

MINUTES OF THE MEETING OF THE HOUSE HIGHWAYS AND
TRANSPORTATION COMMITTEE, MARCH 8, 1983

The meeting was called to order by Chairman Abrams on Tuesday, March 8, 1983 at 12:30pm, in Room 129, State Capitol. All members of the Committee were present with the exception of Rep. Kennerly, who was absent.

HEARINGS

SENATE BILL 212. SEN. DAVE FULLER, District 15, Helena, testified as chief sponsor of the bill, advising committee members no certification or licensure is presently required for light aircraft. He said the bill was introduced at the request of the Department of Commerce and told committee members such aircraft cannot presently land at airports nor be included in the aero safety program.

PROPONENTS

MR. MIKE FERGUSON, Administrator, Aeronautics Division, Department of Commerce, explained all aircraft must register with the Department, a license or certificate issued by the federal government, except ultra-light aircraft. He said the Department would like to add "or approved by the U.S. Government" to language in the bill pertaining to the proposed pilot competency program, adding the bill would eliminate the present liability problem with ultra-lights landing at airports.

OPPONENTS

There were no opponents of the bill. Sen. Fuller closed, advising committee members that Sen. Etchart also supported the bill, as a pilot.

QUESTIONS

REP. HAMMOND asked if motorized hang-gliders would be included. Mr. Ferguson replied they would be, adding those without motors would not.

The hearing was closed and Rep. Hammond was asked to carry the bill.

EXECUTIVE SESSION

SENATE BILL 212. REP. SHONTZ moved the bill Be Concurred In. Rep. Hammond seconded the motion, which was approved with all members voting aye, except Rep. Brown, who voted no.

HEARINGS

SENATE BILL 239. SEN. TOM KEATING, District 22, Billings, testified as chief sponsor of the bill, which he termed a Public Service Commission relief bill, to change Montana statutes to concide with federal transportation regulations for municipalities and eliminate unnecessary permitting by the Commission.

PROPONENTS

MR. JOHN ADAMSON, Billings, provided committee members with information pertaining to the bill and told the Committee municipalities are presently under the auspices of both federal regulations and the PSC, adding the bill was prompted by discovery of a quirk in Montana statutes during the summer of 1982. Mr. Adamson told the Committee, transportation rate increases require public hearings and the bill is only intended for bus line operations within cities, thus excluding inter-city lines.

MR. BILL OPITZ, Executive Director, PSC, stated his support of the bill and said there is a difference in setting rates for municipalities without public hearings, adding cities gaining bus lines would also be affected.

OPPONENTS

There were no opponents of the bill and Sen. Keating closed. Rep. Shontz was asked to carry the bill.

EXECUTIVE SESSION

SENATE BILL 239. REP. STOBIE moved the bill Be Concurred In. Rep. O'Connell seconded the motion, which was unanimously approved by the Committee.

HEARINGS

SENATE BILL 245. MR. GARY WICKS, Director, Department of Highways, told the Committee the bill was sponsored by Sen. Dave Manning at the request of the Department and said Sen. Manning would not be present to testify in support of the bill. Mr. Wicks advised the Committee, the 1979 Legislature set up funding of \$15 million for three coal-impacted counties in Eastern Montana and authorized the Department to construct certain projects. He said all

Highways Committee Minutes
March 8, 1983
Page 3

projects were committed and it would take several years for the funds to become available for construction, but authorization for expenditures ended June 30, 1983. He explained the bill would extend that authorization to July 1, 1985.

OPPONENTS

There were no opponents of the bill.

QUESTIONS

REP. UNDERDAL asked where these highways are rated in sufficiency levels. Mr. Wicks told him the majority of funds have been spent on the Colstrip-Forsyth road, adding the road should have a fairly high sufficiency rating.

REP. UNDERDAL asked how many miles were involved in the area. Mr. Wicks said he didn't know the exact mileage, which involved Big Horn, Treasure and Rosebud Counties.



The hearing was closed on Senate Bill 245.

EXECUTIVE SESSION

SENATE BILL 245. REP. SHONTZ moved the bill Be Concurred In. Rep. Hammond seconded the motion, which was unanimously approved by the Committee.

CHAIRMAN ABRAMS asked Rep. Howe to carry the bill and advised committee members they would tour the Department of Highways on Thursday, March 17, at 12:30pm.

The meeting was adjourned at 1:03pm.


REP. HUBERT ABRAMS, CHAIRMAN


Joann T. Gibson, Secretary

STANDING COMMITTEE REPORT

MARCH 8

1983

19

MR. **SPEAKER:**

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

having had under consideration **SENATE** Bill No. **239**

THIRD reading copy (**BLUE**)
color

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR FULL CONTROL AND MANAGEMENT OF MUNICIPAL PUBLIC TRANSPORTATION SERVICES AND TRANSPORTATION DISTRICT SERVICES BY THE MUNICIPALITY OR DISTRICT; AMENDING SECTIONS 7-14-4403 AND 69-12-102, MCA."

Respectfully report as follows: That **SENATE** Bill No. **239**

BE CONCURRED IN

XXXXXX
DO-PASS

REP. HUBERT ABRAMS

Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

STANDING COMMITTEE REPORT

MARCH 8 1983

MR. **SPEAKER:**

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

having had under consideration **SENATE** Bill No. **132245**

THIRD reading copy (**BLUE** color)

**A BILL FOR AN ACT ENTITLED: "AN ACT TO EXTEND FOR 2 YEARS
THE DEADLINE TO EXPEND OR ENCUMBER COAL AREA HIGHWAY
IMPROVEMENT ACCOUNT FUNDS APPROPRIATED BEFORE JUNE 30, 1979;
AND PROVIDING AN EFFECTIVE DATE."**

Respectfully report as follows: That **SENATE** Bill No. **245**

BE CONCURRED IN

XXXXXX
DO PASS

REP. ROBERT ABRAMS

STANDING COMMITTEE REPORT

MARCH 9 19 83

MR. **SPEAKER:**

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

having had under consideration **SENATE** Bill No. **212**

THIRD reading copy (**BLUE**)
color

**A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE
AERONAUTICS LICENSING REQUIREMENTS; AMENDING SECTIONS
15-24-304; 67-3-201, 67-3-202, AND 67-3-211, MCA."**

Respectfully report as follows: That **SENATE** Bill No. **212**

BE CONCURRED IN

XXXXXX
DO PASS

REP. HUBERT ABRAMS

Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

VISITORS' REGISTER

HOUSE Highways COMMITTEE

BILL JB 212

Date 3-8-83

SPONSOR Fuller

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

HOUSE Highways COMMITTEE

Date 3-8-83

[illegible]

Form CS-33
1-81

VISITORS' REGISTER

HOUSE

Highways

COMMITTEE

BILL

SB 245

Date _____

3-8-83

SPONSOR

Manning

[illegible]

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

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

WITNESS STATEMENT

Name John R. Adamson Committee On Highways
Address P.O. Box 1178, Billings, Mont. Date 8 March 83
Representing City of Billings Support X
Bill No. SB 239 Oppose _____
Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

(Statement to be mailed 3/9)

Comments:

1. SB 239 would exempt Municipal Transit systems from P.S.C. authority
2. SB 239 would decrease govt duplication & red tape, since Transit systems are already required by federal regulations to provide for the same public comment & input
3. SB 239 is intended to apply ^{only} to the three municipalities in Montana that provide Transit services.
4. SB 239 will apply to municipalities ~~that~~ that provide Transit services only within their jurisdictions. IT does NOT apply to any service provided outside the ~~city~~ municipalities' jurisdictions.

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

WITNESS STATEMENT

Name Bill Opitz Committee On Highways & Trans.
 Address 1227 11th Ave Helena, MT Date 3/8/83
 Representing MT. PSC Support X
 Bill No. SB-239 Oppose _____
 Amend _____

AFTER TESTIFYING, PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

1. Because the revenues can come from various sources to support the bus systems, it is very difficult to arrive at a rate to be charged by these entities.
2. This will ^{presently} affect the cities of Great Falls, Butte, Helena & Billings.
3. The PSC will retain the ability to enforce the safety regulations on all vehicles used in these
4. operations.

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



3-8-83
Exhibit

CITY OF BILLINGS

P.O. BOX 1178
BILLINGS, MONTANA 59103
PHONE (406) 245-8989

March 11, 1983

Ms. Joan Gibson
House Highways &
Transportation Committee
Room 130
State Capital
Helena, MT 59601

SUBJECT: TESTIMONY OF JOHN R. ADAMSON BEFORE HOUSE HIGHWAYS
AND TRANSPORTATION COMMITTEE REGARDING SENATE BILL
#239

Dear Ms. Gibson:

As we discussed prior to my testimony on March 8, 1983, I am forwarding a written copy of my testimony for your records.

I appreciate this opportunity to insert the attached written testimony into the records of the House Highways and Transportation Committee's deliberation on Senate Bill #239.

If you or the Committee members have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, reading "John R. Adamson", is written over the typed name.

JOHN R. ADAMSON,
Transit Manager

TESTIMONY OF JOHN R. ADAMSON,

TRANSIT MANAGER

CITY OF BILLINGS, MONTANA

HOUSE HIGHWAY AND TRANSPORTATION COMMITTEE

MARCH 8, 1983

Thank you, Mr. Chairman and members of the House Highway and Transportation Committee. It is a privilege to speak before you concerning Senate Bill #239. The City of Billings supports the passage of Senate Bill #239, an act providing for full control and management of public transportation services and transportation district services by the municipality or district.

I would like to explain a little of the background concerning this bill. In the summer of 1982 the Public Service Commission removed themselves from any control over transportation districts in the State of Montana. They indicated that the current laws of the State of Montana did allow transportation districts to be exempted from the authority of the Public Service Commission. However, that same law did not allow municipalities and the city-owned and operated municipal bus lines to be exempted from the authority of the Public Service Commission. As a result of this discussion, the City of Billings, and the Public Service Commission concurred, that the law should be changed to exempt municipal bus lines from the

authority of the Public Service Commission. Thus, Senate Bill #239 was prepared with the concurrence of the Public Service Commission.

The federal regulations already require the City of Billings, or any municipality which receives federal grants for transit operations, to hold a public hearing locally, prior to any rate increase. As a result of this regulation the Public Service Commission has never had a request for a public hearing on any rate increase in the City of Billings.

Secondly, all of the municipal bus lines in the State of Montana are subsidized by local taxpayers through a general property tax levy. The fares generally bring in only a small amount of the revenue, in the City of Billings case, less than 15%.

Lastly, I would like to point out that, this bill, Senate Bill #239, is intended strictly for cities and municipal governments which operate bus lines within their jurisdictions. By exempting the municipal bus lines from the authority of the Public Service Commission, you will not affect any intercity service.

The City of Billings supports Senate Bill #239 and urges the House Highway and Transportation Committee to recommend "do pass" to the House of Representatives. The Public Service Commission has already exempted urban transit districts. Secondly, we support this legislation because federal regulations already require substantial public input into the rate setting process. Thus, any further regulation by the Public Service Commission would be redundant and only add to the governmental red tape involved. Thirdly, fares are a small percentage of the total revenues received by municipal bus lines. Therefore, fares, although an important source of revenue, are a minor portion of total revenue. Lastly, this bill, as drafted, would only affect municipal transit lines operating only within their jurisdictions and would not have any effect on intercity bus service. For these reasons we urge the House Highway and Transportation Committee to recommend "do pass" on Senate Bill #239.

Thank you. I would be happy to answer any questions the member may have concerning Senate Bill #239.

JOHN R. ADAMSON,
Transit Manager
City of Billings, Montana
Ph. (406) 657-8221

Bill Summaries

House Highways and Transportation Committee

SB 212 revises aircraft licensing requirements. All aircraft would be required to have an effective registration which would be renewed on March 1 of each year. Ultralight aircraft would have to be registered.

SB 239 exempts municipal public transportation services from regulation by the Public Service Commission and gives the municipality or transportation district full authority over the management of the transportation services.

SB 245 extends the deadline for spending or encumbering coal area highway improvement account funds for 2 years until June 30, 1985.

EXCUSE

DATE 3/8/83

REPRESENTATIVE Dave Brown

IS EXCUSED FROM COMMITTEE HEARING.

*Billings in
Senate*

REP. HUGH ABRAMS, CHAIRMAN
HIGHWAYS AND TRANSPORTATION COMMITTEE

PROXY VOTE

Date 3/8/83

REPRESENTATIVE Dave Brown

BILL NO. _____

INSTRUCTIONS _____

~~SB-212~~

SB-239 - AYE

SB-245 - AYE

Dave Brown
SIGNATURE

EXCUSE

DATE 3.8-83
REPRESENTATIVE Zabrocki
IS EXCUSED FROM COMMITTEE HEARING.

REP. HUGH ABRAMS, CHAIRMAN
HIGHWAYS AND TRANSPORTATION COMMITTEE

PROXY VOTE

Date 3.8-83
REPRESENTATIVE Zabrocki
BILL NO. SB. 245
INSTRUCTIONS yes

SIGNATURE _____