

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By CHAIRMAN SHIELL ANDERSON, on January 25, 1995,
at 3:26 P.M.

ROLL CALL

Members Present:

Rep. Shiell Anderson, Chairman (R)
Rep. Rick Jore, Vice Chairman (Majority) (R)
Rep. Patrick G. Galvin, Vice Chairman (Minority) (D)
Rep. Joe Barnett (R)
Rep. Matt Brainard (R)
Rep. Robert C. Clark (R)
Rep. Charles R. Devaney (R)
Rep. Marian W. Hanson (R)
Rep. Rod Marshall (R)
Rep. Linda McCulloch (D)
Rep. Daniel W. McGee (R)
Rep. Jeanette S. McKee (R)
Rep. William M. "Bill" Ryan (D)
Rep. Dore Schwinden (D)
Rep. Joe Tropila (D)
Rep. Jack Wells (R)

Members Excused: Rep. Don Larson (D)

Members Absent: Rep. Roger Somerville (R)

Staff Present: Dave Bohyer, Legislative Council
Kim Greenough, Committee Secretary

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

Committee Business Summary:

Hearing: HB 216
Executive Action: HB 194 Do Pass
HB 204 Do Pass as Amended
HB 219 Do Pass

HEARING ON HB 216

{Tape: 1; Side: A; Approx. Counter: 009; Comments: None.}

Opening Statement by Sponsor:

REP. DEB KOTTEL, House District 45, Great Falls, stated that HB 216 comes from the citizens of Montana. She also stated that when out-of-state military personal are stationed in Montana they would be allowed to purchase Montana license plates for only the cost of registration and waiving all other taxes. She said that they do not do this for their own active duty military personnel who are stationed outside of Montana. She said that they would like to have their home state plates, but find that it is too expensive to license and they then license in other states because it is a lot more reasonable. HB 216 would allow these active duty Montana military personnel the same rights as the out-of-state active military personnel.

{Tape: 1; Side: A; Approx. Counter: 169; Comments: None.}

Proponents' Testimony:

Jim Jacobson, Administrator, Montana Veterans Affairs Division, stated that he is in favor of HB 216, because these military personnel will eventually be veterans. He also stated that during Desert Storm the State of Montana had approximately 12,000 people on active duty for the military and today there are 6,000 active duty military personal.

Dick Baumberger, Disabled American Veterans Association of Montana, urged the committee's support of HB 216.

Dean Roberts, Department of Justice, Motor Vehicles Division, stated that he supports HB 216 and that he was there to answer any questions the committee may have.

Opponents' Testimony: None

Informational Testimony: None

{Tape: 1; Side: A; Approx. Counter: 280; Comments: None.}

Questions From Committee Members and Responses:

CHAIRMAN SHIELL ANDERSON asked if these active military personnel would be responsible for personal property taxes. REP. DEB KOTTEL replied that it was listed on the fiscal note. CHAIRMAN ANDERSON asked if there was any way that the committee could get a list of fees that are involved. Dean Roberts replied that his request would be very difficult because the Department of Transportation would not know the type of vehicles these people are driving. He said that there would not be a large negative fiscal impact.

REP. DANIEL MCGEE asked if the bill passed, what would the revenue be to the State of Montana. REP. DEB KOTTEL replied it would be \$90,000.

REP. ROD MARSHALL suggested that the State of Montana alleviate everything but the cost of the license plate.

Closing by Sponsor:

REP. DEB KOTTEL urged support of HB 216.

{Tape: 1; Side: A; Approx. Counter: 400; Comments: None.}

EXECUTIVE ACTION ON HB 194

Motion: REP. PATRICK GALVIN MOVED HB 194 DO PASS.

Discussion: CHAIRMAN SHIELL ANDERSON stated that the reason HB 194 was put on hold for executive action was because REP. DON LARSON was going to consult with the Department of Transportation to see if this bill would affect the funding for the current signs that are in use. He found that this bill would not affect the funding for the current signs.

Motion/Vote: The question was called. Motion CARRIED unanimously.

{Tape: 1; Side: A; Approx. Counter: 447; Comments: None.}

EXECUTIVE ACTION ON HB 204

Motion: REP. JOE TROPILA MOVED HB 204 DO PASS.

Motion: REP. JOE TROPILA MOVED TO AMEND HB 204.

Discussion: REP. JOE TROPILA discussed the amendment. SEE EXHIBIT 1.

Motion/Vote: REP. JOE TROPILA moved to adopt amendment #1. The question was called. Motion CARRIED unanimously.

Motion: REP. PATRICK GALVIN MOVED HB 204 DO PASS AS AMENDED.

Discussion: REP. JACK WELLS stated that this bill would help catch part of the problem.

Vote: The question was called. Motion CARRIED unanimously.

{Tape: 1; Side: A; Approx. Counter: 580; Comments: None.}

EXECUTIVE ACTION ON HB 219

Motion: REP. CHARLES DEVANEY MOVED HB 219 DO PASS.

Discussion:

REP. CHARLES DEVANEY said that the State of Montana would not loose any money on HB 219.

REP. DANIEL MCGEE stated that when he was in the service he licensed his vehicle in Texas because it was only \$10.00 to license his vehicle there. He also said that this would bring in revenue for the State of Montana.

REP. JACK WELLS stated that he spent 30 years in the Air Force and he registered his car elsewhere because Montana licensing was too expensive. He also said that he would have preferred to have his Montana plate on but he could not afford it.

CHAIRMAN SHIELL ANDERSON asked REP. JACK WELLS to define active duty. REP. WELLS replied that "you are not in the reserve and you're not at home doing your regular job and going to the National Guard weekends." He also said that the military assigns you as "active duty." CHAIRMAN ANDERSON asked about the serviceman who was in Desert Storm and his car was still in Montana. REP. WELLS replied that the service person would have to pay full fee, because that would be the same as being on active duty and stationed here as a resident. CHAIRMAN ANDERSON stated that he does not read the bill as REP. WELLS had stated. REP. PAT GALVIN said it might be assumed that his car is with him in Desert Storm.

REP. ROD MARSHALL stated that if HB 219 is only taking a few dollars off the top of the license fees, he feels it is not a money saving bill for the active duty military personnel. He also stated that HB 219 should only have the active duty military personnel pay for only the production costs of the license plate.

REP. JOE BARNETT stated that at the bottom of the fiscal note there is a note that says they are not paying the local taxes.

REP. JOE BARNETT asked about the Montana citizens who are on active duty stationed in Montana and if they would get these plates. He also stated that this would be discriminatory towards those Montana citizens.

REP. BOB CLARK stated that an out of state military person could come into Montana and get a reasonable license plate, and a military person from his home town stationed at Malmstrom Air Force Base could not get the same deal. He feels that HB 219 is inconsistent.

REP. PAT GALVIN stated that if you live in Montana and are a registered voter, then you pay the full fees. **REP. JOE TROPILA** stated that **REP. GALVIN** was correct. He also stated that a lot of the military personnel from Montana would cancel their voter registration and then go get their reasonable license plates.

REP. JACK WELLS stated that he recognizes the discrimination mentioned, but the reason the out-of-state personnel would receive these discounted fees is because they did not choose to live here. They were ordered to live here by the military. He also stated that the Montana state citizens ordered here were probably doing everything they could to get back to their home state.

{Tape: 1; Side: B; Approx. Counter: 001; Comments: NEW SIDE.}

REP. CHARLES DEVANEY stated that if the Montana resident is on active duty in Montana and he is voting and acting as a Montana citizen then he should pay the full fee. If the Montana resident gives up his residential privileges then he will not have to pay full price.

CHAIRMAN ANDERSON asked if the military personnel have much say about where they are stationed. **REP. JACK WELLS** stated that there are ways to get to where you want to go but most of the time "no, you do not have much say."

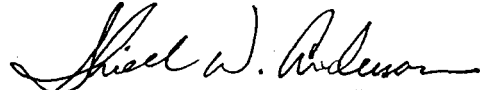
CHAIRMAN ANDERSON stated that he is also concerned about the civilians who are from Montana but have to go out of state for business purposes. **REP. PAT GALVIN** replied that it would be their choice as to where they work.

Motion/Vote: The question was called. Motion **CARRIED** unanimously.

{Tape: 1; Side: 2; Approx. Counter: 330; Comments: None.}

ADJOURNMENT

Adjournment: 4:01 P.M.



REP. SHIELL ANDERSON, Chairman



KIMBERLEE GREENOUGH, Secretary

SA/ksg

HOUSE OF REPRESENTATIVES

Highways

ROLL CALL

DATE January 25, 1995

NAME	PRESENT	ABSENT	EXCUSED
Rep. Shiell Anderson, Chairman	✓		
Rep. Rick Jore, Vice Chairman, Majority	✓		
Rep. Pat Galvin, Vice Chairman, Minority	✓		
Rep. Joe Barnett	✓		
Rep. Matt Brainard	✓		
Rep. Bob Clark	✓		
Rep. Charles Devaney	✓		
Rep. Marian Hanson	✓		
Rep. Don Larson			✓
Rep. Rod Marshall	✓		
Rep. Linda McCulloch	✓		
Rep. Daniel McGee	✓		
Rep. Jeanette McKee	✓		
Rep. Bill Ryan			
Rep. Dore Schwinden	✓		
Rep. Roger Somerville		✓	
Rep. Joe Tropila	✓		
Rep. Jack Wells	✓		



HOUSE STANDING COMMITTEE REPORT

January 25, 1995

Page 1 of 1

Mr. Speaker: We, the committee on **Highways and Transportation** report that **House Bill 194** (first reading copy -- white) do pass.

Signed: Kim Greengough
Shiell Anderson, Chair
for Rep. Shiell Anderson

Committee Vote:
Yes /Z, No 0.

211635SC.Hdh



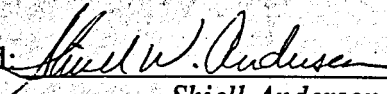
HOUSE STANDING COMMITTEE REPORT

January 25, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that House Bill 204 (first reading copy -- white) do pass as amended.

Signed:


Shiell Anderson, Chair

And, that such amendments read:

1. Page 1, line 28.

Following: "salvage"

Strike: "vehicle"

- END -

Committee Vote:
Yes 1, No 0.

211637SC.Hdh



HOUSE STANDING COMMITTEE REPORT

January 25, 1995

Page 1 of 1

Mr. Speaker: We, the committee on **Highways and Transportation** report that **House Bill 219** (first reading copy -- white) do pass.

Signed: *Kim M. Greenough*
Shiell Anderson, Chair

for Shiell Anderson

Committee Vote:

Yes No

211640SC.Hdh

Pat,

Hiways

I have a bill up
in another committee
so will be late
Vote me with you

Pharm
1/25/95

EXHIBIT 1
DATE 01-25-95
HB 204

Amendments to House Bill No. 204
First Reading Copy

For the Committee on Highways

Prepared by Valencia Lane
(originally drafted by Brenda Nordlund of Dept. of Justice)
January 23, 1995

1. Page 1, line 28.
Following: "salvage"
Strike: "vehicle"

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

HIGHWAYS

COMMITTEE

BILL NO. H 219

DATE 01-25-95

SPONSOR(S) Rep. Deb Kottel

PLEASE PRINT

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<u>Jim Jacobsen</u>	<u>MT VETERANS AFFAIRS DIV</u>	<u>X</u>	
<u>Dick Baumberger</u>	<u>Disabled Am. Vets</u>	<u>X</u>	
<u>DeW Roberts</u>	<u>Dept of Justice - MVD</u>		

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