

MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

February 17, 1983

The meeting of the Highways and Transportation Committee was called to order by Chairman Mark Etchart on February 17, 1983 at 1:03 p.m. in Room 410, State Capitol.

ROLL CALL: Roll was called with the following Senators present: Senator Etchart, Senator Hager, Senator Elliott, Senator Shaw, Senator D. Manning, Senator Stimatz. Senator Daniels and Senator Graham arrived late. Senator D. Manning was excused early. Senator Tveit was absent.

HOUSE BILL NO. 397: Hearing commenced on House Bill No. 397, introduced by J. Jensen. Representative Jensen told the committee this is an act to require the Department of Highways to provide for replacement of all "Men Working" signs with "Crew Working" signs by 1993. Representative Jensen told the committee the bill does have a fiscal note, and told them there is no real fiscal impact. Production of the new signs would cost \$10,880 (at current costs). Since, however, the new signs can be substituted for existing signs as they need replacement during the next decade, the additional cost of the bill is zero. Representative Jensen passed out Exhibit 1, "Change the Signs", an article which appeared in the February 15, 1983, Great Falls Tribune.

Karen Zollman, representing the Women's Lobbyist Fund, told the committee they support House Bill No. 397. This bill has been treated as a trivial piece of legislation. In fact, this bill recognizes the non-traditional occupations of many women working in our society. It also seeks to sensitize the public as to the changes in the workforce. We urge this committee to pass House Bill No. 397.

Linda Jacobson, representing herself and women in construction, told the committee they recommend a strong pass to provide a healthy and non-sexist atmosphere in the work place. Linda told the committee she is an independent contractor.

Senator Elliott asked why it takes legislative action to achieve this. Wouldn't it be simpler to have the Department of Highways change the signs without making it a law.

Jim Beck, Legal Division, Department of Highways, said yes it would be simpler. He told the committee no one had ever asked the Department to change the signs.

Senator Etchart asked Mr. Beck if the Department was going to adopt the International Symbols.

Mr. Beck reported no decision has been made to adopt International Symbols, which are stick figures.

Senator Hager asked if this bill would prevent the Department from adopting International Symbols.

Mr. Beck studied the bill for a few moments and told the committee, if the bill was passed, they would have to conform to the Legislature's wishes. It would be contrary to adopt International Symbols if this bill was passed.

Senator Hager said the purpose of these signs is to indicate caution. He wondered if some other words might be used to indicate caution, instead of "Crew Working".

Representative Jensen told the committee survey crews have used signs in the past that said, "Crew Ahead", and "Survey Crew". I agree the only reason for these signs is to indicate caution and safety. I would rather see the present signs than go to the International Symbols. Quite frankly, International Symbols are too vague.

Senator Hager asked Jim Beck if he thought "Crew Working" indicated that more caution is required. Or, if an International Symbol indicated more caution is required.

Jim Beck, Department of Highways, said he had no preference.

Senator Graham asked Jim Beck how many signs would have to be changed.

Jim Beck said he was not sure, but it would be no problem, as the average life of a sign is seven years, and this bill gives them ten years to replace the signs.

Representative Jensen said he was not opposed to adding other language, such as danger, to the sign.

Senator Elliott said he thought the Highway Department should change the signs without making it a law. He voiced his opinion of the expense of this type of legislation.

Karen Zollman told the committee this bill is a question of equity. Passage of this bill would show the Legislature's concern for equity in the work place.

Senator Elliott asked Karen Zollman if she was in favor of economy in the Government.

Karen Zollman told him it is not a matter of economy, but a matter of equity.

Senator Stimatz told the committee they are overlooking a point. There are a lot of small cities and towns that will not be able to afford to replace these signs. Butte replaced some signs last summer and it cost about \$18 a piece. There is a good deal of expense involved and for that reason I will have to vote against the bill. I think it's a trap for local governments. I am sure Butte's Public Director is going to ask me where the money is coming from, even though it is ten years away. I am sure that by that time, we will go to the International Symbols, anyhow.

Representative Jensen said he was agreeable to leave the local government's out of the bill. I would like to indicate to the committee, that these signs are wearing out continuously and to date, they have not adopted any International Symbols in this area. I don't see any problem with "Crew Working" signs. Women are in fact working in non-traditional jobs and there are a lot of them.

There being no further discussion, hearing on House Bill No. 397 was closed.

HOUSE BILL NO. 353: Hearing commenced on House Bill No. 353, introduced by Representative Shontz. He told the committee in the early 1960's a bill was passed that required the Department of Highways to operate checking stations on major highways entering and exiting Montana and that they be operated 24 hours a day. Then, we failed to fund them, and have never given them the money to do this. This bill repeals Section 60-2-302, MCA. The Department of Highways has not operated all checking stations on a 24-hour basis for many years, due to budget constraints. The current staff of 62 officers permanently assigned to stations and 2 roving officers operate 24-stations on a regular basis ranging from 8 to 24-hours a day. The remaining 12 stations are operated on a random basis by the roving staff. Twenty-four hour operation would require approximately 40 additional officers. Under the present practice and the proposed legislation, there would be no fiscal impact. Compliance with present law would require additional FTE to provide around-the clock operation, which would cost about 1.1 million per year. I think it would be best to take this burden off the Department and the law off the books.

Don Copley, Department of Highways, told the committee they rise in support of this bill.

Senator Graham asked Mr. Copley if the weigh stations pay for themselves, or if they are costing us money to operate.

Mr. Copley said yes, the weigh stations pay for themselves with fines they collect and permits they issue. They are not costing us money.

In closing, Representative Shontz told the committee, if this statute is repealed, the Department of Highways will be able to enter into an agreement with neighboring states to share the cost of checking stations. We have never given the Department the FTE's to conform to this law, so we should repeal it, its only fair.

There being no further discussion, hearing on House Bill No. 353 was closed.

ACTION ON HOUSE BILL NO. 205: Senator Elliott made the motion to reconsider House Bill No. 205. The motion passed unanimously.

Senator Etchart referred to the amendments that the contractors presented to the committee. He told the committee he thought the bill was better without the amendments.

Senator Shaw asked if the amendments would open the door for "sweetheart deals".

Senator Elliott commented it could.

Senator Shaw made the motion that House Bill No. 205 BE CONCURRED IN.

Senator Elliott made a substitute motion to adopt the amendments to House Bill No. 205. I feel a little more comfortable with the amendments in there.

A Roll Call Vote was taken on the Amendments Senator Elliott proposed. The motion failed.

A Roll Call Vote was taken on Senator Shaw's motion that House Bill No. 205 BE CONCURRED IN. The motion carried.

ACTION ON HOUSE BILL NO. 397: Senator Shaw made the motion that House Bill No. 397 be tabled. The motion carried, with a Roll Call Vote.

ACTION ON HOUSE BILL NO. 353: Senator Shaw made the motion that House Bill No. 353 BE CONCURRED IN. The motion carried.

ADJOURN: There being no further business before the Committee, the meeting was adjourned at 1:50 p.m.



SENATOR MARK ETCHART, CHAIRMAN

ROLL CALLSENATE HIGHWAYS AND TRANSPORTATION COMMITTEE48 ~~47~~th LEGISLATIVE SESSION -- ~~1982~~ 1983Date 2/17

NAME	PRESENT	ABSENT	EXCUSED
Senator Mark Etchart, Chairman	✓		
Senator Hager, Vice Chairman	✓		
Senator Elliott	✓		
Senator Shaw	✓		
Senator Tveit		✓	
Senator Graham	✓ late		
Senator D. Manning	✓		left early
Senator Stimatz	✓		
Senator Daniels	✓ late		
Paul Verdon, Leg. Council	✓		
Carol Doyle Frasier, Secretary	✓		

Page 6

SENATE

Highways

COMMITTEE

BILL 397

VISITORS' REGISTER

DATE 2/17/83

Crew Working

Please note bill no.

NAME

REPRESENTING

BILL #

(check one)

SUPPORT OPPOSE

Karen Zollman

Women's Lobbyist fund

397

☒

LINDA M. JACOBSON

MYSELF; PIN CONSTRUCTION

397

☒

Jim Beck

Highways

397

☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

DATE 2/17/83

Please note bill no.

(check one)

SUPPORT | OPPOSE

NAME

REPRESENTING

BILL #

SUPPORT

OPPOSE

Don Copley

Dept. of Highways

353

X

Change the signs

What bill became one of the most debated measures of the session during a recent legislative week?

Why, it concerned whether the Highway Department should have to replace its "Men Working" signs by 1993 with signs that say "Crew Working." It's not the kind of measure that ought to take up debate time on three separate days.

But neither is it a frivolous measure. And the response of at least some members of the House to the idea shows just how far the state still has to go in considering women to be on an equal footing with men.

Consider these two comments.

— "They all look like men out there anyway." That's Great Falls Rep. Helen O'Connell, D, referring to women who work on highway crews.

— Women highway workers "ought to be proud when men whistle at 'em." That's Rep. Carl Zabrocki, D-Miles City.

DEPENDING ON the woman, the whistle and the "man" behind the whistle, a highway worker might feel proud, outraged, or more likely, just plain annoyed. After all, a man whistles to call his dog, too.

But, really, whistling has little to do with highway signs.

And the way the female highway workers look has little to do with the signs, either.

Great Falls Rep. Toni Bergene, R, gave one good reason for changing the signs. She pointed out it would "sensitize" the public to the changing roles of women. In other words, it would be a subtle hint that men are not the only folks who work on highway crews; women are just as likely to be out there. That goes for all kinds of jobs.

It makes sense to either shift during the next decade to "Crew Working" signs or to a sign with internationally recognized symbols. The "Men Working" just doesn't do any more — not in the highway crew business, or elsewhere in the work world.

Highway 2/17/83

Exhibit (2)

Page 9

TESTIMONY OF KAREN ZOLLMAN, WOMEN'S LOBBYIST FUND, BEFORE THE SENATE
HIGHWAYS AND TRANSPORTATION COMMITTEE ON FEBRUARY 17, 1983 REGARDING HB 397.

The Women's Lobbyist Fund supports HB 397.

This bill has been treated as a trivial piece of legislation.
In fact, this bill recognizes the non-traditional occupations of many
women working in our society. It also seeks to sensitize the public as
to the changes in the workforce.

We urge this committee to pass HB 397. Thank you.

NAME: Linda M. Jacobson DATE: 2/17/83

ADDRESS: 501- 8th Ave Helena

PHONE: 443- 3379

REPRESENTING WHOM? Myself & I in construction

APPEARING ON WHICH PROPOSAL: HB 397

DO YOU: SUPPORT? ☒ AMEND? ☐ OPPOSE? ☐

COMMENTS: I recommend a strong pass to provide a
healthy & non-sexist atmosphere in the work place;
I am an independent contractor.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Highway 2/17/83
Page 11

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 2/17 1983 *Amendments to* Bill No. HB 205 Time _____

NAME	YES	NO
Senator Etchart, Chairman		✓
Senator Hager, Vice Chairman		✓
Senator Elliott	✓	
Senator Shaw		✓
Senator Tveit	absent	
Senator Graham		✓
Senator D. Manning	excused	
Senator Stimatz		✓
Senator Daniels	pass	

Carol Doyle Frasier
Carol Doyle Frasier
Secretary

Mark Etchart
Senator Mark Etchart
Chairman

Motion: *Senator Elliott made the motion to adopt the proposed amendments (attached). The motion failed.*

(include enough information on motion--put with yellow copy of committee report.)

~~Page 11~~

highways

2/17/83

Page 12 Highway 2/17/83

PROPOSED AMENDMENT TO H.B. 205

Page 1, Line 21

Strike: "(2)" in its entirety.

Insert:

" (2) If the Commission determines that there are special circumstances which require that a contract be let by means other than competitive bidding, it may do so; the Commission must specify the special circumstances in writing.

(3) The Commission may enter into contracts with units of local government for the construction of projects; however, prior to so doing it must find that ^{by entering such contract} the work can be accomplished at lower total costs, including total cost of labor, materials, supplies, equipment usage, engineering, supervision, clerical and accounting services, administrative costs, and reasonable estimates of other costs attributable to the project."

Renumber following section.

Highway 2/17/83
Page 13

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 2/17 1983 Bill No. HB 205 Time _____

NAME	YES	NO
Senator Etchart, Chairman	✓	
Senator Hager, Vice Chairman	✓	
Senator Elliott	✓	
Senator Shaw	✓	
Senator Tveit	absent	
Senator Graham	✓	
Senator D. Manning	excused	
Senator Stimatz	✓	
Senator Daniels	pass	

Carol Doyle Frasier
Carol Doyle Frasier
Secretary

Mark Etchart
Senator Mark Etchart
Chairman

Motion: Senator Shaw made the motion that HB 205
Be Concurred In. The motion carried.
Mark Etchart carries on Senate Floor.

(include enough information on motion--put with yellow copy of committee report.)

Page 15

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date February 17 1983 Bill No. HB 397 Time _____

NAME	YES	NO
Senator Etchart, Chairman	✓	
Senator Hager, Vice Chairman	✓	
Senator Elliott	✓	
Senator Shaw	✓	
Senator Tveit	absent	
Senator Graham	✓	
Senator D. Manning	excused	
Senator Stimatz	✓	
Senator Daniels	✓	

Carol Doyle Frasier
Carol Doyle Frasier
Secretary

Mark Etchart
Senator Mark Etchart
Chairman

Motion: Senator Shaw made the motion that HB 397
be tabled. Motion passed.

(include enough information on motion--put with yellow copy of committee report.)

Page 16

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 2/17/83 1983 Bill No. HB 353 Time _____

NAME	YES	NO
Senator Etchart, Chairman	✓	
Senator Hager, Vice Chairman	✓	
Senator Elliott	✓	
Senator Shaw	✓	
Senator Tveit	absent	
Senator Graham	✓	
Senator D. Manning	excused	
Senator Stimatz	✓	
Senator Daniels	✓	

Carol Doyle Frasier
Carol Doyle Frasier
Secretary

Mark Etchart
Senator Mark Etchart
Chairman

Motion: Senator Shaw made the motion that HB 353 Be
concurrent. The motion carried.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

Highway
Page 14 2/17/83

February 17 19 83

MR. **PRESIDENT:**

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

having had under consideration **HOUSE** Bill No. **205**

Fabrega (Etchart)

Respectfully report as follows: That **HOUSE** Bill No. **205**

BE CONCURRED IN
~~XXXXXX~~

M.C.

STANDING COMMITTEE REPORT

Page 17

FEBRUARY 17 19 83

MR. PRESIDENT:

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration HOUSE Bill No. 353

Shontz (Shaw)

Respectfully report as follows: That HOUSE Bill No. 353

BE CONCURRED IN

XXXXXX

M.C.