MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd Legislature - Regular Session

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By CHAIRMAN ROBERT C. CLARK, on January 29, 1993, at 3:00 p.m.

ROLL CALL

Members Present:

Rep. Bob Clark, 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. Bill Ryan (D) Rep. Bill Tash (R) Rep. Randy Vogel (R) Rep. Tim Whalen (D)

Members Excused: Rep. David Ewer (D) Rep. Karyl Winslow, Vice Chairman (R)

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 233, HB 232, HB 256, HB 270 Executive Action: HB 232, HB 256, SB 56

HEARING ON 233

Opening Statement by Sponsor:

REP. STEVE BENEDICT, HD 64, Hamilton, stated HB 233 requires the driver of a motor vehicle yield to a pedestrian crossing the roadway within a crosswalk when the pedestrian begins crossing. Current law states a motor vehicle must yield to a pedestrian when they are in the lane of traffic or close enough to that lane

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HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE January 29, 1993 Page 2 of 7

of traffic to present a hazard. This bill stipulates that once the pedestrian starts crossing the street both lanes of traffic would need to stop until that pedestrian is across the street. **REP. BENEDICT** said the handicapped have a problem crossing streets and this bill would help them.

Proponents' Testimony:

Joe Lear, Director of Public Works, Missoula, stated the city of Missoula supports this bill for two reasons. In the city of Missoula we have air quality problems and one of the things we are trying to promote is the use of bicycles and walking. This bill will make it easier for people to get across the streets. Safety is also an issue and the way the law is written today is that the pedestrian would have to leave the sidewalk and start walking until he is in danger and then the vehicle must stop.

REP. VOGEL, HD 86, Billings, speaking in support of the bill, stated that last summer he went through all the city codes and when he came to this one and read through it he thought that it didn't make sense.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. KELLER asked if signage would have to be provided. **Mr. Lear** stated no, that most states already have this law.

REP. BARNETT stated that **REP. FOSTER** has a bill coming which deals with crosswalks and asked **REP. BENEDICT** if he was familiar with that bill. **REP. BENEDICT** stated no, and that he would have no objection to holding the bill in committee until **REP. FOSTER'S** comes through.

REP. HANSON asked **REP. BENEDICT** if he used another state as a pattern for this bill. **REP. BENEDICT** stated it is modeled after California law.

Closing by Sponsor: REP. BENEDICT closed.

HEARING ON HB 232

Opening Statement by Sponsor:

REP. BOB CLARK, HD 31, Ryegate, stated HB 232 places a provision in the law that any vehicle with three axles, manufactured after January 5, 1980, will be required to have brakes on the steering axle.

Proponents' Testimony:

Col. Bob Griffith, Chief, Montana Highway Patrol, stated that the reason for this piece of legislation is to bring Montana into

compliance with the federal regulations which have been adopted. The federal government is urging Montana to make statutes comply with federal regulations. There has not been any objection to this bill.

Ben Havdahl, Montana Motor Carriers' Association, stated the Association would like to go on the record in support of this bill.

Opponents' Testimony: None.

Questions From Committee Members and Responses: None.

Closing by Sponsor: REP. CLARK closed.

HEARING ON HB 256

Opening Statement by Sponsor:

REP. HOWARD TOOLE, HD 60, Missoula, stated that this bill came as a result of a conversation with a Pearl Harbor veteran who had trouble getting a Pearl Harbor Plate in addition to a veterans' plate. He was trying to get past problems addressed in the 1991 session. We would like to give veterans any type of plate for the \$5.00 fee.

Proponents' Testimony:

Dean Roberts, Administrator Motor Vehicles Division, stated that a disabled veteran who is a member of one branch of the service would like to carry the branch of the service. This bill gives the veteran the opportunity to choose what plate he wants. He can still only get one plate, this just gives him the option to choose. He also stated they would like to amend the bill. EXHIBIT 1 This amendment clarifies that the veteran can only receive one military related plate of his/her choice.

George Poston, United Veterans' Community of Montana, stated that they support this bill.

Hal Manson, American Legion, stated the Legion supports this bill.

Dick Baumberger, Disabled American Veterans of Montana, stated that they support this bill.

Jim Jacobson, Administrator, Veterans Affairs Division, stated that they support this bill.

Opponents' Testimony: None.

Questions From Committee Members and Responses: None.

Closing by Sponsor: REP. TOOLE closed.

HEARING ON HB 270

Opening Statement by Sponsor:

REP. ED GRADY, HD 47, Helena, stated that the purpose of HB 270 is to allow members of a fraternal organization to obtain special license plates. By using specially designed plates the organization would be able to promote the organization and its worthwhile projects. It is not the intent of the Shrine to cost the state of Montana any money or have taxpayers subsidize the program in any way. The Shrine and it's members are prepared to pay all necessary costs for the program to operate. **REP. GRADY** also stated that he wished to amend the bill. **EXHIBIT 3**

Proponents' Testimony:

John Felton, Algeria Shrine Temple, stated he represents over 2,000 members in Montana. The purpose of this bill is to make people aware that Shriner's represent crippled children. The Shriner's have a large group of hospitals across the United States and we want people to be aware of this.

Bruce McGinnis, Member of the Algeria Shrine Temple, stated he supports HB 270. He also said that it is not their intent to cost the state any money. Each organization would pay for the design and start-up costs. The Shrine is willing to pay their share. The plates are a way to get the Algeria Shrine name out to the public and the money from sale of the plates will help the crippled children. EXHIBITS 4, 5, 6

Opponents' Testimony:

Dean Roberts, Motor Vehicles Division, Department of Transportation, stated that the problems with the bill are numerous. Montana has 115 different kinds of plates now and most have to do with some sort of government purpose. There is no definition of a fraternal organization and this bill would be opening the door for many people to get specialized plates. He suggests that they put "Shriners" in the bill. Mr. Roberts stated that, if the committee considers passing this bill, he wants to propose amendments to the bill. EXHIBIT 7

Cort Harrington, Montana County Treasurers' Association, stated that Montana is facing a huge deficit and is going to be reducing the size of the government to correspond with tax revenues received. When the state reduces its size it needs to reduce its services. HB 270 is an expansion of governmental services. The taxpayers believe that government is big enough. The county treasurers believe a line needs to be drawn on how many of these special plates are made. The treasurers are going to oppose every bill that comes in requesting any additional special plates. HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE January 29, 1993 Page 5 of 7

Dick Michelotti, Cascade County Treasurer, stated that fraternal organizations are to be commended for the good deeds they do. However, today we rise in opposition to HB 270, not because of the intent of the bill, but because of the process it continues. The state has produced over 20 tons of plates which have to be stored. We need to draw the line. We need to stop this evergrowing list of special plates.

Questions From Committee Members and Responses:

REP. VOGEL asked **Mr. McGinnis** if he was aware that the \$5,200 cost the organization is willing to pick up is actually \$52,000? **Mr. McGinnis** answered that under item two on the fiscal note, as he sees it, the amount is \$5,700.

REP. LARSON asked if these special plates are a problem for law enforcement. **Col.Griffith** stated that to some degree they are.

REP. VOGEL asked if the number designation for the different counties on personalized plates is hard to read. **Col. Griffith** stated that it is true.

<u>Closing by Sponsor:</u>

REP. GRADY, stated that when he agreed to carry this bill there was not to be any cost to the general fund. He stated he is not one to carry anything that asks the general fund for money. The reason he agreed to carry this bill was that this Shriner's program is one of the best programs in the nation, helping them transport crippled children to the hospital. He agreed there are some problems with this bill and hoped that they can be ironed out. The Shriners do not want to cost the counties or state anything and have offered to pay every cost. The bill will require some work and they have offered to help. **REP. GRADY** thanked the committee for their time and closed.

EXECUTIVE ACTION ON HB 232

Motion/Vote: REP. LARSON MOVED HB 232 DO PASS. Motion carried unanimously.

EXECUTIVE ACTION ON HB 256

Motion: REP. STANFORD MOVED HB 256 DO PASS.

Discussion:

REP. LARSON explained the amendments. EXHIBIT 8

Motion/Vote: REP. LARSON moved to adopt the amendments. Motion carried unanimously.

HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE January 29, 1993 Page 6 of 7

Motion/Vote: REP. LARSON MOVED HB 256 DO PASS AS AMENDED. Motion carried unanimously.

EXECUTIVE ACTION ON SB 56

Motion: REP. LARSON MOVED SB 56 BE NOT CONCURRED IN.

Discussion:

REP. VOGEL stated that it is time to draw the line on personalized plates.

REP. TASH said he agrees with the Be Not Concurred In motion, because of the treasurers' testimony.

REP. VOGEL said he would suggest buying more bumper stickers and leaving plates for their original purpose. **REP. VOGEL** also said he would like to make a substitute motion to table SB 56.

CHAIRMAN CLARK stated REP. STANFORD supported the bill as a volunteer fireman and asked if there are catalogs that carry emblems and designs for vehicles. REP. STANFORD answered he believes there are stickers for the bumper and little plates.

REP. MASON stated he is a member of a fraternal organization and believes there are other ways to identify these vehicles.

REP. LARSON said that in his district there are several members of the Search and Rescue who have a big emblem on the side of their vehicle for identification. They also use personalized plates and put "SR" then the number on them.

REP. STANFORD stated that he opposes the motion to table and spoke in favor of the bill for a couple reasons. Of all of the license plates Montana has, these are probably two of the only ones that have anything to do with highway safety. Half of the plates are government exemption and university plates.

REP. ENDY stated there are many states that have only one license plate. Montana would save money by having only one plate.

CHAIRMAN CLARK in response to REP. ENDY'S comments said if you were to talk to 99% of the law enforcement officers in the states that have only one license plate, every officer would rather have two plates. The primary purpose of a license plate is to help an officer identify the vehicle.

<u>Motion/Vote:</u> REP. VOGEL MADE A SUBSTITUTE MOTION THAT SB 56 BE TABLED. Motion carried with REPS. WHALEN and STANFORD voting no. HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE January 29, 1993 Page 7 of 7

ADJOURNMENT

Adjournment: 4:35 p.m.

Robert C. Clark, Chair

10 KIMBERLEE GREENOUGH, Secretary

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HIGHWAYS AND TRANSPORTATION

_COMMITTEE

ROLL CALL	DATE	pres)9,199
NAME	PRESENT	ABSENT	EXCUSED
REP. KARYL WINSLOW - VICE CHAIR			
REP. SHIELL ANDERSON			
REP. JOE BARNETT			
REP. BILL ENDY			
REP. DAVID EWER	-		
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			
REP. RANDY VOGEL			
REP. TIM WHALEN			·
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HOUSE STANDING COMMITTEE REPORT

January 30, 1993 Page 1 of 1

Mr. Speaker: We, the committee on <u>Highways and Transportation</u> report that <u>House Bill 256</u> (first reading copy -- white) <u>do</u> pass as amended.

- 1

Signed: <u>Robert C. Class</u> Robert C. Clark, Chair

And, that such amendments read:

1. Title, line 5. Following: "ANY" Insert: "MILITARY-RELATED"

2. Page 11, line 6.
Following: "(B)"
Insert: "one set of"
Following: "other"
Strike: "plate"
Insert: "military-related plates"

3. Page 21, line 17. Following: "(B)" Insert: "one set of" Following: "other" Strike- "plate" Insert: "military-related plates"

Committee Vote:

HOUSE STANDING COMMITTEE REPORT

January 30, 1993 Page 1 of 1

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Mr. Speaker: We, the committee on <u>Highways and Transportation</u> report that <u>House Bill 232</u> (first reading copy -- white) <u>do</u> <u>pass</u>.

Signed: Robert C. Clark Robert C. Clark, Chair

Committee Vote: Yes $\sum_{i=1}^{\infty}$, No $\sum_{i=1}^{\infty}$.

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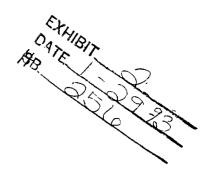
EXHIBI DATE HB.

PROPOSED AMENDMENT TO HOUSE BILL NO. 256

1. <u>Page 11, line 6.</u> Following: "(B)" Insert: "one set of" Following: "any other" Insert: "military related"

2.

Page 21, line 17. Following: "(B)" Insert: "one set of" Following: "any other" Insert: "military related" Charles E. Dahlstrom P.O. Box 8171 Missoula, MT 549-8889



1 1

To the Committee on Highways and Transportation:

Mr. Dahlstrom is unavailable to testify today due to recent heart surgery. Mr. Dahlstrom is a Pearl Harbor survivor and a disabled veteran. He urges the committee DO PASS on House Bill 256. Disabled veterans who have other special veterans license plates are entitled to the discount rates which are available for disabled veterans plates. Mr. Dahlstrom would not object if they had to put a "DV" designation on the plate to receive the discount.

(taken by phone message S.B.Fox 1/29/93)

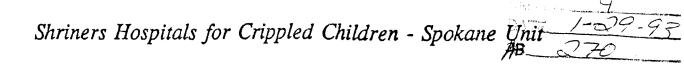
Amendments to House Bill No. 270 First Reading Copy

Requested by Rep. Grady For the Committee on Highways and Transportation

> Prepared by Susan B. Fox January 28, 1993

1. Page 11, line 8.
Following: "(g)"
Strike: "A" Insert: "(i) A nationally chartered fraternal organization must make application to the department for its members to become eligible for special fraternal organization license plates. Each fraternal organization shall remit to the department the start up design and computer programming costs in order to have a specific fraternal organization special license plate developed and produced. If more than one fraternal organization applies for a special license plate at one time, the computer programming costs may be shared. Subject to the provisions of subsection (10)(g)(i) and (ii) upon payment of all taxes and fees required by parts 1 and 5 and payment of postage and handling costs as determined by the department, a" 2. Page 11, line 11. Strike: the first "<u>a</u>" Strike: "<u>plate</u>" Insert: "plates" 3. Page 21, line 19. Following: "<u>(g)</u>" Strike: "<u>A</u>" Insert: "(i) A nationally chartered fraternal organization must make application to the department for its members to become eligible for special fraternal organization license plates. Each fraternal organization shall remit to the department the start up design and computer programming costs in order to have a specific fraternal organization special license plate developed and produced. If more than one fraternal organization applies for a special license plate at one time, the computer programming costs may be shared. (ii) Subject to the provisions of subsection (10)(g)(i) and upon payment of all taxes and fees required by parts 1 and 5 and payment of postage and handling costs as determined by the department, a" 4. Page 21, line 22. Strike: the first "a" Strike: "plate"

Insert: "plates"



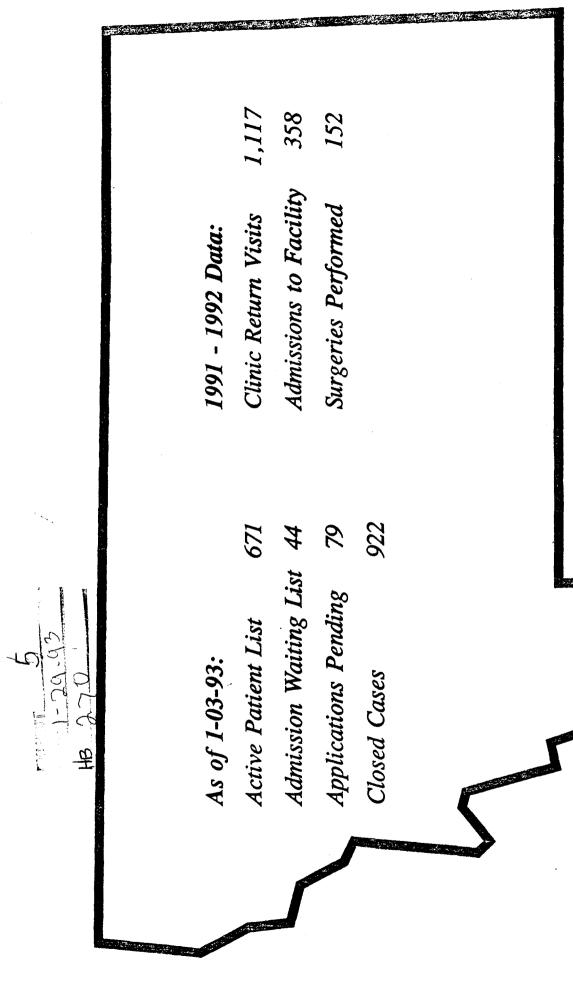
PATIENT ADMISSION DATA - MONTANA STATE

<u> 1991 DAT.</u>	<u>4:</u>	<u> 1992 DATA:</u>
180	PATIENT ADMISSIONS	178
70	Surgical Procedures	82
87	Orthosis/Prosthesis Adaptations	65
1,826	DAYS TOTAL LENGTH-OF-STAY	1,719
10	DAYS AVERAGE LENGTH-OF-STAY	9.6
<i>39</i>	MONTANA MEDICAID RECIPIENTS	40
<i>483</i>	Days Total Length-of-Stay	423
12.4	Days Average Length-of Stay	10.5
\$180,159	Savings to State of Montana*	\$162,432
46	NO THIRD-PARTY/POSSIBLE MEDICAID ELIGIBLE	42
435	Days Total Length-of-Stay	501
9.5	Days Average Length-of-Stay	11.9
\$162,255	Possible Savings to State of Montana*	\$192,384

*Semi-private room rate ONLY based on Spokane WA area average rate for the applicable year.

Shriners Hospitals for Crippled Children - Spokane Unit

PATIENT POPULATION - STATE OF MONTANA



Shrine Temples Supporting the Spokane Unit

Afifi, Tacoma, Washington; Al Aska, Anchorage, Alaska; Al Azhar, Calgary, Alberta; Algeria, Helena, Montana; Al Bedoo, Billings, Montana; Bagdad, Butte, Montana; Calam, Lewiston, Idaho; El Katif, Spokane, Washington; Gizeh, Vancouver, British Columbia; Nile, Seattle, Washington; Al Shamal, Edmonton, Alberta; Masada, Yakima, Washington.

Geographical Area Served

The Spokane Unit serves the states of Montana, Washington, Northern Idaho, and Alaska, and the Canadian provinces of Alberta and British Columbia.

No Charge for Services

All services rendered at the Spokane Unit are free ---there is no charge to the parents, third party payors, the state and/or federal governments.

Funding

Funds to pay for all this are generated by tax deductible donations, from wills, gifts, bequests, fund raising football games, basketball games, circuses, rodeos and similar fund raising events. Donations come from Shriners and friends of the Shriners Hospitals in support of "The World's Greatest Philanthropy", i.e., SHRINERS HOSPITALS. Less than 5% of all monies contributed are utilized for administrative purposes — the remaining 95+% benefits the Hospital System.

Tours

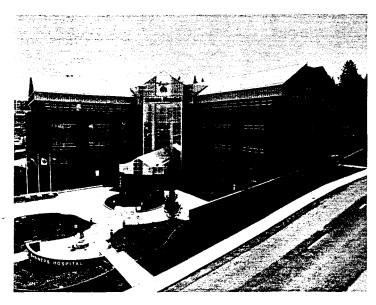
Yes, you can tour our Unit as a group or an individual. Let us know when you want to visit.

Unit Care

The Spokane Unit, Shriners Hospitals for Crippled Children provides a friendly and loving atmosphere which is devoted to the care of each child. A personal family centered approach to care is utilized by a multidisciplinary team to insure that each child receives the best possible care within available resources.

Personnel of the Unit are dedicated to addressing both the physical and emotional needs of each child, and all recognize the distinct needs of our patients as children.

EXHIBIT____ DATE 1/29/93 HB 270





Where thousands of needy Crippled Children find Health and Happiness

History

The Spokane Unit, Shriners Hospitals for Crippled Children is one of nineteen (19) Orthopaedic Hospitals maintained and operated by the Shrine of North America. The hospital opened in November, 1924 as a twenty (20) bed Unit in St. Luke's Memorial Hospital. As time progressed and our patient load increased the need for additional beds was evident. Consequently a new forty (40) bed free standing hospital was constructed and opened for operation in 1939. As the length of stay decreased bed size for inpatient care was reduced to 30 beds in the mid 1980's. Increased outpatient activity which required more space than the 30,000 square foot facility on Summit Boulevard, as well as a need to be closer to a tertiary care hospital, generated a need to construct a new 96,000+ square foot facility adjacent to Deaconess Medical Center. The new Unit was completed and occupied on March 16, 1991.

Patient Services Offered

Inpatient care, surgery, outpatient care, physical therapy, occupational therapy, recreational therapy, laboratory services, diagnostic radiology, nutritional counselling, dental services, social services, bracing, casting, and artificial limbs are among some of the services provided.

Additionally, teachers are provided by School District #81, Spokane, Washington to the patients so that they can keep up their school work consistent with their growth and development.

Special Areas of Treatment

The Spokane Unit specializes in Pediatric Orthopaedics and provides care for children with orthopaedic deformities, orthopaedic injuries, and/or diseases of the bones, joints, and muscles. Some typical diagnoses are as follows: Scoliosis (curvature of the spine), congenital dislocated hips, club foot, osteogenesis imperfecta (brittle bones), leg length discrepancies, webbed fingers and toes, neuro-muscular problems, amputees (congenital and traumatic), cerebral palsy, juvenile rheumatoid arthritis, knock knees, myelodysplasia (open spine), joint deformities, osteomyelitis (bone infection), and burn scars.

Admission Policy

All children from birth to 18 years of age are eligible fo treatment if in the opinion of the Chief of Staff there is a reasonable possibility that treatment will benefit the child, and that treatment at another facility would place a financial burden on the patient's family or guardian.

Admission Procedure

Obtain application from any Shriner, Shrine Hospital Shrine Temple, or National Office.

Complete application in its entirety and forward to the Spokane Unit.

Application will be reviewed for medical and financia eligibility.

Do you know a child who needs help?

Do you need additional information?

Need a speaker to tell the Shrine Hospital Story?

If so — contact:

Administrator, Spokane Unit

(509) 455-7844 or write:

Shriners Hospital for Crippled Children-

SPOKANE UNIT

911 W. Fifth Avenue

Spokane, WA 99204-2901

or call toll free 1-800-237-5055 (in Florida 1-800-282-9161).



EXHIBIT DATE

HB 270 - Amendments Prepared by the Department of Justice First Reading Copy

1. Page 1, line 5. Following: ORGANIZATIONS Insert: AND APPROPRIATING MONEY TO THE DEPARTMENT OF JUSTICE TO ADMINISTER THE ISSUANCE OF FRATERNAL LICENSE PLATES

2. Page 4, line 14. Strike: "officials and employees" Insert: "agency"

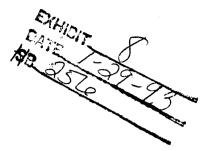
3. Page 11, line 12. Following: "insignia" Insert: "upon payment of all taxes and fees required under parts 3 and 4 of this chapter and a fraternal license plate fee of \$6.50."

4. Page 14, line 25.
Strike: "officials and employees"
Insert: "agency"

5. Page 21, line 23. Following: "insignia" Insert: "upon payment of all taxes and fees required under parts 3 and 4 of this chapter and a fraternal license plate fee of \$6.50."

6. Page 22, line 12. Insert: new Section 3 as follows NEW SECTION. Section 3. Appropriation. There is appropriated from the general fund to the department for the biennium ending June 30, 1995, the sum of \$65,000 to be used to administer the issuance of fraternal license plates.

7. Page 22, line 12. Strike: Section 3 Insert: Section 4 Amendments to House Bill No. 256 First Reading Copy



For the Committee on Highways

Prepared by Valencia Lane January 29, 1993

1. Title, line 5. Following: "ANY" Insert: "MILITARY-RELATED"

2. Page 11, line 6. Following: "(B)" Insert: "one set of" Following: "<u>other</u>" Strike: "<u>plate</u>" Insert: "military-related plates"

3. Page 21, line 17.
Following: "(B)"
Insert: "one set of"
Following: "other"
Strike: "plate"
Insert: "military-related plates"

WITNESS STATEMENT

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	OF REPRESENTATIVES	•	
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
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LEASE LEAVE PREPARED TESTIMONY RE AVAILABLE IF YOU CARE TO SU		TEMENT FO	<u>DRMS</u>

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