

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By CHAIRMAN TVEIT, on March 9, 1989, at 1:00 p.m. in Room 410 of the State Capitol.

ROLL CALL

Members Present: SENATORS: Larry Tveit, Darryl Meyer, Hubert Abrams, Bill Farrell, John Harp, Jerry Noble, Lawrence Stimatz, Cecil Weeding, Bob Williams

Members Excused: None

Members Absent: None

Staff Present: Lee Heiman, Legislative Council

Announcements/Discussion: CHAIRMAN TVEIT announced the hearings on House Bill 419 and House Bill 467.

HEARING ON HOUSE BILL 419

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE FRANCIS KOEHNKE, District 32 explained to the Committee that this bill was requested because the bails are longer. The Highway Department has approved this.

List of Testifying Proponents and What Group they Represent:

John Hahn, MRAMA, Hahn Ranch Trucking
Kay Norenberg, WIFE, MT Ag. Coalition

List of Testifying Opponents and What Group They Represent:

None

Testimony:

JOHN HAHN representing Missouri River Agriculture Market Association gave his testimony in support of House Bill 419 and also turned in written testimony for Rod Kitto. SEE EXHIBIT 1. He gave the Committee members a diagram of bail arrangements. SEE EXHIBIT 1A. As far as the trucking industry, any extra freight means extra money.

KAY NORENBURG representing WIFE (Women In Farm Economics) and MT Ag Coalition expressed their support for House Bill 419.

List of Those Testifying Who Were Neutral:

Jesse Munro, Acting Director for the Highway Department

Testimony:

JESSE MUNRO, Acting Director for the Highway Department stated that they do not have a position on this bill. He explained that this bill would put into law what they have been doing by policy since the drought began in 1981. A policy was established to let these larger loads go. The reason why they held the width for 24 hr travel, is because they have had numerous segments of the trucking industry requesting 10 foot wide loads which are traveling day and night.

Questions From Committee Members: SENATOR WILLIAMS asked about page 2, line 21 if they were cutting the width from 120 to 114 inches.

JESSE MUNRO answered saying that what they are doing with regard to the rectangular bails is holding them to nine and one half feet so that they won't have to cut down on their rack. This is an increase of 6 inches compared to what they have had in the past.

Closing by Sponsor: REPRESENTATIVE KOEHNKE closed the hearing on House Bill 419.

DISPOSITION OF HOUSE BILL 419

Discussion: SENATOR WEEDING will carry the bill.

Amendments and Votes: None

Recommendation and Vote: SENATOR WEEDING MOVED that House Bill 419 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL 394

Discussion: SENATOR NOBLE stated the fact was brought out that the existing method works fine. Also, doubling the fee from \$2 to \$4, he felt was excessive.

BOB ROBINSON from the Department of Motor Vehicles stated that doing this would generate approximately \$713,000 per year. This bill would not change anything as far as the information that is provided.

SENATOR MEYER will carry the bill.

Amendments and Votes: SENATOR FARRELL MOVED to amend House Bill 394 on page 2, line 3 strike "\$4" and insert "\$2".
SEE EXHIBIT 2.

MOTION PASSED on a 5-4 ROLL CALL VOTE with SENATORS: MEYER, WEEDING, HARP and WILLIAMS OPPOSING.

Recommendation and Vote: SENATOR FARRELL MOVED that HOUSE BILL 394 BE CONCURRED IN AS AMENDED.

MOTION PASSED with SENATOR WILLIAMS AND SENATOR WEEDING OPPOSING.

HEARING ON HOUSE BILL 467

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE VIVIAN BROOKE, District 56 explained that House Bill 467 was brought to her attention by the Office of Public Instruction. It amends section 20-10-103 dealing with school bus driver qualifications.

List of Testifying Proponents and What Group they Represent:

Terry Brown, People Transportation Safety Specialist
for the Office of Public Instruction
Claudette Morton, Board of Public Education

List of Testifying Opponents and What Group They Represent:

None

Testimony:

TERRY BROWN, People Transportation Safety Specialist for OPI stated in order to qualify for what they call a Type 1 license, you have to have a DOT approved physical. This is handled through the MT Motor Carriers Association. For a number of years, they have had a T9 form in their office, which is a school bus driver qualification physical they give for certification. Terry explained that in order to alleviate part of the problems involved with the confusion, they would like to change this section of the law so that either physical would be acceptable. It also conforms to the commercial licensing law that is going to go into affect. In section 20-10-103 as far as the first aid certificate change is concerned, one of the problems they have had in the past is what the definition of a first aid course. They would like to propose to put "basic" in there. If you get too strict regulations on the qualifications to become a school bus driver, you have problems finding someone, which they are already experiencing.

CLAUDETTE MORTON, Executive Secretary to the Board of Education explained that the Board has the responsibility from the Legislature for setting the requirements for bus drivers. She stated that they work with OPI and the Federal Government in keeping these requirements appropriate and up to date. House Bill 467 is bringing legal requirements in conformance with recognized practice.

Questions From Committee Members: None

Closing by Sponsor: REPRESENTATIVE BROOKE closed the hearing on House Bill 467.

DISPOSITION OF HOUSE BILL 467

Discussion: SENATOR WILLIAMS will carry the bill.

Amendments and Votes: None.

Recommendation and Vote: SENATOR WILLIAMS MOVED that HOUSE BILL 467 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL 165

Discussion: SENATOR GAGE will carry the bill.

Amendments and Votes: SENATOR WILLIAMS MOVED to AMEND HOUSE BILL 165 on page 10, line 24 striking "\$4" and insert "\$1" and on page 11, line 1 striking "\$1" and insert "\$4".

MOTION PASSED UNANIMOUSLY WITH SENATOR WEEDING OPPOSING.

SENATOR MEYER MOVED the AMENDMENT by Lee Heiman. SEE EXHIBIT 3.

MOTION PASSED UNANIMOUSLY.

Recommendation and Vote: SENATOR WILLIAMS MOVED that HOUSE BILL 165 BE CONCURRED IN AS AMENDED. SEE EXHIBIT 4 for all amendments.

MOTION PASSED UNANIMOUSLY.

ADJOURNMENT

Adjournment At: 2:00 P.M.



SENATOR LARRY TVEIT, Chairman

LT/pb
senmin.309

ROLL CALL

HIGHWAY

COMMITTEE

DATE March 9, 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 STANDING COMMITTEE REPORT

March 9, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 419 (third reading copy -- blue), respectfully report that HB 419 be concurred in.

Sponsor: Koehnke (Weeding)

BE CONCURRED IN

Signed: *Larry J. Tveit*
Larry J. Tveit, Chairman

*J.C.
3/14/89
3:04 p.m.*

SENATE STANDING COMMITTEE REPORT

March 9, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 394 (third reading copy -- blue), respectfully report that HB 394 be amended and as so amended be concurred in:

Sponsor: Clark (Meyer)

1. Page 2, line 3.

Strike: "\$4"

Insert: "\$2"

AND AS AMENDED BE CONCURRED IN

Signed: _____

Larry J. Tveit

Larry J. Tveit, Chairman

11.0.
219/89
3:00
P.M.

SENATE STANDING COMMITTEE REPORT

March 9, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 467 (third reading copy -- blue), respectfully report that HB 467 be concurred in.

Sponsor: Brooke (Williams)

BE CONCURRED IN

Signed: *Larry J. Tveit*

Larry J. Tveit, Chairman

SENATE STANDING COMMITTEE REPORT

March 9, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 165 (third reading copy -- blue), respectfully report that HB 165 be amended and as so amended be concurred in:

Sponsor: Ellison ^{GAGE} ~~(XXXXXX)~~

1. Page 10, line 24.

Strike: "\$4"

Insert: "\$1"

2. Page 11, line 1.

Strike: "\$1"

Insert: "\$4"

3. Page 15, line 23.

Following: "6,"

Insert: "8,"

4. Page 16, line 1.

Following: "6,"

Insert: "8,"

AND AS AMENDED BE CONCURRED IN

Signed: _____

Sen. Tveit

Larry J. Tveit, Chairman

1/0
1/19/89
3:30 PM

HOUSE BILL No. 419

I'm Rod Kitto, a hay and grain producer in Broadwater County. I'm one of a number of hay producers in the Townsend area who sell and haul hay. We are very interested in the passage of this bill. You would understand that for a number of weather related reasons, only a couple of us could attend this meeting.

I thank Representative Koefke for sponsoring this important bill which, if passed, will allow small square bales of hay to be transported in load up to 10 feet wide. Present loads of small square hay bales are restricted to a 9 foot width.

We prefer to haul small square bales in the arrangement shown on the diagram. You will notice that each layer of bales is arranged to compliment layers above and below in an interlocking arrangement.

A load of small square bales is safer when built with this arrangement because the interlocking layers hold the load together.

Our problem with the present law was created by a machine that stacks bales in the field at harvest time. This machine works best with a bale that is approximately 48 inches long. Most bales are 18 inches wide. Using the load described by the diagram with these 48 inch bales produces a load that is approximately 9 feet 6 inches wide. Bales will often vary in length by two inches. This load can be almost 10 feet wide where an occasional long bale would protrude slightly from the load.

It is to utilize this safer interlocking type of load with 48 inch small square bales that we recommend passage of this bill.

Rod Kitto

SENATE HIGHWAYS

EXHIBIT NO.

1A

DATE

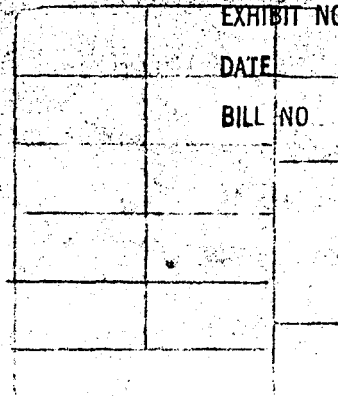
3-9-89

BILL NO.

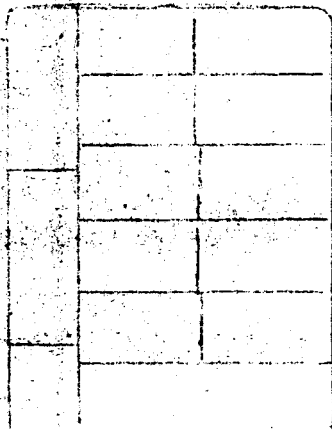
HB 419



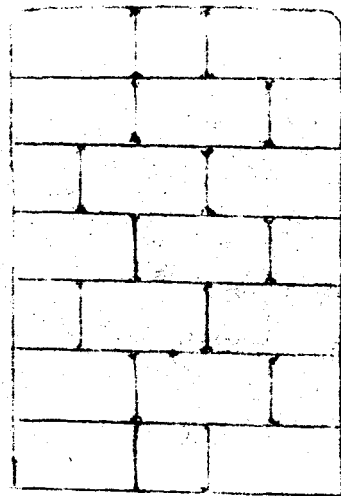
LAYER 1 WITH "RAIL"
BALE IN CENTER



LAYER 2 WITH "RAIL"
BALE ON RIGHT SIDE



LAYER 3 WITH "RAIL"
BALE ON LEFT SIDE



END VIEW OF LOAD
OF HAY

Amendments to House Bill No. 394
Third Reading Copy

For the Committee on Highways

Prepared by Lee Heiman
March 9, 1989

- 1. Page 2, line 3.
Strike: "\$4"
Insert: "\$2"

SENATE HIGHWAYS

EXHIBIT NO. 3

DATE 3-9-89

BILL NO. HB 165

Amendments to House Bill No. 165
Third Reading Copy

Technical Amendment
For the Committee on Highways and Transportation

Prepared by Lee Heiman
March 7, 1989

1. Page 15, line 23.
Following: "6,"
Insert: "8,"

2. Page 16, line 1.
Following: "6,"
Insert: "8,"

Amendments to House Bill No. 165
Third Reading Copy

For the Committee on Highways and Transportation

Prepared by Lee Heiman
March 7, 1989

1. Page 10, line 24.
Strike: "\$4"
Insert: "\$1"

2. Page 11, line 1.
Strike: "\$1"
Insert: "\$4"

3. Page 15, line 23.
Following: "6,"
Insert: "8,"

4. Page 16, line 1.
Following: "6,"
Insert: "8,"

ROLL CALL VOTE

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date MARCH 9, 1989 Bill No. HB 394 Time 1:35 p.m.

<u>NAME</u>	<u>YES</u>	<u>NO</u>
VICE CHAIRMAN MEYER		✓
SENATOR ABRAMS	✓	
SENATOR FARRELL	✓	
SENATOR WEEDING		✓
SENATOR NOBLE	✓	
SENATOR STIMATZ	✓	
SENATOR HARP		✓
SENATOR WILLIAMS		✓
CHAIRMAN TVEIT	✓	

Secretary
Pat Bennett

Chairman
Larry Tveit

Motion: SENATOR FARRELL made a substitute MOTION to amend House Bill 394 on page 2, line 3 striking "\$4" and inserting "\$2".

MOTION PASSED ON A ROLL CALL VOTE 5-4. SEE EXHIBIT 2.

DATE MARCH 9, 1989

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
<i>Kay Norenberg</i>	<i>WIFE mt Ag Coalition</i>	<i>HB419</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Larry Brown</i>	<i>OPI</i>	<i>HB467</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>John Hahn</i>	<i>MRAMA, Hahn Ranch Truck</i>	<i>HB419</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Claudette Morton</i>	<i>Board of Public Ed</i>	<i>HB467</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>