

MINUTES OF THE MEETING OF THE HOUSE HIGHWAYS AND  
TRANSPORTATION COMMITTEE, MARCH 30, 1983

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

EXECUTIVE SESSION

CHAIRMAN ABRAMS advised committee members the meeting was being held to discuss Senate amendments to House Bills 606, 437, 730, 539, 9 and 16.

SENATE BILL 606. MR. GARY WICKS, Director, Montana Department of Highways told the Committee he had no problems with amendments made to the bill, which added fines for excessive daytime speed in the amount of \$35, set a daytime limit of 75mph and a nighttime limit of 65mph, in addition to striking "currently in short supply" on page 2.

COL. LANDON, Montana Highway Patrol, asked the Committee to leave the amendments in the bill pertaining to the day and nighttime speed limits and told members he was concerned Montana might not make its compliance rate.

REP. KOEHNKE informed members of his concern with the \$35 flat fee for daytime speeding, since some counties have greater fines for high speed driving. Col. Landon responded, saying the nighttime fine speaks only to interstates and doesn't take anything from the counties, adding it would be difficult to form a perfect fine structure. He told the Committee fatalities dropped noticeably in 1957 when the speed limit was reduced and again in 1974 when the 55mph limit was imposed.

REP. KEYSER suggested "minimum" be inserted prior to "fine of \$35".

REP. ZABROCKI said he did not want to see the bill go into a conference committee and made a motion to that effect. Rep. Koehnke seconded the motion.

COL. LANDON commented the bill would have precedence over prior statutes for interstates, if it passed.

Rep. Zabrocki's motion was given unanimous committee approval.

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HOUSE BILL 9. MR. WICKS advised the bill had been sent to the Governor and there would be no problems with it.

HOUSE BILL 730. MR. WICKS told the Committee his Department requested certain Senate amendments pertaining to the reconstruction trust account and said page 3, line 2 corrects an error in funds; page 3, line 23, amends the financial district law for the primary system to allow the Department to override the federal primary fund for 2 years and spend funds on the basis of need. He said financial district #5 would be 33% or \$358,000 more than allocated and financial district #3 would be 100% for 1984 or \$1.2 million more than allocated.

REP. UNDERDAL asked if there were any conflicts with House Bill 9 and House Bill 730. Mr. Wicks replied the bills were related but did not conflict with one another.

REP. SOLBERG asked if more funds would be spent on the secondary system in 1984-85. Mr. Wicks replied there was a slight increase in federal funds and the bill would allow additional funds to be spent on the secondary system.

REP. HARP told the Committee the gas tax income to cities and counties would go to secondary roads. Mr. Wicks added funds from federal apportionments and a change in statute put the Department in a bind, which the bill would correct. He said the bill was one of the most important to the Department in many years.

HOUSE BILL 16. MR. WICKS told the Committee written amendments were not together yet, adding the Senate increased the tax by .05% to 3 1/2 cents, with 2 cents for local government, and changed implementation dates from February 15 to February 1 to make accounting easier for the Department of Revenue.

HOUSE BILL 539. MR. WICKS said the amendment relating to tolerance was removed and inserted in House Bill 437.

HOUSE BILL 437. MR. WICKS told the Committee the 7% tolerance for transportation of livestock was put back in the bill and an additional amendment brought Montana into compliance with the Federal Surface Transportation Act. He urged committee members to concur with House Bills 437 and 539, as amended.

The meeting was adjourned at 1:50pm.

  
REP. HUBERT ABRAMS, CHAIRMAN

Joann T. Gibson, Secretary