### MINUTES

# MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

# COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By CHAIRMAN BOB CLARK, on January 25, 1993, at 3:00 p.m.

# ROLL CALL

# Members Present:

Rep. Bob Clark, Chairman (R)

Rep. Karyl Winslow, Vice Chairman (R)

Rep. Shiell Anderson (R)

Rep. Joe Barnett (R)

Rep. Bill Endy (D)

Rep. Pat Galvin (D)

Rep. Marian Hanson (R)

Rep. Vern Keller (R)

Rep. Don Larson (D)

Rep. Gary Mason (R)

Rep. Bill Ryan (D)

Rep. Wayne Stanford (D)

Rep. Bill Tash (R)

Rep. Randy Vogel (R)

Rep. Tim Whalen (D)

Members Excused: Rep. David Ewer (D)

Members Absent: None.

Staff Present: Valencia Lane, Legislative Council

Kimberlee Greenough, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

# Committee Business Summary:

Hearing: HB 197 & HB 209

Executive Action: HB 197 & HB 209

# HEARING ON HB 197

# Opening Statement by Sponsor:

REP. JOE QUILICI, House District 71, Butte, stated HB 197 is asking for the designation of Butte-Silver Bow and Deer Lodge County as a cultural heritage area. Butte is designated as a

national historic landmark and he feels that Butte is also a heritage area. We are asking that the highway department put up signs according to the federal guidelines and state guidelines. We are not asking for the highway department to pay for these signs. We are looking for grants and private donations to pay for them. This issue is very important to the Butte community. Tourism is becoming a big business in Montana.

# Proponents' Testimony:

REP. BEA MCCARTHY, House District 56, Anaconda, stated the bill is appropriate and the area is known worldwide for it's mining and smelting operations.

Jon Sessar, Planning Director for Butte-Silver Bow, stated they support HB 197.

Mark Reavis, Butte-Silver Bow Historic Preservation, stated the Anaconda-Butte areas are linked as far as the smelting areas are concerned. There is an interstate system which passes through the communities and we do not acknowledge the historic resources in those areas. There are several ways to attract tourists, anywhere from billboards, to the brown type signs that are used to identify state monuments. There is a need to acknowledge the designation as a national landmark in the Butte and the Anaconda area.

Jack Lynch, Chief Executive of Butte-Silver Bow, stated the University of Montana Better Business Bureau has estimated that if the Butte-Anaconda area has one out of four cars that enter the state via Interstate 15 or Interstate 90 spend just one night in the community, there would be an estimated economic impact of \$80 to \$100 million per year.

Ed Beaudette, County Attorney for Anaconda-Deer Lodge County, stated the county would like to continue the type of cooperation that has developed throughout the super fund process. The Anaconda-Butte-Silver Bow area is asking for state government to give the community the support it needs in order to receive federal aid. This will be a tremendous benefit for all areas and the state of Montana.

Connie Daniels, Historic Preservation Officer Anaconda-Deer Lodge County, stated this is their last best chance and the community is coming out in full force to support this bill. EXHIBITS 2, 3, and 4.

Don Peoples, Chief Executive Officer for Montana Energy and Research Development, stated this will create 750 to 1000 new jobs in the area if we can execute the plans we have.

Clint Blackwood, Travel Promotion Division of the Department of Commerce, stated the department believes this designation is necessary for the state of Montana. They have interviewed tourists and have been told that after seeing the scenery the tourists would like to see some of the cultural and historical areas the state has to offer. The development of a product is necessary for the tourism industry in order to encourage people

to stay longer in the state.

Alice Finnegan, Anaconda-Deer Lodge County, stated the history of Butte and Anaconda had a great deal to do with the development of the state of Montana. The mining brought people into the state and the agricultural areas developed because of that. She feels the whole state of Montana would benefit from this bill.

# Opponents' Testimony:

Gary Gilmore, Montana Department of Transportation, stated this would be the first of many areas to be designated, because other areas would feel that they have made some contribution to Montana history. He stated they would have no problem contributing to the understanding and interpreting of our state. The problem is with the signing. Signs are for highway safety and to provide such guidance and warnings as are needed to insure the safe and uniform operation of the traffic stream. The signs proposed by this act do not fall under those guidelines. He also stated signs should be installed only where they are needed. Whatever signs are put up by the department, the department is responsible for maintaining forever. We are having problems maintaining our current signs.

# Questions From Committee Members and Responses:

- REP. WHALEN stated the uniform signing code does not preclude other types of signs that are not necessarily needed, such as the logo signs. Mr. Gilmore answered no, they have a number of informational signs.
- REP. VOGEL asked how many of these cultural heritage signs are needed for this bill. Mr. Lynch answered it is subject to the provisions of federal law. The funding would have to be a collaborative effort with the federal government, local government, and private donations.
- REP. TASH asked if these signs would have to meet the standards of safety. Mr. Gilmore stated yes.
- REP. LARSON said he doesn't see much of a difference between these signs and the logo signs. Mr. Gilmore answered the logo signs are paid for and maintained by private companies.
- REP. LARSON stated if these people are willing to pay for the signing and installation, why not integrate the process. Mr. Gilmore stated the budget does not allow for these types of signs.
- REP. MASON asked if this bill will help the Butte area to receive federal grants. Mr. Lynch answered yes.
- REP. ANDERSON asked who would be responsible for maintaining the signs and if private monies will be used to purchase them. REP.

QUILICI responded they are already taking steps to preserve these signs.

CHAIRMAN CLARK asked what size or design of these signs were being considered. Mr. Lynch answered we would be looking at the large brown signs to direct people properly.

CHAIRMAN CLARK asked how do the department justifies the need for the other informational signs. Mr. Gilmore stated in an area where there is a significant amount of traffic, we feel the need to provide information for people to find their destination.

CHAIRMAN CLARK asked if Mr. Gilmore would agree with the bill if the economic impact was like it is projected here. Mr. Gilmore said he would have no problem with this bill as long as it pays for itself.

# Closing by Sponsor:

REP. QUILICI stated he has looked at the highway budget and knows it is limited, however, the bill is written without funding from the highway department. We are going through the federal highway administration laws. The fiscal impact is small and there will be no cost for the Department of Transportation.

# HEARING ON HB 209

# Opening Statement by Sponsor:

REP. ED GRADY, House District 47, Helena, stated since HB 209 deals with junk vehicles he asked Mr. Lohr from Hank's Salvage to explain the bill for the committee.

# Proponents' Testimony:

Henry Lohr, Hank's Salvage in Townsend, stated HB 209 is an act clarifying the junk vehicle exemption from the single movement fee. However, he believes the bill is somewhat unclear as written and needs some clarification. EXHIBIT 5.

Opponents' Testimony: None.

Informational Testimony: None.

Questions From Committee Members and Responses: None.

# Closing by Sponsor:

REP. GRADY thanked the committee for their time and attention and closed.

# EXECUTIVE ACTION ON HB 197

Motion: REP. VOGEL MOVED HB 197 DO PASS.

<u>Discussion</u>: REP. ANDERSON asked if someone could explain what pass-through monies are. CHAIRMAN CLARK said the state does not have any say or control over pass-through monies.

REP. WHALEN stated the monies must be appropriated by the state but the state cannot have it.

REP. TASH asked if the bill legally defines that there is no cost to the state. Ms. Lane answered no, there is nothing in the bill that mandates the money used is from private donations. The fiscal note, however, stated that any money spent would come from private donations.

CHAIRMAN CLARK indicated the department would be reimbursed for money spent.

REP. VOGEL commented that the committee should amend the bill to insure that state funds will not be spent.

REP. KELLER said the amendment should state that private sources should pay for the maintenance of the signs.

REP. VOGEL stated he believes there are areas other than at the county lines that the Anaconda-Butte communities would want to place signs.

CHAIRMAN CLARK stated if directed into a cultural area, the natural thing to do is go to the Chamber of Commerce for any additional information needed.

REP. LARSON said Mr. Gilmore was assuming that the signs were at the county line. The location of the signs have not yet been determined.

REP. WHALEN stated the signs do not have to be built until there is money to do so.

REP. BARNETT stated in addition to having signs inside the county they are also asking for counties to be identified.

CHAIRMAN CLARK said the highway department will put up the signs when they receive the money from private and local sources.

REP. VOGEL said the bill stated they shall design the signs and will there be an approval on those signs.

CHAIRMAN CLARK stated they will have to be done in conjunction with the uniform signing code.

Ms. Lane had some suggestions for amendments. EXHIBIT 7

<u>Motion/Vote</u>: REP. LARSON MOVED TO ADOPT THE AMENDMENTS. Motion carried unanimously.

<u>Discussion</u>: REP. HANSON stated the Butte community needed to have state support before they could go to congress.

REP. MASON stated we have seen Butte pick themselves up by the boot straps and bring themselves out of a disaster which some thought could never be done. We need to commend Butte for the things they have accomplished.

REP. CLARK indicated the grants Anaconda-Butte are wanting to receive will not have to be matched.

Vote: HB 197 DO PASS AS AMENDED. Motion carried unanimously.

# EXECUTIVE ACTION ON HB 209

Motion: REP. WINSLOW MOVED HB 209 DO PASS. Motion carried
unanimously.

# HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE January 25, 1993 Page 7 of 7

# **ADJOURNMENT**

Adjournment: 4:23 p.m.

ROBERT C. CLARK, Chair

KIMBERLEE GREENOUGH, Secretary

RC/kg

# HOUSE OF REPRESENTATIVES

HIGHWAYS AND TRANSPORTATION

COMMITTEE

ROLL CALL

DATE (an. 25, 1993

NAME	PRESENT	ABSENT	EXCUSED
REP. KARYL WINSLOW - VICE CHAIR	t		
REP. SHIELL ANDERSON	/		
REP. JOE BARNETT			
REP. BILL ENDY			
REP. DAVID EWER			V
REP. PAT GALVIN - VICE CHAIR			
REP. MARIAN HANSON			
REP. VERN KELLER			
REP. DON LARSON			
REP. GARY MASON			
REP. BILL RYAN			
REP. WAYNE STANFORD	/		
REP BILL TASH	V		
REP. RANDY VOGEL			
REP. TIM WHALEN			
CHAIR BOB CLARK			
	<del> </del>		

# HOUSE STANDING COMMITTEE REPORT

January 26, 1993 Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that House Bill 209 (first reading copy -- white) do pass .

Signed: Best C. Clark, Ch

Committee Vote: Yes //(, No \_\_\_\_\_.

# HOUSE STANDING COMMITTEE REPORT

January 26, 1993 Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that House Bill 197 (first reading copy -- white) do pass as amended .

# And, that such amendments read:

1. Title, line 6.

Following: "TRANSPORTATION"

Insert: ", AS FUNDS BECOME AVAILABLE,"

Following: "ERECT"

Insert: "AND MAINTAIN"

2. Page 2, line 23. Following: "shall"

Insert: ", as funds are available under subsection (4)'>"
Following: "erect"

Insert: "and maintain"

Committee Vote: Yes No S.

ONTE/- 25 93 B 197

# RESOLUTION NO. 263

A RESOLUTION OF INTENT TO SUPPORT STATE AND FEDERAL LEGISLATION WHICH RECOGNIZES THE SIGNIFICANT HISTORIC, MINING, SMELTING, LABOR AND CULTURAL RESOURCES OF THE ANACONDA-BUTTE REGION THROUGH APPROPRIATE DESIGNATION

WHEREAS, Anaconda-Deer Lodge and Butte-Silver Bow are the site of more than 100 years of living history of the early development of natural resources and the industrialization of America; and

WHEREAS, the development of the copper mining and smelting industry in this region has long been recognized as of national significance; and

WHEREAS, natural and cultural resources of Anaconda-Deer Lodge and Butte-Silver Bow can make a substantial contribution to economic development in the region, especially in regard to enhancing tourism opportunities; and

WHEREAS, Anaconda-Deer Lodge and Butte-Silver Bow have joined together with U. S. Environmental Protection Agency, the National Advisory Council for Historic Preservation, the Montana Department of Health and Environmental Sciences, the Montana Historic Preservation Office and Atlantic Richfield Company in signing a Programmatic Agreement which calls for a comprehensive approach to addressing important historic resources throughout the entire area affected by Superfund activities; and

WHEREAS, the signatories of the Programmatic Agreement agreed to work together on a plan for historic preservation to meet not only the various laws and regulations that govern each separate agency, but also to create a positive program of economic development for Anaconda-Deer Lodge and Butte-Silver Bow

**BE IT RESOLVED** by the Commission of Anaconda-Deer Lodge County, as follows, to-wit:

That it is the intention of the Anaconda-Deer Lodge County Commission to request and support State and Federal Legislation that recognizes the historical significance of our region.

**DATED** this  $20^{\frac{1}{12}}$  day of  $\frac{1993}{12}$ .

VAL "BUZZ" GALLE, Chairman

Anaconda-Deer Lodge County Commission

ATTEST:

CAROL GILLULY

Clerk of the Commission

Annonda Cha

EXHIBIT 2 DATE 1-25-93 197

# Anaconda Chamber of Commerce

306 E. Park Anaconda, MT 59711 Phone (406) 563-2400

January 22, 1993

To Whom It May Concern:

The Anaconda Chamber of Commerce would like to support Resolution 263 adopted by the Anaconda-Deer Lodge County Commission. This is a resolution supporting a bill for an Act entitled: "An Act designating Silver Bow County and Deer Lodge County as a cultural heritage area."

We recognize the fact that our heritage is of interest statewide as well as nationally and feel that this designation can make a substantial contribution to the Butte-Silver Bow and Anaconda-Deer Lodge area in regard to enhancing tourism opportunities.

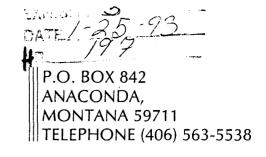
We urge you to take this under consideration.

Sincerely,

Virginia Carosone

Executive Director





January 25, 1993

To Whom It May Concern:

The Anaconda Local Development Corporation in conjunction with Headwaters R.C. & D., have jointly sponsored research and strategic approaches to improving the economic outlook of Southwest Montana.

One important area which shows positive economic impact is the Visitor Industry, particularly as it relates to those visitors interested in the history of the nation.

Designation of the Anaconda-Butte region as a "cultural heritage area" will enhance (as has been proven in other areas of the nation) in attracting visitors and in generating additional support to attract tourists.

The designation is another foundation stone in renewing and reinvigorating this regions economy.

Jana de

Sincerely,

James H. Davison

**Executive Director/Manager** 

JHD:ja

ĦB

# INTRODUCED JANUARY 20, 1993

# SCHEDULED FOR PASSAGE ON FEBRUARY 3, 1993

→ 1				
1	COINCTI	FESOLUTION	NO	1527
,	00011011		140.	102/

		COUNCIL F.E.SOLUTION NO. 1527
	A RESOLUT	ION OF INTENT TO SUPPORT STATE AND FEDERAL LEGISLATION
	WHICH REC	OGNIZES THE SIGNIFICANT HISTORIC, MINING, SMELTING, LABOR
	AND CULT	URAL RESOURCES OF THE ANACONDA-BUTTE REGION THROUGH
-	APPROPRIA	TE DESIGNATION AND PROVIDING FOR AN EFFECTIVE DATE
	HEREIN.	
	WHEREAS,	the communities of Anaconda-Deer Lodge and Butte-Silver
		Bow are the site of more than 100 years of living
		history of the early development of natural resources
-		and the industrialization of America; and
	WHEREAS,	the development of the copper mining and smelting
		industry in this region has long been recognized as of
		national significance; and
	WHEREAS,	natural and cultural resources in the communities of
		Anaconda-Deer Lodge and Butte-Silver Bow can make a
		substantial contribution to economic development in the
		region, especially in regard to enhancing tourism
		opportunities; and
	WHEREAS,	the city-county governments of Anaconda-Deer Lodge and
		Butte-Silver Bow have joined together with the U.S.
		Environmental Protection Agency, the National Advisory
		Council for Historic Preservation, the Montana
		Department of Health and Environmental Sciences, the
		Montana Historic Preservation Office and Atlantic

Richfield Company in signing a Programmatic Agreement

which calls for a comprehensive approach to addressing

1	important historic resources throughout the entire area
2	affected by Superfund activities; and
3	WHEREAS, the signatories of the Programmatic Agreement agreed to
4	work together on a plan for historic preservation to
5	meet not only the various laws and regulations that
6	govern each separate agency, but also to create a
7	positive program of economic development for the
8	communities of Anaconda-Deer Lodge and Butte-Silver Bow.
9	NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF COMMISSIONERS OF
10	THE CITY AND COUNTY OF BUTTE-SILVER BOW, STATE OF MONTANA:
11	SECTION 1: That it is the intention of the local government of
12	the City and County of Butte-Silver Bow to request and
13	support State and Federal Legislation that recognizes
14	the historical significance of our region.
15	SECTION 2: That this Resolution shall be in full force and
16	effect from and after its passage and approval.
17	PASSED this day of, 1993.
18	
19	
20	CHAIRMAN OF THE COUNCIL OF COMMISSIONERS
21	APPROVED this day of, 1993.
22	
23	CHIEF EXECUTIVE
24	
25	

-2-

EXHIBIT_	4	
DATE	125/93	_
_ MB	197	

1	ATTEST:
2	
3	
4	CLERK & RECORDER
5	~
6	APPROVED AS TO FORM:
7	
8	COUNTY ATTORNEY
9	
10	
11	CHAIRMAN, JUDICIARY COMMITTER
12	

-3-

1-25-93 HB - 209

75-10-501. Definitions. Unless the context requires otherwise, in this part the following definitions apply:

- (1) "Board" means the board of health and environmental sciences provided for in 2-15-2104.
- (2) "Component part" means any identifiable part of a discarded, ruined, wrecked, or dismantled motor vehicle, including but not limited to fenders, doors, hoods, engine blocks, motor parts, transmissions, frames, axles, wheels, tires, and passenger compartment fixtures.
- (3) "Department" means the department of health and environmental sciences provided for in Title 2, chapter 15, part 21.
- (4) "Junk vehicle" means a discarded, ruined, wrecked, or dismantled motor vehicle, including component parts, which is not lawfully and validly licensed and remains inoperative or incapable of being driven.
- (5) "Motor vehicle graveyard" means a collection point established by a county for junk motor vehicles prior to their disposal.
  - (6) "Motor vehicle wrecking facility" means:
- (a) a facility buying, selling, or dealing in four or more vehicles per year, of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle; or
- (b) a facility that buys or sells component parts, in whole or in part, and deals in secondhand motor vehicle parts. A facility that buys or sells component parts of a motor vehicle, in whole or in part, is a motor vehicle wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification. The term does not include a garage where wrecked or disabled motor vehicles are temporarily stored for a reasonable period of time for inspection, repairs, or subsequent removal to a junkyard.
- (7) "Person" means any individual, firm, partnership, company, association, corporation, city, town, local governmental entity, or any other governmental or private entity, whether organized for profit or not.
- (8) "Public view" means any point 6 feet above the surface of the center of a public road from which junk vehicles can be seen.
- (9) "Shielding" means the construction or use of fencing or manmade or natural barriers to conceal junk vehicles from public view.

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0197, as introduced. To F PROPOSED LEGISLATION.

# DESCRIPTION OF PROPOSED LEGISLATION:

An act designating Silver Bow County and Deer Lodge County as a cultural heritage area; and requiring the Department of Transportation to erect signs identifying the cultural heritage area

# ASSUMPTIONS

- Special signs will be installed at locations where Interstate or Primary highways cross county lines. Deer Lodge County Silver Bow County would require 9 signs. would require 5 signs. ٦.
- All work would be completed by contract, based on current department practice for installation of new signs . n
- Signs would be comparable to guide signs and consistent with current specifications for signage on interstate and 0primary system roads.
  - Any funds expended would come from private donations.  $\mathcal{H}$

# FISCAL IMPACT

Expenditures:		FY '94				FY '95		-
	Current Law	Proposed Law	Dif	Difference	Current Law	Proposed Law	Difference	nce
FTE	614.43	614.43		0	614.43	614.43	w	0
Personal Services	\$22,590,878	\$ 22,590,878	₩	0.	\$22,903,899	\$ 22,903,899		0
Operating	25,574,693	25,612,693		/38,000)	\$25,285,373	25,285,373		0
Equipment	458,588	458,588		0	374,565	374,565		0
Capital Outlay	108,434	108,434		0	108,434	108,434		이
Total	\$48,732,593	\$ 48,770,593	₩	38,000	\$48,672,271	\$ 48,672,271	₩	0
Funding:								
State Special Revenue	\$48,732,593	\$ 48,770,593	₩	38,000	\$48,672,271	\$ 48,672,271	₩	0
Federal Special Revenue	88,914	88,914		0	88,914	88,914		이
Total	\$48,732,593	\$ 48,770,593	₩	38,000	\$48,672,271	\$,48,672,271	₩.	0
				T.	proff to	Bee, I		
					\ \ \ \			
					, 0			

MOLICETHISIO

-27-92

Office of Budget and Program Planning

DAVE LEWIS, BUDGET DIRECTOR

JOE QUILICI, PRIMARY SPONSOR

Fiscal Note for HB0197, as introduced

EXHIBIT\_7 DATE/-25-93 BB\_197

# Amendments to House Bill No. 197 First Reading Copy

For the Committee on Highways

Prepared by Valencia Lane January 25, 1993

1. Title, line 6.

Following: "TRANSPORTATION"

Insert: ", AS FUNDS BECOME AVAILABLE,"

Following: "ERECT"
Insert: "AND MAINTAIN"

2. Page 2, line 23. Following: "shall"

Insert: ", as funds are available under subsection (4),"

Following: "erect"
Insert: "and maintain"

# HOUSE OF REPRESENTATIVES VISITOR'S REGISTER

Mighe aux	* Jan COMMITTEE	BILL NO.	HB 197-
DATE	sor(s) Julier F	Grady	

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
P.O. Box 1020 Anount 59711	Anscorila-DL in	HB 197	
alice Firmegan- 1610 Goden St. Jana conda 59711	anaconia D. L. County	H3 197	
Comis Terres Venies 323 S. Dixi	Apriconda- Deen ledge County	K 197	
MARIK REAVIS 155 W. GRANTE	BUTTE SILVER BOW	H3 197	
GARY GILMORE	MONT DEAT OF TRANS		X
Nathen Cohn	Monitary Deal of James	, \	
lint Blackwood	Travel Montana	X	
Henry Elika. Honk's Sal.	Hank's Salvage & Rec.	HB209 X	•
Jor Julin	MD 197	7	
Jud June	Buth - Silver Pour	HB 147	
Im C. Sissi	Butter Silver Bow	HB127	
Don Pooples	Mont. Tochnology Cos	197	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.