

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 53rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By CHAIRMAN ROBERT CLARK, on March 15, 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: Connie Erickson, Legislative Council
Kimberlee Greenough, Committee Secretary

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

Committee Business Summary:

Hearing: SB 395, SB 105
Executive Action: None.

HEARING ON SB 395

Opening Statement by Sponsor:

SEN. JOHN HARP, SD 4, Kalispell, stated SB 395 would establish the limitations on the maximum overhang length of logs. He also stated he would like to propose amendments to the bill as outlined in EXHIBIT 11.

Proponents' Testimony:

Lyle Doty, Lyle Doty Trucking, Kalispell, said that he supports SB 395 with the proposed amendments.

Don Allen, Montana Wood Products Association, stated the Wood Products would like to go on record in support of SB 395 with the proposed amendments.

Keith Olson, Executive Director, Montana Logging Association (MLA), stated the MLA supports SB 395 with the proposed amendments.

Marky Adkins, Safety Director, Log Trucks Association, stated he supports SB 395 with the proposed amendments.

Dave Galt, Administrator, Motor Carrier Services Division, Montana Department of Transportation, said the Department supports SB 395 and the amendments.

Col. Bob Griffith, Montana Highway Patrol, stated the Highway Patrol supports SB 395 with the proposed amendments.

Dottie Motechka, Glacier Insurance, Kalispell, said she supports SB 395.

Opponents' Testimony: None.

Informational Testimony: None.

Questions From Committee Members and Responses:

REP. LARSON asked for someone to clarify if this bill will exclude the trailer-train combinations. Mr. Olson noted it would.

REP. LARSON asked if this bill would decrease the whips. Mr. Olson replied yes.

Closing by Sponsor: None.

HEARING ON SB 105

Opening Statement by Sponsor:

SEN. BARRY STANG, SD 26, St. Regis, said SB 105 would repeal last session's legislation to regulate the log hauling industry. He feels last session the minority came to testify, and he found out

later the majority were against the regulation of the log hauling industry. He stated there were 519 Class "E" authorities issued in the state as of January 1993. A poll was taken at that time which simply asked if these Class "E" authorities were in favor of or against the regulation of the log hauling industry. The poll received a 62% response and of that 62%, 64% were against the regulation of the log hauling industry and 36% were in favor.

Proponents' Testimony:

Dick Coverdell, log hauler, Columbia Falls, presented written testimony and several petitions in support of SB 105. EXHIBIT 1

REP. MIKE FOSTER, HD 32, Townsend, stated SB 105 repeals the bill passed in the 1991 legislative session. He stated he supports SB 105.

REP. JIM ELLIOTT, HD 51, Trout Creek, stated he sponsored a regulation bill in 1989. Since then, he has found few haulers in his area that support regulation of the industry. He said he supports SB 105.

Bill Talgart, log hauler, Townsend, stated regulation does not help him in any way. The regulation hurts the smaller haulers. He supports SB 105.

Tony Miller, Judith Gap, stated he feels regulation is unconstitutional. He said the mills he works for have indicated if the Public Service Commission (PSC) rates go up, they will buy their own trucks and put independent haulers out of work. He feels that regulation will cost the state and the haulers a considerable amount of money. Since the regulations began six-months ago, it has cost the state \$58,000 to regulate this industry.

Howard Eoff, log hauler, stated he had hauled in the state of Washington, and their regulation does not work because it has too many loopholes. He said he did not make any more money in Washington with their regulation than he does now.

Don Allen, Montana Wood Products Association, spoke in support of SB 105 and presented written testimony. EXHIBIT 2

Sherm Anderson, Sun Mountain Logging, Deer Lodge, spoke in support of SB 105. EXHIBIT 3

Susan Miller, Judith Gap, stated the log haulers should work together instead of fighting amongst themselves. The true issue is the amount of timber that is available. Mills are closing and being sold because of a lack of timber.

Bill Breuer, Black Eagle, spoke in favor of SB 105 and presented written testimony. EXHIBIT 4

John Cochran, St. Regis, stated he supports SB 105. EXHIBIT 5

Mary Wilhelm, log hauler, Bozeman, stated she supports SB 105 and opposes regulation. EXHIBIT 6

Bill Crismore, log hauler, Libby, stated he fears further regulation will force the mills to contract with a single hauler. This would eliminate his ability to haul his own logs. He said he supports SB 105.

Brent Anderson, Lincoln, stated these regulations do not help the smaller log hauling businesses. He said he supports SB 105.

Opponents' Testimony:

REP. MARY LOU PETERSON, HD 1, Eureka, stated if we deregulate log haulers, out-of-state haulers would be able to come in to the state and underbid haulers in Montana.

Archey Adkins, log hauler, Kalispell, stated there are too many trucks in the state and regulation will help control the number of trucks. There are over 1,000 trucks hauling logs in the state traveling millions of miles on the highways. The trucks are bringing in between 85 and 100 million dollars in revenue to our state. The contracts from the PSC help the haulers collect from the shippers. EXHIBIT 7

Denny McManess, Log Hauler, Flathead, stated with regulation there will be safer trucks on the highways. The paperwork and expense is minimal. Without regulation, haulers can come into the state and take business away from Montana residents.

Lyle Doty, representing James A. Slack, Inc., Kalispell, presented written testimony. EXHIBIT 8 Mr. Doty also indicated he personally opposes SB 105.

Dean Stacy, Dean Stacy and Son Trucking, Eureka, stated the paperwork and cost is minimal. The contracts from the PSC make people pay their debts to the haulers.

Eric Skelton, Eric Skelton Trucking, stated regulation keeps out the out-of-state trucks. He also said he did not receive the Class "E" authority through the grandfather clause and had to go through the process; it was neither difficult nor expensive.

Norm Jones, log hauler, stated he does not have steady employment; he makes telephone calls to find work. He said all of the haulers and loggers need to work together; and the law needs some fine tuning, not repeal.

Ben Havdahl, Montana Motor Carriers' Association (MMCA), presented written testimony. EXHIBIT 9

Dan McGuire, contract log hauler, Anaconda, stated he opposes SB 105; and would like to give the regulation a chance. Regulation allows him to compete with the larger firms.

Jackie Christofferson, representing Leroy Christofferson, presented written testimony. EXHIBIT 10

REP. DAVID WANZENRIED, HD 7, Kalispell, noted the regulation has only been in effect for six months. We have not had a chance to see if it will work. People want to be treated fairly, and want a guaranteed rate which regulation will accomplish. He said SEN. HARP'S poll is flawed, and believes the numbers are highly inaccurate.

Informational Testimony: None.

Questions From Committee Members and Responses:

REP. LARSON asked how the loggers negotiated a hauling rate two years ago, how they negotiate it now, and what the differences are. Dave Benson said the difference is that now the hauler has a contract with the mill.

REP. LARSON asked if, before the legislation two years ago, were logs being hauled without knowing what the rate was. Mr. Benson replied no.

REP. LARSON asked Mr. Benson if he would change the rates if the road conditions were bad. Mr. Benson replied no.

REP. ANDERSON asked if the larger mills would purchase their own trucks if there were set rates. Mr. Adkins said the mills would not purchase their own trucks if it was more reasonable to hire other haulers.

REP. ANDERSON asked if the regulation continues, the rates could go up and then it would be more reasonable for the large mills to purchase their own trucks to haul their logs. Mr. Adkins stated if the rates get that high, it is possible the mills will do that. We are a long way from the rates being too high.

REP. ANDERSON asked if SB 105 were to die would you go to the PSC and request rate schedules. Mr. Adkins responded if he were in a position to do so, yes he would.

REP. ANDERSON asked if the MMCA discussed the possibility of rate-setting with the PSC. Mr. Havdahl replied that up to this point rate-setting has not been discussed.

REP. ANDERSON asked if SB 105 dies would MMCA ask for a rate schedule for these Class E haulers. Mr. Havdahl stated no MMCA would not.

REP. WINSLOW asked why the haulers are fighting against each other. Susan Miller said there is a distinct division between eastern and western Montana. The issues are different for each area.

REP. WINSLOW asked if there was a way for an agreement to be reached within the log hauling industry instead of coming to the legislature every session. SEN. STANG stated when people cannot decide on the issues themselves they come to the legislature. The difference is competition which is why the problems cannot be solved among themselves.

REP. WINSLOW asked if there had been negotiations and if so why did the negotiations breakdown. REP. WANZENRIED stated he was not aware of any negotiations since the 1991 legislative session. He also stated everyone has their own ideas and concerns and that is why they cannot come to a decision on their own.

REP. GALVIN asked if we should de-regulate all businesses. REP. ELLIOTT stated sometimes there is a public need for regulation. He also said he does not see a need for regulation of the log hauling business.

REP. GALVIN asked if this regulation has caused any new hiring by the PSC; how many people were hired by the PSC to handle this issue? SEN. STANG replied that one person was hired.

REP. VOGEL asked someone to clarify Champion Mill's willingness to negotiate the contracts. Ms. Christofferson replied that Champion was never unwilling to negotiate a rate with us.

REP. LARSON asked if rates were determined on a per ton basis. Mr. Anderson said that was true.

REP. LARSON asked if the rate on a per ton per mile basis was coming in the future. Mr. Anderson replied yes.

REP. LARSON asked if there would be less of a need to regulate with a per ton per mile rate. Mr. Anderson answered yes.

REP. CLARK asked if the out-of-state haulers could come in to the state under someone else's authority. REP. WANZENRIED stated if you are going to haul logs in Montana, you have to have authority to move those logs. It is possible to contract with someone who has authority. Wayne Budt, Administrator, Transportation Division, PSC, stated an out-of-state hauler can come in and lease its trucks to a Montana carrier. If that happens the Montana carrier is responsible for the insurance on all of the leased trucks. If the trucks are in the same name as the logging contractor, they can come in to the state. The state does not regulate log haulers from out-of-state who pick up timber in Montana and haul it to a mill out-of-state.

Closing by Sponsor:

SEN. STANG stated he would rather see people on the same side of the issue. We should not set policy because of an east/west problem. These people are competitive. Without regulation the price of hauling will go up and the number of trucks will go down. Currently there are too many trucks and haulers are still working for 1979 prices. People from out-of-state will come in whether there is regulation or not. Regulation creates a monopoly. The Department of Transportation will have the haulers prove that they have workers' compensation coverage and insurance that will cover safety issues. The surveys which we conducted were highly accurate.

HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE

March 15, 1993

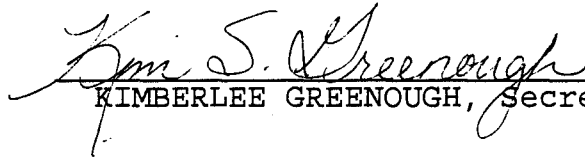
Page 8 of 8

ADJOURNMENT

Adjournment: 5:30 p.m.



ROBERT C. CLARK, Chair



KIMBERLEE GREENOUGH, Secretary

RC/kg

HOUSE OF REPRESENTATIVES
HIGHWAYS AND TRANSPORTATION **COMMITTEE**

ROLL CALL

DATE March 15, 1993

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	✓		
CHAIR BOB CLARK	✓		

(#1)

EXHIBIT 1
DATE 3-15-93
SB 105

15 March, 1993 House Hearing SB# 105

Mr. Chairman, ladies & gentlemen of the Committee; Thank you for giving me this opportunity to testify in support of SB # 105.

My name is Dick Coverdell. I am a log hauler from Columbia Falls, MT. My wife and I are the owners of a one truck business.

I support Senate Bill #105 to eliminate P.S.C. regulation of log hauling as Class E for the following reasons.

#1. Class E regulation requiring me & the shipper to have a contract has done nothing for me. When this was made into law in 1991, I had already been a contract hauler for 14 years. I was an independent log hauler negotiating with the shipper. I did not have to file reports, keep more records, pay more fees & taxes, and be under more government regulation. My wife and I ran our business from the ground up. "Make or Break," it was our business.

I had a contract that gave me the right to negotiate my haul rates and it also stated when I'd be paid. PLUS INS. REQUIREMENTS ETC.

#2

This brings me to reason #2. Class E regulation of log hauling came about in 1991 when a bill was introduced to have the P.S.C. set hauling rates. The Log Truckers Association of Montana had the bill introduced because their members said, they didn't know what their haul rates were; they could not negotiate; and pay dates varied. Rate setting was strongly opposed in 1989 and once again in 1991.⁵⁰ Rate setting was deleted and the P.S.C. regulation with a contract became law.

It's obvious the contract is not being used as was intended. Many of these people still don't know their rates, so ~~they couldn't be negotiating~~. They still guess about when and if they'll be paid. ^{SOME DON'T EVEN KNOW WHAT THE CONTRACT LOOKS LIKE:}

The Log Truckers Association represents only a portion of the log haulers in Montana. Consequently, all log haulers are being regulated because a portion needs help, ^{OR HAVE BEEN TOLD THEY NEED IT}

If the P.S.C. should be used to help these haulers, then what about the logger, the mill, the lumber yard, and the product user? Should they also be regulated by the P.S.C. so they can get a better rate; a better deal; help in running their business?!

Log hauling, like any business, is a gamble.

#3

EXHIBIT 1
DATE 3/15/93
SB 105

I'll bet I'm safe in saying 95% of the haulers today got into the business because they wanted in. No hassle! No red Tape! No government rules! Take a gamble! Free enterprise! Under PSC. regulation this is no longer possible. you get in or out according to government rules, requested by a few who got in under the "No Hassle Rule"!

Reason #3. Setting rates is still in the picture. House Bill #172 was to be introduced to set rates. If this bill SB 105 is killed, rate setting will once again be introduced.

Those of us who want out of regulation definitely do not want rate setting.

Number 4. Opponents to SB 105 have stated in the past that P.S.C. regulation makes log haulers and log hauling safer. Safety on our highways and bi-ways, at the loading and unloading sites, is all being taken care of by the state GVW people, Traffic inspectors, Highway Patrol, Federal D.O.T. and the industry safety rules.

Reason #5 has to do with the complete reversal of log haulers who own a fleet of Trucks going from fighting regulation in 1989 & 1991 to being "for" regulation in 1993. Regulation means "Big is better"

#4

I ask you to support SB #105 and eliminate Class E.

We've a much bigger problem here in Montana. We keep losing the raw material to harvest; our timber and wood products industry is going to become a dinosaur. Then we'll all lose!

Thank you.

ACTION ALERT!

EXHIBIT
DATE 3/15/93
SB 105

I have been informed by phone from Judith Gap, MT that Senator Barry (Spook) Stang's bill SB #105 to repeal Class E regulation of log hauling has passed both the Senate Committee and the Senate Body.

It goes before the House Highway & Transportation Committee on Friday, March 15th at 3:00 p.m.

I plan to attend the hearing and to testify in favor of Senator Stang's bill, SB #105.

I know there are many of you that feel as I do; No more Class "E" Regulation. I need your support and help. Please sign the attached petition and call 406-444-4800 or 444-4853, or fax 444-4105 and let your feelings be known.

Thanks,
Dick Coverdell

Petition in Favor of SB #105

We the undersigned support SB #105 to repeal Public Service Class "E" Regulation of log hauling.

NAME	ADDRESS
Leonard Wilke	973 Mooring Rd Cal Falls MT
Tom Everett	693 1/2 MOON RD C. FALLS MT
Richard Coverdell	4969 HWY 2 WEST Cal. Falls, Mt.
Vern Fredericks	Box 51 Kila Mont.
Don Ayksworth	128 E. Cottonwood Kalispell MT
Tom Morris	541 ash lane Kalispell MT
SUN SHINE TRUCKING INC. P.R.R. Boss	5023 P.O. Kalispell MT 59903
Bob Newton	Box 698, Bitter Lake MT 59911
Joe White	2110, Lower Valley, Kalispell MT
Dylan Erickson	170 HALF MOON RD EOTHS 59901
Rick Smith	148 3 Mile Drive Kal 59912
Randall J. Floyd	226 Caroline Rd. Kal.
Walt Siley	164 South Cedar Kal.
Clyde J. Street	5 STREET WEST Kal.
James J. Street	Box 3074 Est. 59903
Bradford Nauman	Box 5711 Kal. 59903
Tom Sundh	607 alpine Lane Kalispell MT 5990
Joe Allen	2828 Helena Flts Rd Kalispell MT
Dan Cordin	434 Willow Glen Kalispell MT. 5990

DATE 3/15/93
SB 105

Petition in Favor of SB #105

We the undersigned support SB #105 to repeal Public Service Class "E" Regulation of log hauling.

NAME	ADDRESS
Gita Boss	541 Ash Rd. KALISPELL, MT. 5990
Tom Frost	130 N. CEDAR DR. KALISPELL MT.
Glenn & Carol Kelly	4969 Hwy 2 W. Columbia Falls

We the undersigned wish to have SB 105 ratified
for the deregulation of log haulers.

Name	Address	Phone
Valerie M. Plaisted-Harmon,	3370 Hwy 2 W, Kalispell	257-5566
Robert V Harmon	"	"
Carol Learn	P.O. Box 597 - Philipsburg Mt.	859-3731
Margery Fredericks	Box 51 - Kila, Mt.	(By phone) 755-2378
Allen E. Haag	175 VonDerHeide Ln.	Kalispell, Mt. 59901
Lyn M Miller	2840 Hwy 2 West	Kalispell Mt 59901

EXHIBIT 1
DATE 3/15/93
SB 105

PETITION FOR PASSAGE OF SB 105

DATE 3/15/93

SB 105

We, the undersigned, want to be counted for the elimination of Class E log hauling authority by the Public Service Commission.

We are for passage of SB 105.

NAME	ADDRESS	TELEPHONE	OCCUPATION
Michael E. King	Box 194 SHALBY MT	434-5079	TRUCK DRIVER
Verly Webb	Box 3194 Great Falls, MT	727-5483	Log Comm
Wayne R. Torne	Box 202 Vaughn MT	467-2692	Farmer
David L. Schmitt	#47 SRC ROADS ^{Sun River} MT	264-5400	Self Employed
Francis McPherson	Box 235 J. L. MT	473-2332	Trucker
Joe L. Boomer Sr	Box 361 Black Eagle	761-1727	Trucker
Joseph L. Boomer Jr	"	"	"
Burt Liller	716 24th St N.	727-8135	Forester
Edut Lacungh	Box 63 Black Eagle	452-8158	FARMER
Ronald Watson	Box 275 Black Eagle MT	771-7133	FARMER
Charles Mahon	Box 284 Black Eagle	453-5473	Self Empl.
Laurel Wiseman	390. Box 247 Geraldine	737-4342	Self Empl.
Ken A. Blinn	P.O. Box 101 Hawk	215-1111	Trucker
Frank Ellers	4216 Ellis Ave	727-5965	Trucker
Joe Rudy	P.O. Box 1605	N	FARMER
Frederick Brewer	1525 Adams Blvd	965-3172	STOCKMAN
Orson Lister	63 Sun River Rd	965-3111	Trucker
Paul Brun	1525 Adams Blvd	965-3172	Trucker
Sharon Brewer	1525 Adams Blvd	965-3172	Housewife
Sam Kestbaugh	511. 9th Ave SW	761-2098	Artist
Wes Brewer	38 Witten Landt	965-3791	Trucker
Mary Pomeroy	38 Witten Landt	965-3791	SECRETARY
Rich Ryan	Stanford MT. Box 903	566-2987	Trucker
Marion Ryan	Stanford MT. Box 403	566-2987	Secretary
Susan Miller	Arden Cr., MT	473-2346	MANUFACTURER

Petition For Passage of SB 105

We the undersigned, want to be counted for the elimination of Class E log hauling authority by the Public Service Commission

We are for passage of SB 105:

Nancy Brewer	POB 364 Black Eagle Mt 965-2534	SEN
Bill McDonald	Box 43 Judith Gap	473-2334
Bert Teck	Box 86 Garneill, MT	59445 374-2474
John Newby	817 Pt of Rocks Rd. Whitehall, MT	59229 287-5029
Kick Strozzi	928 Pt of Rocks Rd Whitehall, mt.	287-5359
John Schmitt	212 18 th St N Great Falls MT	727-1712
Paul Newby	817 Pt of Rocks Great Falls mt	287-3948
Bill B. Teck	Box 364 Black Eagle	965-2534 Log Truck

EXHIBIT 1

DATE 3/15/93

SB 105

While a few other states do regulate log hauling, to my knowledge, only Washington regulates rates. There have been efforts in the last few years to move Washington away from being a heavily "regulated island" in view of the negative impact the economic regulation of all trucking has had in the state. You will probably hear that wood chip trucks are regulated in Montana. That is true but their rates are not set by the PSC but negotiated between carriers and shippers.

Finally, I would pose 3 questions to the Committee:

1. If a profit is guaranteed where is the incentive to improve management?
2. Why shouldn't log haulers be expected to meet market competition like virtually all other businesses?
3. Wouldn't the public object if they had to buy their groceries, clothes, computers, vehicles, appliances, etc., with no price competition?

A couple of closing observations regarding all the log trucks you have seen parked around the Capitol today:

1. They are all empty - No logs. That is the number one problem: too many trucks and not enough logs - and the timber availability situation is worsening.
2. They should be parked around the offices of Region I of the U. S. Forest Service in Missoula in an effort to draw attention to the looming negative economic impacts on Montana's communities if the Forest Service timber offerings continue to decline.

Mr. Chairman, members of the Committee, I appreciate the opportunity to present these comments and at the appropriate time I will be pleased to respond to questions.

TESTIMONY OF DON ALLEN
ON BEHALF OF
THE MONTANA WOOD PRODUCTS ASSOCIATION
BEFORE THE
HOUSE HIGHWAYS AND TRANSPORTATION COMMITTEE
REGARDING SB 105

Mr. Chairman, members of the Committee, for the record, my name is Don Allen and I appear here today in support of SB 105 on behalf of the Montana Wood Products Association.

I believe it would be helpful for the members of this Committee to understand what happened during and following the 1991 Session regarding this issue.

Rep. Wanzenried, in 1991, introduced HB 192 which would have regulated log haulers by creating a new Class E Carrier category and give the PSC the authority to set rates. The bill passed the House but was then killed by the Senate Highways and Transportation Committee. Sen. Harp succeeded in getting the bill back in Committee to amend out the rate setting provision. The bill then passed the Committee and subsequently was approved by the Senate and the amended version was concurred in by the House.

Both in the Senate Highways Committee and on the Senate floor, the question arose as to whether or not the remaining so-called boiler plate language remaining in Section 3(4) would still enable the PSC to set rates. I call your attention to a letter I have handed out dated April 5, 1991 to Sen. Harp from Wayne Budt, Administrator of the Transportation Division of the PSC in response to this question. Given the explanation of the expected use of the language only to protect the "shipping public in general" it was agreed that the bill - without the rate setting provisions of the bill (as introduced) would go forward without further objection.

Almost before the ink was dry on the signed legislation, the Log Haulers Association hired a Helena attorney to begin preparing a proposal asking the PSC to set rates utilizing the section of the law discussed above. Indeed the PSC held a hearing for the purpose of determining whether or not they should accept a petition to hold a rate setting hearing. That event was a replay of both of the hearings held during the 1991 Session with strongly divided feelings much as have and will be presented to you today. While a majority of the PSC seemed willing to consider such a petition and drafts were submitted, no hearing was actually scheduled.

There is reason to believe that if the opponents of this bill prevail the present PSC will hold a rate setting hearing which is certain to be requested by the Log Haulers Association.

I just wanted you to be aware of what the real issue and goal of the opponents of SB 105 is - a guaranteed profit.



PUBLIC SERVICE COMMISSION

2701 Prospect Avenue • Helena, Montana 59620-2601
Telephone: (406) 444-6199

Howard Ellis, Chairman
Danny Oberg, Vice Chairman
Bob Anderson
John Driscoll
Wallace W. "Wally" Mercer

EXHIBIT 2
DATE 3/15/93
1 SB 105

April 5, 1991

Senator John G. Harp
Capitol Station
Helena, Montana 59601

Re: HB 192

Dear Senator Harp:

The Public Service Commission strictly regulates rates and charges for Class A and B common carriers within the State of Montana. Montana law also gives the Commission the ability to establish maximum and minimum rates for Class C contract carriers; however, historically the Commission has allowed Class C carriers to operate under rates simply negotiated between the carrier and the shipper.

Although the statutes provide the Commission with the ability to investigate and establish rate levels for Class C carriers, the Commission in the past has not set contract carrier rates. My personal interpretation of the statute allowing the Commission to review contract rates is that it is in place for the protection of the shipping public in general, or a specific shipper, upon complaint and not as a mechanism for protecting individual carriers. Unlike a common carrier, a Class C carrier is under no obligation to provide service; if the Class C carrier determines that he cannot perform the requested service for the negotiated price, he can decline to enter into the contract.

The Commission has not addressed the above issues or interpretations in any formal proceeding. If the Commission is petitioned for such an interpretation the Commission would follow its usual course of business which allows input from all interested parties before a decision is made.

It is my opinion that the Class E provision which contains the same language would have the same interpretation.

Sincerely,

Wayne W. Budt
Wayne W. Budt, Administrator
Transportation Division

Additional paperwork is involved including quarterly reports, annual reports, annual fees, cab cards, stickers or stamps, revenue taxes, written contracts and proof of contracts for each job, for each truck before hauling. This creates additional cost of time and money to the industry and the State government with no positive returns to anyone.

Written contracts between shippers and carriers have been a problem. To my understanding, it is the responsibility of the shipper to provide written contracts to the carrier in advance of hauling with proof of contract to be carried in the truck. The responsibility is shared in that the shipper is to provide the contracts, but the carrier is to see to it that the contracts are carried in each truck. ^{However,} The burden of responsibility for compliance falls upon the carrier, not the shipper, because the carriers are the ones traveling up and down the highways through the weigh stations being checked for proof of contracts. Often times in our business trucks are called to haul logs off a given job the night before or even the same day, giving no time to provide such contracts.

Our industry has so many variables throughout the state that other industries are not confronted with such ^{as} the haul roads off highway, the weather, the mud, the snow, the working hours, the loading and unloading conditions, the number of jobs being operated on, that I do not see how a workable regulatory system can ever be established that will be to the benefit of the log truckers or the State of Montana.

We need to work toward far less government intervention in the works of private business. Therefore I strongly urge the passage of this bill to deregulate log hauling in our state.

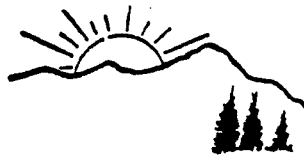


EXHIBIT 3
DATE 3-15-93
SB 105

Sun Mountain Logging

Sherm Anderson

P.O. Box 287
Deer Lodge, Montana 59722

TESTIMONY ON PROPOSED LEGISLATION TO DEREGULATE INTRASTATE LOG HAULING SB105

Mr. Chairman, Members of the Committee:

For introductory purposes, I am Sherm Anderson, owner of Sun Mountain Logging Company located in Deer Lodge, Montana. I am a logging contractor. I perform the complete logging process from felling, skidding, processing, loading and road building. Aside from logging, I own fifteen log trucks which operate within the state, primarily in the Deer Lodge area, hauling about 6,000 loads/year.

I have been in the logging business as a sole proprietor for sixteen years. Prior to that I worked with my father who was also a logging and log hauling contractor.

I am in support of SB105.

I fail to see any benefits to the log truckers or the State of Montana that have been derived from being regulated this past year. There has been no reduction in the amount of log trucks or no more jobs created in our industry because of regulation. Maybe fewer independent truckers are being used because of a shift toward larger trucking firms by the shippers to eliminate the need for so many contracts with individuals.

The Constitution of The United States of America

*(Parts of the Constitution no longer in effect
are printed in italics.)*

PREAMBLE

WE THE PEOPLE of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

ARTICLE I

SECTION 1. All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

SECTION 2. The House of Representatives shall be composed of members chosen every second year by the people of the several

① Definition of liberty

1. The quality or state of being free
 - a. the power to do as one pleases
 - b. freedom from physical restraint
 - ★ c. freedom from arbitrary or despotic control
 - d. The positive enjoyment of various social, political, or economic rights and privileges.

Support 105

EXHIBIT 5
DATE 3-15-93
SB 105

- 1- A law that does nothing - but to make more paperwork and a tax .08 to administer it. (More people in the bureaucracy)
2. A new trucker getting in to the business next to impossible;
3. Large trucking firm dictate who gets the P.S.C. permits. Monopoly!
4. Policing - next to impossible
30 15 mile tough haul vs. 30 mile easy haul;
5. Vate yes to get loggers out of government red tape.
6. Deregulate? - We had no regulation to start with, the law is a joke

John Cochran
St. Regis - MT.

Former Woods Superintendent
Trilon Timber

Box 187
406-644-2455

PSC. # 5127

Building Number 10 Above
is the Capitol Building

Testimony on SB 105 6

EXHIBIT

DATE 3-15-93

SB 105

My name is Mary Wilhelm.
I'm from Bozeman. My husband,
Lee, and I own and operate
3 log trucks. We are in support
of SB 105 and opposed to
continued PSC regulation of
log hauling.

I do not feel that
increased government regulation
is beneficial. Since its
inception PSC regulation has
had no advantages for us,
but the disadvantages
have been many. Financially,
there has been the \$25
application fee and annual
filing fee, the quarterly
Consumer Counsel Tax, the
bingo stamps for each
unit, as well as the
costs of printing the required

them. The paperwork is enormous and time consuming, and the annual report is complicated and intrusive. We do not feel that PSC regulation would be improved by rate setting.

Surveys conducted by Sen. Harp and Rep. Elliott found a majority of those affected support deregulation. I urge the members of the committee to ignore the vocal minority and base their votes on the results of the fair and impartial surveys conducted by Sen. Harp and Rep. Elliott.

[We have operated under PSC authority since Jan. 1, 1992 - 15 long months, not 6 short ones as purported by opponents.]

EXHIBIT 7
DATE 3-15-93
SB 105

Carrier Contract No. _____

Department of Public Service Regulation
Public Service Commission
1701 Prospect Avenue
Helena, Montana 59620-2601

(Form Revised 10-21-91)

NOTE: Section 69-12-334, MCA, requires the PSC to prepare this form. If an alternative is used, Section 69-12-333, MCA, and ARM 38.3.1406 require that it contain the required provisions and no provisions conflicting. The PSC is not a party to this contract.

CONTRACT FOR CLASS E MOTOR CARRIER SERVICES

The parties and each party, being capable of contracting, for lawful object, and sufficient cause and consideration, hereby mutually promise and agree as follows:

1. The parties to this contract are the "carrier" and the "shipper."

Carrier: Name _____
Address _____
City, State, Zip _____
Phone _____
PSC Certificate No. _____

Shipper: Name _____
Address _____
City, State, Zip _____
Phone _____

2. The purpose of this contract is for the shipper to obtain the services of the motor carrier (Class E) as expressed herein.

3. The carrier shall have and perform the duties of obtaining and securing loads at the places and times specified, transporting the loads over the routes specified, and delivering the loads for unloading at the places and times specified:

a. Loading _____

EXHIBIT 8
DATE 3-15-93
SB 105

JAMES A. SLACK, INC.
LOGGING AND LOG HAULING CONTRACTOR
2970 HIGHWAY 2 EAST
KALISPELL, MT 59901

TESTIMONY ON PROPOSED LEGISLATION
TO DEREGULATE INTRASTATE LOG HAULING
SENATE BILL 105

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE:

FOR INTRODUCTORY PURPOSES, I AM JAMES A. SLACK, OWNER OF JAMES A. SLACK, INC., LOCATED IN KALISPELL, MT. I AM A LOGGING CONTRACTOR. I PERFORM THE COMPLETE LOGGING PROCESS FROM FELLING, SKIDDING, PROCESSING, LOADING AND ROAD BUILDING. I ALSO OWN MY OWN TRUCKS AND HIRE OUTSIDE TRUCKS.

I HAVE BEEN IN THE LOG HAULING BUSINESS FOR 35 YEARS AND IN THE LOGGING BUSINESS FOR 8 YEARS. I WENT INTO THE LOGGING BUSINESS EIGHT YEARS AGO IN ORDER TO GET A FAIR RATE FOR MY TRUCKS.

I HAVE ASKED LYLE DOTY TO READ MY TESTIMONY AT THIS HEARING AS I CANNOT BE HERE.

I AM OPPOSED TO SENATE BILL 105 - TO DEREGULATE INTRASTATE LOG HAULING.

I HAVE READ THE TESTIMONY OF EVERYONE AT THE SENATE HEARING OF SB 105 ON JANUARY 21, 1993. NINE OF THE TESTIMONIES WERE AGAINST HAVING CONTRACTS. I CANNOT UNDERSTAND ANY LOGGING CONTRACTOR BEING OPPOSED TO GIVING CONTRACTS TO A SUBCONTRACTOR. IS THIS GOOD BOOKKEEPING? HIRING A SUBCONTRACTOR MEANS THAT YOU CONTRACT WITH SOMEONE, WHETHER HE OWNS A SKIDDER, CAT, LOADER, OR LOGGING TRUCK, TO DO A JOB. DOESN'T THAT REQUIRE A CONTRACT? I THINK THAT IT IS ABOUT TIME THAT LOGGING CONTRACTORS AND LOG

TRUCKERS BECAME BUSINESSMEN AND DO THE PAPERWORK NECESSARY FOR THEIR BUSINESS.

WHEN YOU HIRE A SUBCONTRACTOR YOU ARE REQUIRED TO FURNISH THEM WITH A FORM 1099 FOR THE IRS AND THE STATE OF MONTANA. THE CONTRACTS WE HAVE DEVISED FURNISH US WITH THE NECESSARY INFORMATION REQUIRED TO FILE ALL STATE AND FEDERAL FORMS. WE ASK FOR NAME, ADDRESS, SOCIAL SECURITY NUMBER, PROOF OF WORKERS COMPENSATION COVERAGE, AND LIABILITY INSURANCE COVERAGE. WE ALSO SUPPLY OUR LOADER OPERATOR WITH DUPLICATE CONTRACTS THAT ARE FILLED OUT FOR EACH JOB, SO IF WE NEED TO PICK UP A TRUCK ON THE SPUR OF THE MOMENT, IT IS ONLY A FIVE MINUTE JOB TO GET THIS SIGNED BEFORE THEY ARE LOADED. WHILE TALKING WITH SOME OF THE TRUCKERS, THEY STATED THAT THEY MUST HAVE CONTRACTS WITH THEM BECAUSE THE LOGGER WILL NOT GIVE THEM ONE. IT IS MY UNDERSTANDING THAT IT IS THE LOGGING CONTRACTORS RESPONSIBILITY TO FURNISH THE CONTRACTS AND THE LOG TRUCKER IS TO CARRY THE CONTRACT OR HAVE CAB CARDS THAT STATE HIS CONTRACTS..

I HAVE TALKED TO DIFFERENT TRUCKERS WHO COULDN'T GET PAID OR GOT BAD CHECKS FROM THE LOGGING CONTRACTOR. THE TRUCKERS WHO HAD CONTRACTS HAD RECOURSE TO COLLECT THIS MONEY WHILE THE TRUCKERS WHO DID NOT HAVE CONTRACTS HAD NO RECOURSE AT ALL.

I WAS IN HELENA LAST WEEKEND FOR THE MONTANA LOGGING ASSOCIATION MEETING AND I TALKED TO MANY LOGGING CONTRACTORS AND TRUCKERS WHO REALLY DO NOT UNDERSTAND THE PROBLEMS THE TRUCKERS ARE HAVING IN THE NORTHWEST BECAUSE THEY DO NOT HAVE THE SAME PROBLEMS IN OTHER AREAS OF THE STATE. I ALSO TALKED TO KEITH OLSON, WHO IS EXECUTIVE DIRECTOR OF THE MLA AND HE AGREED THAT IT

EXHIBIT 8
DATE 3/15/93
SB 105

CONTRACT LOGGING AND LOG HAULING IS GENERALLY DONE ON A PER TON BASIS.

IT IS HARD FOR ME TO BID A JOB AGAINST SOME LOGGING CONTRACTORS WHO DO NOT OWN TRUCKS WHEN HE WILL BID THE LOGGING RATE AT FIFTY CENTS TO ONE DOLLAR PER TON LESS THAN I DO. THEN HE WILL TAKE THE DIFFERENCE FROM THE PER TON RATE THE MILL HAS ALLOWED FOR THE HAULING TO SUBSIDIZE HIS LOGGING RATE. WHEN I BID A JOB, I WILL SOMETIMES NEGOTIATE THE HAULING ON SOME HAULS BECAUSE THE RATE ALLOWED BY THE MILL IS GENERALLY NOT ENOUGH. MOST LOGGING CONTRACTORS JUST ACCEPT WHAT THE MILL HAS ALLOWED, ESPECIALLY IF THEY DO NOT OWN ANY TRUCKS.

AS FAR AS I AM CONCERNED, REGULATION HAS NOT HURT ANYONE. THE PAPERWORK AND THE EXPENSE IS MINIMAL COMPARED TO WHAT IT COSTS TO GET A LAWYER IN ORDER TO GET YOUR MONEY.

THIS REGULATION HAS NOT BEEN IN EFFECT LONG ENOUGH TO SEE IF IT WILL WORK. THIS REGULATION HAS ONLY BEEN IN EFFECT FOR APPROXIMATELY SIX MONTHS. THE LEGISLATURE SHOULD NOT PASS A BILL ONE SESSION AND THEN RESCIND IT THE NEXT UNTIL THEY HAVE HAD TIME TO SEE IF IT IS WORKABLE. SO, I AM URGING YOU TO KILL SENATE BILL 105!

EXHIBIT 9
DATE 3-15-93
SB 105

March 15, 1993
Senate Bill 105
House Committee on Highways and Transportation
Montana Motor Carriers Association

Mr. Chairman and members of the Committee. For the record my name is Ben Havdahl and I am representing the Montana Motor Carriers Association. MMCA has 600 plus carrier members transporting various commodities including logs. We would like to go on record opposing SB 105 to "deregulate" the intrastate regulation of "for hire" log transportation by motor carriers.

As has been said by other opponents to this bill, the last effective date of HB 192 just ended on October 1, 1992, just six short months ago. It would appear to MMCA, that this action to "deregulate" the contract motor carriage of logs is very premature. To do so under SB 105 at this time, in our view, would constitute a classic example of "throwing out the baby with the bath water."

MMCA supported the enactment of legislation in the last session, under HB 192. The 1991 law simply requires that a "written contract" must be in effect between the shipper of logs and the motor carrier and that PSC provide a basic shipment contract form. There is no rate regulation under the 1991 law and the shipper and motor carrier are free to agree on a reasonable rate without PSC involvement.

The law does provide protection for the shipper, the carrier and the general public because the Motor Carrier Act requires regulated motor carriers to have cargo insurance, general insurance, and insures safe equipment operation. Prior to the adoption of the law, log hauling agreements were generally verbal and on a take-it-or-leave-it basis

It certainly takes longer than six short months for this law or any other law passed by this body, to be implemented and tried. The Motor Carrier Act has been in effect in Montana for 61 years and very few changes have been legislated over those years. This Committee heard SB 255 last week, to amend for the first time, the regulation of intrastate livestock transportation by motor carrier. That law was passed in 1971, 22 years ago.

MMCA has a long standing policy for continued support of intrastate regulated motor carriage under the Motor Carrier Act and we are opposed to any and all attempts to enact deregulation under that law.

Economic regulation does work! We would urge this committee to give the 1991 log truck regulation law time to become effectively applied successfully in the real world. MMCA would strongly urge this Committee to defeat SB 105. Thank you.

EXHIBIT 10
DATE 3-15-93
SB 105

March 15, 1993

Dear Honorable Members,

My name is Leroy Christofferson, and I'm here today to comment on S.B. 105 to deregulate Class E log trucking in Montana.

S.B. 105 should receive a do not pass vote from this committee.

If you would please excuse the commotion Honorable Chairman, "How many people who filled out this survey are loggers with their own trucks in this room?" Now why would these people need protection from people outside of Montana taking their jobs when they manufacture their own logs to haul? They don't and in addition they can haul their own logs without authority as the law stands. The information that is before you on these surveys are simply not correct since both loggers and truckers filled out these surveys not just truckers.

Point two honorable committee I would like to make is with the existing law that is in effect it only has been in effect for a year with no time to get used. Now ask yourself why would anyone not want to know their rate that is mandated by law? The current laws only amendment that is needed is to be made clear to the P.S.C. the position on no rate setting which I'm clearly FOR NO RATE SETTING BY THE STATE. Let loggers be loggers and truckers be truckers and accountants be accountants, which I still believe since I started preaching before this committee in 1989.

Point three in testimony where truckers didn't qualify to haul logs under Class E, it wasn't that they were not aware of the

legislative movements long before it happened 2 years later in session. Would they ever really be able to qualify? Probably not.

With these points brought before you I urge you to amend the current law to clarify NO RATE SETTING, and to VOTE DO NOT PASS S.B. 105 for total deregulation it is simply a compromise that works under the current situation .

Amendments to Senate Bill No. 395
Third Reading Copy

Requested by Senator Harp
For the Committee on Highways and Transportation

Prepared by Connie Erickson
March 15, 1993

EXHIBIT 11
DATE 3-15-93
SB 395

1. Title, line 4.

Following: "ACT" *Limiting*

Insert: "~~INCREASING~~ THE ALLOWABLE LENGTH FOR A VEHICLE
COMBINATION HAULING LOGS;"

2. Page 3, line 1.

Following: "(5)"

Insert: "(a) The length of a vehicle combination consisting of a truck or truck-tractor and one trailer, pole trailer, or semitrailer hauling raw logs may not exceed 75 feet in overall length. As used in this subsection (a), the term "length" means the total length of the vehicle combination beginning at the front of the front bumper of the truck or truck-tractor and extending to the most distant end of the logs being hauled. A term permit for an overlength vehicle combination, as provided in 61-10-124(3), does not apply to the vehicle combination described in this subsection (a). A vehicle combination exceeding 75 feet must have a trip permit."

3. Page 3, line 8.

Following: "~~(b)~~"

Insert: "(b)"

4. Page 3.

Following: line 11

Insert: "(c) The provisions in subsections (5)(a) and (5)(b) do not apply to a vehicle combination hauling utility poles."

5. Page 3, line 24.

Following: "(5)"

Insert: "(a)"

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Highways & Trans. COMMITTEE BILL NO. 395
DATE 3-15-93 SPONSOR(S) HARP

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Col Bob Griffith	DEPT JUSTICE	✓	

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

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Highway 94 Trans. COMMITTEE BILL NO. SB105
DATE 3-15-93 SPONSOR(S) Sen. Stang
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Darby MONTANA Gary Bush P.O. Box 243	S.B. 105		<input checked="" type="checkbox"/>
Corvallis mont Don Trexler 1255 Apple House	S.B. 105		X
Superior, MT Michael J. Bailey, Box 914	S.B. 105		<input checked="" type="checkbox"/>
GENE C BRANSON	SB 105		<input checked="" type="checkbox"/>
PETE VIGUE	SB 105		<input checked="" type="checkbox"/>
Gordie Boyd	SB 105		<input checked="" type="checkbox"/>
Jaimee Motichka	SB 105		<input checked="" type="checkbox"/>
Craig Sheppard	SB 105	X	
Wm Sheppard	SB 105	X	
Ed Brown	SB 105		X
Gayle Braun	"		X

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Highways & Trans.

COMMITTEE

BILL NO. SB105

DATE 3-15-93

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
PETE GINOFF STEVENSVILLE	PETE GINOFF		X
DEANA GINOFF LAZOTT MSLA	" "		X
STEVEN FARMER MSLA	" "		X
NIKKI GINOFF MSLA	NIKKI GINOFF		X
Bad MARVIN ^{P.O. Box 454 Frenchtown 57834}	Bad MARVIN		X
David Dickson ^{P.O. Box 164 Frenchtown}	Christofferson Logliners		X
Tom Howell ^{Box 344 Frenchtown}	Christofferson Logliners		X
Doug McManus ^{563 17th Road Kalispell}	McManus Trucking		X
NARINA McMANUS ^{563 Oak Rd. - Kalispell}	McManus Trucking		X
Jack McMANUS ^{1104 HALLOWA PLAS KAL. MON}	McMANUS Logging		X
Beene Reed	McManus Trucking		X
MIKE McBETH	McBETH TRUCKING INC		X
MAC McBETH	McBETH TRUCKING		X
Ed Charbono	Charbono Trucking		

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Highway & Trans. COMMITTEE BILL NO. SB-105
DATE 3-15-93 SPONSOR(S) Sen. Stang
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Trevert Adkins	Adkins Trucking		X
W. W. a. a. a.			X
Donna M. Stang	C&S Logging		X
Kenneth D. D.	Kevin Jump Trucking		X
Jim S. Stang	J. S. Logging		X
Keith McCully	Keith McCully Trucking		X
Tom Wilson	Wilson Trucking		X
Bob K. K. K.	Bob K. K. K. Trucking		X
Edward H. Nelson	E. H. Nelson Trucking		X
Tom Fisk	Tom Fisk Logging		X
Christina White	Eric Skelton Trucking		X
Rick TOTT	R + D Trucking		X
Harley W. Jones #5324	Jones Trucking		X
Stan Billingsley #5577	STAN Billingsley TRUCKING		X

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HOUSE OF REPRESENTATIVES
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SB395

SB105

House Highways

COMMITTEE

BILL NO.

DATE 3-15-93

SPONSOR(S)

Sen. Otang

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Sandy Hough Kalispell	SB #105 Log Truckers		X
Bonnie Strunk Kalispell	Log Truckers		X
Vela KELLEY	Libby		X
Janie McNAIR	Libby Log TRUCKERS		X
Arnold Kelley	Libby A Kelley & Sons		X
Peggy Kelley	Libby A Kelley & Sons		X
Darald EKeller	Libby A Keller & Sons Logging		X
Marilyn I. Kelley	Libby A Kelley & Sons Logging		X
Douglas R. Kelley	Libby A Kelley & Sons Logging		X
Dan Farra Seeley Lake	Ray Bartlett		X
LYNN FARRA BOX 50 SEELEY LAKE	RAY BARTLETT		X
Arlene Jara Seeley Lk.	Ray Bartlett		X
Ray Bartlett	Bartlett Trucking		X
Tina Mitchell	Scott Mitchell Trucking		V

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DATE 3-15-93 SPONSOR(S) Sen. Stang
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Scott Mitchell	Scott Mitchell Trucking		X
Lucy Elandson	Elandson Trucking		X
Robert Elandson	Elandson Trucking		X
Stuart Locken	H & S Enterprises		X
Ron Henderson	Ron Henderson Trkng		X
Connie Clark	Keith Richmond Trkg		X
Tim Clark	Kevin Richmond Logging		X
Harold C. Richmond	Harold C. Richmond		X
Chad Richmond	Chad Richmond		X
ERIC Skelton	ERIC Skelton Trucking		X
DAVID H. GEORGE	DAVID H. GEORGE	X	
Marjorie George	" "	X	

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DATE 3-15-93 SPONSOR(S) Sen. Stang

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Bill McDonald	M & B Logging	X	
Francis Kapphan	L & F Trucking	X	
Tom Smith	Miller Trucking	X	
Sam Miller	Miller's Trucking	X	
John May		X	
Rich Dyer		X	
Walter Dunn	B & N	X	
Pick Strizzi	Strizzi Trucking	X	
Carl Coy		X	
James Dixon	Dixon & Dixon Logging	X	
Garrett Cawger	Cawger Trucking	X	
Bill Cooper		X	
Harold Eddy	Eddy Logging Trucking	X	
John Schmidt	Schmidt Trucking	X	

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Highways & Trans COMMITTEE BILL NO. SB 105
DATE 3-15-93 SPONSOR(S) Sen. Starg
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
HOWARD DIXON	Dixon Logging	X	
Jim Fitchbourne			X
FRANK KAPLANCZYK	FRK TRUCKING		X
John COCHRAN	TRICOW Timber	X	
Duane Vaught	Vaught Inc	X	
Larry Wak-Field	Wak-Field Logging	X	
Kenneth Evenson	Doty Trucking		X
ROSEMARY EVENSON	" "		X
Mary Schlegel	L+M Trucking		X
Les Schlegel	" "		X
TINA Mitchell	" "		X
Scott Mitchell	Scott Mitchell Trucking		X
Emily Cambs	Ho!	X	X
DAANE Cambs	Ho!	X	X

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Highway & Trans. COMMITTEE BILL NO. SB 105
DATE 3-15-93 SPONSOR(S) Dun. Stang
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Cheri Miller	B & N Livestock	X	
Carol Newby	Newby Trucking	X	
Ben Hordahl	MT Motor Carriers Assn		X
TERRI CARLSON	Carlson Timber Harvest	X	
Janette B. Smith	Carlson Timber Harvest	X	
Bobby Perkins	Perkins & Sons Logging	X	
Russ Frantzich	R+C Trucking	X	
Cory Frantzich	RTC Trucking	X	
DAVE GALL	MDT SB395	X	
DAVE GALL	Self	X	
DAVE GALL	Self	X	
LEONIA JACQUE CHRISTOFFERSON	Logliners Inc.		X
GARY Guthrie	Self	X	
Charlene Guthrie	Self	X	

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HOUSE OF REPRESENTATIVES
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Highway & Transportation COMMITTEE

BILL NO. SB 105

DATE 3-15-93

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
R. T. Adkins	Self		X
Lyle Doty Kalspell	Lyle Doty Trucking		X
Doug Mote Helena	Mote Lumber Co.	X	
Richard Hargrove	Richard Hargrove Trucking	X	
DON DERBY	DERBY TRUCKING	X	
Wesley Hargrove	Wesley Hargrove Trucking	X	
Jay Hargrove	Jay Hargrove Trucking	X	
Bill Chandler	STONE CONTAINERS	X	
Thomas R Cuddy	Self	X	
Jeff Janke	Self	X	
Quint Wampler	Self	X	
Ernest Torrey	Self	X	
Don Allen	At Wind Products Assoc	X	
Lori Strozzi	Strozzi Trucking	X	

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HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Highways & Transportation COMMITTEE

BILL NO. 105

DATE 3-15-93

SPONSOR(S) Sen. Stang

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Kevin Richmond 1503 GREENDALE CRT Kalispell	Kevin Richmond Logging		X
Dan Ingrazo 809-4th St Kalispell	Shake Logging		X
John + Melissa Young P.O. Box 3234 Kalispell 59903	Young's Logging		X
519 Virginia Road Larry Wilson	Larry Wilson Logging	X	
1020 5th DEER LODGE CAMP	Wilson Logging	X	
Dean Beason	Beason Logging	X	
David L Beason	Beason Logging	X	
Cindy Benson	Benson Logging	X	
Jim Elliott	HD#1	X	
Mary Lou Peterson	HD#1		X
Boyd Quiram	Quiram Logging	X	
KENT REIMER	REIMER CONTRACTING	X	
MARK EBERT	EBERT TRUCKING	X	X
Joe Horner	HORNER CONST	X	

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HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

SB 395

House Highways

COMMITTEE

BILL NO.

SB 105

DATE 3-5-93

SPONSOR(S)

Sen. Harp & Sen. Stang

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
DEAN STACY GIDEKANT	DEAN STACY & SONTAG		X
Doug Russell P.O. Box 192 W.S.S.		X	
Richard Gray 124 W.S.S. MT. 59445		X	
Mark Herrog 59445		X	
C. J. Reynolds W.S.S. MT. 59445		X	
Wendy Lowman P.O. Box 343 W.S.S., MT. 59445	Valley Tree Farming	X	
J.C. Lowman P.O. Box 343 W.S.S. MT	Valley Tree Farming	X	
Roxanne Lester W.S.S. MT 32 Castle Mtn Est	Lester Lumber & Log Home	X	
Don Lester W.S.S. 32 Castle Mtn Est	Lester Lumber Log Home	X	
Mary Wilhelm 5200 River Rd Bozeman MT 59715	Lee Wilhelm PSC # 5066	X	
Wm Cuddy	Cuddy Logging	X	
Clairice Coverdell 4814 Hwy 44	same	X	
RICHARD COVERDELL 4964 HWY 2 WEST FALLS	SAME	X	
Brett Peck Box 86 Garnett, MT 59445	Brett Peck Trucking	X	

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HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Highways & Trans.

COMMITTEE

BILL NO.

105

DATE

3-15-93

SPONSOR(S)

Sen. Stang

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Joe Keller</u> <u>183 Fairmont St Kalamazoo</u>	<u>Joe Keller Trucking</u> <u>Charles Keller Trucking, Inc.</u>		<u>X</u> <u>V</u>
<u>Gregg Jones Esda</u>	<u>Jones and son</u>		<u>X</u>
<u>Henry Christensen</u> <u>Don Anita Sander</u>	<u>Christoff Log Inc</u>		<u>X</u>
<u>Burtch Const. Logging</u>	<u>Burtch Const</u>		<u>X</u>
<u>Chm Miller</u>	<u>Judith Gap</u>	<u>X</u>	
<u>Charles Williams</u>	<u>Judith Gap mt</u>	<u>X</u>	
<u>Bernard Miller</u>	<u>Judith Gap</u>	<u>X</u>	
<u>MARY REGER</u>	<u>Great Falls</u>	<u>X</u>	
<u>Wes Brewer</u>	<u>Great Falls</u>	<u>X</u>	
<u>Henry Brewer</u>	<u>Great Falls</u>	<u>X</u>	
<u>Frank Fishbaugh</u>	<u>St. Joes</u>	<u>X</u>	
<u>Danell Brewer</u>	<u>Great Falls</u>	<u>X</u>	
<u>Henry Brewer</u>	<u>Great Falls</u>	<u>X</u>	
<u>Evelyn Brewer</u>	<u>" "</u>	<u>X</u>	

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Highways & Inns. COMMITTEE BILL NO. SB 105
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Steve Johnson Seeley Lake	R. Buzz Bartlett		X
Mike Dunlap Box 683 Seeley Lake	Self		X
Marie Rasmussen	Buzz Bartlett		X
Leon Rasmussen Seeley Lk.	Buzz Bartlett		X
Alex Hawthorn Florence mt	Self		X
Art Pannini Mary mt	Self		X
Glen Mathieson	Self		X
John Workman	Self		X
Rod Kendall	Dan Curtis - Self		X
Jody Teschke	Self		X
Robert Cuddy	Self	X	
Led W Reed	Self		X
Richard Whitehead	Self		X
Ken Silvey	Self		X

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VISITOR'S REGISTER

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Park Allen ^{4016 E 14} Great Falls		✓	
Tom Higley ^{Deer Lodge} Mont		✓	
Delano Wall ^{Flonce} mt.		⊗	X
Richard P. LaChapelle			X
Lorraine F. LaChapelle			X
Dennis Micken			X
Dave Curtis			X
Douglas L. Carie			X
Darla Deets			X
Robert J. Heets			X
Rita Leimner			X
ED CHEFF	SELF		X
Harold Duncan Farish	Self		X
Lennigman	SELF		X

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VISITOR'S REGISTER

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Curt Lainger	MMCA		X
Dottie Motychka	Glacier Inns.		X
Arnold Fielding	Arnold Fielding		X
Norm Jones	Norm Jones & Son's		X
Eir Skolter	Eir Skolter Trucking		X
Duane A. Denny	Self		X
Wood's Gads	Self		

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VISITOR'S REGISTER

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BILL NO.

105

DATE 3-15-93

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Tom Cheff P.O. Box 352	Self		X
Jerry Saunders Solo mt	SELF		X
Nadine Saunders	self		X
Beth Billings Solo mt	self		X
Dan McAnis	Self		X
Brent Anderson	Conifer Logging	X	
Dore Pymal 9375 Mills Cr. Nola	Pymal Logging		X
Larry Harris	Self	X	
Carol Harris	self	X	
Shannon Benson	Self	X	
Ray Ann Bod	self	X	
Danail Woods	Self	X	

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House Highway COMMITTEE _____ BILL NO. 105
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Harold Duncan Furell</u>	<u>Self</u>		<u>X</u>
<u>Paul Rumm</u>	<u>Self</u>	<u>X</u>	
<u>Bill Brewer</u>	<u>"</u>	<u>X</u>	
<u>John P. Johnson</u>	<u>Self</u>	<u>X</u>	
<u>Paul Rumm</u>	<u>Self</u>	<u>X</u>	
<u>Wm P. L. L.</u>	<u>Self</u>	<u>X</u>	
<u>Denny McManus</u>	<u>SELF</u>		<u>X</u>
<u>FARRELL DeLAPP</u>	<u>FARRELL DeLAPP Trucking</u>	<u>X</u>	
<u>Morris Almendarez</u>	<u>Almendarez Logging</u>	<u>X</u>	
<u>Julia Martin</u>	<u>Self</u>	<u>X</u>	
<u>John Martin</u>	<u>Self</u>	<u>X</u>	
<u>Angie Martin</u>	<u>Self</u>	<u>X</u>	
<u>Sharon Anderson</u>	<u>Sun Mountain Logging</u>	<u>X</u>	
<u>Bill Kelly</u>	<u>Kelly Logging Inc.</u>	<u>X</u>	

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HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Highway & Transportation COMMITTEE

DATE NO. S.B. # 105

DATE 3-15-93 SPONSOR(S) Sen. Stang

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Joe Nagel 631 Kelly Rd. Col Falls 59912	trucking		X
Chris McCully	trucking		X
Betty Wilson	wooden trucks		X
Wanda Stang	S.B. 105		X
Walter Stang	T.S. Logging		X
Ronald Sney	S.B. 105		X
Len Wicks	Birch Logging	X	
Tom Ernst	TOM EVERETT	X	
Cliff Zabergel	trucking	X	X
Price Gusten	Trucking		X
Kurt Vampon		X	X
Chapman			X
Tom Brown			X
Dean Allen			X

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VISITOR'S REGISTER

Highways & Trans. COMMITTEE BILL NO. SB105
DATE 3-15-93 SPONSOR(S) Sen. Stang
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
John Rowe KAUSPEL	John Tump Inc		X
Reel PATERSON MSLA	Ed Chert Logging		X
Elaine Goble Beyerle	Adkins Trucking		X
Uvin Adkins Kila	Adkins Trucking		X
James W Hill	Hilleo Inc		X
Lam Spun	Lyle Dots Trucking		X
Lam Mitten	Lyle Dots TRUCKING		X
Gene Ginn	JT JS Trucking		X
Tom L Ginn	VERN L GINN		X
Wm Wynnman Libby	Wynnman Logging		X
Herb Orr	Herb Orr Trucking		X
James HALLICK	James HALLICK		X
J J G. 177	J J G. 177		X
Quay Ginn	Q.G. Ginn Trucking		X

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Highway & Transportation COMMITTEE

BILL NO. SB 105

DATE 3-15-93

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Lorie Ax 696 Bald Rock Rd Kalispell, MT 59901	G & L Hauling		X
GARY AX 696 Bald Rock Rd Kalispell, MT 59901	G & L Hauling		X
Jim Bosson 236 Antelope Tr. White Sulphur, MT 59937	Fielding Trucking		X
MARY BOSSEN 236 Antelope Tr. White Sulphur, MT 59937	Fielding Trucking		X
JOLEN HAWKINSON 136 Wolf Ave Kalispell, MT 59901	EO HAWKINSON Trucking		X
Doug - Lois BIRB 125 SLEEPY Hollow Rd Kalispell, MT 59901	EO HAWKINSON TRUCKING		X
LONNIE WALLACE 5440 KLEMENTS LANE FLORENCE MT 59833	LONNIE WALLACE TRUCKING		X
Mila Parker Rt. Box 481 P.O. Mont 59847	Mila Parker		X
Suchan Trucking 8719 So 7th Missoula 59801	Beit Suchan		X
Vern Frisk P.O. Box 254 P.O. MT	Vern Frisk Trucking		X
Donny Sanders Kalispell			X
Harry Williams Rt 85 Box 1270 Lewistown	Harry Williams Trucking		X

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HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

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DATE 3-15-93 SPONSOR(S) Sen. Stang

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Tony Stacy	S.B - 105		✓
Gary McCully	SB - 105		✓
Ken Larson	SB - 105		✓
Beth M. Marchbanks	SB - 105		✓
Martin Lindell	SB - 105		✓
Heleen Fuldberg	SB - 105		✓
Jane Scott	SB - 105		✓
Steve Lott	SB 105		✓
Terryl Barkitt	SB 105		✓
Bee Barkitt	SB 105		✓
High Lushberg	SB 105		✓
Vern D. Smith	SB 105		✓
Dennis Lutz	SB 105		X
GARY KREIS	SB 105		✓

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Highways & Trans.

COMMITTEE

BILL NO. SB105

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Ralph Brown	Norm Jones		X
Kevin Duffin	Ed Chaff		X
Raymond Spaullock			X
Ed Hankinson	Ed Hankinson Trucking		X
Herman Thornton	Mountain State Const.		X
Barbara Barker	Mountain State Const.		X
Paul G. Hancock	Harry Williams Trucking		X
John R. Spaullock	Reimer/Spaullock		X
Keith Richmond	Keith Richmond Trucking		X
Lisa Holmer	Keith Richmond Trucking		X
Jon A. Moe	Jon A Moe Trucking		X

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Highways & Trans. COMMITTEE BILL NO. SB 105
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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Robert E. Slatts 45 Lower Valley Rd Col.	Robert Slatts		X
Mark Whitehead 8293 mile Dr. Kellogg Mt.	Z & M Trucking		X
GEORGE AKOVENTO 1012 2nd St E KUHIT FISH	George Akovento		X
Dorothy Akovento	Dorothy Akovento		X
Robert Akovento's Mrs. M.T.	Akovento's		X

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>W. L. Beaton, Kal</u>			<u>X</u>

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Cary Hogreberg	MT Wood Products	✓	
DARON DUNN	RY Timber	X	

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BILL NO. SB105

DATE 3-15-93

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Bill Cusmore</u>	<u>Self</u>	<u>X</u>	
<u>Carol Cusmore</u>	<u>..</u>	<u>X</u>	

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