

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON TRANSPORTATION

Call to Order: By Chairman Shiell Anderson, on March 21, 1997,
at 3:00 p.m., in Room 420

ROLL CALL

Members Present:

Rep. Shiell W. Anderson, Chairman (R)
Rep. Rick Jore, Vice Chairman (Majority) (R)
Rep. Patrick G. Galvin, Vice Chairman (Minority) (D)
Rep. Joe Barnett (R)
Rep. Rod Bitney (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Charles R. Devaney (R)
Rep. H.S. "Sonny" Hanson (R)
Rep. Marian W. Hanson (R)
Rep. Rod Marshall (R)
Rep. Gerald Pease (D)
Rep. William M. "Bill" Ryan (D)
Rep. Jack Wells (R)
Rep. Bill Whitehead (D)

Members Excused: Rep. Matt Brainard
Rep. Bob Clark
Rep. David Ewer
Rep. Dorothy Simpson

Staff Present: Leanne Kurtz, Legislative Services Division
Mary Lou Schmitz, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 610 - 1-17-97
SJR 9 - 1-11-97
SB 335 - 1-11-97
SB 360 - 1-11-97
SB 188 - 1-11-97

Executive Action: SB 343 BE CONCURRED IN

HEARING ON HB 610

"AN ACT ESTABLISHING A LEGISLATIVE COMMITTEE TO STUDY THE REVENUE AND EXPENDITURES OF THE HIGHWAYS STATE SPECIAL REVENUE ACCOUNT AND MONTANA'S TRANSPORTATION INFRASTRUCTURE NEEDS; PROVIDING FOR APPOINTMENTS TO THE COMMITTEE; APPROPRIATING FUNDS FOR THE OPERATION OF THE COMMITTEE AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

Sponsor: Rep. Ed Grady, HD 55

{Tape: 1; Side: A; Approx. Time Count: 0.6; }

Opening Statement by Sponsor: Rep. Grady said this is a Bill that came out of an Appropriation Transportation Subcommittee. **EXHIBIT 1.**

{Tape: 1; Side: A; Approx. Time Count: 3.3; }

Proponents: Rep. Joe Quilici, HD 36.

Jim Currie, Chief of Staff, Department of Transportation.

Ben Havdahl, representing the Montana Motor Carriers' Association.

Bob Stephens, Montana Grain Growers' Association.

Jim Crane, Montana Contractors' Association.

{Tape: 1; Side: A; Approx. Time Count: 8.4; }

Opponents: None

Informational Testimony: None

Questions From Committee Members and Responses: None

{Tape: 1; Side: A; Approx. Time Count: 8.7; }

Closing by Sponsor: Rep. Grady closed the Hearing on HB 610.

HEARING ON SB 360

"AN ACT ENHANCING THE PUBLIC SAFETY ON MONTANA HIGHWAYS BY REVISING THE LAWS PERTAINING TO VIOLATIONS OF SPEED RESTRICTIONS; IMPOSING SPECIAL SPEED LIMITATIONS ON ALL VEHICLES EXCEEDING 10,000 POUNDS;"

Sponsor: Senator Bruce Crippen, SD 10

{Tape: 1; Side: A; Approx. Time Count: 10.4 }

Opening Statement by Sponsor: Senator Crippen said the Bill deals with the basic rule for motorists to drive in a safe and prudent manner.

Proponents: Col. Craig Reap, Montana Highway Patrol. **EXHIBIT 2.**

Ben Havdahl, representing Montana Motor Carriers' Association.

Shawn Donovan, Mineral County Attorney.

Mike McGrath, President, Montana County Attorneys' Association.

Russ Ritter, Westran Transportation, Missoula, Montana.

Bob Gilbert, Montana Tow Truck Association.

{Tape: 1; Side: A; Approx. Time Count: 35.3; }
Opponents: Martin Powers, Self. EXHIBIT 3.

{Tape: 1; Side: A; Approx. Time Count: 40.6; }
Informational Testimony: None

{Tape: 1; Side: A; Approx. Time Count: 40.9; }
Questions From Committee Members and Responses: Reps. Wells, Galvin, Marshall, Marian Hanson, Anderson.

Responses by Col. Craig Reap; Martin Powers; Senator Crippen; Dave Galt;

{Tape: 1; Side: A; Approx. Time Count: 60.1; }
Closing by Sponsor: Senator Crippen closed the Hearing on SB 360.

HEARING ON SB 188

"AN ACT ALLOWING CERTAIN EMPLOYEES OF THE DEPARTMENT OF TRANSPORTATION TO SEIZE FUEL THAT IS BEING IMPROPERLY IMPORTED INTO THE STATE, DEFINING "CONVEYANCE", "IMPROPERLY IMPORTED FUEL", AND "PEACE OFFICER"; DIRECTING THE DEPARTMENT OF TRANSPORTATION TO ESTABLISH RULES GOVERNING A BIDDING PROCESS AMONG LICENSED MONTANA FUEL DISTRIBUTORS FOR THE PURCHASE OF SEIZED FUEL; PROVIDING FOR A HEARING TO DETERMINE THE RECIPIENT OF SEIZED FUEL;"

Sponsor: Senator Arnie Mohl, SD 39.

{Tape: 1; Side: A; Approx. Time Count: 67.3; }
Opening Statement by Sponsor: Senator Mohl said this Bill would allow seizure of improperly imported fuel.

{Tape: 1; Side: A; Approx. Time Count: 70.8; }
Proponents: Ronna Alexander, Montana Petroleum Marketers. EXHIBIT 4.

Rep. Paul Sliter, HD 76.

Dave Galt, Administrator, Motor Carrier Services Division, Department of Transportation.

Ben Havdahl, representing Montana Motor Carriers' Association.

Bill Salisbury, Administrator, Motor Fuel Tax,
Montana Department of Transportation.

Gail Abercrombie, Executive Director, Montana
Petroleum Association.

Jim Crane, Montana Contractors' Association.

{Tape: 1; Side: A; Approx. Time Count: 80.7; }

Opponents: None

Informational Testimony: None

Questions From Committee Members and Responses: Reps. Galvin,
Marshall, Bitney, Barnett, Anderson.

Responses by Ronna Alexander; Dave Galt; Bill Salisbury;

{Tape: 1; Side: B; Approx. Time Count: 3.9; }

Closing by Sponsor: Senator Mohl closed the Hearing on SB 188.

HEARING ON SB 335

"AN ACT PROVIDING FOR THE OPERATION OF FARM VEHICLES ON A COUNTY
ROAD WITHOUT ACCOMPANYING FLAG VEHICLES; INCREASING THE WIDTH
THAT A VEHICLE MUST BE TO WARRANT AN ACCOMPANYING FLAG VEHICLE;"

Sponsor: Senator Loren Jenkins, SD 45

{Tape: 1; Side: B; Approx. Time Count: 6.9; }

Opening Statement by Sponsor: Senator Jenkins said the Bill
allows a person to move on a County road within 100 miles from
that person's farm operation.

{Tape: 1; Side: B; Approx. Time Count: 10.0 ; }

Proponents: Brad Griffin, Managing Director, Montana Hardware
and Implement Association. **EXHIBIT 5.** (Presented by Candace
Torgerson)

Bob Stephens, Montana Grain Growers' Association and
representing John Youngberg, Montana Farm Bureau.

{Tape: 1; Side: B; Approx. Time Count: 12.0; }

Opponents: None

{Tape: 1; Side: B; Approx. Time Count: 11.8; }

Informational Testimony: Dave Galt, Administrator, Motor
Services Division.

{Tape: 1; Side: B; Approx. Time Count: 12.4; }

Questions From Committee Members and Responses: Reps. Marian
Hanson, Anderson.

Responses by Senator Jenkins;

{Tape: 1; Side: B; Approx. Time Count: 18.0; }

Closing by Sponsor: Senator Jenkins closed the Hearing on SB 335.

HEARING ON SJR 9

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE UNITED STATES CONGRESS TO ACT IN A TIMELY FASHION TO REAUTHORIZE THE FEDERAL SURFACE TRANSPORTATION PROGRAM AND TO CONTINUE TO RECOGNIZE THE NATIONAL INTEREST IN THE INVESTMENT IN HIGHWAYS THAT SERVE AND CROSS RURAL WESTERN STATES.

Sponsor: Senator Barry Stang, SD 36.

{Tape: 1; Side: B; Approx. Time Count: 18.2; }

Opening Statement by Sponsor: Senator Stang said this is a Senate Joint Resolution that was requested in the Senate Highway and Transportation Committee.

{Tape: 1; Side: B; Approx. Time Count: 19.4; }

Proponents: Jim Currie, Department of Transportation.

Jim Crane, Montana Contractors' Association.

Steve Turkiewicz, Montana Auto Dealers' Association.

Opponents: None

Informational Testimony: None

{Tape: 1; Side: B; Approx. Time Count: 24.4; }

Questions From Committee Members and Responses: Reps. Bitney, Jore.

Responses by Jim Currie; Senator Stang;

{Tape: 1; Side: B; Approx. Time Count: 27.4; }

Closing by Sponsor: Senator Stang closed the Hearing on SJR 9.

EXECUTIVE ACTION ON SB 343

Motion: Rep. Devaney moved BE CONCURRED IN.

Amendment: Rep. Wells moved his first Amendment.

{Tape: 1; Side: B; Approx. Time Count: 30.2; }

Discussion: Reps. Wells, Sonny Hanson, Marshall, Bitney, Anderson, Devaney.

Vote: Motion on Amendment failed 2 - 12.

Motion/Vote: Rep. Marshall moved to TABLE SB 343. Motion failed
3 - 11.

{Tape: 1; Side: B; Approx. Time Count: 57.0; }

Amendment: Rep. Wells moved his second Amendment.

Discussion: Reps. Wells, Sonny Hanson, Anderson, Barnett,
Marian Hanson, Bitney.

Responses by Leanne Kurtz.

Vote: Motion failed 2 - 12.

Amendment: Rep. Wells moved his third Amendment.

{Tape: 1; Side: B; Approx. Time Count: 67.1; }

Discussion: Reps. Wells, Sonny Hanson, Devaney, Marshall,
Bitney, Galvin, Anderson, Jore, Devaney,

Responses by Leanne Kurtz.

Vote: Motion failed 2 - 12.

Amendment: Rep. Wells moved his fourth Amendment.

Vote: Motion failed 2-12.

{Tape 1; Side: B; Approx. Time Count: 81.9}


Discussion: Reps. Jore, Wells, Devaney, Barnett, Bitney,
Anderson.

{Tape: 2; Side: A; Approx. Time Count: 0.2; }

Motion/Vote: Rep. Devaney's original motion BE CONCURRED IN
carried 12 - 2.

ADJOURNMENT

Adjournment: 6:00 p.m.



REP. SHIELL W. ANDERSON, Chairman



MARY LOU SCHMITZ, Secretary

SWA/MLS