

HOUSE BILL NO. 7

**INTRODUCED BY HARP, STIMATE, WALDRON,
TVEIT, CONNELLY, CURTISS,**

BY REQUEST OF THE JOINT SUBCOMMITTEE ON HIGHWAYS

IN THE HOUSE

January 3, 1983

**Introduced and referred to
Committee on Highways and
Transportation.**

January 10, 1983

**On motion by chief sponsor,
Representative Connelly was
added as an author to the
prefiled bill.**

January 11, 1983

**On motion by chief sponsor,
Representative Curtiss was
added as an author to the
prefiled bill.**

January 27, 1983

**Committee recommend bill do
pass. Report adopted.**

January 28, 1983

**Bill printed and placed on
members' desks.**

January 29, 1983

Second reading, do pass.

January 31, 1983

**Considered correctly
engrossed.**

February 1, 1983

**Third reading, passed.
Transmitted to Senate.**

IN THE SENATE

February 2, 1983

**Introduced and referred to
Committee on Highways and
Transportation.**

February 16, 1983

**Committee recommend bill be
concurred in. Report adopted.**

March 3, 1983

Second reading, concurred in.

March 5, 1983

Third reading, concurred in.
Ayes, 45; Noes, 1.

IN THE HOUSE

March 5, 1983

Returned to House.

March 7, 1983

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 7
 2 INTRODUCED BY HARP, STIMATZ, WALDRON, TVEIT
 3 BY REQUEST OF THE JOINT SUBCOMMITTEE ON HIGHWAYS
 4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR
 6 CONGRUENCE OF HIGHWAY COMMISSION DISTRICTS AND HIGHWAY
 7 FINANCIAL DISTRICTS; AMENDING SECTIONS 2-15-2502 AND
 8 60-3-203, MCA; AND PROVIDING AN EFFECTIVE DATE."
 9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. Section 2-15-2502, MCA, is amended to read:
 12 "2-15-2502. Highway commission. (1) The highway
 13 commission consists of five members. One member shall be a
 14 bona fide resident of and appointed from each of these
 15 districts, each composed of the counties named:
 16 (a) District 1. Lincoln, Flathead, Sanders, Lake,
 17 Mineral, Missoula, Ravalli, Granite, Lewis--and--Clark
 18 Jefferson--Broadwater Powell;
 19 (b) District 2. ~~Powell~~, Deer Lodge, Silver Bow,
 20 Beaverhead, Madison, Gallatin, Meagher, Wheatland
 21 ~~Broadwater, Jefferson, Park, Sweet-Grass~~;
 22 (c) District 3. Glacier, Toole, Liberty, Hill, Blaine,
 23 Pondera, Teton, Chouteau, Cascade, Judith--Basin Lewis and
 24 Clark;
 25 (d) District 4. ~~Fergus,--Petroleum~~ Carter, Powder

1 ~~River, Fallon, Custer, Rosebud~~, Garfield, Phillips, Valley,
 2 McCone, Prairie, Dawson, Wibaux, Richland, Roosevelt,
 3 Daniels, Sheridan;
 4 (e) District 5. Golden Valley, Stillwater, Carbon, Big
 5 Horn, Yellowstone, Musselshell, Rosebud Judith Basin,
 6 Fergus, Petroleum, Treasure, ~~Eustery-Powder-River,--Carter~~,
 7 ~~Fallon Wheatland, Sweet-Grass~~.
 8 (2) No two members may at the time of appointment or
 9 thereafter during their respective terms of office be
 10 residents of the same district.
 11 (3) Not more than three members may at the time of
 12 appointment or thereafter during their respective terms be
 13 members of the same political party.
 14 (4) No elective state official or state officer during
 15 the term of office to which he was elected or appointed and
 16 no state employee may be a member of the commission.
 17 (5) No resolution, motion, or other decision of the
 18 commission may be adopted or passed without the favorable
 19 vote of at least three members.
 20 (6) The commission is allocated to the department for
 21 administrative purposes only as prescribed in 2-15-121.
 22 (7) The commission is designated as a quasi-judicial
 23 board for purposes of 2-15-124; however, the provision of
 24 2-15-124(1) that at least one member of a quasi-judicial
 25 board be an attorney does not apply to the commission."

1 Section 2. Section 60-3-203, MCA, is amended to read:
 2 "60-3-203. Districts for apportionment of department
 3 funds. All money available to the department for highway
 4 construction purposes shall be apportioned among these five
 5 financial districts, each composed of the counties named
 6 corresponding to and congruent with the highway commission
 7 districts established in 2-15-2502.
 8 District--1--Lincoln--Flathead--Lake
 9 District--2--Glacier--Toole--Liberty--Hill--Blaine
 10 District--3--Phillips--Valley--Daniels--Sheridan--
 11 Roosevelt
 12 District--4--McCone--Richmond--Dawson--Prairie
 13 Whitman
 14 District--5--Fergus--Garfield--Petroleum
 15 District--6--Pondera--Teton--Chouteau--Cascade--Judith
 16 Basin
 17 District--7--Lewis--and--Clark--Jefferson--Broadwater
 18 District--8--Sanders--Mineral--Missoula--Ravalli
 19 Grant--Powell
 20 District--9--Beaverhead--Deer--Lodge--Silver--Bow
 21 Madison
 22 District--10--Park--Gallatin--Sweet--Grass--Meagher
 23 Wheatland
 24 District--11--Golden--Valley--Musselshell--Stillwater
 25 Yellowstone--Carbon--Big--Horn--Treasure

1 District--12--Rosebud--Custer--Fallon--Powder--Rivers
 2 Garter
 3 NEW SECTION Section 3. Effective date. This act is
 4 effective on July 1, 1983.

-End-

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TVEIT, CONNELLY, CURTISS

BY REQUEST OF THE JOINT SUBCOMMITTEE ON HIGHWAYS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR CONGRUENCE OF HIGHWAY COMMISSION DISTRICTS AND HIGHWAY FINANCIAL DISTRICTS; AMENDING SECTIONS 2-15-2502 AND 60-3-203, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 2-15-2502, MCA, is amended to read:

"2-15-2502. Highway commission. (1) The highway commission consists of five members. One member shall be a bona fide resident of and appointed from each of these districts, each composed of the counties named:

(a) District 1. Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Ravalli, Granite, Lewis--and--Blair, Jefferson--Broadwater, Powell;

(b) District 2. Powell, Deer Lodge, Silver Bow, Beaverhead, Madison, Gallatin, Meagher, Wheatland, Broadwater, Jefferson, Park, Sweet-Grass;

(c) District 3. Glacier, Toole, Liberty, Hill, Blaine, Pondera, Teton, Chouteau, Cascade, Judith--Basin, Lewis, and Clark;

(d) District 4. Fergus--Petroleum, Carter, Powder River, Fallon, Custer, Rosebud, Garfield, Phillips, Valley, McCone, Prairie, Dawson, Wibaux, Richland, Roosevelt, Daniels, Sheridan;

(e) District 5. Golden Valley, Stillwater, Carbon, Big Horn, Yellowstone, Musselshell, Rosebud, Judith Basin, Fergus, Petroleum, Treasure, Custer--Powder--River--Carter, Fallon, Wheatland, Sweet Grass.

(2) No two members may at the time of appointment or thereafter during their respective terms of office be residents of the same district.

(3) Not more than three members may at the time of appointment or thereafter during their respective terms be members of the same political party.

(4) No elective state official or state officer during the term of office to which he was elected or appointed and no state employee may be a member of the commission.

(5) No resolution, motion, or other decision of the commission may be adopted or passed without the favorable vote of at least three members.

(6) The commission is allocated to the department for administrative purposes only as prescribed in 2-15-121.

(7) The commission is designated as a quasi-judicial board for purposes of 2-15-124; however, the provision of 2-15-124(1) that at least one member of a quasi-judicial

1 board be an attorney does not apply to the commission."

2 Section 2. Section 60-3-203, MCA, is amended to read:

3 "60-3-203. Districts for apportionment of department
4 funds. All money available to the department for highway
5 construction purposes shall be apportioned among these five
6 financial districts, each--composed-of-the-counties-named--
7 corresponding to and congruent with the highway commission
8 districts established in 2-15-2502.

9 District--1--Lincoln--Flathead--Lake

10 District--2--Glacier--Toole--Liberty--Hilly--Blaine

11 District--3--Phillips--Valley--Daniels--Sheridan
12 Roosevelt

13 District--4--McCone--Richland--Bawson--Prairie
14 Wibaux

15 District--5--Fergus--Garfield--Petroleum

16 District--6--Pondera--Teton--Chouteau--Cascade--Judith
17 Basin

18 District--7--Lewis--and--Clark--Jefferson--Broadwater

19 District--8--Sanders--Mineral--Missoula--Ravalli
20 Granite--Powell

21 District--9--Beaverhead--Deer--Lodge--Silver--Bow
22 Madison

23 District--10--Park--Gallatin--Sweet--Grass--Meagher
24 Wheatland

25 District--11--Golden--Valley--Musselshell--Stillwater

1 Yellowstone--Carbon--Big-Horn--Treasure

2 District--12--Rosebud--Custer--Fallon--Powder--River
3 Carter

4 NEW SECTION Section 3. Effective date. This act is
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(b) District 2. Powell, Deer Lodge, Silver Bow, Beaverhead, Madison, Gallatin, Meagher, Wheatland Broadwater, Jefferson, Park--Sweet--Grass;

(c) District 3. Glacier, Toole, Liberty, Hill, Blaine, Pondera, Teton, Chouteau, Cascade, Judith--Basin Lewis--and Clark;

(d) District 4. Fergus--Petroleum Carter, Powder River, Fallon, Custer, Rosebud, Garfield, Phillips, Valley, McCone, Prairie, Dawson, Wibaux, Richland, Roosevelt, Daniels, Sheridan;

(e) District 5. Golden Valley, Stillwater, Carbon, Big Horn, Yellowstone, Musselshell, Rosebud Judith--Basin Fergus, Petroleum, Treasure, Euster--Powder--River--Carter, Fenton Wheatland, Sweet Grass.

(2) No two members may at the time of appointment or thereafter during their respective terms of office be residents of the same district.

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3 "60-3-203. Districts for apportionment of department
4 funds. All money available to the department for highway
5 construction purposes shall be apportioned among these five
6 financial districts, ~~each--composed-of-the-counties-named--~~
7 ~~corresponding-to-and-congruent-with-the-highway-commission~~
8 ~~districts-established-in-2-15-2502.~~

9 District--1--Lincoln--Flathead--Lake

10 District--2--Glacier--Toole--Liberty--Hill--Blaine

11 District--3--Phillips--Valley--Daniels--Sheridan
12 Roosevelt

13 District--4--McCone--Richland--Bowson--Prairie
14 Wibaux

15 District--5--Fergus--Garfield--Petrolet

16 District--6--Pondera--Fergus--Chouteau--Cascade--Judith
17 Basin

18 District--7--Lewis--and--Clark--Jefferson--Broadwater

19 District--8--Sanders--Mineral--Missoula--Ravalli
20 Granite--Powell

21 District--9--Beaverhead--Deer--Lodge--Silver--Bow
22 Madison

23 District--10--Park--Gallatin--Sweet--Grass--Meagher

24 Wheatland

25 District--11--Golden--Valley--Musselshell--Stillwater

1 Yellowstone--Carbon--Big-Horn--Treasure

2 District--12--Rosebud--Gustavus--Fergus--Powder--River
3 Bortles

4 NEW SECTION Section 3. Effective date. This act is
5 effective on July 1, 1983.

-End-