

MINUTES OF THE MEETING OF THE HOUSE HIGHWAYS AND
TRANSPORTATION COMMITTEE, MARCH 3, 1983

The meeting was called to order by Chairman Abrams on Thursday, March 3, 1983 at 12:30pm, in Room 129, State Capitol. All members were present with the exception of Representatives Hemstad and Keyser, who were excused, and Representatives Shontz, Stobie and Kennerly, who were absent.

HEARINGS

SENATE BILL 91. SEN. CARROLL GRAHAM, District 29, Big Horn County, testified as chief sponsor of the bill which was drafted at the request of the Montana Department of Highways to permit the Montana Highway Commission to delegate its authority to the Department to let bids on small projects.

PROPONENTS

MR. JIM BECK, Montana Department of Highways, told the Committee the all-inclusive language regarding cities and towns has caused problems in the past, when cities want to work on a sewer district, for instance, and a highway is involved. He said the bill would eliminate the need for Commission authorization to conduct such work.

OPPONENTS

MR. MITCH MIHALOVICH, President, Montana Building Trades Council, said the bill could have an effect on the Davis-Bacon Act and should be amended.

MR. LARRY PERSINGER, Local #1334, Construction and General Workers Union, said the bill would affect local contractors adversely.

SEN. GRAHAM closed.

QUESTIONS

REP. O'CONNELL asked if the State could contract to any city for a certain amount of work within that city's jurisdiction, for which said city could go to competitive bidding. Mr. Beck advised the Committee this particular situation is addressed in House Bill 205, adding work under a certain amount would not be bid.

REP. BROWN asked Mr. Mihalovich to check House Bill 205 to see if it addressed his concerns and the hearing was closed.

Highways Committee Minutes

March 3, 1983

Page 2

EXECUTIVE SESSION

HOUSE BILL 17. MR. GREG PETESCH, Legislative Council Attorney, explained the proposed Department of Revenue amendments to the bill (exhibit).

REP. BROWN said he was concerned with the \$30 permanent fee for trucks being exhorbitant in comparison to the alternate fuels tax.

MR. JOHN BRAUNBECK, Energy Services Company, said the permit fee would apply only to liquid petroleum.

REP. HARP moved the Department of Revenue amendments be approved. The motion was seconded by Rep. Shontz and given unanimous committee approval.

REP. ZABROCKI moved the bill Do Pass as Amended. The motion was seconded by Rep. Harp and approved by all members except Representatives Brown and Howe, who voted no.

HOUSE BILL 442. MR. PETESCH told the Committee the proposed amendment would change funding from bonding to the permanent sub-fund.

REP. BROWN moved the bill Do Pass and Rep. O'Connell seconded the motion.

REP. SOLBERG moved the amendment to House Bill 442 be approved. Rep. Brown seconded the motion which was approved by all members except Representatives Koehnke and Hammond, who voted no.

REP. LYBECK moved the bill Do Not Pass. Rep. Koehnke seconded the motion.

✓ REP. UNDERDAL said he would oppose the motion as if there were any proper use for the fund, it would be for better highways for future Montanans.

Rep. Lybeck's motion failed with eight members voting no and five voting aye. The vote was reversed to give the bill a Do Pass as Amended recommendation.

SENATE BILL 91. REP. HARP moved the bill Do Pass. Rep. Brown seconded the motion, which was given unanimous committee approval.

The meeting was adjourned at 1:13pm.


REP. HUBERT ABRAMS, CHAIRMAN

Joann T. Gibson, Secretary

STANDING COMMITTEE REPORT

MARCH

7

19 83

MR. SPEAKER:

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration HOUSE Bill No. 17

FIRST reading copy (WHITE color)

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A FEE IN LIEU OF SPECIAL FUELS TAX FOR VEHICLES OF 8,000 POUNDS OR LESS GROSS WEIGHT; PROVIDING FOR ISSUANCE OF WINDSHIELD DECALS AS EVIDENCE OF TAX EXEMPTION; DEFINING LIQUID PETROLEUM GAS AND COMPRESSED NATURAL GAS AS SPECIAL FUELS; SETTING AND INCREASING SPECIAL FUELS USE TAX RATES; PROVIDING FOR DEPOSIT OF THE FEE IN THE HIGHWAY EARMARKED SPECIAL REVENUE FUND AND PROHIBITING ITS USE TO PAY HIGHWAY PATROL SALARIES; PROVIDING FOR A PENALTY; AMENDING SECTIONS 15-70-301, 15-70-302, 15-70-321, AND 15-70-322, MCA; REPEALING SECTIONS 15-71-101 THROUGH 15-71-105, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That HOUSE Bill No. 17

XXXXXX
DO NOT
XXXXXX

STATE PUB. CO.
Helena, Mont.

REP. HUBERT ABRAMS

Hubert Abrams
Chairman.

JOURNAL

MARCH 7, 1983

1) Title, line 6
Following: "FUELS"
Insert: "AND ALTERNATE FUELS"
Following: "VEHICLES OF"
Strike: "8,000"
Insert: "10,000"

2) Title, line 8
Following: "DEFINING"
Strike: remainder of line 8 through "SPECIAL" on line 9
Insert: "ALTERNATE"

3) Title, line 13
Following: "PENALTY;"
Insert: "INCREASING LICENSE TAX FEES FOR ALTERNATE FUEL
VEHICLES AND PROVIDING FOR ALTERNATE FUEL TEMPORARY TRIP
PERMITS;"

4) Title, line 14
Following: "15-70-302,"
Strike: "15-70-321, AND"
Following: "15-70-322,"
Insert: "15-71-101, AND 15-71-102,"

5) Title, line 15
Following: line 14
Strike: "REPEALING SECTIONS 15-71-101 THROUGH 15-71-105, MCA;"

6) Page 1, line 20
Following: line 19
Insert: "and alternate fuels"

7) Page 1, line 22
Following: "of"
Strike: "8,000"
Insert: "10,000"

8) Page 1, line 23
Following: "or"
Strike: "electricity"
Insert: "alternate fuel"

9) Page 1, line 24
Following: "fuels"
Insert: "or alternate fuels"

10) Page 1, line 25
Following: "issue a"
Insert: "distinctive"

11) Page 2, line 3
Following: "fuels"
Insert: "or alternate fuels"

12) no amendments


REP. HUBERT ABRAMS, CHAIRMAN

MARCH 7, 1983

13)Page 2, line 6
Following: "fuels"
Insert: "or alternate fuels"
Following: "is"
Strike: "\$60"
Insert: "\$80"

14)Page 2, line 7
Following: "vehicle of"
Strike: "8,000"
Insert: "10,000"

15)Page 2, line 8
Following: "fuels"
Insert: "or alternate fuels"

16)Page 2, line 15
Following: line 14
Insert: "or alternate fuels"

17)Page 3, line 4
Following: "fuel"
Insert: "or alternate fuel"

18) Page 3, line 6
Following: "to"
Strike: "special"
Insert: "alternate"

19)Page 3, line 7
Following: "of"
Strike: "special"
Insert: "alternate"

20)Page 3, line 11
Strike: "fee-in-lieu-of-special-fuels-tax"

21)Page 3, line 12
Following: line 11
Insert: "issued pursuant to subsection (1)"

22)Page 3, line 14
Following: "fuel"
Insert: "or alternate fuel"

23)Page 3, line 16
Following: "fuels"
Insert: "or alternate fuels"

24)Page 3, line 22
Following: line 21
Insert: "(1) "Alternate fuel" means liquefied petroleum gas, compressed natural gas, hydrogen, and electricity when actually sold for use or used in motor vehicles propelled upon the public roads and highways or streets within the state of Montana."

Renumber subsequent subsections.

Hubert Abrams
REP. HUBERT ABRAMS, CHAIRMAN

MARCH 7, 1983

25)Page 3, line 23
Following: "by"
Insert: "an alternate fuel dealer or"

26)Page 4, line 4
Following: "such"
Insert: "alternate fuel dealer or"

27)Page 4, line 6
Following: "by"
Insert: "an alternate fuel dealer or"

28)Page 5, line 10
Following: "except"
Strike: "including"
Insert: "except"

29)Page 5, line 11
Following: "gas"
Strike: ", and compressed natural gas"

30)Page 6, line 21
Following: line 20
Strike: "8,000"
Insert: "10,000"

31)Page 7, line 10
Following: "of"
Strike: "8,000"
Insert: "10,000"

32)Page 7, line 15
Following: "vehicle of"
Strike: "8,000"
Insert: "10,000"

33)Strike Section 4 in its entirety and renumber subsequent sections.

34)Page 10, following line 5
Insert:

"Section 5. Section 15-71-101, MCA, is amended to read:
"15-71-101. Tax to be collected on motor vehicles self-propelled
by ~~a-liquefied-petroleum-gas~~ alternate fuels. (1) The
department of highways shall, under the rules issued by the
department of revenue, collect or cause to be collected from
owners or operators of motor vehicles powered by any ~~liquefied~~
~~petroleum-gas~~ alternate fuel an annual license tax fee on
each such vehicle, which license tax fee is prorated on a
quarterly basis and may be paid quarterly, semiannually, or
annually according to the following schedule:


REP. HUBERT ABRAMS, CHAIRMAN

MARCH 7, 1983

~~{a}-passenger-cars-and-pickups-whose-licensed-gross vehicle-weight-is-10,000-pounds-or-less,-\$60;~~

~~{b}~~(a) motor trucks and truck tractors whose licensed gross vehicle weight is over 10,000 pounds and less than 18,000 pounds, ~~\$80~~ \$110;

~~{e}~~(b) motor trucks and truck tractors whose licensed gross vehicle weight is 18,000 pounds or more and less than 48,000 pounds, ~~\$200~~ \$270; and

~~{d}~~(c) motor trucks and truck tractors whose licensed gross vehicle weight is 48,000 pounds or more, ~~\$1,000~~ \$1,330.

(2) Upon payment of the tax required by this section, the department of highways shall provide a certificate to be carried in each vehicle, which is valid for a period no less than a calendar quarter or for such further calendar period for which the tax is paid.

(3) The United States, Montana, and all other states, and the counties, incorporated cities and towns, and school districts of this state are exempt from the levy and imposition of this tax."

Section 6. Section 15-71-102, MCA, is amended to read:

"15-71-102. Temporary trip permit required. (1) Upon entering the state, a nonresident operating any motor vehicle powered by ~~liquefied-petroleum-gas~~ alternate fuel is required to purchase ~~a-liquid-petroleum-gas~~ an alternate fuel temporary trip permit. The permits will be issued by scale house personnel, gross vehicle weight patrol crews, Montana highway patrolmen, alternate fuel dealers under rules and bonds prescribed by the department, and such other enforcing agents as the department of revenue may prescribe.

(2) A temporary ~~liquid-petroleum-gas~~ alternate fuel permit for a vehicle whose licensed gross vehicle weight is 10,000 pounds or less shall cost \$20. The permit is valid for a period of time not to exceed 72-hours-and-will-be automatically-void-if-the-vehicle-leaves-the-state-during this-period 30 days.

(3) A temporary alternate fuel permit for a vehicle whose licensed gross vehicle weight exceeds 10,000 pounds shall cost \$30.00. The permit is valid for a period of time not to exceed 72 hours and will be automatically void if the vehicle leaves the state during this period.

(4) Special ~~liquid-petroleum-gas~~ alternate fuel permits, remittance forms, and any other papers necessary for the enforcement of this chapter shall be furnished by the department of highways.""

35)Page 10, lines 6 and 7
Strike: Section 6 in its entirety

Hubert Abrams
REP. HUBERT ABRAMS, CHAIRMAN

STANDING COMMITTEE REPORT
HB 17-AMENDMENTS
PAGE 6 of 6

MARCH 7, 1983

36)Page 10, line 10
Following: "70,"
Strike: "part 3,"

37)Page 10, line 11
Following: "70,"
Strike: "part 3,"

AND AS AMENDED

BE CONCURRED IN


REP. HUBERT ABRAMS, CHAIRMAN

STANDING COMMITTEE REPORT

MARCH

7

19 83

MR. **SPEAKER:**

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

having had under consideration **HOUSE** Bill No. **17**

FIRST reading copy (**WHITE**)
color

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A FEE IN LIEU OF SPECIAL FUELS TAX FOR VEHICLES OF 8,000 POUNDS OR LESS GROSS WEIGHT; PROVIDING FOR ISSUANCE OF WINDSHIELD DECALS AS EVIDENCE OF TAX EXEMPTION; DEFINING LIQUID PETROLEUM GAS AND COMPRESSED NATURAL GAS AS SPECIAL FUELS; SETTING AND INCREASING SPECIAL FUELS USE TAX RATES; PROVIDING FOR DEPOSIT OF THE FEE IN THE HIGHWAY EARMARKED SPECIAL REVENUE FUND AND PROHIBITING ITS USE TO PAY HIGHWAY PATROL SALARIES; PROVIDING FOR A PENALTY; AMENDING SECTIONS 15-70-301, 15-70-302, 15-70-321, AND 15-70-322, MCA; REPEALING SECTIONS 15-71-101 THROUGH 15-71-105, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That **HOUSE** Bill No. **17**

XXXXXX
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REP. HUBERT ABRAMS

Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

MARCH 7, 1983

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MARCH 7, 1983

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each such vehicle, which license tax fee is prorated on a
quarterly basis and may be paid quarterly, semiannually, or
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REP. HUBERT ABRAMS, CHAIRMAN

MARCH 7, 1983

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(2) A temporary liquid-petroleum-gas alternate fuel permit for a vehicle whose licensed gross vehicle weight is 10,000 pounds or less shall cost \$20. The permit is valid for a period of time not to exceed 72-hours-and-will-be ~~automatically-void-if-the-vehicle-leaves-the-state-during this-period~~ 30 days.

(3) A temporary alternate fuel permit for a vehicle whose licensed gross vehicle weight exceeds 10,000 pounds shall cost \$30.00. The permit is valid for a period of time not to exceed 72 hours and will be automatically void if the vehicle leaves the state during this period.

(4) Special liquid-petroleum-gas alternate fuel permits, remittance forms, and any other papers necessary for the enforcement of this chapter shall be furnished by the department of highways. ""

35)Page 10, lines 6 and 7
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Hubert Abrams
REP. HUBERT ABRAMS, CHAIRMAN

STANDING COMMITTEE REPORT
HB 17-AMENDMENTS
PAGE 6 of 6

MARCH 7, 1983

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AND AS AMENDED

BE CONCURRED IN



REP. HUBERT ABRAMS, CHAIRMAN

STANDING COMMITTEE REPORT

MARCH 3

19 83

MR. **SPEAKER:**

HIGHWAYS AND TRANSPORTATION

We, your committee on

having had under consideration **HOUSE** Bill No. **442**

white reading copy (first)
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY
FROM THE COAL SEVERANCE TAX TRUST FUND FOR THE
RECONSTRUCTION, MAINTENANCE, AND REPAIR OF HIGHWAYS,
STREETS, AND ROADS."**

Respectfully report as follows: That **HOUSE** Bill No. **442**

Be amended as follows:

**1. Page 1, line 11
Following: "tax"
Strike: "bond"
Insert: "permanent"**

AND AS AMENDED

DO PASS

REP. HUBERT ABRAMS

Hubert Abrams
Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

STANDING COMMITTEE REPORT

MARCH 3

19 83

MR. **SPEAKER:**

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

having had under consideration **SENATE** Bill No. **91**

third reading copy (blue)
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE MONTANA
HIGHWAY COMMISSION TO DELEGATE ITS AUTHORITY TO AWARD
CONTRACTS TO THE DEPARTMENT OF HIGHWAYS AND TO UNITS
OF LOCAL GOVERNMENT; AMENDING SECTION 69-2-111, MCA."**

Respectfully report as follows: That **SENATE** Bill No. **91**

BE CONSIDERED IN

DO PASS

STATE PUB. CO.
Helena, Mont.

REP. HUBERT ABRAMS

Hubert Abrams
Chairman.

COMMITTEE SECRETARY

ROLL CALL VOTE ----- 1983 HIGHWAYS AND TRANSPORTATION COMMITTEE

	Date: 2/5 No: HB 16 Do Pass as Am.	Date: 2/8 No: HB 9 Do Pass as Am.	Date: 3/1 No: SB 106	Date: 3/3 No: HB 440	Date No:	Date: No:
ABRAMS	Y	N	Y	N		
ZABROCKI	Y	Y	Y	Y		
BROWN	N	N	--	N		
COMPTON	Y	N	Y	N		
HAMMOND	Y	Y	N	Y		
HARP	Y	Y	--	N		
HEMSTAD	N	Y	--	--		
HOWE	N	N	Y	Y		
KENNERLY	Y	Y	N	--		
KEYSER	N	Y	N	N		
KOEHNKE	N	Y	Y	Y		
LYBECK	Y	Y	N	Y		
O'CONNELL	Y	Y	N	N		
SHONTZ	Y	N	N	--		
SOLBERG	Y	N	Y	N		
STOBIE	N	Y	Y	--		
UNDERDAL	N	N	Y	N		

VISITOR'S REGISTER

HOUSE Highways

COMMITTEE

BILL SB 91

DATE 3-3-83

SPONSOR Graham

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name Mitch Mikhailovich Committee On SB 91
Address 1900 ELM - Butte Date 3-3-83
Representing STATE Bldg Trades Support _____
Bill No. S.B 91 Oppose X
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.



BUILDING AND CONSTRUCTION TRADES COUNCIL
IN AFFILIATION WITH
BUILDING AND CONSTRUCTION TRADES DEPARTMENT
AMERICAN FEDERATION OF LABOR—CONGRESS OF INDUSTRIAL ORGANIZATIONS

Address of Writer _____

MONTANA STATE BUILDING AND
CONSTRUCTION TRADES COUNCIL
P.O. BOX 1046
BOZEMAN, MT. 59701

TESTIMONY OF MITCH MIHAIOVICH ON SENATE BILL 91, BEFORE THE HOUSE COMMITTEE ON
HIGHWAYS, MARCH 3, 1983

My name is Mitch Mihailovich, and I am representing the Montana State Building and Construction Trades Council, AFL-CIO. We are opposed to Senate Bill 91.

We believe the current bid system used by the Montana Highway Commission works and works well for workers and for contractors. This system means that qualified contractors employing qualified workers get construction bids. Changing that law so that local government units or the State Highway Department would have the authority to perform this construction work would have an adverse effect on skilled construction workers and on local contractors.

It is also no service to the taxpayer and to the general public to have this work done by people who may not have the skills to do it correctly. It is very important that our roads and highways be built with qualified workers and contractors who can do a quality job. Otherwise, the public ends up with roads and highways that are not safe, and the taxpayer ends up paying to have the work re-done or repaired.

You have heard us say before, "if it ain't broke, don't fix it". That is how we feel about this bill.

We urge you to vote against Senate Bill 91.

Thank you.

WITNESS STATEMENT

Name Larry Persinger Committee On _____
Address 1800 Phillips Ave, Butte Date March 3, 1983
Representing Laborers Union #1334 Support _____
Bill No. S.B.#91 Oppose X
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1.

2.

3.

4.

Itemize the main argument or points of your testimony. This will assist the committee secretary with her minutes.

SB 91 - allows the Highway Commission to delegate its authority to award contracts to the Highway Department or to a unit of local government.

4317

Recommend the following amendments:

Page 10 - lines 15 thru lines 18 be inserted into the alternate fuels act.

Page 12 - lines 6 and 7 be reinstated to give the enforcement agents the authority to sell temporary permits to those persons operating vehicles over 10,000 lbs. These vehicles are required to stop at scale houses.

Page 12 (2) - The present language is correct for vehicles 10,000 lbs. or less if you want the permit valid for 30 days at a cost of \$20.00.

Insert the following language for vehicles over 10,000 lbs.:

- (1) Upon entering the state, a nonresident operating any motor vehicle powered by liquefied petroleum gas over 10,000 lbs. is required to purchase a liquid petroleum gas temporary trip permit. The permits will be issued by scale house personnel, gross vehicle weight patrol crews, Montana highway patrolmen, and such other enforcing agents as the department of revenue may prescribe.
- (2) A temporary liquid petroleum gas permit shall cost \$30.00. The permit is valid for a period of time not to exceed 72 hours and will be automatically void if the vehicle leaves the state during this period. Special liquid petroleum gas permits, remittance forms, and any other papers necessary for the enforcement of this chapter shall be furnished by the department of highways.

This amendment would issue temporary permits to alternate fuel vehicles the same as is being issued to diesel powered vehicles at the present time.

Page 12 - line 17 department of highways should be reinserted to allow the agency to furnish permits and forms to those vehicles weighing over 10,000 lbs.

(temporary)

March 3, 1983

Synopsis of Committee action on HB 17.

The bill was heard on January 20, 1983, at which time Rep. Waldron, chief sponsor of the bill provided committee members with proposed amendments.

Rep. Waldron told the Committee natural gas and propane users pay no user tax and that agricultural owners of diesel automobiles were avoiding the tax through use of tax exempt diesel.

He said a proposed annual fee of \$60 would replace the tax for vehicles under 10,000 GVW, for which a decal would be issued by the County Treasurer. A separate liquified propane decal would also be issued along with a temporary permit for interstate travellers which would be dispensed by liquid propane dealers.

Mr. John Braunbeck, Montana Intermountain Marketing and Montana LPG Association expressed his support of the bill.

Mr. Gary Wicks, Director, MDOH, recommended collection of the diesel tax at the pump and not via decals and delined further comment until revenues were reviewed.

Sen. Roger Elliott explained the formula used to arrive at the \$60 annual fee.

There were no opponents of the bill. In closing, Rep. Waldron told the Committee lines 16 and 19, page 8 would need to be amended since they were incorrect.

The hearing was opened to questions from the Committee, after which time Mr. Jim Ziegenhagel, Great Falls Gas, asked to be heard as an opponent. He had been delayed in arriving at the hearing on time and requested special consideration. He advised committee members of compressed natural gas use in Canada and other countries, relative that of gasoline.

Executive Action was attempted on January 25, 1983. Committee members were provided with a copy of the gray bill by Greg Petesch, Attorney, Legislative Council.

Rep. Brown made a motion that HB 17 Do Pass. Rep. Keyser made a motion to approve proposed amendments to the bill.

Discussion followed by committee members with regard to decals and record keeping processes.

REP. O'Connell called for the question on the motion. The motion, as made by Rep. Keyser was approved with all members voting aye except Reps. Howe and Lybeck.

March 3, 1983
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Page 2

Rep. O'Connell moved that HB 17 Do Pass as Amended.

Rep. Brown made a substitute motion that the bill Do Not Pass as Amended.

Rep. Shontz made a substitute motion for all motions pending that HB 17 be tabled in Committee. The motion was voted on and approved unanimously.

On February 10, in Executive Session, Rep. Zabrocki made a motion to bring HB17 off the table. The motion was approved with all members voting aye except Rep. Stobie.

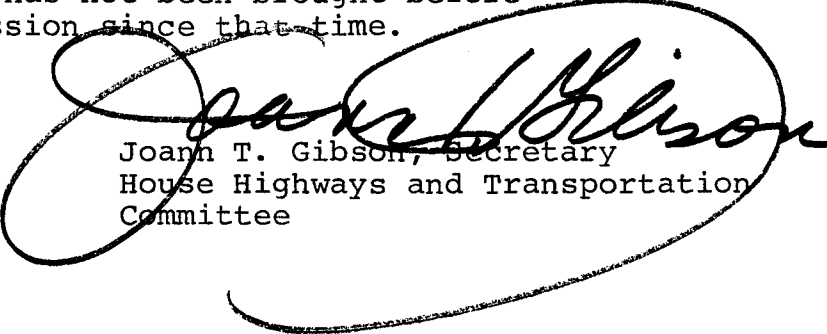
Rep. Harp moved that the bill Do Pass As Amended (gray bill copy).

Rep. Stobie made a substitute motion to put the bill back on the table.

Due to insufficient time, Chairman Abrams asked if the Committee would delay executive action.

Rep. Hammond made a substitute motion for all motions pending to take action on the bill during the next executive session. The motion was approved with all members voting aye, except Rep. Keyser.

The bill was not discussed on February 12, again due to shortage of time and has not been brought before the Committee for discussion since that time.



Joann T. Gibson, Secretary
House Highways and Transportation
Committee

March 3, 1983

Synopsis of Committee action on HB 442.

The bill, sponsored by Rep. Seifert was heard on February 10, 1983, in conjunction with HB443. Executive action was taken on HB443 on February 17, 1983.

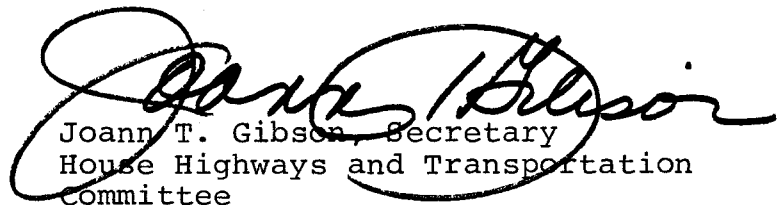
Rep. Seifert said the bill would appropriate \$20 million of permanent coal tax dollars for the upcoming biennium. He advised \$3 million of these funds would be provided to cities and towns with the remainder deposited to the highways construction and reconstruction accounts.

Many organizations testified as proponents of the bills and urged committee support.

Those testifying as opponents stated that the appropriation would be misuse of the fund or that better solutions had been provided elsewhere.

Mr. Wicks, Director, MDOH, said he opposed both HB442 and HB 443, although he does support the use of coal tax dollars to support the highway sustem, from other than the trust. He said a fuel tax increase would still be needed if both bills passed.

In closing, Rep. Seifert said that although the Department may have the problem resolved for the next 2 years there is a need to plan further ahead. He told the Committee 50% of the Coal Tax Trust would not be touched, adding that the increased fuel tax creates an additional burden to the people of Montana.


Joann T. Gibson, Secretary
House Highways and Transportation
Committee

AMENDMENTS TO HB17

- 1) Title, line 6
Following: "FUELS"
Insert: "AND ALTERNATE FUELS"
Following: "VEHICLES OF"
Strike: "8,000"
Insert: "10,000"
- 2) Title, line 8
Following: "DEFINING"
Strike: remainder of line 8 through "SPECIAL" on line 9
Insert: "ALTERNATE"
- 3) Title, line 13
Following: "PENALTY"
Insert: "INCREASING LICENSE TAX FEES FOR ALTERNATE FUEL
VEHICLES AND PROVIDING FOR ALTERNATE FUEL TEMPORARY
TRIP PERMITS;"
- 4) Title, line 14
Following: "15-70-321,"
Strike: "AND"
Insert: "15-71-101, AND 15-71-102,"
- 5) Title, line 15
Following: line 14
Strike: "REPEALING SECTIONS 15-71-101 THROUGH 15-71-105, MCA;"
- 6) Page 1, Line 20
Following: line 19
Insert: "and alternate fuels"
- 7) Page 1, Line 22
Following: "of"
Strike: "8,000"
Insert: "10,000"
- 8) Page 1, Line 23
Following: "or"
Strike: "electricity"
Insert: "alternate fuels"
- 9) Page 1, Line 24
Following: "fuels"
Insert: "or alternate fuels"
- 10) Page 1, Line 25
Following: "issue a"
Insert: "distinctive"
- 11) Page 2, Line 3
Following: "fuels"
Insert: "or alternate fuels"

AMENDMENTS TO HB17

Page 2 of 4

- 12) Page 2, Line 4
Following: "fuel"
Insert: "or alternate fuel"
- 13) Page 2, Line 6
Following: "fuels"
Insert: "or alternate fuels"
- 14) Page 2, Line 7
Following: "vehicle of"
Strike: "8,000"
Insert: "10,000"
- 15) Page 2, Line 8
Following: "fuels"
Insert: "or alternate fuels"
- 16) Page 2, Line 15
Following: Line 14
Insert: "or alternate fuels"
- 17) Page 3, Line 4
Following "fuel"
Insert: "or alternate fuel"
- 18) Page 3, Line 6
Following: "to"
Strike: "special"
Insert: "alternate"
- 19) Page 3, Line 7
Following: "of"
Strike: "special"
Insert: "alternate"
- 20) Page 3, Line 11
Following: "idsplays a"
Strike: "fee-in-lieu-of-special-fuels-tax"
- 21) Page 3, Line 12
Following: Line 11
Insert: "issued pursuant to subsection (1)"
- 22) Page 3, Line 14
Following "fuel"
Insert: "or alternate fuel"
- 23) Page 3, Line 16
Following: "fuels"
Insert: "or alternate fuels"
- 24) Page 3, Line 22
Following: Line 21
Insert: "(1) "Alternate fuel" means liquified petroleum gas, compressed natural gas, hydrogen, and electricity when actually sold for use or used in

*Following: "is"
Strike: "\$60"
Insert: "\$80"*

AMENDMENTS TO HB17
Page 3 Of 4

motor vehicles propelled upon the public roads
and highways or streets within the state of
Montana."

Renumber: subsequent subsections

- 25) Page 3, Line 23
Following: "by"
Insert: "an alternate fuel dealer or"
- 26) Page 4, Line 4
Following: "such"
Insert: "alternate fuel dealer of"
- 27) Page r, Line 6
Following: "by"
Insert: "an alternate fuel dealer or"
- 28) Page 5, Line 10
Following: "except"
Strike: "including"
Insert: "except"
- 29) Page 5, Line 11
Following: "gas"
Strike: " , and compressed natural gas"
- 30) Page 6, Line 21
Following: Line 20
Strike: "8,000"
Insert: "10,000"
- 31) Page 7, Line 10
Following: "of"
Strike: "8,000"
Insert: "10,000"
- 32) Page 7, Line 15
Following: "vehicle of"
Strike: "8,000"
Insert: "10,000"
- 33) Page 8, Line 12
Following: "fuel"
Insert: "and"
Following: "liquids"
Strike: ","
- 34) Page 8, Line 13
Following: Line 12
Strike: "and compressed natural gas"
- 35) Page 8, Line 16
Following: "10"
Strike: "14.5"
Insert: "10"

AMENDMENTS TO HB17
Page 4 of 4

- 36) Page 8, Line 17
Following: "except"
Strike: "including"
Insert: "except"
- 37) Page 8, Line 19
Following: "test"
Strike: remainder of line 19 through "gas" on line 20.
- 38) Page 10, Following Line 5
Insert:
Section 6. Section 15-71-101, MCA, is amended to read:

15-71-101. Tax to be collected on motor vehicles self-propelled
~~by a liquefied petroleum gas alternate fuel.~~ (1) The department of highways shall, under the rules issued by the department of revenue, collect or cause to be collected from owners or operators of motor vehicles powered by any liquefied petroleum gas, an annual license tax fee on each such vehicle, which license tax fee is prorated on a quarterly basis and may be paid quarterly, semiannually, or annually according to the following schedule:

attendef

(a) ~~passenger cars and pickups whose licensed gross vehicle weight is 10,000 pounds or less, \$60;~~

(b)(a) motor trucks and truck tractors whose licensed gross vehicle weight is over 10,000 pounds and less than 18,000 pounds, \$80; *7110*

(b)(b) motor trucks and truck tractors whose licensed gross vehicle weight is 18,000 pounds or more and less than 48,000 pounds, \$200; *7270*

(b)(c) motor trucks and truck tractors whose licensed gross vehicle weight is 48,000 pounds or more, \$1,000. *7130*

(2) Upon payment of the tax required by this section, the department of highways shall provide a certificate to be carried in each vehicle, which is valid for a period no less than a calendar quarter or for such further calendar period for which the tax is paid.

Section 7. Section 15-71-103, MCA, is amended to read:

15-71-102. Temporary trip permit required. (1) Upon entering the state, a nonresident operating any motor vehicle powered by liquefied petroleum gas is required to purchase a liquid petroleum gas temporary trip permit. The permits will be issued by scale house personnel, gross vehicle weight patrol crews, Montana highway patrolmen, and such other enforcing agents as the department of revenue may prescribe.

1/alternate fuel

(2) A temporary liquid petroleum gas permit shall cost \$20. The permit is valid for a period of time not to exceed 72 hours and will be automatically void if the vehicle leaves the state during this period. Special liquid petroleum gas permits, remittance forms, and any other papers necessary for the enforcement of this chapter shall be furnished by the department of highways.

30 days *alternate fuel* *alternate fuel*

- 39) Page 10, Lines 6 and 7
Strike: Section 6 in its entirety
Renumber: subsequent sections
- 40) Page 10, Line 10
Following: "70"
Strike: "part 3,"
- 41) Page 10, Line 11
Following: "70"
Strike: "part 3,"

EXCUSE

DATE 3-3-83

REPRESENTATIVE Keiper

IS EXCUSED FROM COMMITTEE HEARING.

Hubert Abrams
REP. HUGH ABRAMS, CHAIRMAN
HIGHWAYS AND TRANSPORTATION COMMITTEE

PROXY VOTE

Date 3-3-83

REPRESENTATIVE Keiper

BILL NO. HB 17 HB 2442 HB 5B 91

INSTRUCTIONS Do pass on 17 as amended
Do pass on 442
Do pass on 5B 91

Henry Keiper
SIGNATURE