

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By CHAIRMAN TVEIT, on FEBRUARY 11, 1989, at 1:00 p.m. in Room 410 of the State Capitol.

ROLL CALL

Members Present: SENATORS: Larry Tveit, Hubert Abrams, Cecil Weeding, Jerry Noble, John Harp

Members Excused: SENATORS: Darryl Meyer, Lawrence Stimatz, Bob Williams

Members Absent: None

Staff Present: Lee Heiman, Legislative Council

Announcements/Discussion: CHAIRMAN TVEIT announced the hearings on Senate Joint Resolution 9, Senate Bill 355 and Senate Bill 334.

HEARING ON SENATE JOINT RESOLUTION 9

Presentation and Opening Statement by Sponsor: SENATOR MCLANE, District 42 explained that SJR 9 is a request for the Department of Highways to designate state Highway 10, Park City Interchange to the Springtime Interchange, as the Yellowstone scenic route.

List of Testifying Proponents and What Group they Represent:

John Beaudry, Stillwater County Planning Director and
Columbus Chamber of Commerce
Bruce Nathon, Columbus Chamber of Commerce

List of Testifying Opponents and What Group They Represent:

None

Testimony:

JOHN BEAUDRY, Stillwater County Planning Director distributed letters from the Columbus Chamber of Commerce in support of SJR 9. SEE EXHIBIT 1. He also gave out copies of maps which show where the route is. SEE EXHIBIT 2. The length of the route is approximately 26 miles and parallels Interstate 90, as well as, the Yellowstone River. There is a view of the Beartooth mountains, the highest peaks in Montana including Granite Peak. It would be to the benefit of the community as a whole.

BRUCE NATHON representing the Columbus Chamber of Commerce submitted a letter from the President of the Columbus Chamber of Commerce in support of SJR 9. SEE EXHIBIT 3. He stated that SJR 9 came as a result of some work done by a local certified community board to try to develop tourism.

List of those testify who were neutral.

Jesse Munro, Acting Director of the Department of Highways

Testimony:

JESSE MUNRO, Acting Director of the Department of Highways stated that they are neither against nor in support of the resolution, but wanted to bring to the Committee's attention some problems they see with it. First of all, state Highway 10 no longer exists, the route designation was dropped years ago when Highway 90 was complete. He recommended that the resolution be amended to delete all references to state highway 10 and replace those with references such as the Park City-Springtime Interchange Road. The Department is concerned that they may have to improve the two existing turnouts and provide maintenance in the form of refuse collection and picnic tables, etc. There are railroad tracks along the route between the frontage road and the river. There is no public access points for the travelling public to get to the river. The train traffic along this route is extremely high with as many as 22 trains a day. The Department estimates the cost of fabricating and installing signs to be around \$8,000. which does not include any additional maintenance for those signs.

JESSE MUNRO stated that at the present time, there are 6 bills in the legislature dealing with signing and all try to get the Department of Highways to pay for the signs. He stated that they are opposed to the Department getting into the signing business. The Department has asked the Governor's Office to establish a Tourist Advisory Committee in the Department of Commerce to review these types of requests and to provide funds to erect these sign using the bed tax. All the sign bills are for tourist information, therefore, the Department feels they should be paid from the bed tax. The Department has no problem with designating the route or placing the signs there, the main concern is how they will be funded.

Questions From Committee Members: CHAIRMAN TVEIT informed the Committee that they would have Executive Action at 8 a.m. on February 13, Monday morning. He asked Jesse Munro if he would have some amendments for SJR 9.

JESSE MUNRO stated that they would get amendments ready for the Committee.

SENATOR NOBLE asked John Beaudry how scenic this route could be with 22 trains a day.

JOHN BEAUDRY stated that the highway in most cases, is above the railroad track. The trains are spread out over 24 hours per day. He stated that he did not feel that a train distracts from the scene in that area.

SENATOR NOBLE asked if the community would be willing to have a drive or whatever is needed to come up with the money to offset the expense the Highway Department would have.

John BEAUDRY stated that they are willing to do whatever is necessary to cooperate with the Highway Department or Department of Commerce on these projects and have been successful in the past on raising funds for various civic groups.

SENATOR WEEDING asked Jesse Munro how many signs the Department anticipates installing.

JESSE MUNRO stated that a total of 16 signs. Six of the are historical type signs and 10 others for the designation of the route.

CHAIRMAN TVEIT stated that the Committee would wait until Tuesday, February 14 to take Executive Action so that the Sponsor and the Highway Department could have more time to work out some amendments.

Closing by Sponsor: SENATOR MCLANE stated that he would be agreeable to work with everyone necessary. There is president on these designated routes, this route is in good shape, it had a chip seal surface put on the biggest part of it. The turnouts are there, they were used when it was part of the regular highway.

HEARING ON SENATE BILL 355

Presentation and Opening Statement by Sponsor: SENATOR FARRELL, District 31 stated that Senate Bill 355 is a result of final rules and regulations that have been adopted by the Federal Department of Transportation. He explained that they have included the specification for suspension of commercial operators, suspension of commercial operator's endorsements and have outlined those based on the Federal Rules. The Department of Motor Vehicles will have some amendments on what "hazardous driving violations" are.

List of Testifying Proponents and What Group they Represent:

Peter Funk, Assistant Attorney General, Department of Justice
Duane Tooley, Chief of the Driver's Services Bureau
Ben Havdahl, Montana Motor Carriers Association
Bob Robinson, Administrator of the Motor Vehicle Division

Testimony:

PETER FUNK, Assistant Attorney General for the Department of Justice stated that they support Senate Bill 355. Section 2 authorizes the Department to suspend a commercial vehicle operator's endorsement if there is a "disqualification under federal law". The way the Commercial Motor Vehicles system will work is there will be a central information center to record violations anywhere in the country. If someone commits a violation driving a commercial vehicle in some other location he will be disqualified under federal statute. There is an avenue of appeal for that suspension. The Department will have an amendment for Section three by Monday.

DUANE TOOLEY, Chief of the Driver's Services Bureau stated that Senate Bill 355 has the latest in federal regulations to Montana's current laws. These regulations have been in effect since July of last year. The federal law requires that by April 1, 1992 that all drivers be licensed under this mandated commercial licensing system. After that, there is one year to catch up for those states who don't make it. If Montana is not fully in compliance by April 1, 1992, we will find that we can not operate our trucks in another state that is in compliance.

BEN HAVDAHL representing the Montana Motor Carriers Association stated that they support SB 355. In 1986, over four thousand copies of tickets that the drivers got, were sent to the carriers and last year that number dropped to about twenty six hundred. The drop is an indication that this law has had the effect of getting bad drivers off the highway. He stated that they have some suggested amendments to Senate Bill 355. SEE EXHIBIT 4. The Association, as a part of the expanded safety service to the members, plans to hire a safety expert counselor on the staff of the Motor Carriers Association to provide testing.

List of Testifying Opponents and What Group They Represent:

None

Questions From Committee Members: CHAIRMAN TVEIT asked if the Department has looked at Ben Havdahl's amendments.

BOB ROBINSON, Administrator of the Motor Vehicle Division stated that they have discussed the amendments. Ben Havdahl's amendments speak to the private individual or third-party testing giving both the written and driving test. The written part of the test is expressly prohibited to be given by a third party tester in the Federal Regulations. The Federal Regulations do recognize third party testing for the driving portion. He stated that he was not sure what the Motor Carrier Association is trying to resolve, other than the concern with someone not being at the station 24 hrs per day to be testing. There are 3 commercial vehicle license examiners that are located around the state. In addition, there are supervisors in the 4 districts. If this is added in, to establish an examination for the third party examiner, the Department would have approve of them, monitor and supervise and it would have a financial impact on the Division.

Bob Robinson stated that there would be a need for approximately 1 FTE. The Department would not be in support of the proposed amendment by Ben Havdahl.

Closing by Sponsor: SENATOR FARRELL closed the hearing on Senate Bill 355.

SENATOR FARRELL took over the chair.

HEARING ON SENATE BILL 334

Presentation and Opening Statement by Sponsor: SENATOR TVEIT, District 11 informed the Committee that there is a Statement of Intent for Senate Bill 334. This bill came from a bill that is on the Minnesota statutes. It was brought in by the elevator associations trying to protect their interests of putting up big grain-holding facilities and other buildings along railroad right-of-ways and to protect their investments in such buildings.

List of Testifying Proponents and What Group they Represent:

Kim Enkerud, Montana Stock Growers Association
Representative Don Stepler, District 21
Pam Langley, Montana Grain Elevator Association and the
Montana Agricultural Business Association
Representative Linda Nelson, District 19
Dan Place, Broadwater Grain and Supply in Townsend
Steve McCullough, Northwest Potato Sales in Townsend

Testimony:

KIM ENKERUD representing the Montana Stock Growers Association and the Farm Bureau stated that many of their members have facilities they own cooperatively along railroad right-of-ways which they use. She stated that they support Senate Bill 334 and that it would benefit these people to have the option to buy the property first. She requested that clarification language be added.
SEE EXHIBIT 5.

REPRESENTATIVE DON STEPLER, District 21 stated that he supports Senate Bill 334.

PAM LANGLEY, Montana Grain Elevator Association and the Montana Agricultural Business Association support Senate Bill 334. Elevators and other agricultural business locations on the land leased from the railroad have sizeable investments in buildings on the land they lease.

Pam Langley explained that the bill only asks for an opportunity for the first right to buy these lands if the railroad decides to sell them. It only asks that the railroad be fair to the people who lease the land. It should be amended to include "currently operating lines".

REPRESENTATIVE LINDA NELSON, District 19 stated that she feels Senate Bill 334 is a good bill and is in support of it.

DAN PLACE, Broadwater Grain and Supply stated that he supported Senate Bill 334 and also submitted letters regarding an incident with Harvest States Cooperative. SEE EXHIBIT 6.

STEVEN McCULLOUGH, owner and operator of Northwest Potato Sales in Townsend expressed his support of Senate Bill 334. SEE EXHIBIT 7.

List of Testifying Opponents and What Group They Represent:

John Crowley, Property Development Manager for
Washington Corporation in Missoula
John Etchart, Burlington Northern
Leo Barry, Attorn representing Burlington Northern
Railroad

Testimony:

JOHN CROWLEY Property Development Manager for Washington Corporation in Missoula stated that they oppose Senate Bill 334. The realestate division manages in excess of twenty five hundred leases for Montana Rail Link. He stated that they are opposed to the bill on the basis that they believe the market place is best suited to establish realestate values in resolved disputes between buyers and sellers. The disputes can be resolved through courts. He stated that in their first year of operating, Montana Rail Link has negotiated one hundred new leases. He expressed concern about the building which are leased out and who would have the first right of refusal. Montana Rail Link has granted some leases this year with provisions for first right of refusal. This was done after a careful review of a case by case basis. He stated that there is no rational basis for singling out a railroad for this kind of stringent requirement.

JOHN ETCHART representing Burlington Northern Railroad stated that they are opposed to Senate Bill 334. He stated that the Committee should understand that railroads own a great deal less fee title in their right-of-way property than what is commonly thought. If you legislate in favor of the lease holders, you do so at the expense of the adjacent land owners and holders of reversionary interests. This legislation could impede developments of the kind that the legislators often encourage. There is a line the Burlington Northern is considering abandoning from Kalispell to Sommers it would make an ideal truck bypass, but with this legislation the miles of small lease holds would have a convey of property interest that would impede that kind of development. It is a sensible limitation, they feel, that the provision is limited to abandonments and bankruptcy.

LEO BARRY, Attorney representing Burlington Northern stated that this bill will add another contractual right or a property interest to the lease holder. If this legislation substantially impairs the contract's rights, the state must have significant and legitimate public purpose.

Questions From Committee Members: SENATOR TVEIT asked Leo Barry what he meant by stating that Montana Rail Link is a non-operating line.

LEO BARRY explained that at the time the sale of Montana Rail Link took place, they were not yet a railroad.

SENATOR TVEIT stated that it was the intent of Mr. Washington at the time of the sale to operate as a railroad.

Closing by Sponsor: SENATOR TVEIT stated that there is public purpose with this bill. This bill is directed at two areas, bankruptcy and abandoning of a line. The abandoning could be changed. As far as it being unlawful to sell property, if you sell it at a fair market value even within a bankruptcy, the trustee would only expect fair market value. The railroad expressed concern regarding the railroad improvements or buildings that the lessees are renting right now. This bill exempts that, it says it is the lessee that has invested the money in that property. If it is the buildings that the railroad is having leased, it is the railroad's and has nothing to do with this bill. This bill tries to protect large investments that the people have put in, not only for their benefit but for the railroad's as well.

ADJOURNMENT

Adjournment At: 2:30 p.m.



SENATOR LARRY TVEIT, Chairman

LT/pb

senmin.211

ROLL CALL

HIGHWAY COMMITTEE

DATE February 11, 1989

51st
LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
CHAIRMAN TVEIT	✓		
VICE CHAIRMAN MEYER			✓
SENATOR ABRAMS	✓		
SENATOR FARRELL			
SENATOR WEEDING	✓		
SENATOR NOBLE	✓		
SENATOR STIMATZ			✓
SENATOR HARP	✓		
SENATOR WILLIAMS			✓

Each day attach to minutes.

SENATE HIGHWAYS

EXHIBIT NO. 1

DATE 2-11-89

BILL NO. SJR9

TOWN OF COLUMBUS
COLUMBUS, MONTANA 59019

February 10, 1989

Senator Larry Tveit, Chairman
Senate Highways Committee
State Capitol
Helena, MT 59620

Re: Support for SJR9

Dear Senator Tveit and members of the Senate Highways Committee

State Highway No. 10 serves as "mainstreet" for the Columbus business district. There are currently vacant buildings in our business district as a result of business closures. However, during the past two years we have seen a slight increase in tourist traffic during the summer months. This appears to be a result of the State's tourist promotion efforts, our recently reconstructed park, and 9 hole golf course along the Yellowstone River. Tourism is beneficial to our local businesses and I believe a scenic route designation for State Highway No. 10 would create an opportunity for improving tourist trade in our Town.

The Town of Columbus supports SJR9 as a positive approach towards improving the economy of our area. I would like to thank Senator McLane for sponsoring this resolution and I look forward to a favorable recommendation from the Senate Highways Committee.

Sincerely,



Bob Kem, Mayor
Town of Columbus



COUNTY OF STILLWATER
State Of Montana
Columbus, Montana

February 10, 1989

Senator Larry Tveit, Chairman
Senate Highways Committee
State Capitol
Helena, MT 59620


Re: Support for SJR 9

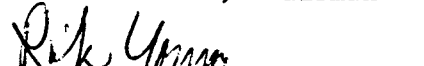
Dear Chairman Tveit and members of the Senate Highways Committee:

Please accept our letter of support for SJR 9. The Highway Commission appears to have the authority to create scenic routes and have done this in the past. State Highway No. 10 is a two lane road in relatively good repair. 18 miles of this route was resurfaced in 1986. The section from Park City to Springtime interchange is approximately 26 miles long and wide enough to accomodate recreational vehicles. Area recreationist often use this route and scenic route designation would help promote the route to out of state visitors as an alternative to interstate travel.

We recommend a do pass recommendation on SJR9.

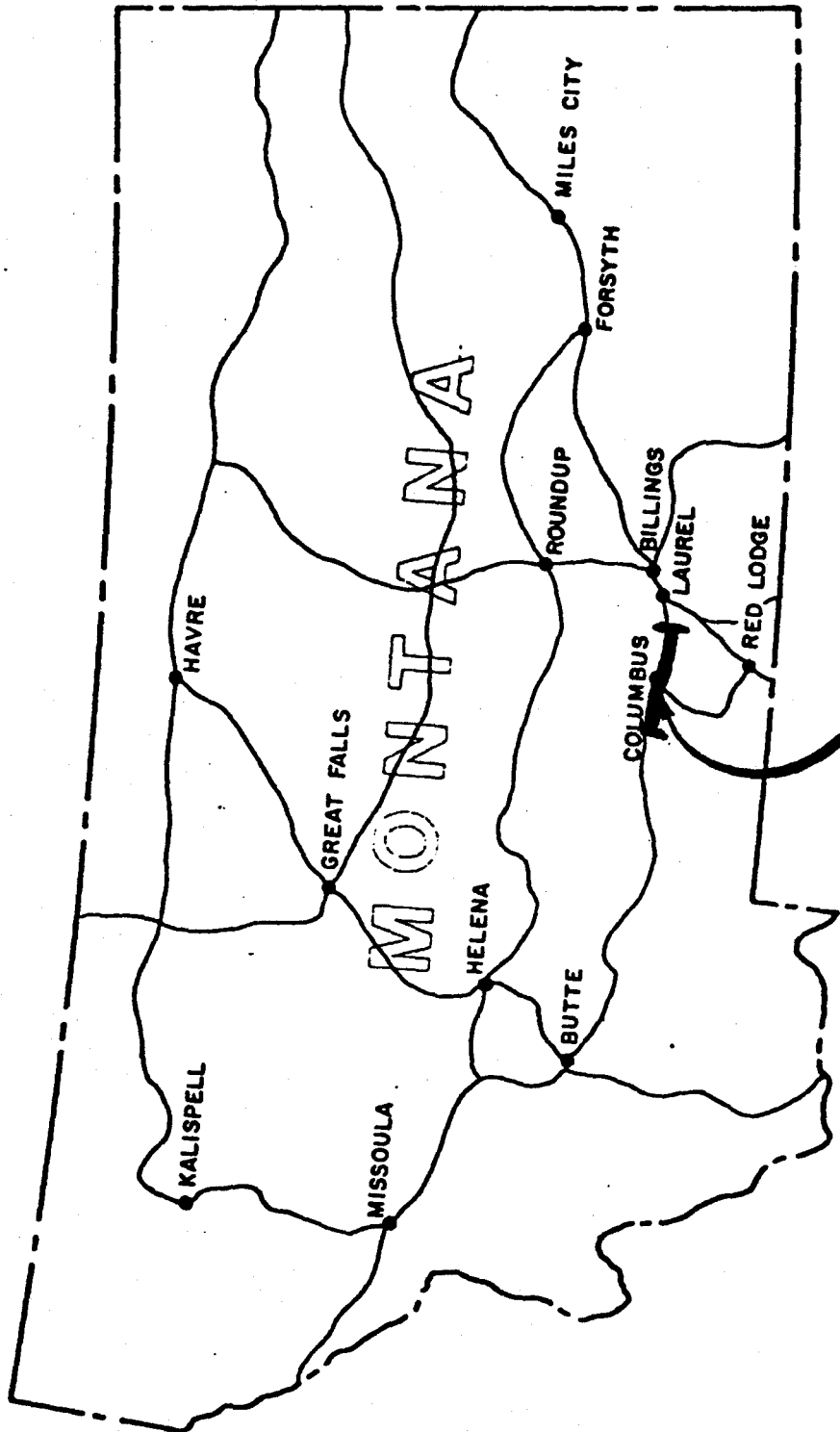
Sincerely,
Board of County Commissioners


Earl R. Adams, Chairman

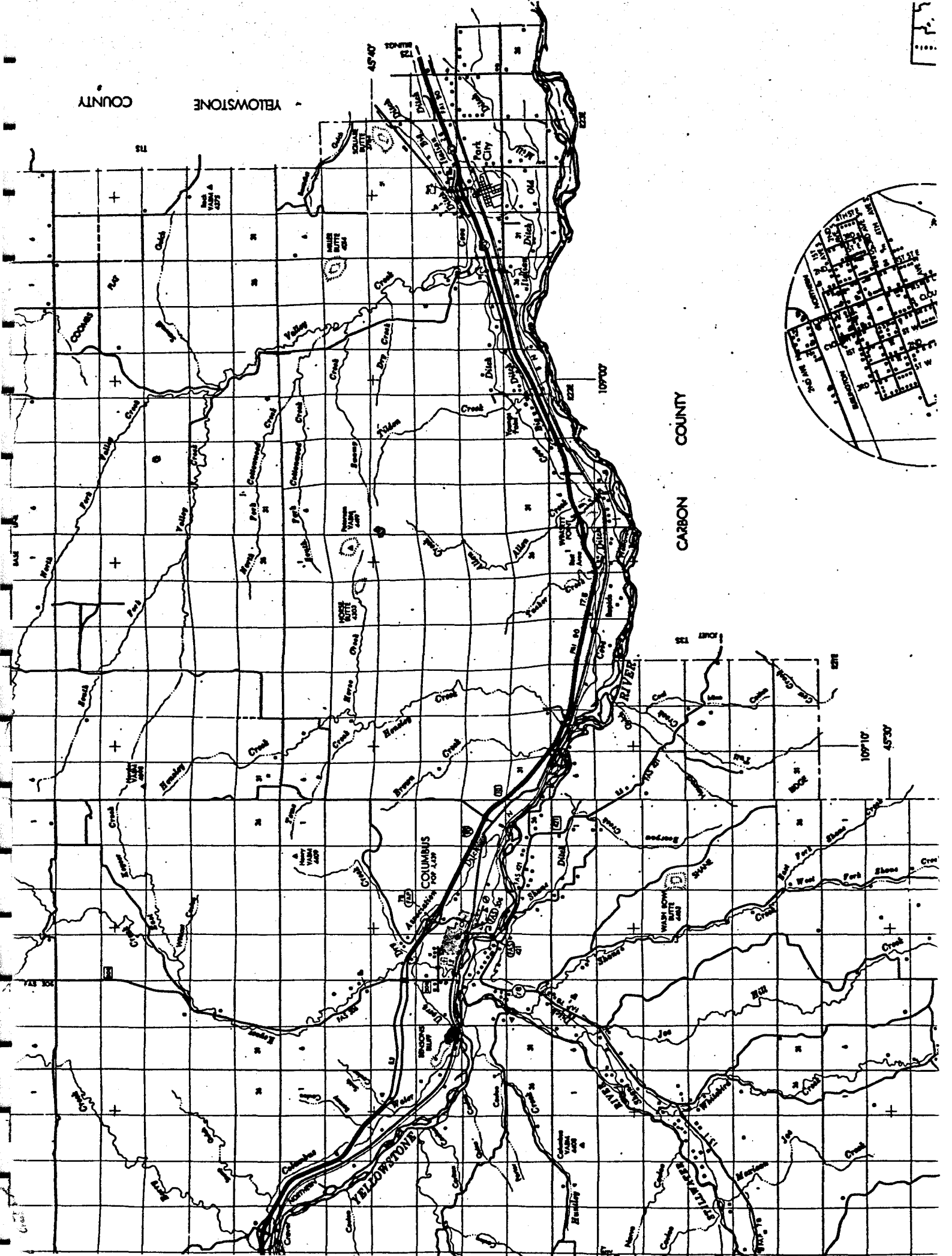

Rick Young


Fred J. Weiler

SENATE HIGHWAYS
EXHIBIT NO. 2
DATE 2-11-89
BILL NO. SJR9

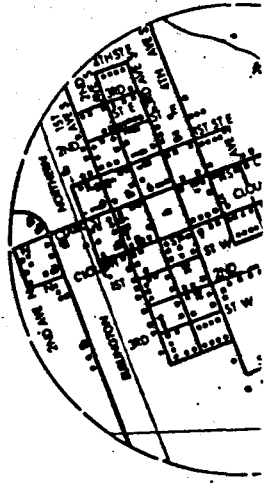


PROJECT SITE



YELLOWSTONE COUNTY

CARBON COUNTY



COLUMBUS TOWER

WALKER BUTTE DAM

MILLER BUTTE DAM

45°40'

109°10'

109°10'

45°30'

YELLOWSTONE RIVER

SNAKE RIVER

PORT CITY

COOKS

VALLEY

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SENATE HIGHWAYS

EXHIBIT NO. 3

DATE 2-11-89

BILL NO. SJR 9



COLUMBUS CHAMBER OF COMMERCE

P.O. BOX 783 • COLUMBUS, MONTANA 59019

February 10, 1989

Senator Larry Tveit, Chairman
Senate Highways Committee
State Capitol
Helena, MT 59620

RE: Support for SJR9

Dear Senator Tveit and Members of the Senate Highway Committee:

This letter is intended to communicate our support for SJR9. The suggestion for a Yellowstone River Scenic Route came out of the Columbus Chamber of Commerce Certified Communities project last year. Tourism promotion is one of our priorities in our five year economic development strategy for the Columbus area. We believe SJR9 will help us achieve that goal.

The Columbus Chamber of Commerce has cooperated with the Department of Commerce in the Certified Communities program and we are looking forward to working with the Department of Highways on the Yellowstone River Scenic Route project. We believe local Chambers of Commerce can play an important role in the economic development of the State of Montana, but we need the help of the Legislature and cooperation from state agencies.

We strongly encourage favorable action on SJR9 from the senate highways committee.

Sincerely,

Columbus Chamber of Commerce

Webb Mandeville, President

WCM:ps

SENATE HIGHWAYS
EXHIBIT NO. 4
DATE 2-11-89
BILL NO. SB 355
Ben Howdahl

AMENDMENT TO SENATE BILL 355

Page 11, line 9, sub paragraph (c) and sub paragraph (d) relettering sub paragraph (c) to (e).

(c) The department may authorize a private individual, institution, corporation to administer the written examination and driving examination specified by this section provided the tests are the same which would otherwise be administered by the department and the third party has entered into an agreement with the department which complies with the requirements of 49 C.F.R., part 383.75.

(d) No person, who has been officially trained and certified by the department as a Driver Examiner, who administers any such driving test and no other person, firm or corporation by whom or with which such person is employed or is in any way associated, shall be in any way criminally liable for the administration of such tests, or civilly liable in damages to the person tested or other persons or property unless for gross negligence or willful or wanton injury.

February 11, 1989

TO: Senate Highways and Transportation

FROM: Montana Stockgrowers Association
Montana Farm Bureau

SUBJECT: Senate Bill 334 - An Act Assuring Leaseholders
Right of First Refusal in Sale of Certain Railroad Right -
of - Way Property

Mr. Chairman, Members of the Committee:

My name is Kim Enkerud. I am here before you today on behalf of the Montana Stockgrowers Association and the Montana Farm Bureau.

Many of our members have facilities they own cooperatively along railroad right-of-ways which they use for weighing their cattle and loading and shipping them out in the fall. We are here to support Senate Bill 334 as it would benefit these people to have an option to buy this property first.

We would ask that clarification language be added on page 2, line 24. The language would follow "property." We would like to add "that the leaseholder leases." The reasoning behind this is as follows: The way I read and interpret the language now is that any party who has a lease on the railroad right of way will have the ability to bid on another's lease because each person who is a leaseholder will be extended a written offer to do so. With this language addition it assures me that if I have a scale facility on the right of way, only I will be offered that right of first refusal on that particular lease.

We feel this language will stop any misunderstanding of the law in the future.

Thank you.

SENATE HIGHWAYS

EXHIBIT NO. 6

DATE 2-11-89

BILL NO. SB334

Chairman, Members of the Committee:

My name is Dan Place. I am owner and operator of Broadwater Grain & Supply, Inc. of Townsend, Montana. I am a proponent of S.B.334.

Broadwater Grain & Supply consists of two elevators, two warehouses, eight steel grain bins with receiving and shipping equipment for the movement of grain.

My business and facilities are located on Railroad lease ground in Townsend. I support S.B.334 to protect my investment and my business and the future of the same in Townsend.

Eighty percent of my grain movement is by Rail so it is imperative that my grain loading facilities be located close to the Railroad.

I have operated Broadwater Grain for eleven years. In the past 11 years my bankers and finance people have always said, "You are borrowing on your equity which is inventory, account receivables, and facilities which is brick, motor, and steel. It has always been a problem with my finance people that I do not own the land my business resides on. S.B.334 would solidify my working relationship with these people.

In conclusion I support S.B.334.

Broadwater Grain & Supply, Inc.

Dan Place

Dan Place

2-10-89

Senate Bill 334 - Mr. Wright

Mr. Chairman and members of Committee

My name is Dan Feist.

Employed by Harvest States Cooperative of Great Falls.
I'm a proponent of Senate Bill 334.

We had a very bad experience at Three Forks, MT
in 1983 when Universal Royal apex purchased
abandoned lines and right of ways from the bankrupt
Milwaukie railroad. We were not offered any
option to purchase this land prior to the sale.

After several meetings with Universal we were told our
options were to purchase 2.75 acres at a price of \$100,000
or lease the site at \$1500 per month for 5 years
we did lease the land so we would have time to
research what alternatives we would have. after

^{Research} much research our attorneys decided we would have
to purchase the land. which we done in 1987
at a cost of 75,000 Dollars.

Copies of letters with Universal sent.

Dan Feist -

Field Supervisor -

Harvest States Cooperative.

Doug Langley.

74# 443-7299

Total pages 4
1 of 4 pages

Post Office Box 886
Wallace, Idaho 83873
August 16, 1983

Farmers Union Grain Terminal Association
P. O. Box 671
Great Falls, Montana 59401

Gentlemen:

Universal Royal Apex Limited Partnership is the successor in interest to those certain lease agreements between you and the Chicago, Milwaukee, St. Paul and Pacific Railroad Company dated September 20, 1976 (lease number 80868); February 7, 1958 (lease number 65676) and March 11, 1980 (lease number 76163), wherein certain real property located in Gallatin County, Montana was leased to you.

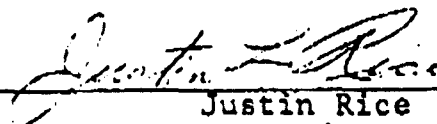
Pursuant to the terms of said leases, you are hereby notified that each is terminated effective sixty days from your receipt of this notice of termination.

As provided in the above-referenced leases, you have the right to remove from the leased premises all property owned or placed thereon by your association and to restore the premises to a state of usefulness within sixty days of your receipt of this letter. If you fail to remove such property and restore the premises, then Universal Royal Apex Limited Partnership shall enter the premises and remove said property at your expense or treat said property as abandoned and appropriate and dispose of the same, or pursue any other legal remedy available, all as provided in said leases.

Very truly yours,

UNIVERSAL ROYAL APEX
LIMITED PARTNERSHIP

By



Justin Rice
President

Certified Mail
Return Receipt Requested

Justin Rice

**UNIVERSAL WOOD & METAL CORPORATION**

1000 West Silver Road • P.O. Box 99 • Smelterville, Idaho 83868

July 21, 1983

GTA Elevator
Three Forks, Montana

Gentlemen:

Confirming the krux of our conversation during the meeting held on July 21, 1983 at your Three Forks office with Dan Feist, Jay Hankin, Rusty Sheppard, Ray Tocci, and J. C. Marshall present.

Universal Royal Apex offers to sell and convey to GTA twenty-eight (28) lots of approximately three (3) plus acres at Three Forks, Montana consisting of fourteen (14) lots presently being leased plus an additional area of similar size. The selling price shall be One Hundred Thousand Dollars (\$100,000.00) and the property shall be conveyed by quit claim deed as Universal Royal Apex received from the railroad.

If GTA elects to continue leasing it will be necessary to re-negotiate the multiple leases for a total cost of fifteen hundred dollars (\$1500.00) per month for a period of five (5) years.

It is further understood that Ray Tocci of T Bar T Realty and Insurance of Three Forks, Montana will represent Universal Royal Apex in these negotiations and that a reply may be anticipated by August 1, 1983.

Respectfully yours,


J. C. Marshall

klp

3 of 4 pages



Grain Terminal Association

• 600 Sixth St. SW • P.O. Box 671 Great Falls, MT 59403

July 25, 1983

To: Mel Sobolik Great Falls Office
From: Dan Feist Great Falls Office
Re: Lease Milwaukee land at Three Forks

In regards to the meeting that was held at Three Forks, Montana pertaining to the land which our elevator and fertilizer facilities are located:

Jay Hankins, manager, and myself met with J.C. Marshall, Rusty Sheppard of Universal Wood and Metal Corp and Ray Tocci, a local realtor on July 21, at 11:00 a.m. There was a very short discussion informing us that they wanted to dispose of all the real estate they had acquired from Milwaukee Railroad. Also they wanted this done in the near future. They went on to say they felt the sale price of \$100,000 was a realistic sales price or \$1500 per month lease arrangement. To me this was completely out of reason. I did suggest the possibility of an appraisal, the comment was it could go either way with this appraisal. At this point I told them I would pass this information along to Mr. Sobolik with the letter they submitted.

It has been brought to our attention that a processing plant at Three Forks has purchased some land recently for \$1800.00 per acre and they would present facts to prove this if it had any value. Also, in visiting with Terry Murphy, president of Farmers Union, he suggested we talk to Mr. Bill Fogarty at 449-3427 in Helena regarding this situation as he knows the people in the I.C.C. and possibly can help us.

Yours truly,

HARVEST STATES COOPERATIVES

Dan Feist
Dan Feist
Field Supervisor

DF/nah

NORTHWEST POTATO SALES

Steven R. McCullough

SENATE HIGHWAYS

EXHIBIT NO. 7

DATE 2-11-89

BILL NO. SB334

Box 1287 • Townsend, Montana 59644

Phone: (406) 266-5610

(406) 266-3070

S.B.334

2-11-89

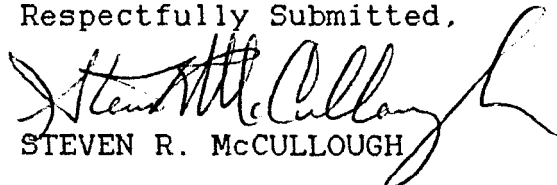
Chairman and members of the committee:

I am a proponent of SB334.

I am owner and operator of Northwest Potato Sales in Townsend.

I presently lease two sights from the Railroad. My investment in building and improvements on these leases is in excess of \$250,000.00. My storage and shipping facilities are on these leases. If an unscrupulous person purchased the property under my buildings I may be put out of business. That effects me personally. This would also would be detrimental to Montana. My farm sells seed potatoes to other states. I gross nearly half a million annually. This money is spent in Montana. This out of state money provides jobs and cash flow for our state. Please support S.B.334.

Respectfully Submitted,


STEVEN R. McCULLOUGH

WITNESS STATEMENT

NAME: John A. Crowley DATE: 2/11/89

ADDRESS: 101 International Way

PHONE: 523-1352

REPRESENTING WHOM? Washington Corporations

APPEARING ON WHICH PROPOSAL: SB 334

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? X

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppo
Mary Kay Denton	Bullington Northern	SB 334		X
John Beaudy	Stillwater Co/Town of Columbus	STR 9	X	
Bruce Nathan	Still Co/COLUMBUS Chem	STR 9	X	
John Crowley	Washington Corp	SB 334		X
Kim Enkerud	MT Stockgrower ^{Burn} Farm	SB 334	X	
Peter Funk	Dept of Justice	SB 355	X	
Robin McKay	Public Service Comm	SB 334		
Steve McCullough	Northwest Potato Sales	SB 339	X	
Dan Place	Broadwater Leasin	SB 339	X	
Jack Hammer	self	SB 334		✓
John Etkin	TSN	334		
Stuane Tooley	DRIVER SERVICES	355	X	
Ben Addams	MT Motor Driver's Assn	355	Amend X	
Don Stepler (Rep.)	Brockton, MT	334	X	
Roger Linda Nelson	Medicine Lake ^(self)	334	X	