephone (406) 449-3000



22  
January  
1979

Mr. Forest L. Zion  
Zion Construction Company  
Building Contractors  
P. O. Box 2082  
Great Falls, MT 59403

Re: House Movers Involved in Accidents

Dear Mr. Zion:

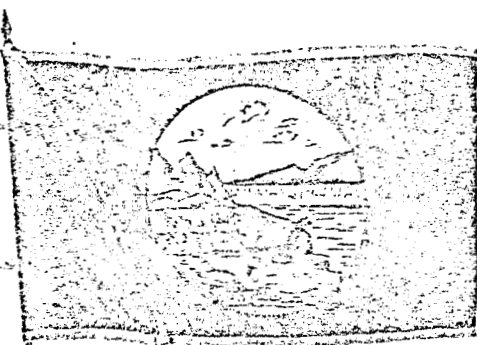
The Accident Records Section of the Montana Highway Patrol does not have a record of an accident within the past two (2) years involving a house in transit.

Hopefully this is the desired information.  
If I can be of additional service in any way,  
please feel free to contact me.

Sincerely,

ROBERT J. GRIFFITH, Lt. Colonel  
Assistant Chief  
Highway Patrol Bureau

RJG:sam



STATE OF MONTANA  
DEPARTMENT OF HIGHWAYS

HELENA, MONTANA 59601

RONALD P. RICHARDS  
DIRECTOR OF HIGHWAYS

Mr. Forrest L. Zion  
Zion Construction & House Moving  
P.O. Box 2082  
Great Falls, MT 59401

IN REPLY REFER TO

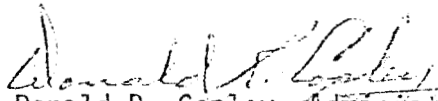
22 GVW 310

January 23, 1979

Dear Mr. Zion:

In response to your recent inquiry, we would advise that to our knowledge there have been no accidents involving State licensed house movers during the past year.

Very Truly Yours,

  
Donald R. Copley, Administrator  
Gross Vehicle Weight Division

DRC/mrc

PSC No. 3348: Charles R. Perry, Shields Route, Livingston, MT 59047

Class B--houses, barns and garages, to and from all points and places in Park and Gallatin Counties, Montana.

Sub. A, Class C--buildings of all types, between points and places within a radius of 150 miles of Helena, Montana.

September 16, 1977 - authority is leased to Dale E. Popoe, Sr. & Donald L. Popoe d/b/a D & D Movers, Box 725, Big Timber, Montana 59011 (Sweetgrass County)

BATT JOHN PESANTI d/b/a PESANTI HOUSE MOVING, 141 West Daly Street, Walkerville, Montana 59701.

CLASS C - houses, buildings, garages and structures of all types (with and without contents) between all points and places within Silver Bow, Deer Lodge and Beaverhead Counties, Montana.

SUB A

CLASS C - houses, buildings, garages and structures of all types (with or without contents) between all points and places in Granite, Jefferson, Madison and Powell Counties.

LIMITATIONS: Transportation of oil field tanks and equipment (as defined in the Mercer Authorities cases) is prohibited; transportation of tanks is restricted to used tanks in farm, ranching and mining operations.

MIKE K. DRAINE, P.O. Box 136, Missoula, Montana.

CLASS B - houses and buildings in a complete, constructed form, but not including prefabricated or dismantled houses and buildings between all points and places in the following counties: Sanders, Lake, Mineral, Ravalli, Granite and Powell.

SUB A

CLASS B - houses and buildings in a completely constructed form (but not including pre-fabricated or disassembled houses and buildings), between points and places within Missoula County.

MELVIN CROSS, Rt. 36, Box 167, Havre, Montana.

CLASS C - property as specified (1) heavy machinery and equipment (not including oil well equipment), and grain, between points and places within a radius of fifty miles of Big Sandy, Montana; (2) buildings between points and places within a radius of one-hundred and fifty miles of Big Sandy, Montana.

LIMITATIONS: Transportation of property except buildings between points served by rail carriers and between points served by Class A motor carriers is prohibited.

PSC No. 3977 William W. Kraske d/b/a Kraska House Moving,  
Billings, Mt.

CLASS B Authorized to transport houses and buildings as a Class B common carrier in intrastate service, by motor vehicles for hire over and on the public highways of the State of Montana between all points and places within Yellowstone County, Montana.

CLASS C - Buildings of all descriptions serving Big Horn, Yellowstone, Carbon, Treasurer & Rosebud counties

PSC NO. 3870

DOEDEN CONSTRUCTION INC., 614 West 12, Williston, North Dakota 58301.

CLASS C - houses and double wide trailers between points and places in Roosevelt County, only.



1935  
No. 3860 -- O'Neill-Coppe, Inc., P.O. Box 1113, Billings, Wyo.  
No. 1 Dakota 58361

CLASS B -- Wooden and metal buildings of all descriptions set up and component packages thereof between all points and places in the Counties of Sheridan, Roosevelt and Richland.

(SUB A) ~~CLASS B -- Authorized to transport~~ wooden and metal buildings of all descriptions, set up and component packages thereof between all points and places in the following counties: Dawson, Wibaux, Prairie and Fallon.

DONALD L. TAMIETTI, 3010 Dexter Street, Butte, Montana  
59701.

CLASS C - houses and buildings of all types between  
points and places in the following counties: Silver  
Bow, Deer Lodge, Beaverhead, Jefferson, Madison, and  
Powell.

JOSEPH S. GATES, Route #1, Box 232, Stevensville, Montana.

CLASS C - houses and buildings (1) between all points and places in Ravalli County; (2) between Lolo, Montana and a five (5) mile radius thereof, to all points and places in Ravalli County; and (3) between points and places in Wisdom, Montana and a five (5) mile radius thereof to all points and places in Ravalli County.

CHARLES R. PERRY, Shields Route, Livingston, Montana  
59047.

NOTE: September 16, 1977 - authority is leased to Dale E.  
Popoe Sr., and Donald I. Popoe d/b/a D & D Movers, Box  
725, Big Timber, Montana 59011 (Sweet Grass County).

PSC NO. 3348

CHARLES R. PERRY, Shields Route, Livingston, Montana  
59047.

CLASS B - houses, barns and garages, to and from all  
points and places in Park and Gallatin Counties, Mon-  
tana.

SUB A CLASS C - buildings of all types, between points and  
places within a radius of 150 miles of Helena, Montana.

RAY E. VOLFE d/b/a RAY'S ENTERPRISES, 555 Wilcox Lane,  
Corvallis, Montana 59828.

CLASS C - houses and buildings of all types between all  
points and places in Ravalli County, Montana.

SUB A

CLASS C - houses and buildings in a completely con-  
structed form (but not including pre-fabricated or  
disassembled houses and buildings) between all points  
and places in Montana situated west of a line drawn  
from the northwest corner of the State of Wyoming and  
extending due north to the Canadian border.

NELS J. SORRENSEN, JR., Dagaar, Montana.

CLASS C - steel bins, between all points and places in  
Sheridan, Daniels and Roosevelt Counties.

GARY TREWEEK d/b/a TREWEEK CONSTRUCTION, Kalispell,  
Montana 59901.

CLASS B - houses and buildings (1) between points and places in Flathead County; (2) from points and places in Flathead County to points and places in Sanders, Lake and Lincoln Counties; and (3) from points and places in Sanders, Lake and Lincoln Counties to points and places in Flathead County.

SUB A

CLASS C - buildings and structures, with headquarters at Polson, Montana, between points and places within Lake and Sanders Counties and between points and places 100 miles north of Polson, Montana on U.S. Highway 93 and 100 miles south of Polson, Montana, on U.S. Highway 93.



PSC NO. 3122

GEORGE LOUDON and MADELINE E. LOUDON c/b/a LOUDON HOUSE  
MOVING, P.O. Box 122, Brockway, Montana.

CLASS C - houses and other buildings between points and  
places in the Counties of McCone and Richland.

SUB A.

CLASS B - houses and buildings between all points and  
places within the counties of Dawson, Prairie, Gar-  
field, Fallon, Wibaux and Custer.

DUANE OSTERNILLER, 129 Charlene Street, Billings, Montana 59101.

CLASS C - houses and all types of buildings (not including knocked down or disassembled prefabricated structures) between all points and places within a 150 mile radius of the City of Billings, Montana.

ELMER MEIDINGER, #2 5th Ave. North, Glasgow, Montana  
59230.

CLASS C - buildings, houses and grain bins between all  
points and places in Valley, Phillips, Roosevelt,  
McCone and Daniels Counties.

ARVID JOHN BLESSING, Box 114, Havre, Montana.

CLASS C - houses and buildings between Hingham and Lothair, Montana along U.S. Highway No. 2 and over county and other rural roads, within a distance not to exceed fifty (50) miles north of said U.S. Highway and fifty (50) miles south of said U.S. Highway as it runs between these points of Hingham and Lothair.

PSC No. 2558- WAYNE OVERHOLS, COLUMBUS, MT. Box 544

CLASS B- Authorized to transport Livestock as a common carrier in Intrastate by motor vehicles for hire over and on the public highways of the State of Montana, between all points and places in the State of Montana.

Sub.A) CLASS C - Authorized to transport property as a Contract carrier in Intrastate by motor vehicles for hire over and on the public highways of the State of Montana within the town of Columbus, Mt., and to and from points and places tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from Columbus. LIMITATIONS: Transportation of petroleum products in bulk, and heavy mining machinery and equipment is prohibited. Service is not authorized between points and places served by rail carriers, by Class "A" and Class "B" motor carriers operating over U.S. Highway 10, and between Columbus and Absarokee over unnumbered country roads. Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

SUB. B) CLASS C :- Authorized to transport houses and buildings of all types as a Contract carrier in Intrastate for hire over and on the public highways of the State of Montana between all points and places in the following counties: Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Powell, Lewis & Clark, Ravalli, Granite, Deer Lodge, Beaverhead, Madison, Silver Bow, Jefferson, Broadwater, Meagher, Wheatland, Golden Valley, Musselshell, Treasure, Rosebud, Carter, Powder River, Big Horn, Yellowstone, Carbon, Stillwater, Sweet Grass, Park and Gallatin. LIMITATIONS : Transportation between points and places in Valley, Daniels, Roosevelt, Sheridan and Richland Counties is prohibited.

SUB. C) CLASS D - Authorized to transport ashes, trash, waste, refuse, rubbish and garbage, as a Class D common carrier, within the town of Columbus, Montana, and to and from points and places tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from Columbus. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized. LIMITATIONS: Transportation of petroleum products in bulk, and heavy mining machinery and equipment is prohibited. Service is not authorized between points and places served by rail carriers, by Class A and Class B motor carriers operating over U.S. Highway 10 and between Columbus and Absarokee over unnumbered country roads.

PSC NO. 2221

VICTOR E. KUNESH, P.O. Box 1412, Great Falls, Montana  
59401.

CLASS C - buildings in Great Falls, Montana and within  
a radius of 100 miles of Great Falls, Montana.

PSC NO. 2208

ARNOLD B. DIRKES, P.O. Box B, Great Falls, Montana.

CLASS C - buildings only between points and places  
within a radius of one-hundred (100) miles of Fair-  
field, Montana.

NEWTON E. CUMMINGS, Box 1011, Malta, Montana.

CLASS C - buildings in Malta, Montana and between points and places within a radius of 50 miles of Malta, Montana.



IRA A. HALL, Box 262, Chinook, Montana 59523.

CLASS C - houses, livestock, farm machinery, farm products and bridge lumber, within the town of Malta and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town.

LIMITATIONS: Service between points served by railroad or motor carriers is prohibited.

SUB A

CLASS C - houses and buildings of all types and sizes, between all points and places in the following counties: Glacier, Toole, Liberty, Hill, Blaine, Phillips, Pondera, Teton, Chouteau, Cascade, Judith Basin, Fergus, Petroleum, Garfield, McCone, Dawson, Prairie, Wibaux, Custer, Fallon, Sheridan, Roosevelt, Richland and Daniels.

LIMITATIONS: Transportation between points and places in Valley County, Montana is prohibited.

SUB B

CLASS C - houses and buildings of all types and sizes between all points and places in Valley County, over any or all state highways, country and county roads.

IRA A. HALL, Box 262, Chinook, Montana 59523.

CLASS C - houses, livestock, farm machinery, farm products and bridge lumber, within the town of Malta and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town.

LIMITATIONS: Service between points served by railroad or motor carriers is prohibited.

SUB A      CLASS C - houses and buildings of all types and sizes, between all points and places in the following counties: Glacier, Toole, Liberty, Hill, Blaine, Phillips, Pondera, Teton, Chouteau, Cascade, Judith Basin, Fergus, Petroleum, Garfield, McCone, Dawson, Prairie, Wibaux, Custer, Fallon, Sheridan, Roosevelt, Richland and Daniels.

LIMITATIONS: Transportation between points and places in Valley County, Montana is prohibited.

SUB B      CLASS C - houses and buildings of all types and sizes between all points and places in Valley County, over any or all state highways, country and county roads.

PSC NO. 1759-  
Duane Lutnes and Bernard B. Lutnes d/b/a/ Lutnes Movers,  
Rt. 2, Box 4, Westby, Mt. 59275

- A ) CLASS C - Property within the town of Scobey, Montana, and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town. LIMITATION: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

CLASS B- Buildings, mainly houses; steel buildings (set up) and packages and components thereof, between all points and places in Sheridan, Richland, Roosevelt and Daniels Counties.

PSC No. 1617 -- Lyle C. Davis, Box 51, Nashua, MT 59243

CLASS C--Shacks and houses within the town of Glasgow, Montana, and to or from points tributary thereto, but within a distance not exceeding fifty (50) miles in any direction from said town.

CLASS C--Buildings within the city of Choteau, Montana, and to or from points and places in Teton and Pondera Counties.

CLASS C--Property, in the City of Choteau, Montana, and to or from points and places within a radius of thirty miles thereof, and feed, oils and greases in containers, farm machinery and equipment between Great Falls, Montana and farms and ranches within thirty miles of Choteau, Montana. LIMITATIONS: The transportation of property (except household goods) between points served by rail carriers, or between points served by a motor carrier operating between fixed termini or over a regular route, is prohibited.

LIMITATION: Transportation of ashes, trash, waste, refuse, rubbish and garbage is prohibited.

UB A) CLASS D--Ashes, trash, waste, refuse, rubbish and garbage in the City of Choteau, Montana and to or from points and places within a radius of thirty miles thereof. Carrier is allowed to transport authorized commodities to certified landfills from territory authorized.

CARL R. and/or IVA L. CHRISTENSEN d/o/a CHRISTENSEN  
HOUSE MOVERS, Hot Springs, Montana 59845.

CLASS B - buildings, between all points and places  
within the State of Montana.

FORREST L. ZION, P.O. Box 2082, 3016 5th Avenue No.,  
Great Falls, Montana.

CLASS C - bridges, intact outdoor movie screens, intact silos, intact radio, television and electrical towers, and grandstands of unusual size or shape or weight, requiring the use of special equipment, to, from and between all points and places in the State of Montana.

SUB A      CLASS C - houses, buildings and large used water tanks requiring special equipment, with headquarters in Great Falls, Montana, between all points and places in the State of Montana.

Montana Building Movers  
Albuquerque #2  
January 25, 1979

LISTING OF BUILDING MOVERS LICENSED IN MONTANA  
WITH TERRITORIES FOR WHICH LICENSED



AGENT - BONDING COMPANY \_\_\_\_\_

ADDRESS \_\_\_\_\_

HIGHWAY PROPERTY WHICH WILL REQUIRE REMOVAL AND REPLACEMENT \_\_\_\_\_

EXACT LOCATION OF HIGHWAY PROPERTY \_\_\_\_\_

BRIDGES - OVERPASSES - OVERHEAD SIGNALS AND SIGNS ON ROUTE WHICH MUST BE CLEARED BY  
LOCATION \_\_\_\_\_

ATTACH DRAWING OF WHEEL AND AXLE ARRANGEMENT SHOWING THE PROPOSED WEIGHT DISTRIBUTION.

ARE PILOT CARS TO BE USED RADIO EQUIPPED? \_\_\_\_\_ TOW VEHICLE? \_\_\_\_\_

OTHER INFORMATION \_\_\_\_\_

ATTACH PHOTOGRAPHS OF PROPERTY TO BE MOVED, IF AVAILABLE.

THE APPLICANT AGREES TO PAY ALL COSTS OF THE DEPARTMENT OF HIGHWAYS IN PROCESSING APPLI-  
CATION OR GRANTING A PERMIT HEREUNDER. AND THE APPLICANT FURTHER AGREES TO PAY ALL THE  
COSTS OF REMOVAL AND REPLACEMENT OF SIGNS, SIGN STRUCTURES, DELINEATORS, OR ANY OTHER  
PROPERTY THE DEPARTMENT OF HIGHWAYS REMOVES AND REPLACES. APPLICANT AGREES TO SOLE  
RESPONSIBILITY FOR THE MOVE DESCRIBED. THE APPLICANT FURTHER UNDERSTANDS THAT A MINIMUM  
OF 72 HOURS MAY BE REQUIRED TO PROCESS THIS APPLICATION.

I HEREBY CERTIFY THAT I HAVE READ THIS APPLICATION AND WILL ABIDE BY THE REGULATIONS  
GOVERNING THIS APPLICATION, AND I FURTHER UNDERSTAND THAT A PERMIT IS SUBJECT TO CON-  
FISCATION FOR VIOLATION OF THE LAW, DEPARTMENT REGULATIONS, OR FOR ALTERATION OF ANY  
WORD OR FIGURE THEREON.

SIGNATURE OF APPLICANT \_\_\_\_\_

DATE OF APPLICATION \_\_\_\_\_

NAME OF OWNER OF PROPERTY TO BE MOVED \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

WIDTH: \_\_\_\_\_ FT, \_\_\_\_\_ IN.; HEIGHT: \_\_\_\_\_ FT, \_\_\_\_\_ IN.; LENGTH: \_\_\_\_\_ FT, \_\_\_\_\_ IN.

LENGTH OF COMBINATION: \_\_\_\_\_ FT, \_\_\_\_\_ IN.

WEIGHT: \_\_\_\_\_ ESTIMATED \_\_\_\_\_ ACTUAL \_\_\_\_\_

STARTING DATE \_\_\_\_\_ ESTIMATED TIME \_\_\_\_\_

ENDING DATE \_\_\_\_\_

EXACT LOCATION OF ORIGIN OF MOVE \_\_\_\_\_

EXACT LOCATION OF DESTINATION \_\_\_\_\_

NAME OF OWNER OF PROPERTY AT DESTINATION \_\_\_\_\_

ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_ STATE & ZIP \_\_\_\_\_

PRINCIPAL MATERIAL IN CONSTRUCTION \_\_\_\_\_

OTHER MATERIALS: PLASTER \_\_\_\_\_, BRICK \_\_\_\_\_, STONE \_\_\_\_\_, STUCCO \_\_\_\_\_, OTHER \_\_\_\_\_

ROUTE (IN DETAIL): \_\_\_\_\_

NAME OF UTILITIES REQUIRED TO CLEAR ROUTE \_\_\_\_\_

RAILROAD CROSSING LOCATION \_\_\_\_\_

ARE YOU PREPARED TO BE BONDED IN FAVOR OF THE STATE OF MONTANA TO GUARANTEE COMPLETION OF THE MOVE, COST OF REPAIRS TO DEPARTMENT OF HIGHWAYS PROPERTY, AND COSTS OF REMOVING AND REPAIRING SIGNS, SIGNALS, ETC.? \_\_\_\_\_

NAME OF BONDING COMPANY \_\_\_\_\_

G.V.W. FORM NO. 32-J, Rev. 8/15/77  
Page 1

MAC 18-2.10(14)-S10180

APPLICATION FOR SPECIAL PERMIT (32-1127.2) FOR HOUSE MOVING, BUILDINGS, GRAIN ELEVATORS,  
AND ALL OTHER LARGE AND UNUSUAL OBJECTS OR ARTICLES.

(Each line must be completed. All attachments must be furnished before application will  
be reviewed.)

THE STATE OF MONTANA - DEPARTMENT OF HIGHWAYS, G.V.W. DIVISION HELENA OFFICE ONLY WILL  
PROCESS THIS APPLICATION. DATE \_\_\_\_\_

NAME OF APPLICANT \_\_\_\_\_

STREET ADDRESS OF APPLICANT \_\_\_\_\_  
(Post Office Box is not sufficient address)

TELEPHONE NO. \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

P.S.C. NO. \_\_\_\_\_ I.C.C. NO. \_\_\_\_\_ PRIVATE MOVE \_\_\_\_\_

IF A LEASE IS CONCERNED WITH OPERATING AUTHORITY, ATTACH A COPY.

POWER UNIT LICENSE NO. \_\_\_\_\_ STATE \_\_\_\_\_ YEAR \_\_\_\_\_

UNIT NO. \_\_\_\_\_ VIN NO. \_\_\_\_\_ MAKE \_\_\_\_\_ YEAR \_\_\_\_\_

IF LEASE IS CONCERNED, ATTACH A COPY.

TRAILING UNIT LICENSE NO. \_\_\_\_\_ STATE \_\_\_\_\_ YEAR \_\_\_\_\_

UNIT NO. \_\_\_\_\_ VIN NO. \_\_\_\_\_ MAKE \_\_\_\_\_ YEAR \_\_\_\_\_

TRAILING UNIT LICENSE NO. \_\_\_\_\_ STATE \_\_\_\_\_ YEAR \_\_\_\_\_

UNIT NO. \_\_\_\_\_ VIN NO. \_\_\_\_\_ MAKE \_\_\_\_\_ YEAR \_\_\_\_\_

NAME OF INSURANCE COMPANY \_\_\_\_\_

POLICY NO. \_\_\_\_\_ AGENT \_\_\_\_\_

AGENT'S ADDRESS \_\_\_\_\_ CITY \_\_\_\_\_, MONTANA

CERTIFICATE OF INSURANCE MUST BE ON FILE.

MINIMUM INSURANCE REQUIREMENTS: P.L. \$25,000/\$100,000; P.D. \$10,000.

DESCRIPTION (IN DETAIL) OF HOUSE, BUILDING, OR OBJECT TO BE MOVED \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

INFORMATION REQUIRED BY GROSS VEHICLE WEIGHT DIVISION

# CASUALTY INSURANCE

## Endorsement MV-4

The policy to which this endorsement is attached is written in pursuance of and is to be construed in accordance with the MOTOR CARRIER ACT, (TITLE 8, CHAPTER 1, RCM 1947, Sections 8-101 to 8-130), and the rules and regulations of the Public Service Commission of the State of Montana adopted thereunder. The policy is to be filed with the state in accordance with said statutes and rules.

In consideration of the premium stated in the policy to which this endorsement is attached, the Company hereby agrees to pay any final judgment recovered against the insured for bodily injury to or the death of any person or loss of or damage to property of others (excluding injury to or death of the insured's employees while engaged in the course of their employment, and loss of or damage to property of the insured, and property transported by the insured, designated as cargo), resulting from the negligent operation, maintenance, or use of motor vehicles under certificate of public convenience and necessity or permit issued to the insured by the Public Service Commission of the State of Montana, under the Motor Carrier Act (R.C.M. 1947, Sections 8-101 et seq.), within the limits of liability hereinafter provided, regardless of whether such motor vehicles are specifically described in the policy or not. It is understood and agreed that upon failure of the Company to pay any such final judgment recovered against the insured, the judgment creditor may maintain an action in any court of competent jurisdiction against the Company to compel such payment. The bankruptcy or insolvency of the insured shall not relieve the Company of any of its obligations hereunder. The liability of the Company extends to such losses, damages, injuries, or deaths whether incurring on the route or in the territory authorized to be served by the insured or elsewhere in the State of Montana.

The liability of the Company on each motor vehicle for the following limits shall be a continuing one notwithstanding any recovery hereunder:

### SCHEDULE OF LIMITS

#### MOTOR CARRIERS — BODILY INJURY LIABILITY — PROPERTY DAMAGE LIABILITY

| (1)<br>KIND OF EQUIPMENT                                       | (2)<br>Limit for bodily injuries to or death of one person | (3)<br>Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of \$25,000 for bodily injuries to or death of one person) | (4)<br>Limit for loss or damage in any one accident to property of others (excluding cargo) |
|--|--|--|---|
| Passenger Equipment (Seating Capacity)                         |  |  |   |
| Seven passengers or less.....                                  | \$25,000   | \$100,000  | \$10,000  |
| 8 to 12 passengers, inclusive.....                             | 25,000   | 150,000  | 10,000  |
| 13 to 20 passengers, inclusive.....                            | 25,000   | 200,000  | 10,000  |
| 21 to 30 passengers, inclusive.....                            | 25,000   | 250,000  | 10,000  |
| 31 passengers or more.....                                     | 25,000   | 300,000  | 10,000  |
| Freight Equipment  |  |  |   |
| All motor vehicles used in the transportation of property..... | \$25,000   | \$100,000  | \$10,000  |

Nothing contained in the policy or any other endorsement thereon, nor the violation of any of the provisions of the policy or of any endorsement thereon by the insured, shall relieve the Company from liability hereunder or from the payment of any such final judgment.

This endorsement may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to the Public Service Commission of the State of Montana at its offices at 1227 11th Avenue, Helena, Montana 59601, said thirty (30) days' notice to commence to run from the date notice is actually received at the office of said Commission.

Attached to and forming a part of Policy No.....issued by the

.....Insurance Company to

# Inland Marine Insurance (Cargo)

## ENDORSEMENT MV-2 PROPERTY BEING TRANSPORTED

The policy to which this endorsement is attached is written in pursuance of and is to be construed in accordance with Chapter 310, Revised Codes of Montana, 1935, (Sections 3847.1-3847.28), and the rules and regulations of the Public Service Commission of the State of Montana adopted thereunder. The policy is to be filed with the State in accordance with said statute.

In consideration of the premium stated in the policy to which this endorsement is attached, the Company hereby agrees to pay, within the limits of liability hereinafter provided, any shipper or consignee for all loss of or damage to all property belonging to such shipper or consignee, and coming into the possession of the Insured in connection with its transportation service, for which loss or damage the Insured may be held legally liable, regardless of whether the motor vehicles, terminals, warehouses, and other facilities used in connection with the transportation of the property hereby insured are specifically described in the policy or not. The liability of the Company extends to such losses or damages whether occurring on the route or in the territory authorized to be served by the Insured or elsewhere.

Within the limits of liability hereinafter provided it is further understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, or any other endorsement thereon or violation thereof, or of this endorsement by the Insured, shall affect in any way the right of any shipper or consignee, or relieve the Company from liability for the payment of any claim for which the Insured may be held legally liable to compensate shippers or consignees, irrespective of the financial responsibility or lack thereof or insolvency or bankruptcy of the Insured. However, all terms, conditions, and limitations in the policy to which this endorsement is attached are to remain in full force and effect as binding between the Insured and the Company. The Insured agrees to reimburse the Company for any payment made by the Company on account of any loss or damage involving a breach of the terms of the policy and for any payment that the Company would not have been obligated to make under the provisions of the policy, except for the agreement contained in this endorsement.

The liability of the Company for the limits provided in this endorsement shall be a continuing one notwithstanding any recovery hereunder. The Company shall not be liable for an amount in excess of \$1,000, in respect of any loss of or damage to or aggregate of losses or damages of or to the property hereby insured occurring at any one time or place, nor in any event for an amount in excess of \$1,000, in respect of the loss of or damage to such property carried on any one motor vehicle, whether or not such losses or damages occur while such property is on a motor vehicle or otherwise.

This endorsement may not be cancelled without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the Insured giving thirty (30) days' notice in writing to the Public Service Commission at its office at 1227 11th Avenue, Helena, Montana 59601, said thirty (30) days' notice to commence to run from the date notice is actually received at the office of said Public Service Commission.

Attached to and forming a part of Policy No. .... issued by the

..... (herein called Company) of.....

..... to.....

Dated at..... this..... day of....., 19.....

Countersigned by.....

(Authorized Company Representative)

STATE OF MONTANA,

County of \_\_\_\_\_ } ss.

\_\_\_\_\_, being first duly sworn, deposes and says that he is the applicant named above; that he has read the foregoing application and knows the contents thereof; that the same is true of his own knowledge, except as to matters which are therein stated on information or belief, and as to those matters he believes it to be true.

Date \_\_\_\_\_, 19\_\_\_\_ (Signature of Applicant) \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Notary Public for the State of \_\_\_\_\_

Residing at \_\_\_\_\_

My Commission expires \_\_\_\_\_

## APPENDIX

### CERTIFICATION FORM

#### TO THE PUBLIC SERVICE COMMISSION OF THE STATE OF MONTANA:

The undersigned states that he, or the corporation, association, or partnership which he represents, has agreed to support the application filed by: \_\_\_\_\_

(Name of Applicant)

and to which application this certification will be attached; that applicant's proposed service is desired for the transportation of \_\_\_\_\_

(Indicate the type of service desired by this witness)

from and to or between the following points or areas: \_\_\_\_\_

(Indicate areas desired by this witness for additional service)

At the public hearing to be held on this application, the undersigned, or an authorized and qualified representative of the corporation, association, or partnership which he represents, will appear and testify on applicant's behalf.

Should the support for this application be withdrawn or changed in whole or in part, the undersigned agrees immediately so to inform the Public Service Commission of the State of Montana, 1227 11th Avenue, Helena, Montana 59601.

The undersigned hereby states that he is duly qualified and authorized to make this certification of support.

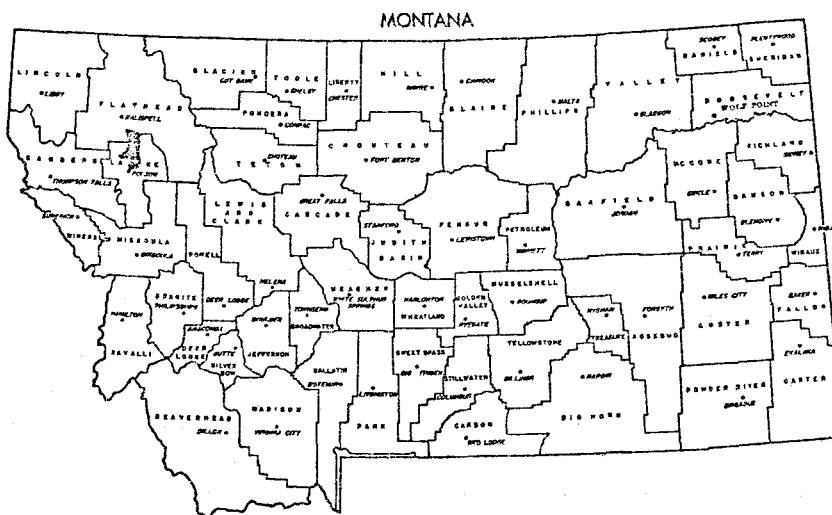
Dated \_\_\_\_\_, 19\_\_\_\_

(Firm, corporation, association, partnership, etc., represented, if any.) \_\_\_\_\_

(Signature)

(Title)

12. A map of the proposed operation is shown herewith. (For information of Commission only.) Applicant should color that portion of the state map within which he intends to operate.



13. STATEMENT OF ASSETS AND LIABILITIES (Attach sheet if space is insufficient).

| Description | Assets | Liabilities |
|-------------|--------|-------------|
|             |        |             |
| Total       |        |             |

14. **IMPORTANT**—You must read and if granted a certificate of public convenience and necessity by this Commission, comply with all of the rules and regulations of the Commission and the laws of the State of Montana pertaining to motor carriers.

Will you do so? \_\_\_\_\_  
(Yes or No)

15. Applicant understands that the filing of this application does not in itself constitute authority to operate.
16. Enclosed is bank draft, money order or certified check for \$\_\_\_\_\_ filing fee.
17. In the event the evidence at the hearing indicates the applicant is entitled to receive a form of authority other than that applied for, such other form of authority, either Class A, B or C will be granted.
18. Applicant also applies for operating authority in interstate and foreign commerce within the scope of the intrastate operating authority applied for herein. (Section 206 (a) (6), Interstate Commerce Act, as amended October 15, 1962, Public Law 87-805). (Class "C" Carriers excluded)? \_\_\_\_\_  
(Yes or No)

(FOR INFORMATION OF COMMISSION ONLY)

19. As all applications for certificates of public convenience and necessity must be supported by evidence from witnesses other than applicant the following form must be prepared by the supporting witnesses. The responsibility of preparing this form rests upon the applicant. All forms are to be attached to the application prior to the submission of the application to the Public Service Commission.

**DIRECTIONS**—Applicant **MUST** attach to this application certifications of support from each supporting witness who will testify in applicant's behalf. The certifications of support must be prepared in the form prescribed in the Appendix to this application form. This certification of support must be signed by the individual, or by an authorized representative of the corporation, association, or partnership, upon whose support applicant intends to rely.

Except for good cause shown, no application for a certificate of public convenience and necessity will be accepted for filing unless it is accompanied by the certifications of support of such witnesses. The submission of the certifications will not prevent applicant from presenting evidence of additional witnesses. The certifications of support will not be considered as supporting evidence but merely as notification to the Commission of the type and quantity of evidence to be received. The certifications will serve the additional purpose of notifying this Commission of the approximate number of witnesses who will be present in support of an application.

(Over)



7. Names and addresses of all persons, firms, or corporations now furnishing similar service by means of motor lines, rail lines or other means, between any of the points or along any portion of the route proposed to be served:

---

---

---

---

---

8. The conditions which are relied upon by applicant as justifying the issuance of a Certificate are

---

---

---

(Must be amply supported by evidence at hearing)

9. LIST OF EQUIPMENT:

| Year and Make of Vehicle | Motor Number | Seating Capacity | Tonnage Capacity |
|--------------------------|--------------|------------------|------------------|
|                          |              |                  |                  |
|                          |              |                  |                  |
|                          |              |                  |                  |
|                          |              |                  |                  |
|                          |              |                  |                  |
|                          |              |                  |                  |
|                          |              |                  |                  |
|                          |              |                  |                  |
|                          |              |                  |                  |

10. PROPOSED TIME SCHEDULE (Required only of Class A carriers)

| Mileage | Stations | Read Down | Read Up |
|---------|----------|-----------|---------|
|         |          | Lv.       | Ar.     |
|         |          |           |         |
|         |          |           |         |
|         |          |           |         |
|         |          |           |         |
|         |          |           |         |
|         |          |           |         |
|         |          |           |         |
|         |          |           |         |
|         |          | Ar.       | Lv.     |

11. PROPOSED TARIFF OF RATES AND CHARGES per adult passenger or per 100 lbs. freight.  
(Required only of Class A and B carriers)

---

**DEPARTMENT OF PUBLIC SERVICE REGULATION**  
**APPLICATION FOR INTRASTATE CERTIFICATE OF**  
**PUBLIC CONVENIENCE AND NECESSITY**

**THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF MONTANA**

Application is hereby made to the Public Service Commission of the State of Montana for an intrastate certificate of public convenience and necessity, as provided by Chapter 1 of Title 8, R. C. M. 1947, as amended, and in this behalf it is respectfully represented:

**PLEASE ANSWER EACH QUESTION DEFINITELY**

1. Name of Applicant \_\_\_\_\_  
 (Print or type)  
 Address \_\_\_\_\_  
 (Street and Number) (City and State)  
 How long have you been a resident of (a) \_\_\_\_\_ (b) \_\_\_\_\_  
 (Montana) (The City or town above mentioned)
2. If partnership, give name and address of partners; if corporation, give name and address of the president and secretary \_\_\_\_\_  
 \_\_\_\_\_
3. Applicant proposes to operate as a Class \_\_\_\_\_ carrier.  
 (Class A, B or C)
4. The route over which it is intended to operate is:  
 (a) If Class A service fill in the following:  
 Between \_\_\_\_\_ and \_\_\_\_\_ over \_\_\_\_\_  
 (Give numbers of highways)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Intermediate and off-route points to be served: \_\_\_\_\_  
 \_\_\_\_\_  
 (b) If Class B or C service fill in the following:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 (Territory and towns to be served, distance by highways and highway numbers)  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
5. Applicant proposes to transport the following (specify articles to be transported):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 (Give types of commodities in detail)
6. Applicant proposes to transport (a) \_\_\_\_\_ (b) \_\_\_\_\_  
 (Persons) (Baggage and express)  
 (Over)

DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION

Here, enclosed, is an application for PSC authority.

If completing paragraph 4(b), the following type of wording should be used on the first two lines: (This will not, of course, cover all situations, but will give a general idea as to the type of wording required.)

If you wish to transport within a city and a certain radius thereof, say: "Within the city of \_\_\_\_\_ and a \_\_\_\_\_ mile radius thereof".

If you wish to transport within a county or counties, say: "Between all points and places within \_\_\_\_\_ county" or "Between all points and places in the following counties:", then name the counties.

If you wish to originate and terminate within a specified area, say: "Between all points and places in the following counties: \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_. LIMITATION: Transportation must originate and terminate in \_\_\_\_\_ county."

If you wish statewide authority, say: "Between all points and places in the state of Montana".

If you have any questions before completing the form, please call or write and we will be glad to assist you. You may also need assistance in completing paragraph 5. Call 449-2549, leave a message, and we will be glad to return your call.

Please remember that it is necessary at a public hearing to have your application supported by "shipper" witnesses in person. This means the actual individuals who have asked or who would ask to use the services for which you are applying. These "shipper" witnesses must testify in support of the application in regard to public convenience and necessity or the "demand" existing for the granting of this application.

Fees for applications are based on the number of counties in which you wish to operate. Effective July 1, 1977, the fees are:

|                        |   |          |
|------------------------|---|----------|
| 1 through 5 counties   | - | \$100.00 |
| 6 through 25 counties  | - | \$200.00 |
| 26 through 56 counties | - | \$300.00 |

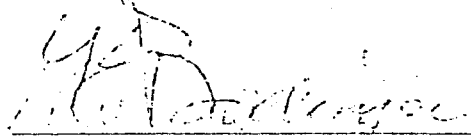
If, after a public hearing, your application is approved, we will inform you of other fees, insurance and possible tariff and time schedule requirements.

If for any reason you do not complete your request for a Certificate of Public Convenience and Necessity, your application will be cancelled and you will be required to refile and pay proper fees.

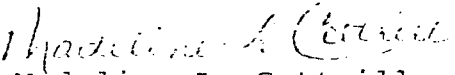
INFORMATION REQUIRED BY PUBLIC SERVICE COMMISSION

IT IS FURTHER ORDERED that a full, true and correct copy of this order be sent forthwith by certified mail to the applicant herein, and by first class United States mail to all other appearances herein.

DONE at Helena, Montana, this 3rd day of January, 1978.

  
GORDON E. BOLLINGER, Chairman  
& Hearing Examiner

ATTEST:

  
Madeline L. Cottrill  
Acting Secretary

(SEAL)

CONCLUSION OF LAW

Public Convenience and Necessity require the authorization of the proposed service for these reasons:

- (a) A clear need for expanded building moving service in Valley County was shown;
- (b) The applicant is fit, willing and able to provide such service;
- (c) Existing service, while of adequate quality, appears insufficient to handle all the requirements of Valley County; and
- (d) Authorization of the proposed service will have no ill effects on existing services in the area in the foreseeable future.

ORDER

THEREFORE IT IS ORDERED that the application of Ira A. Hall, P.O. Box 262, Chinook, Montana 59523, for a certificate of public convenience and necessity authorizing the transportation of houses and buildings of all types and sizes, as a Class C carrier, between all points and places in Valley County, over any or all State highways, country and county roads, be granted.

IT IS FURTHER ORDERED, pursuant to MAC 1-1.6(2)-P6190, that this is a proposed order. Any party shall have the opportunity to file exceptions to this initial decision, present briefs and make oral arguments before a majority of the Commission, provided such exceptions, briefs and requests for oral argument are presented to this Commission within thirty (30) days from the service date of this proposed order.

telephone directory advertisements.

6. Mr. Hall was supported by two individuals who had houses moved: Mrs. Carolyn Rasmussen and Mr. Gary Martin. Both witnesses stated that they judged protestant Meidinger unsatisfactory because of waiting periods or a reputation for inadequate service. Both witnesses found the applicant's service conscientious and timely.

7. Bob Montgomery, G.V.W. Inspector in Havre, also supported Mr. Hall. Mr. Montgomery stated that the continuing unauthorized operations of Bill Sensibaugh demonstrate that there is business in Valley County. Mr. Montgomery testified that he has never had problems with either the applicant or the protestant.

8. The applicant's final supporting witness was Milton "Shorty" Cross, a house mover from Havre, Montana. Mr. Cross holds MRC certificate No. 2206, authorizing house moving within a 150 mile radius of Big Sandy.

9. Mr. Cross testified that he also has calls from Valley County; he cannot take these, as his authority does not extend that far. Mr. Cross stated that he often works with Mr. Hall, and always finds his work satisfactory.

10. The only protestant was Elmer Meidinger, a Glasgow house mover. Under examination, Mr. Meidinger admitted that although he does not actively solicit business, he has all the business that he can handle.

HELD

APPLICATION GRANTED.

From the Evidence, the Commission makes the following:

FINDINGS OF FACT

1. Applicant Ira A. Hall, was the first witness. Mr. Hall holds certificates MRC 1896 and 1896(a); these certificates authorize the moving of buildings in 24 counties in Montana.

2. Mr. Hall's principal office is at his farm seven miles north of Chinook. Mr. Hall has engaged in building moving for more than 30 years, and presently employs five people.

3. Mr. Hall owns three large trucks and three pickup trucks. He owns sufficient equipment now to work in Valley County, and would be willing to purchase more equipment if the need outstrips his projections. Mr. Hall introduced a Financial Statement (Exhibit 1) to support his testimony.

4. Mr. Hall received several calls to move houses during the summer: several that he did not record, as well as calls from Floyd Nelson, Gary J. Martin and Mrs. Carolyn Rasmussen. He stated that he referred the callers to the protestant, Mr. Meidinger, but they returned and insisted that Mr. Hall move them. Mr. Hall estimated that he generally gets 5-6 calls per year from Valley County.

5. Mr. Hall makes his service known to the public through calenders, pads, and pencils, as well as newspaper, radio and



Service Date: January 10, 1978

FINDINGS AND PROPOSED ORDER NO. 2472

DEPARTMENT OF PUBLIC SERVICE REGULATION  
MONTANA PUBLIC SERVICE COMMISSION

DOCKET NO. 3432

Application of Ira A. Hall, P.O. Box 262, Chinook, Montana 59523, for a certificate of public convenience and necessity authorizing the transportation of houses and buildings of all types and sizes, as a Class C carrier, between all points and places in Valley County, over any or all State highways, country and county roads.

Notice being given, the public hearing in Docket No. 3432 was held in the Public Library, Chinook, Montana, at 10:00 a.m., October 19, 1977.

APPEARANCES

FOR THE APPLICANT:

Ira A. Hall

Loren J. O'Toole, Attorney  
at Law, Plentywood, Montana

FOR THE PROTESTANT:

Elmer Meidinger  
Lyle Davis (By Letter)

FOR THE COMMISSION:

Rob Smith, Staff Attorney

BEFORE:

Chairman Gordon E. Bollinger, Hearing Examiner

ORDER GRANTING EXTENSION OF TERRITORY

January 1, 1978 5:55 PM December 6, 1976

| DATE     | NAME          | ADDRESS               | DESCRIPTION                                  | PR    |
|----------|---------------|-----------------------|--|-------|
| 11/11/76 | William Betts | Phillipsburg, Montana | Move a' 25 x 32 log cabin                    | \$4,6 |
| 12/3/76  | Robert McG    | Chester, Montana      | Move double wide trailer                     | 1,6   |
| 12/5/76  | Wes Gauger    | Billings, Montana     | Move 24 x 26 house with attached 8 x 10 room | 4,3   |
| 12/5/76  | John Bourne   | Fairfield, Montana    | Move 2 story house, 24 x 26                  | 3,0   |

January 1, 1976 to December 31, 1976

| DATE      | NAME                        | ADDRESS                   | JOB DESCRIPTION   | PRICE    |
|-----------|-----------------------------|---------------------------|---|----------|
| 7/1/76    | Ray Beardsley               | Conrad, Montana           | Move double wide trailer  | \$1,750. |
| 7/22/76   | Frank Kreft                 | Inverness, Montana        | Move 5 bins   | 5,000.   |
| X 7/27/76 | Wayne Riley                 | Great Falls, Montana      | Move house  | 3,200.   |
| 7/26/76   | Bill Werhane                | West Yellowstone, Montana | Move 26 x 40 house with attached garage                         | 5,500.   |
| 8/5/76    | Sharon Hulett               | Bozeman, Montana          | Move stone house located at Winston                             | 10,000.  |
| X 8/4/76  | Charlie Bovey               | Virginia City, Montana    | Move two bldgs. from Iron Rod to Nevada City                    | 3,600.   |
| 8/12/76   | Larry Bender                | Bozeman, Montana          | Move bldg. 22 x 40 x 20 high                                    | 4,480.   |
| X 8/15/76 | Columbia Gardens Foundation | Butte, Montana            | Move portions of old Columbia Gardens                           | 24,000.  |
| 8/20/76   | Mary Pollis                 | Great Falls, Montana      | Move house from Ulm to Great Falls                              | 3,200.   |
| 8/20/76   | Warren Woodburn             | Geraldine, Montana        | Move building   | 5,760.   |
| 8/30/76   | Greg Nelson                 | Great Falls, Montana      | Move modular home onto foundation                               | 1,600.   |
| 8/31/76   | Barry Neumack               | Great Falls, Montana      | Move house from Riceville to ranch                              | 7,640.   |
| 8/31/76   | Mr. Toenyes                 | Great Falls, Montana      | Move old Milwaukee Bldg.  | 4,800.   |
| 9/18/76   | Leo Bialek                  | Inverness, Montana        | Move house from Inverness to Rudyard                            | 3,520.   |
| 9/1/76    | H.W. Quanback               | Bozeman, Montana          | Move 40 x 80 building   | 7,630.   |
| 9/17/76   | Otis Pyatt                  | Great Falls, Montana      | Move 24 x 30 house  | 3,200.   |
| 9/28/76   | Con Agre                    | Great Falls, Montana      | Move Fertilizer Plant to Townsend                               | 16,930.  |
| 9/27/76   | Bob Anderson                | Augusta, Montana          | Move barn from Choteau to Augusta                               | 2,500.   |
| 9/30/76   | Jesse Spotted Bear          | Browning, Montana         | Move house from Two Medicine to Browning                        | 3,000.   |
| 9/29/76   | Paul Talmage                | Great Falls, Montana      | Move trailer addition to Great Falls from Browning. 44' x 12'4" | 2,500.   |
| 10/6/76   | Floyd Meland                | Star Route, Vaughn, Mont. | Move house (Webb Smith)   | 3,000.   |
| 10/1/76   | Owen Pett                   | Fort Benton, Montana      | Move 2 story house, 30 x 50                                     | 6,400.   |
| 10/20/76  | D.J. Const.                 | Cut Bank, Montana         | Move 24' x 30' house  | 3,200.   |
| 10/20/76  | Froman Drilling             | Cut Bank, Montana         | Move 20 x 30 house  | 2,500.   |
| 10/19/76  | M.J. McKay                  | Helena, Montana           | Move 1 story house 25 x 35                                      | 3,600.   |
| 11/1/76   | Jack Strong                 | Bozeman, Montana          | Move 30 x 80 Railroad Station                                   | 3,200.   |
| 11/4/76   | Mr. Doheny                  | Button, Montana           | Move house in Fort Denton                                       | 4,500.   |

January 1, 1975 thru December 31, 1976

| DATE    | NAME                      | ADDRESS              | JOB DESCRIPTION  | BID PRICE  |
|---------|---------------------------|----------------------|--|------------|
| 5/7/75  | Arnie Belg                | Conced, Montana      | Move 1 story house, 33 x 32 from Midway Road to Conrad.                        | \$2,000.00 |
| 5/12/76 | Terry Allen               | Great Falls, Montana | Move double wide trailer   | 1,800.00   |
| 5/17/76 | Mrs. Bob Brown            | Lden Route           | Move double wide trailer   | 1,800.00   |
| 5/27/76 | Frank Drge                | Big Sandy, Montana   | Move 28 x 140 Butler Bldg.   | 6,400.00   |
| 6/1/76  | Nels Cornelius            | Fairfield, Montana   | Move house in Fairfield  | 5,000.00   |
| 6/7/76  | Dennis Shupak             | Hilger, Montana      | Move bridge at Judith  | 13,000.00  |
| 6/7/76  | Burton Raw                | Garnet               | Move 17 x 24 bldg.   | 800.00     |
| 5/27/76 | Hill County Commissioners | Havre, Montana       | Move State Highway Dept. buildings   | 34,960.00  |
| 5/3/76  | Turner Agency             | Shelby, Montana      | Move two houses  | 8,000.00   |
| 6/24/76 | Phil Cassel               | Havre, Montana       | Move 50' x 100' Butler bldg.   | 8,735.00   |
| 6/11/76 | Carnest Nelson            | Big Timber, Montana  | Move house   | 7,560.00   |
| 6/30/76 | Gordon Ecker              | Stanford, Montana    | Move Dover Grain Elevator  | 11,800.00  |
| 6/30/76 | Dan Morse                 | Havre, Montana       | Move schoolhouse   | 3,000.00   |
| 6/30/76 | George Peterson           | Denton, Montana      | Move Coffes Creek School   | 11,500.00  |
| 6/30/76 | Don Heppner               | Great Falls, Montana | Move double wide mobile trailer approx. 38 miles                               | 1,750.00   |
| 7/6/76  | Fred Sackmann             | Fallon, Montana      | Move 53' x 32' house to Miles City   | 7,600.00   |
| 7/20/76 | George Frankovich         | Butte, Montana       | Move house   | 4,000.00   |
| 7/8/76  | Lambros Realty            | Missoula, Montana    | Move brick house   | 17,500.00  |
| 7/15/76 | Dean Hellinger            | Devony, Montana      | Move 30 x 40 metal bldg. from West of Shelby to Devon                          | 3,200.00   |
| 7/22/76 | Gene Coder                | Havre, Montana       | Move house, 30 x 40  | 6,600.00   |
| 7/29/76 | Malmstrom AFB             | Great Falls, Montana | Move 51 x 63 metal building  | 6,520.00   |
| 7/29/76 | Bill Cox                  | Havre, Montana       | Move house, 36 x 40  | 4,800.00   |
| 7/16/76 | Temple Reaver             | Great Falls, Montana | Move Bulk Plant  | 9,900.00   |
| 7/12/76 | Halcro                    | Power, Montana       | Move barn, 20 x 70, 20 high  | 1,920.00   |
| 7/16/76 | John Morris               | Livingston, Montana  | Move 24 x 20 house   | 3,600.00   |
| 7/13/76 | Steve Oreskovich          | Great Falls, Montana | Move old Fish and Game house located between Choteau & Fairfield to Fairfield. | 5,000.00   |

January 1, 1975 thru December 6, 1976

| DATE    | NAME                        | ADDRESS                  | JOB DESCRIPTION  | PRICE     |
|---------|-----------------------------|--------------------------|--|-----------|
| 3/1/76  | Edna                        | Refugio, Montana         | 2 story house 26 x 36, Move  | 55,000.00 |
| 3/13/76 | Mark Buchanan Const.        | Moore, Montana           | Move 1 1/2 story house, 24 x 36  | 3,500.00  |
| 4/31/76 | Montana Mineral Field, Inc. | Choteau, Montana         | Move elevator from Dymun to Choteau  | 10,160.00 |
| 3/29/76 | Fred Glynn                  | Geraldine, Montana       | Move Church from Square Butte to Geraldine   | 6,000.00  |
| 3/21/76 | Dr. Pallister               | Boulder, Montana         | Move greenhouse  | 2,750.00  |
| 4/1/76  | Mauser Lodge                | Conrad, Montana          | Move Target Bar to Conrad  | 20,000.00 |
| 4/15/76 | Dorothy Tobin               | Helena, Montana          | Move house   | 3,000.00  |
| 4/15/76 | Montana Power Co.           | Butte, Montana           | Move building from Ledger to Great Falls   | 3,000.00  |
| 4/23/76 | Terry Sullivan              | Gayser, Montana          | Move 25 x 52 building  | 4,500.00  |
| 4/8/76  | Jahn Reinmuth               | Sheridan, Montana        | Move 40 x 90 old theatre building  | 11,600.00 |
| 4/13/76 | Jerry Tempel                | North of Joplin, Montana | Move double wide from west of Vaughn to Joplin.                                      | 3,000.00  |
| 4/12/76 | Pastor Bullock              | Great Falls, Montana     | Move 34 x 24 house   | 3,250.00  |
| 4/8/76  | Jack Dawson                 | Boulder, Montana         | Move 46 x 28 house located between Boulder and Whitehall                             | 3,000.00  |
| 4/12/76 | Bob Strouf                  | Hobson, Montana          | Move depot   | 3,000.00  |
| 4/12/76 | St. John's Lutheran Church  | Great Falls, Montana     | Move building.   | 5,760.00  |
| 4/23/76 | Mrs. Leonard                | Great Falls, Montana     | Move double wide trailer   | 1,400.00  |
| 4/22/76 | Ray Haugland                | Belgrade, Montana        | Move 20,000 bu. wood elevator  | 9,000.00  |
| 4/23/76 | John Sveum                  | Great Falls, Montana     | Move 26 x 32 house from Sunburst to Oilmont.   | 3,742.00  |
| 4/27/76 | Russ Largent                | Ulm, Montana             | Move house 50' x 40'   | 7,116.00  |
| 4/23/76 | Harold Tokerud              | Opheim, Montana          | Move duplex from Brady to Conrad.  | 5,850.00  |
| 4/23/76 | Gerald Bruner               | Conrad, Montana          | Move 25' x 54' quonset to Brady  | 1,250.00  |
| 4/9/76  | Ray Tweeten                 | Havre, Montana           | Move Montana Power house in Havre  | 4,800.00  |
| 4/6/76  | Walter Johnson              | North of Cut Bank, Mont. | Move house and garage, 36 x 68   | 7,560.00  |
| 4/2/76  | Harry Keith                 | Great Falls, Montana     | Move house   | 5,200.00  |
| 4/30/76 | Fish & Game Dept.           | Helena, Montana          | Move Barn from Three Forks to Bozeman  | 10,000.00 |
| 5/4/76  | Chuck Worrall               | Big Sandy, Montana       | Move old motel unit from 80 miles north of Great Falls to 20 miles west of Big Sandy | 1,200.00  |

# EXPENSE SHEET

January 1, 1976 thru December 31, 1976

| DATE    | NAME                 | ADDRESS                  | DESCRIPTION  | PRICE      |
|---------|----------------------|--------------------------|--|------------|
| 2/2/76  | John Thompson        | Great Falls, Montana     | Move house   | \$2,500.00 |
| 2/2/76  | William West         | Townsend, Montana        | Move house to Buck Creek, East of Townsend.  | 2,980.00   |
| 2/2/76  | Leontine Tandler Co. | Great Falls, Montana     | Move double wide trailer   | 1,200.00   |
| 2/2/76  | Earl Stafford        | Cascade, Montana         | Move house (Webb Smith)  | 1,800.00   |
| 2/2/76  | George Mader         | Great Falls, Montana     | Move barracks  | 550.00     |
| 2/26/76 | David Vaughn         | Bozeman, Montana         | Move house   | 5,000.00   |
| 1/19/76 | Bill Anders          | Helena, Montana          | Move 2 frame bldgs. 30' x 50'  | 4,800.00   |
| 1/19/76 | Ron Jaraczski        | Dever, Montana           | Move elevator  | 10,000.00  |
| 1/19/76 | Kenneth Warrior      | South of Turner, Montana | Move 2-story house 28 x 28   | 7,000.00   |
| 1/22/76 | Russ or Phil Bradley | Judith Gap, Montana      | Move house, 26' x 32'  | 2,980.00   |
| 2/13/76 | Sands Const.         | Fairfield, Montana       | Move two 30' bins  | 1,500.00   |
| 2/20/76 | Clarence Lindseth    | Great Falls, Montana     | Move house   | 4,000.00   |
| 2/23/76 | Barry Wilson         | Fairfield, Montana       | Move double wide trailer   | 1,500.00   |
| 2/24/76 | Ronald Zbinden       | Great Falls, Montana     | Move house - 2 story   | 5,000.00   |
| 2/23/76 | Craig Winterburn     | Helena, Montana          | Move 1 1/2 story house   | 3,250.00   |
| 2/27/76 | Scotts Lumber Co.    | Fort Benton, Montana     | Move house from Fort Benton to Loma (30' x 46')  | 2,850.00   |
| 3/1/76  | Larry Dodge          | Helena, Montana          | Move 1 1/2 story house from Helmsville to Silver City                                      | 3,450.00   |
| 3/1/76  | Alice Hartman        | Livingston, Montana      | Move 2 house to Clyde Park (One house is at Whitehall the other 7 miles out of Clyde Park) | 7,500.00   |
| 3/2/76  | Richard Metzger      | Fairfield, Montana       | Move double wide trailer from Fairfield to Stockett, Montana                               | 2,000.00   |
| 3/3/76  | William Werhame      | Belgrade, Montana        | Move bldg.   | 1,500.00   |
| 3/4/76  | Russell Barber       | Denton, Montana          | Move 20 x 24 house   | 1,350.00   |
| 3/4/76  | Richard McFarland    | Williams, Montana        | Move bunkhouse & schoolhouse   | 10,100.00  |
| 3/16/76 | Jim Hess             | Phillipsburg             | Move log house from Rock Creek to Middle Fork  | 7,290.00   |

January 1, 1975 thru December 31, 1976

| DATE          | NAME                     | ADDRESS                   | JOB DESCRIPTION  | PRICE              |
|---------------|--------------------------|---------------------------|--|--------------------|
| June 12, 1975 | MSM Studios              | E-K Corporation, Billings | Move 2 dwellings from Coy Brown ranch, Alder to Earl Gochelle ranch, Billings.   | 1,250.00           |
| 7/10/75       | Richard Wortman          | Bozeman, Montana          | Move building at airport   | 1,000.00           |
| 7/11/75       | Charles Thomas           | Great Falls, Montana      | Move 3 duplex's  | 12,900.00          |
| 6/15/75       | Bud Heidlebaugh          | Loma, Montana             | Move house   | 3,010.00           |
| 7/29/75       | Harold Dusty-Bull        | Browning, Montana         | Move 2 bldg. from Del Bonita to Browning. (35 x 70, 2 story) (35 x 100, 2 story) | 15,000.00          |
| 9/3/75        | Dean Gray                | Great Falls, Montana      | Move Log Cabin in Wolf Creek.  | 1,680.00           |
| 9/1/75        | Joe Stekia               | Denton, Montana           | Move 24 x 28 house<br>Also bins  | 2,940.00<br>600.00 |
| 9/18/75       | Mr. Clinton              | Lewistown, Montana        | Move two story brick motel.  | 43,120.00          |
| 9/22/75       | David Moritz             | Conrad, Montana           | Move house, Brady  | 3,750.00           |
| 10/13/75      | W.L. Hancock             | Los Angeles, California   | Move house from Ennis Fish Hatchery to his ranch at Ennis                        | 7,500.00           |
| 10/9/75       | Bud Allen                | Whitehall, Montana        | Move house   | 3,500.00           |
| 10/4/75       | Montana Air Nat'l Guard  | Great Falls, Montana      | Move ammo shed   | 1,585.00           |
| 12/11/75      | Bill Diehl               | Helena, Montana           | Move Grand View Motel, Helena (House)  | 3,320.00           |
| 12/16/75      | Burt Tillman, Don Finley | Havre, Montana            | 60 x 100 metal Butler Bldg.  | 5,500.00           |
| 12/22/75      | Art Neiffer              | Fairfield, Montana        | Move 30 x 30 barn  | 1,100.00           |
| 12/4/75       | Douglas Standley         | Fairfield, Montana        | Move house   | 3,000.00           |



## F. L. ZION HOUSE MOVING

## JOB SHEET

January 1, 1975 thru December 6, 1976

| DATE     | NAME                             | ADDRESS              | JOB DESCRIPTION   | BID PRICE   |
|----------|----------------------------------|----------------------|---|-------------|
| 1/10/75  | Neifert-White Lumber Co.         | Townsend, Montana    | Move teepee Burner  | \$75.00     |
| 2/17/75  | Charles Anderson                 | Anaconda, Montana    | Move car wash, demolition of concrete, pour new concrete floor. (60' x 30')   | \$17,280.00 |
| 5/5/75   | B.W. Jones                       | Helena, Montana      | Move bus garage (50' x 180')  | 12,700.00   |
| 4/28/75  | Mr. McFarland                    | Northeast of Conrad  | Move Teton River Bridge to ranch (29'x54')                                    | 9,740.00    |
| 4/5/75   | Lyle Snell                       | Sunburst, Montana    | Move Target Bar from Conrad to Sunburst                                       | 15,952.00   |
| 4/2/75   | Flynn Realty                     | Havre, Montana       | Move Butler Bldg. & metal & frame bldg. (50' x 100') (30' x 50')              | 7,380.00    |
| 3/24/75  | Larry Stillman                   | Sun River, Montana   | Move 2-story Christainsen House   | 6,000.00    |
| 5/9/75   | John Sutton                      | Great Falls, Montana | Raising Brick 4-Plex  | 4,800.00    |
| 5/16/75  | Power Farmers Elevator Co.       | Power, Montana       | Remove Rocky Mountain Elevator from site.                                     | 6,758.00    |
| 5/20/75  | Morris Holm                      | Conrad, Montana      | Move building at Conrad   | 7,980.00    |
| 5/14/75  | Clerk of Mill Flat School        | Livingston, Montana  | Move Elbow-Rosedale School to Arrowhead                                       | 5,600.00    |
| 7/17/75  | Don Connors,                     | Three Forks, Montana | Move 40' sq. building from Eustance to Three Forks.                           | 3,500.00    |
| 3/14/75  | Lee Herron                       | Danvers, Montana     | Move 150' Bridge Span on Judith River   | 11,640.00   |
| 10/29/75 | Richard Robbins                  | Whitehall, Montana   | Move frame building from Piedmont to South of Whitehall                       | 3,500.00    |
| 12/30/75 | Montana State Highway Dept.      | Great Falls, Montana | Move 2 round wooden 10,000 bushel bins and place on slab.                     | 8,550.00    |
| 3/17/75  | Lewis & Clark Memorial Committee | Fort Benton, Mont.   | Moving granite rock from Square Butte to Fort Benton for Bi-centennial statue | 5,866.00    |
| 12/12/75 | Lewistown Airport Commission     | Lewistown, Montana   | Relocate Administration Bldg.   | 17,000.00   |
| 12/20/75 | Bill Neuman                      | Power, Montana       | Move Gordon Bridge to new location.   | 2,980.00    |
| 2/7/75   | Davison Realty                   | Havre, Montana       | Move 2 houses in Havre  | 5,400.00    |
| 2/14/75  | Bazerman Sand & Gravel           | Bozeman, Montana     | Move 5 buildings at Airport.  | 34,000.00   |
| 2/4/75   | Olivia Rasmone                   | Boulder, Montana     | Move double wide trailer  | 1,560.00    |
| 1/17/75  | John Lewis                       | Boulder, Montana     | Move 12' x 15' bldg. & 20' x 40' bldg. building.                              | 5,270.00    |
| 2/1/75   | Ernie Wright                     | Avon, Montana        | Move 16' x 12' bldg.  | 2,790.00    |

January 1, 1975 (and thereafter)

| DATE    | NAME                  | ADDRESS                      | OVER DESCRIPTION  | ADP PRICE  |
|---------|-----------------------|------------------------------|---|------------|
| 1/26/75 | Woods Brothers        | Hanson, Montana              | Move railroad depot (100' x 56')  | \$2,575.00 |
| 3/23/75 | Pete Ekegen           | Choteau, Montana             | Move quonset in Choteau   | 2,080.00   |
| 4/23/75 | John McIntosh         | Greenfield Bench, Mont.      | Move house & garage   | 3,920.00   |
| 4/28/75 | Walter Mockin         | Helena, Montana              | Move double wide trailer house  | 800.00     |
| 4/29/75 | Mr. Fitzgerald        | Brady, Montana               | Move theatre bldg, Gore Hill  | 4,900.00   |
| 4/29/75 | Nice Realty           | Helena, Montana              | Move Silver City Depot to East Helena   | 3,640.00   |
| 5/5/75  | Helen Blair           | White Sulphur Springs, Mont. | Move one 24 x 32 frame house and one 24 x 40 frame house from Loweth to White Sulphur Springs, Montana. | 10,720.00  |
| 5/8/75  | Montana Fish & Game   | Great Falls, Montana         | Move 30' x 22' bldg. from Bear Tooth Ranch to Log Gulch.  | 3,480.00   |
| 5/14/75 | Ronald Schottle       | Absorkee, Montana            | Move bldg.  | 3,000.00   |
| 1/16/75 | Nick Fatz             | Carter, Montana              | Move grainery & silo  | 1,040.00   |
| 6/17/75 | Shelby Public Schools | Shelby, Montana              | Move 240' x 60' Butler Metal Building from P.A.R. Site to Shelby.                                       | 28,423.00  |
| 1/2/75  | Albert Caulkins       | Carter, Montana              | Move house from Carter to Ulm.  | 5,200.00   |
| 5/19/75 | Sam Young             | Townsend, Montana            | Move 30' x 40' quonset  | 1,575.00   |
| 5/19/75 | Charlie Bovey         | Great Falls, Montana         | Move hanging barn from White Sulphur Springs to Virginia City.  | 2,500.00   |
| 5/26/75 | Mrs. Peck             | Butte, Montana               | Move Milwaukee sub-station house from Piedmont to Whitehall.  | 2,800.00   |
| 6/2/75  | Alden Armstrong       | Great Falls, Montana         | Move barn in Helena to Green Meadow Ranch   | 3,800.00   |
| 6/5/75  | William Henderson     | Absorkee, Montana            | Move double wide trailer  | 1,200.00   |
| 6/12/75 | Mr. Harris            | Absorkee, Montana            | Move building   | 3,140.00   |
| 6/15/75 | Chet Moran            | Columbus, Montana            | Move double wide trailer house  | 1,500.00   |
| 6/23/75 | Deverly Cunningham    | Great Falls, Montana         | Move 24 x 34 house from Highwood to Great Falls   | 3,000.00   |
| 6/27/75 | Mark Young            | Great Falls, Montana         | Move house from Highwood to Sand Coulee   | 3,080.00   |
| 7/2/75  | Pacific Hide & Fur    | Great Falls, Montana         | Move 3 buildings  | 2,360.00   |

JOBS BID BY F.L. ZION

1/75 through 12/76

MONTANA ACTIVE HOUSE MOVERS LIST

AS AT JANUARY 15, 1979

Bill Sansiba, Jr.  
Box 749  
Glasgow, Montana 59230  
Phone: 228-8658

# MONTANA ACTIVE HOUSE MOVERS L

AS AT JANUARY 15, 1979

ness House Movers  
 Festby, Montana  
 Phone: 385-2282 or 385-2237

Melvin Cross  
 Route 36, Box 167  
 Havre, Montana 59501  
 Phone: 265-7018

Tre-Week Construction  
 Kalispell, Montana 59901  
 Phone: 755-1312

Arvid John Blessing  
 Box 144  
 Rudyard, Montana 59540

Jim Branning  
 Helena, Montana  
 Phone: 442-1222

Loudon House Moving  
 Box 122  
 Brockway, Montana 59214

ll Kraske  
 Billings, Montana

Ira Hall  
 Box 262  
 Chinook, Montana 59523  
 Phone: 357-4110

Ethel J. Hall  
 Chinook, Montana 59523

Elmer Meidinger  
 25th Ave. No.  
 Glasgow, Montana 59230  
 Phone: 228-8417

Duane Ostermiller  
 129 Charlene St.  
 Billings, Montana 59101  
 Phone: 259-5681

F.L. Zion Const. & House Moving  
 P.O. Box 2082  
 Great Falls, Montana 59403  
 Phone: 453-9096 or 453-3023

ys Enterprises (Ray Wolff)  
 Corvallis, Montana  
 Phone: 961-3337

Arnold Dirkes  
 23 Fair Addition

Vic Kunesch  
 Box 1412  
 Great Falls, Montana 59401  
 Phone: 761-5132

Mike K. Drainie  
 Box 136  
 Missoula, Montana 59801  
 Phone: 549-3768

Newton E. Cummings  
 Malta, Montana 59535  
 Phone: 654-1182

Eldon J. Cook  
 Choteau, Montana 59422  
 Phone: 466-2454

Joseph S. Gates  
 RR#1, Box 232  
 Stevensville, Montana 59870

Carl L. Christianson  
 Hot Springs, Montana 59849  
 Phone: 741-3580

Nels J. Sorenson, Jr.  
 Rt. #2, Box 27  
 Dagmar, Montana 59219  
 Phone: 483-5211

Mark Pesanti House Moving  
 141 West Daly Street  
 Walkerville, Montana 59701  
 Phone: 494-5538

Wayne Overhuls  
 812 - 1st Ave. No.  
 Columbus, Montana 59019

Lyle C. Davis  
 Nashua, Montana 59248

Donald M. Tamiatti  
 101 Plum St.  
 Butte, Montana 59701  
 Phone: 792-4893

D & B House Moving (Charles Perry)  
 Shields Route  
 Livingston, Montana 59047  
 Phone: 222-6331 (Perry)

D & M Service  
 Helena, Montana 59601

O'Neil Coppe House Movers  
 Williston, North Dakota  
 Boeden Const

LICENSED BUILDING MOVERS IN MONTANA

INTER-DEPARTMENTAL MEMORANDUM  
DEPARTMENT OF HIGHWAYS

Wilber E. Frickel, Chief  
Collections & Licensing Bureau - G.V.W. Div  
Richard L. Miller, Chief  
Field Maintenance Bureau

Subject: House Moving  
Mark Adrian  
Date 2220:RLM

January 22, 1979

I will try to give you all the information I can remember on this move. I cannot locate any of the correspondence in our files.

In August of 1973 a permit was issued to Mark Adrian to move a large two story house from adjacent to the old Elk's Club on Babcock and Black in Bozeman to a location East of Bozeman on Old US 10.

This move required the crossing of I 90 near the Bozeman East Interchange and was made on August 21, 1973. The movers encountered considerable difficulty on I 90 and the house was hung up for a time in the median ditch. Also, Adrian found out that he did not have a place to set the house as the party he thought he had the house sold to did not want it. That left everyone in a bind with a big two story house sitting in the middle of the frontage road (Old US 10) East of the interchange.

I gave Adrian permission to temporarily move the house on to an approach until he could arrange to move it to a location off of the R/W. Mr. Adrian then disappeared.

August 24, 1973 I wrote Mr. Adrian a letter and sent it to his last known address giving him until August 28th to move the house or the Department would impound it. We did not hear from Adrian until September 20, 1973 at which time he said he was bankrupt and could not move the house.

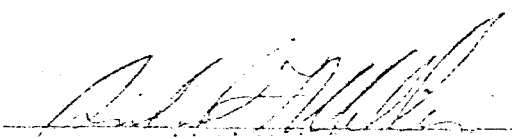
The house was then advertised for disposal and Mr. Chas. Perry, a house mover from Livingston, agreed to tear down the house and dispose of everything on the R/W for the salvage. I believe he completed this work sometime in November 1973.

This whole thing was a real hassle and inconvenience to a lot of people in addition to the Department. Now we try to check the reputation and credentials of movers to try to keep this from happening again.

I am sending you a slide of the house where it came to rest on the R/W. I would like this slide returned.

RLM:lm

Attach



INCIDENT REGARDING IRRESPONSIBLE MOVE



PSC No. 4226 -- JAMES P. BRANNING -- 2000 Billings Ave., Helena, Mt.

CLASS C- Authorized to transport buildings and houses of all types and used scale decks as structural units, and tanks used in farm and ranch operations as a contract carrier in intrastate service class C by motor vehicles for hire over and on the public highways of the State of Montana between all points and places in Lewis & Clark, Powell, Granite, Madison, Jefferson, Broadwater, Meagher, Gallatin, and that part of Missoula County on the north of the lower Jocko River Road from its intersection with Montana Highway 209 on the east and the west boundary of Missoula County.

LIMITATIONS:

Transportation of oil field tanks and equipment (as defined in the Mercer Authorities is prohibited; transportation of scale decks is restricted to movement between farm & ranch properties.

PSC NO. 3236

NELS J. SORENSON, JR., Dagmar, Montana.

CLASS C - steel bins, between all points and places in  
Sheridan, Daniels and Roosevelt Counties.

5-22-77

MONTANA STATE SENATE  
SENATE BUSINESS & INDUSTRY COMMITTEE  
SENATE BILL NO. 9

A BILL FOR AN ACT ENTITLED:

AN ACT TO AMEND SECTION 33-2-111, MCA, RELATING TO DEPOSIT REQUIREMENTS OF INSURERS, BY INCREASING DEPOSIT REQUIREMENTS OF TITLE INSURERS.

SECTION 33-2-111, MCA, REQUIRES THAT INSURERS MAINTAIN A DEPOSIT OF CASH OR SECURITIES FOR THE PROTECTION OF POLICYHOLDERS AND CREDITORS. THE AMOUNT OF THIS DEPOSIT GENERALLY IS TO BE NOT LESS THAN THE AMOUNT REQUIRED BY SECTION 33-2-109 TO BE HELD AS PAID-IN CAPITAL OR SURPLUS FUNDS. HOWEVER, THERE IS A SPECIFIC REFERENCE TO TITLE INSURERS, REQUIRING A DEPOSIT OF \$50,000, WHICH IS LESS THAN THE CAPITAL OR SURPLUS REQUIREMENT FOR TITLE INSURERS.

IN 1977, ALL CAPITAL AND SURPLUS REQUIREMENTS UNDER 33-2-109 WERE DOUBLED, WHICH HAD THE EFFECT OF DOUBLING THE RESPECTIVE DEPOSITS REQUIRED UNDER 33-2-111 (EXCEPT OF COURSE FOR TITLE INSURERS.) ALTHOUGH THE CAPITAL OR SURPLUS REQUIREMENT FOR TITLE INSURERS WAS INCREASED FROM \$100,000 TO \$200,000, A CORRESPONDING INCREASE IN THE SPECIFIC REFERENCE TO TITLE DEPOSITS WAS OVERLOOKED.

THE PROPOSED AMENDMENT IS DESIGNED TO INCREASE THE DEPOSIT REQUIREMENT FROM \$50,000 TO \$100,000 TO CORRESPOND WITH THE INCREASED DEPOSIT REQUIREMENTS OF ALL OTHER INSURERS.

MONTANA INSURANCE DEPARTMENT  
BY Josephine M. Driscoll  
JOSEPHINE M. DRISCOLL, CHIEF DEPUTY INSURANCE COMMISSIONER

MONTANA STATE SENATE

SENATE BUSINESS & INDUSTRY COMMITTEE

SENATE BILL NO. 10

A BILL FOR AN ACT ENTITLED:

AN ACT TO REPEAL SECTIONS 33-2-1001 THROUGH 33-2-1007, RELATING TO REGULATION OF INSURANCE HOLDING COMPANIES.

IN 1971 THE INSURANCE DEPARTMENT ADOPTED A NEW HOLDING COMPANY ACT BASED ON THE UPDATED MODEL BILL OF THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. DRAFTERS OF THE NEW LAW INADVERTENTLY NEGLECTED TO INCLUDE A REPEALER SECTION (SEE THE EDITORIAL NOTE UNDER PREVIOUS SECTION 40-5501--COPY ATTACHED). THE ATTACHED PAGE FROM CHAPTER NO. 64 OF THE SESSION LAWS OF 1971 INDICATES THAT THE OLD LAW WAS INTENDED TO BE REPEALED.

THIS BILL MERELY CORRECTS THE OVERSIGHT.

MONTANA INSURANCE DEPARTMENT

BY *J. M. Driscoll*

JOSEPHINE M. DRISCOLL, CHIEF DEPUTY INSURANCE COMMISSIONER

## Chapter 55

### INSURANCE HOLDING COMPANIES

Sec.

- 40-5501. Short title.
- 40-5502. General definitions.
- 40-5503. Restrictions on transfers of stock.
- 40-5504. Exemptions from prohibitions on stock transfers.
- 40-5505. Examination of foreign and domestic holding companies — frequency of examination — submission of annual reports.
- 40-5506. Acquisition and transfer of stock — submission of petition — hearings — denial of petition.
- 40-5507. Violations of act — penalty.
- 40-5508. Filing of false information — penalty.
- 40-5509. Definitions.
- 40-5510. Subsidiaries of insurers.
- 40-5511. Acquisition of control of or merger with domestic insurer.
- 40-5512. Registration of insurers.
- 40-5513. Standards.
- 40-5514. Examination.
- 40-5515. Confidential treatment.
- 40-5516. Rules and regulations.
- 40-5517. Injunctions — prohibitions against voting securities — sequestration of voting securities.
- 40-5518. Criminal proceedings.
- 40-5519. Receivership.
- 40-5520. Revocation, suspension, or nonrenewal of insurer's license.
- 40-5521. Judicial review — mandamus.
- 40-5522. Conflict with other laws.

40-5501. Short title. This act may be cited as the "Montana Insurance Holding Act."

History: En. Sec. 1, Ch. 269, L. 1967.

#### Title of Act

An act to provide for control and regulation of the affairs of domestic and foreign insurance holding companies; prescribe rules and regulations governing acquisition and disposal of stock of insurance holding companies; prescribe rules and regulations regarding acquisition and disposal of stock of insurance companies by insurance holding companies; exempting certain acquisitions and disposals of stock from the provisions of the act; subjecting domestic insurers coming within the purview of the act to examination by the insurance department; providing for application to be made to the insurance commissioner to approve certain transactions; providing for judicial review of orders; defining terms; and providing penalties.

#### Editorial Note:

Chapter 64, Laws of 1971 (S.B. No. 148), refers to "Repealing Sections 40-5501 through 40-5508, R.C.M., 1947" in the title. No repeal clause, however, is contained in the body of the act.

40-5502. General definitions. Unless context requires otherwise, in this act:

(1) "Commissioner" means commissioner of insurance of the state of Montana.

tion by the member insurer less any amounts returned to the member insurer by the association and such rates shall not be deemed excessive because they contain an amount reasonably calculated to recoup assessments paid by the member insurer.

Immunity from liability.

Section 17. Immunity. There shall be no liability on the part of and no cause of action of any nature shall arise against any member insurer, the association or its agents or employees, the board of directors, or the commissioner or his representatives for any action taken by them in the performance of their powers and duties under this act.

Stay of proceedings.

60 days.

Default judgments.

Application to set aside.

Defend on merits.

Section 18. Stay of proceedings; reopening of default judgments. All proceedings in which the insolvent insurer is a party or is obligated to defend a party in any court in this state shall be stayed for sixty (60) days from the date the insolvency is determined to permit proper defense by the association of all pending causes of action. As to any covered claims arising from a judgment under any decision, verdict or finding based on the default of the insolvent insurer or its failure to defend an insured, the association either on its own behalf or on behalf of such insured may apply to have such judgment, order, decision, verdict or finding set aside by the same court or administrator that made such judgment, order, decision, verdict or finding and shall be permitted to defend against such claim on the merits.

Approved February 27, 1971.

## CHAPTER NO. 64

An Act to Provide for Control and Regulation of the Affairs of Insurance Holding Companies; Prescribe Rules and Regulations Governing Acquisition and Disposal of Insurance Holding Companies; Subjecting Domestic Insurers to Examination by the Insurance Department; Providing for Application to be Made to the Insurance Commissioner to Approve Certain Transactions; Providing for Judicial Review; Defining Terms;; and Providing Penalties; Repealing Sections 40-5501 through 40-5506, R.C.M., 1947.

MONTANA STATE SENATE

SENATE BUSINESS & INDUSTRY COMMITTEE

SENATE BILL NO. 64

A BILL FOR AN ACT ENTITLED:

AN ACT TO AMEND SECTION 33-16-203, MCA, RELATING TO FILING  
OF INSURANCE RATES.

ALTHOUGH THE INSURANCE CODE PROVIDES THAT A RATING ORGANIZATION  
MAY FILE RATES ON BEHALF OF ITS MEMBERS, A LAW ADOPTED DURING THE  
LAST SESSION REQUIRED THAT EACH INSURER MUST ALSO FILE ITS RATES.

IN THOSE INSTANCES WHERE AN INSURER WOULD BE USING THE RATES  
FILED BY THE RATING ORGANIZATION, THIS WOULD CREATE UNNECESSARY  
ADMINISTRATIVE DIFFICULTIES, AND THE DEPARTMENT ADOPTED THE PRACTICE  
OF REQUESTING THAT A LETTER OF RECORD BE FILED RATHER THAN REQUIRING  
DUPLICATE FILINGS OF INFORMATION ALREADY ON HAND. WITH MORE THAN  
400 PROPERTY AND CASUALTY INSURERS SUBJECT TO THESE REQUIREMENTS, IT  
IS OBVIOUS THAT SEPARATE FILINGS FROM EVERY INSURER WOULD BE A WASTE  
NOT ONLY OF VALUABLE TIME BUT ALSO OF STORAGE SPACE.

HOWEVER, THE LEGISLATIVE AUDITORS OBJECTED TO OUR PRACTICE AND  
SUGGESTED THAT THE LAW BE AMENDED TO GIVE US THIS SPECIFIC AUTHORITY.

MONTANA INSURANCE DEPARTMENT

BY *J. M. Driscoll*  
JOSEPHINE M. DRISCOLL, CHIEF DEPUTY INSURANCE COMMISSIONER

SENATE BILL No. 80

A BILL FOR AN ACT ENTITLED:

AN ACT TO PROVIDE FOR THE SUPERVISION, REHABILITATION, AND LIQUIDATION OF INSURERS, REPEALING SECTIONS 33-2-901 THROUGH 33-2-948, MCA.

THIS BILL IS A REVISION OF THE PRESENT MODEL REHABILITATION AND LIQUIDATION ACT, AS PROPOSED AND ADOPTED BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS. THE PURPOSE OF THE ACT IS TO PROTECT THE INTERESTS OF INSURED, CLAIMANTS, CREDITORS, AND THE GENERAL PUBLIC, WHILE CAUSING MINIMUM INTERFERENCE WITH THE NORMAL PREROGATIVES OF THE OWNERS AND MANAGERS OF INSURERS THROUGH:

1. EARLY DETECTION OF ANY POTENTIALLY DANGEROUS CONDITION OF AN INSURER, AND PROMPT APPLICATION OF APPROPRIATE CORRECTIVE MEASURES.
2. IMPROVED METHODS FOR REHABILITATING INSURERS, INVOLVING THE COOPERATION AND MANAGEMENT EXPERTISE OF THE INSURANCE INDUSTRY.
3. ENHANCED EFFICIENCY AND ECONOMY OF LIQUIDATION, THROUGH CLARIFICATION OF THE LAW, TO MINIMIZE LEGAL UNCERTAINTY AND LITIGATION.
4. EQUITABLE APPORTIONMENT OF ANY UNAVOIDABLE LOSS.
5. LESSENING THE PROBLEMS OF INTERSTATE REHABILITATION AND LIQUIDATION BY FACILITATING COOPERATION BETWEEN STATES IN THE LIQUIDATION PROCESS, AND BY EXTENDING THE SCOPE OF PERSONAL JURISDICTION OVER DEBTORS OF THE INSURER OUTSIDE THE STATE.
6. REGULATION OF THE INSURANCE BUSINESS, BOTH THROUGH THE LAW RELATING TO DELINQUENCY PROCEDURES, AND THROUGH SUBSTANTIVE RULES ON THE ENTIRE INSURANCE BUSINESS.

NO FISCAL NOTE WILL BE REQUIRED.

MONTANA INSURANCE DEPARTMENT

BY J. M. Driscoll

JOSEPHINE M. DRISCOLL, CHIEF DEPUTY INSURANCE COMMISSIONER



MONTANA STATE SENATE

SENATE BUSINESS & INDUSTRY COMMITTEE

SENATE BILL NO. 81

A BILL FOR AN ACT ENTITLED:

AN ACT TO PROVIDE FOR A 10-DAY RESCISSION PERIOD ON DISABILITY INSURANCE POLICIES ISSUED BY INSURANCE COMPANIES AND MEMBERSHIP CONTRACTS ISSUED BY HEALTH SERVICE CORPORATIONS; AMENDING SECTION 33-22-201, MCA.

ALTHOUGH MANY INSURERS CURRENTLY PROVIDE FOR A "TEN-DAY FREE LOOK" IN THEIR INDIVIDUAL DISABILITY INSURANCE POLICIES, AND THOSE WHO DO NOT GENERALLY COMPLY WITH THIS PRACTICE, WE FEEL IT WOULD BE BENEFICIAL TO HAVE THE POLICYHOLDER FULLY AWARE OF THIS PRIVILEGE BY MAKING IT A PART OF EACH POLICY OR MEMBERSHIP CONTRACT ISSUED.

THIS WILL ALSO CALL ATTENTION TO THE FACT THAT THE POLICYHOLDER HAS THE RESPONSIBILITY OF PROMPTLY REVIEWING THE POLICY AND ADVISING THE COMPANY IF IT DOES NOT MEET HIS EXPECTATIONS.

MONTANA INSURANCE DEPARTMENT

BY Josephine M. Driscoll  
JOSEPHINE M. DRISCOLL, CHIEF DEPUTY INSURANCE COMMISSIONER

## SENATE BILL No. 83

### A BILL FOR AN ACT ENTITLED:

AN ACT TO PROVIDE FOR THE REGULATION AND REGISTRATION OF PERSONS WHO COLLECT CHARGES OR PREMIUMS OR ADJUST OR SETTLE CLAIMS ON LIFE OR HEALTH INSURANCE POLICIES OR ANNUITIES OF RESIDENTS OF MONTANA.

WHERE INSURANCE IS MASS-MARKETED AND A POLICY IS ISSUED IN ANOTHER STATE BUT COVERAGE IS EXTENDED TO MONTANA RESIDENTS, A QUESTION OF JURISDICTION ARISES, AND A VACUUM IS CREATED IN STATE REGULATION OF THOSE PERSONS OR ENTITIES WHO FUNCTION AS ADMINISTRATORS OF SUCH LIFE OR HEALTH INSURANCE PROGRAMS.

THE UTILIZATION OF THIRD PARTY ADMINISTRATORS IN CONNECTION WITH MASS-MARKETED INSURANCE PROGRAMS HAS INCREASED SIGNIFICANTLY IN RECENT YEARS. AS SO OFTEN ACCOMPANIES AN INCREASED VOLUME OF ACTIVITY IN ANY LINE OF ENDEAVOR, THERE HAVE BEEN ABUSES, AND THE INSURANCE DEPARTMENTS HAVE FOUND INSUFFICIENT REGULATORY CONTROLS AVAILABLE TO PREVENT ABUSES FROM ARISING IN THE FIRST PLACE OR TO ENABLE THEM TO TAKE APPROPRIATE REMEDIAL ACTION. THEREFORE, THIS MODEL BILL WAS FORMULATED AND ADOPTED BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS IN AN ATTEMPT TO SOLVE SOME OF THESE PROBLEMS.

SB 83 REQUIRES ADMINISTRATORS OF LIFE AND HEALTH INSURANCE PROGRAMS TO HOLD A CERTIFICATE OF REGISTRATION ISSUED BY THE INSURANCE DEPARTMENT AND TO CONFORM THEIR BUSINESS ACTIVITIES TO CERTAIN MINIMUM STANDARDS. THIS LEGISLATION EMBODIES THE FOLLOWING GENERAL PRINCIPLES:

1. WHERE AN INSURER UTILIZES THE SERVICES OF AN ADMINISTRATOR, THE ADMINISTRATOR IS THE AGENT OF THE INSURER FOR THE COLLECTION OF PREMIUMS, PAYMENT OF RETURN PREMIUMS, AND PAYMENT OF CLAIMS (TO THE EXTENT THE ADMINISTRATOR PERFORMS THESE FUNCTIONS).

2. THE TERM "ADMINISTRATOR" MEANS ANY ONE WHO COLLECTS CHARGES OR PREMIUMS FOR LIFE OR HEALTH INSURANCE COVERAGE OF RESIDENTS OF THIS STATE, OTHER THAN AN EMPLOYER ON BEHALF OF ITS EMPLOYEES, A UNION ON BEHALF OF ITS MEMBERS, AN INSURER, OR A FINANCIAL INSTITUTION.

3. NO INSURER MAY USE THE SERVICES OF AN ADMINISTRATOR IN THE DISTRIBUTION OF ITS PRODUCTS, WHETHER GROUP POLICIES OR MASS-MARKETED INDIVIDUAL POLICIES, UNLESS THE AGREEMENT BETWEEN THE INSURER AND THE ADMINISTRATOR IS IN WRITING. THE WRITTEN CONTRACT BECOMES A PART OF THE OFFICIAL RECORDS OF THE INSURER.

4. THE INSURER AND THE INSURANCE DEPARTMENT HAVE THE RIGHT TO EXAMINE THE BOOKS AND RECORDS OF THE ADMINISTRATOR.

5. ALL ADVERTISING BY THE ADMINISTRATOR PERTAINING TO THE BUSINESS UNDERWRITTEN BY THE INSURER AND THE UNDERWRITING STANDARDS APPLICABLE TO SUCH BUSINESS ARE SUBJECT TO THE INSURER'S CONTROL.

6. ALL PREMIUMS HELD BY THE ADMINISTRATOR ARE HELD IN A FIDUCIARY CAPACITY.

7. ALL CLAIMS PAID BY ADMINISTRATORS MUST BE PAID WITH NONFIDUCIARY FUNDS.

8. THE ADMINISTRATOR MAY NOT PARTICIPATE IN ANY UNDERWRITING RISK.

9. A DISCLOSURE STATEMENT DESCRIBING THE RELATIONSHIP BETWEEN THE INSURER, THE POLICYHOLDER, THE ADMINISTRATOR, AND THE INDIVIDUAL INSURED MUST BE DELIVERED TO THE INDIVIDUAL.

10. THE ADMINISTRATOR MUST BE BONDED, AND MUST REGISTER WITH THE INSURANCE COMMISSIONER UNLESS OTHERWISE LICENSED.

THE PASSAGE OF THIS PROPOSED LEGISLATION WILL ASSIST US IN EFFECTING AT LEAST PARTIAL CONTROL OVER MASS-MARKETING PRACTICES.

MONTANA INSURANCE DEPARTMENT

BY M. Driscoll  
JOSEPHINE M. DRISCOLL, CHIEF DEPUTY INSURANCE COMMISSIONER

Montana State Senate

Senate Business & Industry Committee

Senate Bill No. 85

A BILL FOR AN ACT ENTITLED:

AN ACT TO AMEND SECTION 33-5-401, MCA, INCREASING THE SURPLUS  
FUND REQUIREMENTS OF RECIPROCAL INSURERS.

The purpose of this amendment is to provide the same minimum financial security requirements for domestic reciprocal insurers as for other insurers.

In 1977, section 33-2-109, MCA, was amended to double surplus fund and paid-in capital requirements for insurance companies and foreign reciprocal insurers: property lines were increased from \$200,000 to \$400,000, and casualty lines were also increased from \$200,000 to \$400,000. However, the corresponding provisions for domestic reciprocals were inadvertently left unchanged. The proposed amendment would remedy this inequity and double the current \$200,000 requirement for property or casualty lines.

Domestic reciprocal insurers were not intended to be subject to lower financial standards, nor should they be. On the contrary, the reciprocal insurer could present greater potential liability to its policyholders because of the assessability feature of its policies, and should conform at least to the minimums required of other insurers.

MONTANA INSURANCE DEPARTMENT

By Josephine M. Driscoll

Josephine M. Driscoll  
Chief Deputy Insurance Commissioner

SENATE BILL No. 86

A BILL FOR AN ACT ENTITLED:

AN ACT TO REPEAL SECTION 33-23-311, MCA, RELATING TO  
INFORMATION REQUIRED OF PROFESSIONAL LIABILITY INSURERS.

THIS STATUTE WAS IMPLEMENTED DURING THE LAST SESSION, AND SINCE THAT TIME WE HAVE FOUND THAT THE INFORMATION REQUIRED IS SUCH THAT THE INSURERS FIND IT QUITE DIFFICULT TO COMPLY. THE RESULT IS AN ADDITIONAL BURDEN ON BOTH THE INSURANCE COMPANIES AND THE INSURANCE DEPARTMENT. FURTHERMORE, IT IS QUESTIONABLE THAT THE INFORMATION REQUIRED TO BE FILED IS OF ANY MATERIAL VALUE IN MAKING DETERMINATIONS ABOUT WHETHER OR NOT THE RATES FOR LIABILITY INSURANCE ARE EXCESSIVE WHICH IS PRESUMABLY THE INTENT OF THE STATUTE.

THE COMMISSIONER OF INSURANCE ALREADY HAS THE AUTHORITY, UNDER SECTION 33-2-701, TO REQUIRE INSURERS TO FILE AN ANNUAL STATEMENT WHICH "SHALL BE IN SUCH GENERAL FORM AND CONTEXT AS IS REQUIRED OR NOT DISAPPROVED BY THE COMMISSIONER, AS IS IN CURRENT USE FOR SIMILAR REPORTS TO STATES IN GENERAL WITH RESPECT TO THE TYPE OF INSURER AND KINDS OF INSURANCE TO BE REPORTED UPON, AND AS SUPPLEMENTED FOR ADDITIONAL INFORMATION REQUIRED BY THE COMMISSIONER."

REPORTING ON PROFESSIONAL LIABILITY INSURANCE IS BEING DONE AT THIS TIME TO THE INSURANCE DEPARTMENTS OF THIS AND OTHER STATES. THE MONTANA INSURANCE DEPARTMENT WISHES TO ADOPT STATISTICAL REPORTING PROCEDURES THAT MAY BE GENERALLY IN USE THROUGHOUT THE COUNTRY, IF ADDITIONAL REPORTING OF THIS TYPE IS CONSIDERED NECESSARY.

SENATE BILL NO. 86 (PAGE 2)

THIS WOULD ALLOW A MUCH MORE ACCURATE COMPARISON OF STATISTICS WITH THOSE OF OTHER STATES. THIS WOULD ALSO AVOID THE PROBLEMS ENCOUNTERED BY THE INSURANCE COMPANIES WHO HAVE CHARGED THAT THE SPECIFIC AND DETAILED REQUIREMENTS OF CURRENT STATUTES HAVE INCREASED EXPENSES FOR SPECIAL REPORTING THAT WOULD HAVE TO BE PASSED ON TO THE CONSUMER AND THAT THE NECESSITY OF REPORTING DIFFERENT INFORMATION TO MONTANA THAN IS CURRENTLY BEING GATHERED FOR OTHER STATES MIGHT MAKE IT LESS LIKELY THAT COMPANIES WOULD BE WILLING TO WRITE BUSINESS IN THIS STATE.

WE WOULD CERTAINLY BE WILLING TO COOPERATE WITH THOSE WHO WISH TO HAVE AVAILABLE ESSENTIAL INFORMATION.

SENATE BILL No. 92

A BILL FOR AN ACT ENTITLED:

AN ACT TO REVISE THE LICENSE FEE SCHEDULE RELATING TO THE INSURANCE INDUSTRY AND TO REVISE THE TERMINOLOGY FOR RENEWAL LICENSES, ETC.

THIS BILL WILL AMEND CERTAIN PROVISIONS OF THE LAW RELATING TO LICENSING OF INSURANCE AGENTS AS FOLLOWS:

1. TWO YEARS AGO WE INCREASED THE FEE FOR A NON-RESIDENT AGENT'S LICENSE TO \$100, ANTICIPATING A REDUCTION IN "FLY-BY-NIGHT" APPLICANTS AND CONSEQUENT REDUCTION IN ADMINISTRATIVE COSTS AND OTHER PROBLEMS CREATED BY THESE PERSONS. HOWEVER, THE DESIRED EFFECTS HAVE NOT OCCURRED, AND INSTEAD THE LARGER FEE HAS CREATED AN UNDUE HARDSHIP ON SOME OF OUR MONTANA AGENTS WHO RESIDE NEAR THE BORDERS OF OTHER STATES. WE ARE STILL RETAINING THE ORIGINAL CHARGE OF \$100 TO COVER THE ADDITIONAL ADMINISTRATIVE COSTS OF PROCESSING SUCH LICENSES, BUT ARE REDUCING THE CHARGE FOR ADDITIONAL APPOINTMENTS AND FOR RENEWAL.

INCIDENTALLY, EVEN THOUGH THE FEE INCREASE PROVIDED ADDITIONAL MONEY FOR THE GENERAL FUND, THE INSURANCE DEPARTMENT RECEIVED NO BENEFIT OF ADDITIONAL STAFF MEMBERS. THIS, TOGETHER WITH NO EASING OF THE WORKLOAD, HAS PROMPTED THE DEPARTMENT TO REVISE THE LICENSING LAWS IN SEVERAL AREAS TO ELIMINATE INEFFICIENT PROCEDURES.

2. WE ARE COORDINATING LICENSING FEES FOR PROPERTY/CASUALTY AND LIFE/DISABILITY AGENTS TO CORRECT DISCRIMINATION RESULTING FROM THE DIFFERENT FEE SCHEDULES. THE ORIGINAL LICENSE FOR BOTH TYPES OF INSURANCE WILL NOW BE \$10, WITH \$5 FOR EACH SUBSEQUENT APPOINTMENT. ONLY ONE LICENSE WILL BE ISSUED FOR EACH TYPE OF INSURANCE, ELIMINATING OUR CURRENT PRACTICE OF ISSUING SEPARATE LICENSES FOR EACH LIFE/DISABILITY INSURER.

3. ADDITIONAL "HOUSEKEEPING" AMENDMENTS SUGGESTED BY THE LEGISLATIVE COUNCIL ARE INCLUDED TO PROVIDE CONSISTENCY OF TERMINOLOGY.

## SENATE BILL No. 93

### A BILL FOR AN ACT ENTITLED:

AN ACT TO GENERALLY REVISE THE LAWS RELATING TO INSURANCE AGENTS, SOLICITORS, ADJUSTERS, AND CONSULTANTS; ETC.

THE INSURANCE DEPARTMENT HAS LONG FELT THE NEED TO AMEND AND SIMPLIFY OUR LICENSING PROCEDURES. THIS BILL IS DESIGNED TO ACCOMPLISH THIS GOAL BY MAKING THE FOLLOWING CHANGES:

1. PROVIDE FOR LICENSING OF NON-RESIDENT PARTNERSHIPS AND CORPORATIONS. ALTHOUGH OUR PRESENT LAW PERMITS THE LICENSING OF NON-RESIDENT INDIVIDUALS, IT PROHIBITS THE LICENSING OF NON-RESIDENT FIRMS. THE LAW FURTHER RESTRICTS THE INDIVIDUAL FROM USING THE NAME OF HIS UNLICENSED FIRM IN SOLICITATION OF INSURANCE, EVEN ON LETTERHEAD USED, <sup>AND</sup> PROHIBITS THE SHARING OF COMMISSIONS WITH HIS UNLICENSED FIRM. THIS IS CONTRARY TO CURRENT BUSINESS REALITIES AND VERY POSSIBLY CREATES CONSIDERABLE TAX PROBLEMS FOR THE INDIVIDUALS AND FIRMS INVOLVED. WE FEEL IT SERVES NO USEFUL PURPOSE WHILE CREATING AN ALMOST IMPOSSIBLE ADMINISTRATIVE PROBLEM. THE AMENDMENT WILL PERMIT LICENSING A PARTNERSHIP OR CORPORATION (WITH THE NAMES OF THE INDIVIDUALS TO REPRESENT THE FIRM LISTED ON THE LICENSE). WE HAVE FOUND THAT MANY PERSONS, NOT NECESSARILY INSURANCE AGENTS, DO GO DIRECTLY TO OUT OF STATE FIRMS TO PROCURE INSURANCE AND IT APPEARS THAT SOME MARKETS ARE AVAILABLE ONLY THROUGH SUCH SOURCES.

2. ELIMINATE DISCRIMINATORY LANGUAGE ON THE APPLICATION FOR LICENSE. THE REQUEST FOR INFORMATION ON THE APPLICANT'S SPOUSE COULD WELL BE IN VIOLATION OF DISCRIMINATION LAWS, AND IS UNNECESSARY IN ANY EVENT.

3. ADD AN AGENT'S EXAMINATION FOR THE SALE OF CREDIT LIFE AND DISABILITY INSURANCE ONLY FOR THOSE PERSONS (E.G., AUTO DEALERS) WHO DO NOT ENGAGE IN ANY OTHER INSURANCE SALES.



4. CLARIFY CERTAIN PROCEDURES CONCERNING THE LICENSING OF PROPERTY/CASUALTY AND LIFE/DISABILITY AGENTS. THIS WILL STREAMLINE HANDLING OF LICENSE APPLICATIONS, RENEWALS, AND TERMINATIONS, AND ELIMINATE THE PROCESSING OF SOME 11,000 RENEWAL LICENSES FOR LIFE AGENTS EACH YEAR.

5. ELIMINATE TEMPORARY AGENT'S LICENSES EXCEPT FOR CERTAIN EMERGENCY SITUATIONS. PROVIDING FOR TEMPORARY LICENSES ISSUED PRIOR TO PASSING AN EXAMINATION INVITES ABUSE, AND IN MANY INSTANCES THE LICENSEES NEVER INTEND TO TAKE THE EXAMINATION. WE FEEL ALL AGENTS SHOULD MEET THE QUALIFICATIONS ESTABLISHED BY LAW BEFORE ANY TYPE OF LICENSE IS ISSUED.

6. OTHER REVISIONS ARE INCLUDED WHICH COORDINATE LANGUAGE IN THE LICENSING LAWS TO EFFECT THE CHANGES PROPOSED, TO AVOID POTENTIAL DISCRIMINATION, AND GENERALLY TO SIMPLIFY LICENSING PROCEDURES.

MONTANA INSURANCE DEPARTMENT

BY Josephine M. Driscoll

JOSEPHINE M. DRISCOLL, CHIEF DEPUTY INSURANCE COMMISSIONER

SENATE BILL No. 94

A BILL FOR AN ACT ENTITLED:

AN ACT TO REVISE THE LAW RELATING TO STANDARD VALUATION AND NONFORFEITURE IN LIFE INSURANCE; PROVIDING FOR ADOPTION OF ANNUITY MORTALITY TABLES AND PERMISSIBLE INTEREST RATES IN VALUATION OF ANNUITY AND INSURANCE CONTRACTS; ADDING PROVISIONS RELATING TO NONFORFEITURE IN INDIVIDUAL DEFERRED ANNUITIES, ETC.

THESE AMENDMENTS ARE DESIGNED TO BRING THE STANDARD VALUATION AND NON-FORFEITURE LAW INTO COMPLIANCE WITH CURRENT FINANCIAL AND ACTUARIAL REALITIES. THEY ARE THE RESULT OF A THREE YEAR STUDY BY A SPECIAL COMMITTEE OF THE SOCIETY OF ACTUARIES AND WERE RECOMMENDED FOR ADOPTION BY THE NATIONAL ASSOCIATION OF INSURANCE COMMISSIONERS IN DECEMBER 1976 AND AGAIN IN DECEMBER 1977. TWENTY-FIVE STATES HAVE UPDATED THEIR LIFE INSURANCE STATUTES BY ADOPTING THESE CHANGES AND IT IS ANTICIPATED THAT THE REMAINING STATES WILL DO SO THIS YEAR. IT IS IMPORTANT THAT THE TECHNICAL ACTUARIAL PROVISIONS OF LIFE INSURANCE LAWS BE UNIFORM.

THIS BILL IS HIGHLY TECHNICAL AND IF THE COMMITTEE SO DESIRES WE WOULD BE PLEASED TO ARRANGE TO HAVE AN ACTUARY PRESENT AT A LATER DATE TO ANSWER ANY OF YOUR QUESTIONS.

VERY BASICALLY, THE BILL MAKES SIX CHANGES IN THE EXISTING LAW:

1. ADDS A NEW NONFORFEITURE LAW FOR INDIVIDUAL DEFERRED ANNUITIES.

THIS PROVIDES MINIMUM PROTECTION FOR PURCHASERS OF INDIVIDUAL ANNUITIES AND ESTABLISHES MINIMUM NONFORFEITURE VALUES (OR CASH SURRENDER VALUES).

2. INCREASES INTEREST ASSUMPTIONS FOR NEW LIFE INSURANCE POLICIES AND ANNUITIES.

A. STANDARD VALUATIONS:

(1) INDIVIDUAL LIFE POLICIES--FROM 4% TO 4-1/2%.

(2) SINGLE PREMIUM INDIVIDUAL IMMEDIATE ANNUITIES--FROM 6% TO 7-1/2%.

(3) SINGLE PREMIUM INDIVIDUAL DEFERRED ANNUITIES AND PURE

ENDOWMENT CONTRACTS--FROM 4% TO 5-1/2%.

(4) ALL OTHER INDIVIDUAL ANNUITY AND PURE ENDOWMENT CONTRACTS--  
FROM 4% TO 4-1/2%.

(5) GROUP ANNUITIES--FROM 6% TO 7-1/2%.

(B) NONFORFEITURE:

(1) ALL INDIVIDUAL POLICIES--FROM 4% TO 5-1/2%.

3. INCREASES STANDARD VALUATION INTEREST ASSUMPTION FOR GROUP ANNUITY CONTRACTS ISSUED PRIOR TO JULY 1, 1974--FROM 3-1/2% TO 5%. THESE PLANS ARE USUALLY "QUALIFIED" (UNDER THE INTERNAL REVENUE CODE) CORPORATE PLANS. MOST ARE ON A DEPOSIT BASIS, CONTRIBUTIONS ARE MADE BY AN EMPLOYER EACH YEAR, AND UPON THE EMPLOYEE'S RETIREMENT THE DEPOSIT IS USED TO BUY AN ANNUITY FOR THE EMPLOYEE. THIS WILL REDUCE RETIREMENT RESERVE (DEPOSIT) REQUIREMENTS. FOR CONTRACTS ISSUED BETWEEN JULY 1, 1974 AND JULY 1, 1978 THE INTEREST ASSUMPTIONS REMAIN AT 6%.

4. INCREASES THE "SET BACK" FROM THE STANDARD ORDINARY MORTALITY TABLE FOR LIFE INSURANCE FOR FEMALES FROM THREE YEARS TO SIX YEARS TO RECOGNIZE THE INCREASED LONGEVITY OF WOMEN.

5. ADDS A DEFINITION OF THE COMMISSIONERS ANNUITY RESERVE METHOD TO THE STANDARD VALUATION LAW TO BE APPLIED TO INDIVIDUAL DEFERRED ANNUITIES PURCHASED UNDER AN EMPLOYER OR EMPLOYEE ORGANIZATION RETIREMENT PLAN (EXCEPT AN IRA). THIS CLARIFIES THE LAW TO INSURE THAT ALL INSURERS ESTABLISH ADEQUATE RESERVES FOR THESE BENEFITS.

6. CORRECTS THE COMMISSIONERS RESERVE VALUATION METHOD TO ENABLE INSURERS TO STRENGTHEN BASIC POLICY RESERVES USING A MORE CONSERVATIVE COMPANY BASIS WITHOUT THE NEEDLESS REQUIREMENT TO HOLD HIGHER DEFICIENCY RESERVES.

MONTANA INSURANCE DEPARTMENT

BY Josephine M. Driscoll

JOSEPHINE M. DRISCOLL, CHIEF DEPUTY INSURANCE COMMISSIONER

SENATE MEMBERS

CARROLL GRAHAM  
CHAIRMAN

FRANK HAZELBAKER  
VICE CHAIRMAN

CHET BLAYLOCK

PAT M. GOODOVER

DIANA S. DOWLING  
EXECUTIVE DIRECTOR  
CODE COMMISSIONER

ELEANOR ECK  
ADMINISTRATIVE ASSISTANT

ROBERTA MOODY  
DIRECTOR, LEGISLATIVE SERVICES



# Montana Legislative Council

State Capitol

Helena, 59601

(406) 449-3064

HOUSE MEMBERS

JOHN B. DRISCOLL

OSCAR KVALEN

J.D. LYNCH

ROBERT L. MARKS

H. DAVID COGLEY  
DIRECTOR, LEGAL SERVICES

ROBERT PERSON  
DIRECTOR, RESEARCH

LC 0008

1979 Legislature  
Code Commissioner Bill - Summary

SENATE Bill No. 39

AN ACT TO GENERALLY REVISE AND CLARIFY THE LAW RELATING TO  
TRADE AND COMMERCE.

(This summary does not include discussion of routine form or  
grammatical changes.)

Section 1. 30-7-102. Grammatical change - makes the  
section consistent with the uniform act (U.C.C.).

Section 2. 30-7-210. "block" is the correct spelling  
and is used in the uniform act.

Section 3. 30-9-105. "includes" is grammatically  
correct and consistent within the statute. Makes the section  
consistent with the uniform act.

Section 4. 30-10-201. The amendment makes it clear  
that a broker-dealer is required to file a financial statement.

Section 5. 30-11-115. "part" was bracketed in recodi-  
fication because it is technically an incorrect reference.  
In recodification, Chapter 5 and Chapter 1 of Title 74,  
R.C.M. 1947, were placed in part 6 of Chapter 11, Title 30,  
MCA.

Chapter 5 dealt with exchanges, and Chapter 1 dealt  
with sales and sales agreements. In the statute "part" was  
"chapter" and referred to Chapter 5 of Title 74, R.C.M.  
1947. The word "part" now refers to the former Chapter 1 of  
Title 74, R.C.M. 1947, as well as to the former Chapter 5 of  
Title 74, R.C.M. 1947.

Since 30-11-115 limits its application to exchanges,  
there is no substantive change by using "part".

Section 6. 30-12-1002. Amendment allows inspection of tubes of paint.

Section 7. 30-13-133. The word "property" is changed to "interest" which is the more precise term.

Section 8. 30-14-142. Addition of "shall be" makes the statute's meaning clear. Also makes minor grammatical changes.

Section 9. 30-14-224. The amendment eliminates confusion about the double penalty provision in subsections (1) and (2) for a violation of 30-14-205.

Section 10. 30-14-506. The amendment makes the meaning of the statute clear - that all evidence of indebtedness is to be returned to the buyer.

Section 11. 67-1705, R.C.M. 1947, is not necessary since the subject is covered by 30-2-402 in the Uniform Commercial Code.

84-2805 through 84-2812, R.C.M. 1947. These sections relating to trading stamps were declared unconstitutional by Garden Spot Market, Inc. v. Byrne, 141 Mont. 382 (1963).

85-201 through 85-208, R.C.M. 1947. These sections comprising the Fair Trade Act of 1937 were declared unconstitutional by Union Carbide and Carbon Corp. v. Skaggs Drug Center, Inc., 139 Mont. 15 (1961).

SENATE MEMBERS

CARROLL GRAHAM  
CHAIRMAN

FRANK HAZELBAKER  
VICE CHAIRMAN

CHET BLAYLOCK

PAT M. GOODOVER

DIANA S. DOWLING  
EXECUTIVE DIRECTOR  
CODE COMMISSIONER

ELEANOR ECK  
ADMINISTRATIVE ASSISTANT

ROBERTA MOODY  
DIRECTOR LEGISLATIVE SERVICES



# Montana Legislative Council

State Capitol

Helena, 59601

(406) 449-3064

HOUSE MEMBERS

JOHN B. DRISCOLL

OSCAR KVALEN

J.D. LYNCH

ROBERT L. MARKS

H. DAVID COGLEY  
DIRECTOR, LEGAL SERVICES

ROBERT PERSON  
DIRECTOR, RESEARCH

LC 0050

1979 Legislature  
Code Commissioner Bill - Summary

\_\_\_\_\_ Bill No. \_\_\_\_\_

AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING  
TO INSURANCE AND INSURANCE COMPANIES.

(This summary does not include discussion of routine form  
or grammatical changes.)

Section 1. 33-1-201. Added introduction to clarify  
extent of application of definitions.

Section 2. 33-1-202. Same as Section 1. Deleted  
material as redundant.

Section 3. 33-1-211. Made grammatical changes. Deleted  
"vandalism" because under the criminal code it is criminal  
mischief.

Section 4. 33-1-303. Conformed to Title 2, chapter 18,  
part 1 which limits the personal staff for which the Commissioner  
as State Auditor may fix the salary. Presently 33-1-303 conflicts  
with those provisions.

Section 5. 33-1-315. Conform definition of crimes,  
criminal contempt and perjury, and punishment to criminal  
code.

Section 6. 33-1-411. Section 33-1-412 sets forth  
the requirements for record retention. Erroneous internal  
reference corrected.

Section 7. 33-1-704. Deleted language which conflicts  
with open meetings law, Title 2, chapter 3, MCA. Inserted  
language consistent with that law.

Section 8. 33-2-105. Rewrote to eliminate double negative to clarify that certain transactions are excepted.

Section 9. 33-2-524. Letter from American Life Insurance Association pointed to error. Previously subsection (1) referred to "effective date", but that is only optionally the operative date. The change was made during recodification but bracketed so the legislature could specifically concur.

Section 10. 33-2-708. In subsection (1)(a) clarified exception. In subsection (1)(p)(ii) corrected typographical error.

Section 11. 33-2-833. Home owners' loan corporation no longer exists, therefore deleted.

Section 12. 33-2-1103. The internal reference replaced by recodification was not clear so replacement internal reference was bracketed so legislature could specifically concur.

Section 13. 33-3-215. Former 15-1905, R.C.M. 1947, was repealed. Replaced with similar provision from Business Corporation Act.

Section 14. 33-3-217. Made grammatical change.

Section 15. 33-5-201. Clarifies what reciprocal referred to.

Section 16. 33-7-514. Added "a provision that" in subsection (2)(1) for clarification.

Section 17. 33-10-217. Made grammatical change.

Section 18. 33-10-229. Changed "as" to "was" to correct typographical error in subsection (3).

Section 19. 33-17-203. Corrects grammatical error and improves sentence structure.

Section 20. 33-17-211. Conjunction added to subsection (9) to correct grammatical error.

Section 21. 33-17-213. Added article "a", in subsection (1).

Section 22. 33-17-1004. Rewrote penalty provision -- uniform style, more literally correct.

Section 23. 33-18-301. Deleted "At hard labor" as hard labor no longer exists as a formal sentence.

Section 24. 33-20-213. Corrects inaccurate internal reference. Sections 33-20-206 and 33-20-207, MCA, were added after January 1, 1948 and cannot be effective before that date.

Section 25. 33-20-1111. Corrects inaccurate internal reference in subsection (3). Section 33-20-1209, not 33-20-1208, establishes requirements.

Section 26. 33-22-202. Correct inaccurate internal reference in subsection (3). Provisions were contained in sections 40-4004 through 40-4026, not 40-4007 through 40-4030.

Sections 27 and 28. 33-17-216, 33-20-121. Updated obsolete terminology, "insanity" and "sane or insane".

Section 29. 40-1723. Repealed because other provisions to which applicable have been repealed.



SENATE MEMBERS

CARROLL GRAHAM  
CHAIRMAN

FRANK HAZELBAKER  
VICE CHAIRMAN

CHET BLAYLOCK

PAT M. GOODOVER

DIANA S. DOWLING  
EXECUTIVE DIRECTOR  
CODE COMMISSIONER

ELEANOR ECK  
ADMINISTRATIVE ASSISTANT

ROBERTA MOODY  
DIRECTOR, LEGISLATIVE SERVICES



# Montana Legislative Council

State Capitol

Helena, 59601

(406) 449-3064

HOUSE MEMBERS

JOHN B. DRISCOLL

OSCAR KVALEN

J.D. LYNCH

ROBERT L. MARKS

H. DAVID COGLEY  
DIRECTOR, LEGAL SERVICES

ROBERT PERSON  
DIRECTOR, RESEARCH

LC 0014

1979 Legislature  
Code Commissioner Bill -- Summary

\_\_\_\_\_ Bill No. \_\_\_\_\_

AN ACT TO GENERALLY REVISE AND CLARIFY THE LAW RELATING TO  
FINANCIAL INSTITUTIONS.

(This summary does not include discussion of routine form or  
grammatical changes.)

Section 1. 32-1-424. Deleted reference to Homeowner  
Loan Corporation. The corporation was dissolved by Congress  
by Act June 30, 1953, Ch. 170, §21 67 Stat. 126 (12 U.S.C. 1463).

Section 2. 32-1-464. Grammatical change.

Section 3. 32-1-465. Grammatical change.

Section 4. 32-1-506. Grammatical change.

Section 5. 32-1-534. The positioning of the phrase "All  
contractual liabilities pro rata" makes the statute's meaning  
confusing. The change makes it clear that contractual liabilities  
are included in the 4th class [1(d)] of liquidation.

Section 6. 32-2-406. Deleted reference to Home Owners'  
Loan Corporation (see section 1), and minor grammatical changes.

Section 7. 32-3-611. The present wording is phrased in  
terms of requirements that take effect upon a certain date in  
the future. That date was January 1, 1978, which has now passed,  
and the statute is rewritten in present tense. The amendment  
also adds a necessary requirement that all new credit unions must  
acquire share insurance before they may commence business. It  
also provides a sanction, which is necessary for enforcement of  
the statute.

SENATE MEMBERS

CARROLL GRAHAM  
CHAIRMAN

FRANK HAZELBAKER  
VICE CHAIRMAN

CHEF BLAYLOCK

PAT M. GOODOVER

DIANA S. DOWLING  
EXECUTIVE DIRECTOR  
CODE COMMISSIONER

LEANOR ECK  
ADMINISTRATIVE ASSISTANT

OSBERTA MOODY  
DIRECTOR, LEGISLATIVE SERVICES



# Montana Legislative Council

State Capitol

Helena, 59601

(406) 448-3084

HOUSE MEMBERS

OSCAR KVALEN

REX MANUEL

ROBERT L. MARKS

JOHN VINCENT

H. DAVID COGLEY  
DIRECTOR, LEGAL SERVICES

ROBERT PERSON  
DIRECTOR, RESEARCH

SHAROLE CONNELLY  
DIRECTOR, ACCOUNTING DIV.

LC 0049

1979 Legislature  
Code Commissioner Bill - Summary

Sen. Bill No. 139

AN ACT TO CLARIFY THAT SUBSEQUENT INCLUSIONS IN THE MONTANA INSURANCE CODE ARE INTENDED TO BE A PART OF THAT CODE; AMENDING SECTION 33-1-101, MCA.

(This summary does not include discussion of routine form or grammatical changes.)

Section 1. 33-1-101. Changed "[act]" to "Title" to include in the Montana insurance code all those laws enacted after the 1959 Legislature enacted that code as Title 40, R.C.M. 1947. Numerous laws have been enacted or codified as part of that title without a clear indication that the code was being expanded. Those portions of Title 40, R.C.M. 1947, to which the code does not apply are exempted in 40-2609, 40-2610, and 40-2611, R.C.M. 1947 (33-1-102, MCA). The extent of that exemption as to health service corporations is the subject of some controversy. (See 37 A.G. Ops. No. 151, 1978.)

SENATE MEMBERS

CARROLL GRAHAM  
CHAIRMAN

FRANK HAZELBAKER  
VICE CHAIRMAN

T. BLAYLOCK

PAT M. GOODOVER

DIANA S. DOWLING  
EXECUTIVE DIRECTOR  
CODE COMMISSIONER

ELEANOR ECK  
ADMINISTRATIVE ASSISTANT

ROBERTA MOODY  
DIRECTOR, LEGISLATIVE SERVICES



# Montana Legislative Council

State Capitol

Helena, 59601

(406) 449-3064

HOUSE MEMBERS

JOHN B. DRISCOLL

OSCAR KVAALEN

J.D. LYNCH

ROBERT L. MARKS

H. DAVID COGLEY  
DIRECTOR, LEGAL SERVICES

ROBERT PERSON  
DIRECTOR, RESEARCH

LC 0050

1979 Legislature  
Code Commissioner Bill - Summary

See Bill No. 101

AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING  
TO INSURANCE AND INSURANCE COMPANIES.

(This summary does not include discussion of routine form  
or grammatical changes.)

Section 1. 33-1-201. Added introduction to clarify  
extent of application of definitions.

Section 2. 33-1-202. Same as Section 1. Deleted  
material as redundant.

Section 3. 33-1-211. Made grammatical changes. Deleted  
"vandalism" because under the criminal code it is criminal  
mischief.

Section 4. 33-1-303. Conformed to Title 2, chapter 18,  
part 1 which limits the personal staff for which the Commissioner  
as State Auditor may fix the salary. Presently 33-1-303 conflicts  
with those provisions.

Section 5. 33-1-315. Conform definition of crimes,  
criminal contempt and perjury, and punishment to criminal  
code.

Section 6. 33-1-411. Section 33-1-412 sets forth  
the requirements for record retention. Erroneous internal  
reference corrected.

Section 7. 33-1-704. Deleted language which conflicts  
with open meetings law, Title 2, chapter 3, MCA. Inserted  
language consistent with that law.

Section 8. 33-2-105. Rewrote to eliminate double negative to clarify that certain transactions are excepted.

Section 9. 33-2-524. Letter from American Life Insurance Association pointed to error. Previously subsection (1) referred to "effective date", but that is only optionally the operative date. The change was made during recodification but bracketed so the legislature could specifically concur.

Section 10. 33-2-708. In subsection (1)(a) clarified exception. In subsection (1)(p)(ii) corrected typographical error.

Section 11. 33-2-833. Home owners' loan corporation no longer exists, therefore deleted.

Section 12. 33-2-1103. The internal reference replaced by recodification was not clear so replacement internal reference was bracketed so legislature could specifically concur.

Section 13. 33-3-215. Former 15-1905, R.C.M. 1947, was repealed. Replaced with similar provision from Business Corporation Act.

Section 14. 33-3-217. Made grammatical change.

Section 15. 33-5-201. Clarifies what reciprocal referred to.

Section 16. 33-7-514. Added "a provision that" in subsection (2)(1) for clarification.

Section 17. 33-10-217. Made grammatical change.

Section 18. 33-10-229. Changed "as" to "was" to correct typographical error in subsection (3).

Section 19. 33-17-203. Corrects grammatical error and improves sentence structure.

Section 20. 33-17-211. Conjunction added to subsection (9) to correct grammatical error.

Section 21. 33-17-213. Added article "a", in subsection (1).

Section 22. 33-17-1004. Rewrote penalty provision -- uniform style, more literally correct.

Section 23. 33-18-301. Deleted "At hard labor" as hard labor no longer exists as a formal sentence.

Section 24. 33-20-213. Corrects inaccurate internal reference. Sections 33-20-206 and 33-20-207, MCA, were added after January 1, 1948 and cannot be effective before that date.

Section 25. 33-20-1111. Corrects inaccurate internal reference in subsection (3). Section 33-20-1209, not 33-20-1208, establishes requirements.

Section 26. 33-22-202. Correct inaccurate internal reference in subsection (3). Provisions were contained in sections 40-4004 through 40-4026, not 40-4007 through 40-4030.

Sections 27 and 28. 33-17-216, 33-20-121. Updated obsolete terminology, "insanity" and "sane or insane".

Section 29. 40-1723. Repealed because other provisions to which applicable have been repealed.