

CHAPTER NO. 354.

HOUSE BILL NO. 20

INTRODUCED BY DOZIER

BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION

IN THE HOUSE

January 4, 1979	Introduced and referred to Committee on Taxation.
January 6, 1979	On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled bill.
January 12, 1979	Committee recommend bill do pass and be placed on Consent Calendar. Report adopted.
January 13, 1979	On motion rules suspended and bill placed on second reading this day. Second reading, do pass. On motion rules suspended and bill placed on third reading this day. Third reading, passed. Transmitted to second house. Engrossed before transmitted.

IN THE SENATE

January 15, 1979	Introduced and referred to Committee on Business and Industry.
March 14, 1979	Committee recommend bill be concurred in. Report adopted.
March 15, 1979	Second reading, concurred in.
March 17, 1979	Third reading, concurred in.

IN THE HOUSE

March 19, 1979

Returned from second house.
Concurred in. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 20

2 INTRODUCED BY _____

3 BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 69-3-501, MCA, TO PROVIDE THAT A MINIMUM REVENUE BE DERIVED
7 FROM MONTANA SOURCES BY CERTAIN UTILITIES IN ORDER TO
8 SUBJECT THE ISSUANCE OF SECURITIES AND CREATION OF LIENS BY
9 THE UTILITY TO REGULATION BY THE PUBLIC SERVICE COMMISSION."

10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 69-3-501, MCA, is amended to read:

13 "69-3-501. Regulation of issuance of securities and
14 creation of liens by utilities. (1) ~~The right of every~~
15 ~~whenever a public utility, as defined in 69-3-101,~~
16 furnishing electric or gas service in the state has revenue
17 derived from sources in Montana which exceeds \$5 million or
18 5% of its gross revenue, the utility's right to issue,
19 assume, or guarantee securities and to create liens on its
20 property ~~situated within~~ in the state is hereby ~~subjected~~
21 subject to the regulation and supervision of the commission,
22 as set forth in this part.

23 (2) ~~Such~~ The public utility, when authorized by order
24 of the commission and not otherwise, may issue stocks and
25 stock certificates and may issue, assume, or guarantee other

1 securities payable at periods of more than 12 months after
2 ~~the date thereof thereafter~~ for the following purposes:

3 (a) the acquisition of property;

4 (b) the construction, completion, extension, or
5 improvement of its facilities;

6 (c) the improvement or maintenance of its service;

7 (d) the discharge or lawful refunding of its
8 obligations;

9 (e) the reimbursement of money actually expended for
10 said purposes from income or from other money; or

11 (f) any other purpose approved by the commission."

-End-

Approved by Committee
on Business and Industry

1 HOUSE BILL NO. 19
2 INTRODUCED BY MANNING
3 BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
6 69-12-108, MCA, TO REDUCE THE MINIMUM PENALTY FEE FOR
7 SUBSEQUENT OFFENSE VIOLATIONS BY MOTOR CARRIERS."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 69-12-108, MCA, is amended to read:
11 "69-12-108. Violations. Any motor carrier subject to
12 the provisions of Chapter 184, Laws of 1931, as amended, or,
13 whenever any such motor carrier is a corporation, any
14 director or officer thereof; any receiver, trustee, lessee,
15 agent, or persons acting for or employed by such
16 corporation; any person, corporation, or association or
17 officer, agent, or employee thereof; or any broker of
18 property or officer, agent, or employee thereof who violates
19 or fails to comply with or who procures, aids, or abets in
20 the violation of any provision of Chapter 184, Laws of 1931,
21 as amended, or who fails to obey, observe, or comply with
22 any lawful order, decision, rule, direction, demand, or
23 requirement of the commission or any part of provisions
24 thereof shall:
25 (1) be subject to a civil penalty to be collected and

1 deposited to the general fund by the commission after notice
2 and hearing in an amount not less than \$25 or more than \$500
3 for the first offense and not less than ~~\$100~~ \$25 or more
4 than \$1,000 for each subsequent offense; or
5 (2) be subject, upon conviction in a justice's court,
6 to a fine of not less than \$25 or more than \$500 for the
7 first offense and not less than ~~\$100~~ \$25 or more than \$1,000
8 for each subsequent offense."

-End-

On motion rules suspended,
yellow printing dispensed.

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-End-