

HOUSE BILL NO. 56

INTRODUCED BY WHALEN, GIACOMETTO

IN THE HOUSE

DECEMBER 30, 1988	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
JANUARY 2, 1989	FIRST READING.
JANUARY 4, 1989	ON MOTION BY CHIEF SPONSOR, REPRESENTATIVE GIACOMETTO ADDED AS SPONSOR.
FEBRUARY 8, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 9, 1989	PRINTING REPORT.
FEBRUARY 10, 1989	SECOND READING, DO PASS. ENGROSSING REPORT. ON MOTION, TAKEN FROM ENGROSSING AND RE- REFERRED TO COMMITTEE ON APPROPRIATIONS.
MARCH 17, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
MARCH 18, 1989	PRINTING REPORT.
MARCH 20, 1989	SECOND READING, DO PASS AS AMENDED.
MARCH 21, 1989	ENGROSSING REPORT.
MARCH 22, 1989	THIRD READING, PASSED. AYES, 77; NOES, 19. TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 22, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
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FIRST READING.

APRIL 6, 1989

COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

APRIL 10, 1989

SECOND READING, CONCURRED IN.

APRIL 12, 1989

THIRD READING, CONCURRED IN.
AYES, 26; NOES, 21.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 12, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 56
2 INTRODUCED BY WHALEN
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE
5 DEPARTMENT OF HIGHWAYS TO ERECT CERTAIN WELCOME AND FAREWELL
6 SIGNS; PROVIDING GENERAL SPECIFICATIONS FOR THE SIGNS;
7 PROVIDING FOR PAYMENT OF THE COSTS FROM THE LODGING FACILITY
8 USE TAX; AMENDING SECTION 15-65-121, MCA; AND PROVIDING AN
9 EFFECTIVE DATE AND A TERMINATION DATE."

10

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

12 **Section 1. Welcome and farewell signs at borders of**
13 **Montana.** Subject to the provisions of federal law, the
14 department shall erect at the point where each highway
15 designated on the federal-aid highway system, as provided in
16 60-1-103, enters and leaves Montana a welcome sign visible
17 to incoming travelers and a farewell sign inviting departing
18 travelers to return. The department shall design, construct,
19 and erect the signs to conform to the following
20 specifications:

21 (1) On the federal-aid interstate system:

22 (a) at each entrance to Montana, the sign must be at
23 least 16 feet wide and 8 feet tall, mounted on support
24 standards of sufficient height to allow ready visibility by
25 motorists, in the shape of the state of Montana, bearing in

1 the upper left quadrant in legible script the words "Welcome
2 to". To the right of and below those words, the sign must
3 bear an oval enclosing a mountain skyline over which is
4 superimposed in the Roman type style the name "MONTANA". The
5 sign should conform in color and appearance to the "Welcome
6 to Montana" signs designed by the department to be erected
7 during the biennium ending June 30, 1989.

8 (b) at each exit from Montana, the sign must be of the
9 same shape and design as in subsection (1)(a) but the text
10 must be an appropriate farewell and invitation to return.

11 (2) On the federal-aid primary system, the greeting
12 and farewell signs must be similar to those shown in the
13 design dated July 16, 1962, and formerly in use on Montana's
14 border. The signs must have a width of approximately 17 1/2
15 feet and a height of approximately 10 feet, including
16 support posts, and:

17 (a) at each entrance to Montana must bear the message:

18 "The Gate is Open

19 Welcome to
20 MONTANA"; and

21 (b) at each exit from Montana must bear the message:

22 "So Long!
23 Come Again to
24 MONTANA".

25 (3) On the federal-aid secondary system, the welcome



and farewell signs must be of the same design and text as those placed on the federal-aid interstate system as provided in subsection (1) except that each sign may be no larger than 8 feet wide and 4 feet tall.

Section 2. Nonapplicability. The provisions of [section 1] requiring the department to design, construct, and erect welcome and farewell signs at the borders of Montana do not apply to a location where the department has erected a sign of similar design and purpose since July 1, 1987, regardless of whether the sign meets the size specifications of [section 1].

Section 3. Section 15-65-121, MCA, is amended to read:

"15-65-121. (Temporary) Distribution of tax proceeds -- general fund loan authority. (1) The proceeds of the tax imposed by 15-65-111 must be deposited in an account in the state special revenue fund to the credit of the department of revenue. The department is statutorily appropriated, as provided in 17-7-502, 2% of that account each reporting period for the costs of collecting and disbursing the proceeds of the tax. The balance of the tax proceeds received each reporting period and not deducted pursuant to the statutory appropriation for collection and disbursement is statutorily appropriated as provided in 17-7-502 and must be transferred to an account in the state special revenue fund to the credit of the department of commerce for tourism

promotion and promotion of the state as a location for the production of motion pictures and television commercials and for welcome and farewell signs to be erected by the department of highways on the federal-aid highway system, to the Montana historical society, and to the university system, as follows:

(a) 1% to the Montana historical society to be used for the installation or maintenance of roadside historical signs and historic sites;

(b) 2.5% to the university system for the establishment and maintenance of a Montana travel research program; and

(c) the balance of the proceeds as follows:

(i) 75% to be used directly by the department of commerce, provided that from the proceeds during the biennium beginning July 1, 1989, the department of commerce shall transfer to the department of highways an amount sufficient to pay the costs of the signs the department of highways is required under the provisions of [section 1] to design, construct, and erect;

(ii) except as provided in subsection (1)(c)(iii), 25% to be distributed by the department to regional nonprofit tourism corporations in the ratio of the proceeds collected in each tourism region to the total proceeds collected statewide;

(iii) if 25% of the proceeds collected annually within the limits of a city or consolidated city-county exceeds \$35,000, 50% of the amount available for distribution to the regional nonprofit tourism corporation in the region where the city or consolidated city-county is located is to be distributed to the nonprofit convention and visitors bureau in that city or consolidated city-county.

(2) If a city or consolidated city-county qualifies under this section for funds but fails to either recognize a nonprofit convention and visitors bureau or submit and gain approval for an annual marketing plan as required in 15-65-122, then those funds must be allocated to the tourism region in which the city or consolidated city-county is located.

(3) If a regional nonprofit tourism corporation fails to submit and gain approval for an annual marketing plan as required in 15-65-122, then those funds otherwise allocated to the regional nonprofit tourism corporation may be used by the department of commerce for tourism promotion and promotion of the state as a location for the production of motion pictures and television commercials.

(4) The department of commerce may use general fund loans for efficient implementation of this section.

15-65-121. (Effective July 1, 1989) Distribution of tax proceeds -- general fund loan authority. (1) The

proceeds of the tax imposed by 15-65-111 must be deposited in an account in the state special revenue fund to the credit of the department of revenue. The department may spend from that account in accordance with an expenditure appropriation by the legislature based on an estimate of the costs of collecting and disbursing the proceeds of the tax. The balance of the tax proceeds received each reporting period and not deducted pursuant to the expenditure appropriation is statutorily appropriated, as provided in 17-7-502, and must be transferred to an account in the state special revenue fund to the credit of the department of commerce for tourism promotion and promotion of the state as a location for the production of motion pictures and television commercials and for welcome and farewell signs to be erected by the department of highways on the federal-aid highway system, to the Montana historical society, and to the university system, as follows:

(a) 1% to the Montana historical society to be used for the installation or maintenance of roadside historical signs and historic sites;

(b) 2.5% to the university system for the establishment and maintenance of a Montana travel research program; and

(c) the balance of the proceeds as follows:

(i) 75% to be used directly by the department of

commerce, provided that from the proceeds during the
biennium beginning July 1, 1989, the department of commerce
shall transfer to the department of highways an amount
sufficient to pay the costs of the signs the department of
highways is required under the provisions of [section 1] to
design, construct, and erect;

(ii) except as provided in subsection (1)(c)(iii), 25%
to be distributed by the department to regional nonprofit
tourism corporations in the ratio of the proceeds collected
in each tourism region to the total proceeds collected
statewide;

(iii) if 25% of the proceeds collected annually within
the limits of a city or consolidated city-county exceeds
\$35,000, 50% of the amount available for distribution to the
regional nonprofit tourism corporation in the region where
the city or consolidated city-county is located is to be
distributed to the nonprofit convention and visitors bureau
in that city or consolidated city-county.

(2) If a city or consolidated city-county qualifies
under this section for funds but fails to either recognize a
nonprofit convention and visitors bureau or submit and gain
approval for an annual marketing plan as required in
15-65-122, then those funds must be allocated to the tourism
region in which the city or consolidated city-county is
located.

(3) If a regional nonprofit tourism corporation fails
to submit and gain approval for an annual marketing plan as
required in 15-65-122, then those funds otherwise allocated
to the regional nonprofit tourism corporation may be used by
the department of commerce for tourism promotion and
promotion of the state as a location for the production of
motion pictures and television commercials.

(4) The department of commerce may use general fund
loans for efficient implementation of this section."

Section 4. Costs to be paid from proceeds of lodging
facility use tax. The department of commerce shall transfer
from the distribution under 15-65-121(1)(c)(i) to the
department of highways a portion of the proceeds of the tax
collected under 15-65-111 during the biennium beginning July
1, 1989, sufficient to pay all costs incurred by the
department of highways to design, construct, and erect the
signs provided for in [section 1].

Section 5. Extension of authority. Any existing
authority to make rules on the subject of the provisions of
[this act] is extended to the provisions of [this act].

Section 6. Codification instruction. [Sections 1, 2,
and 4] are intended to be codified as an integral part of
Title 60, chapter 2, part 2, and the provisions of Title 60,
chapter 2, part 2, apply to [sections 1, 2, and 4].

Section 7. Effective date -- termination. [This act]

LC 0588/01

1 is effective July 1, 1989, and terminates June 30, 1991.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB056, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act directing the Department of Highways to erect certain welcome and farewell signs; providing general specifications for the signs; providing for payment of costs from the lodging facility use tax; amending Section 15-65-121, MCA; and providing an effective date and a determination date.

ASSUMPTIONS:

1. The WELCOME signs erected in FY88 meet the requirements of section 2, "nonapplicability".
2. Each WELCOME sign presently erected will be matched with a FAREWELL sign of similar shape and size, including those signs on the primary system.
3. Entrances on the interstate, primary highways, and all but 16 secondary highways have WELCOME signs - a total of 29 signs.
4. Vandalism and replacement costs will be based on 10% of the installation costs. A sign's life is 10 years. Construction supervision and design costs are not included in the installation costs.
5. Costs related to the new required signs will be incurred in FY90.
6. No maintenance or replacement costs during FY89.
7. FAREWELL sign costs will be the same as the WELCOME signs installed in FY88.

FISCAL IMPACT:

	Current Law	FY90 Proposed Law	Difference	Current Law	FY91 Proposed Law	Difference
Expenditures:						
Operating Expenses	\$ -0-	\$112,252	\$112,252	\$ -0-	\$ 6,600	\$ 6,600
Funding:						
Lodging Facility Use Tax	-0-	\$112,252	\$112,252	-0-	-0-	-0-
Highway Earmarked	-0-	-0-	-0-	-0-	\$ 6,600	\$ 6,600

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

Sign locations on fourteen of the sixteen secondary highways will come under county jurisdiction. This means that the counties will be responsible for sign maintenance, an estimated \$2,400 annual cost for ten years.

Ray Shackelford

1/9/89

RAY SHACKLEFORD, BUDGET DIRECTOR
Office of Budget and Program Planning

DATE

Timothy J. Whalen
TIMOTHY J. WHALEN, PRIMARY SPONSOR

DATE

1-11-88

Fiscal Note for HB056, as introduced

HB 56

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

HOUSE BILL NO. 56

INTRODUCED BY WHALEN, GIACOMETTO

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF HIGHWAYS TO DESIGN, ERECT, AND MAINTAIN CERTAIN WELCOME AND FAREWELL SIGNS; PROVIDING CERTAIN EXCEPTIONS; PROVIDING GENERAL SPECIFICATIONS FOR THE SIGNS; PROVIDING FOR PAYMENT OF THE COSTS FROM THE LODGING FACILITY USE TAX; AMENDING SECTION 15-65-121, MCA; AUTHORIZING THE DEPARTMENT OF HIGHWAYS TO ACCEPT AND EXPEND MONEY FOR THE PURPOSE OF THIS ACT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. **Section 1. Welcome and farewell signs -- design, erection, maintenance -- completion date -- exceptions -- use of existing signs.** (1) (a) The department shall:

(i) design, erect, and maintain welcome and farewell signs within Montana at the nearest practical location to the border of the state where each federal-aid interstate highway, except interstate 90 at the Montana-Idaho border in Mineral County, and each federal-aid primary highway enters

or leaves Montana;

(ii) select locations for the signs consistent with the requirements for public safety and maximum visibility and with all applicable provisions of federal law; and

(iii) subject to the exception in subsection (1)(a), complete the construction and erection of welcome and farewell signs:

(A) on the four interstate highways and on highway 212 in Carter County before July 1, 1991; and

(B) on the remainder of the primary highways at the earliest possible date.

(b) However, nothing in this subsection (1) prevents the department from constructing and erecting signs on the remaining primary highways before July 1, 1991.

(2) Except as provided in subsection (3), the welcome and farewell signs must be:

(a) (i) on the interstate system, approximately 20 feet high and 38 feet wide; and

(ii) on the primary system, approximately 8 feet high and 16 feet wide;

(b) of substantial timber and plank construction, similar to those shown in the design dated July 16, 1962, and formerly in use at Montana's borders, with the inscriptions:

(i) at each entrance to Montana:

1 "The Gate is Open
 2 Welcome to
 3 MONTANA"; and
 4 (ii) at each exit from Montana:
 5 "So Long!
 6 Come Again to
 7 MONTANA".

8 (3) Notwithstanding the provisions of subsection (2),
 9 welcome or farewell signs in place on the interstate highway
 10 system on [the effective date of this act] and required to
 11 be replaced under the provisions of [this act] must be
 12 utilized at locations on the primary highway system as long
 13 as those signs remain serviceable. When those signs are no
 14 longer serviceable, they must be replaced on the primary
 15 systems with signs described in subsection (2).

16 NEW SECTION. **Section 2.** Department authorized to
 17 accept and expend funds for welcome and farewell signs. The
 18 department may accept money from other state agencies,
 19 federal agencies, or private persons for the purposes of
 20 [this act] and may expend the money received for those
 21 purposes.

22 NEW SECTION. **Section 3.** Codification instruction.
 23 [Sections 1 and 2] are intended to be codified as an
 24 integral part of Title 60, chapter 2, part 2, and the
 25 provisions of Title 60, chapter 2, part 2, apply to

1 [sections 1 and 2].

2 NEW SECTION. **Section 4.** Effective date. [This act] is
 3 effective on passage and approval.

-End-

HOUSE BILL NO. 56

INTRODUCED BY WHALEN, GIACOMETTO

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF HIGHWAYS TO DESIGN, ERECT, AND MAINTAIN CERTAIN WELCOME AND FAREWELL SIGNS; PROVIDING CERTAIN EXCEPTIONS; PROVIDING GENERAL SPECIFICATIONS FOR THE SIGNS; PROVIDING FOR PAYMENT OF THE COSTS FROM THE LODGING FACILITY USE TAX; AMENDING SECTION 15-65-121, MCA; AUTHORIZING THE DEPARTMENT OF HIGHWAYS TO ACCEPT AND EXPEND MONEY FOR THE PURPOSE OF THIS ACT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. Section 1. Welcome and farewell signs -- design, erection, maintenance -- completion date -- exceptions -- use of existing signs. (1) (a) The department shall:

(i) design, erect, and maintain welcome and farewell signs within Montana at the nearest practical location to the border of the state where each federal-aid interstate highway, except interstate 90 at the Montana-Idaho border in Mineral County, and each federal-aid primary highway enters

or leaves Montana;

(ii) select locations for the signs consistent with the requirements for public safety and maximum visibility and with all applicable provisions of federal law; and

(iii) subject to the exception in subsection (1)(a), complete the construction and erection of welcome and farewell signs:

(A) on the four interstate highways and on highway 212 in Carter County before July 1, 1991; and

(B) on the remainder of the primary highways at the earliest possible date.

(b) However, nothing in this subsection (1) prevents the department from constructing and erecting signs on the remaining primary highways before July 1, 1991.

(2) Except as provided in subsection (3), the welcome and farewell signs must be:

(a) (i) on the interstate system, approximately 20 feet high and 38 feet wide; and

(ii) on the primary system, approximately 8 feet high and 16 feet wide;

(b) of substantial timber and plank construction, similar to those shown in the design dated July 16, 1962, and formerly in use at Montana's borders, with the inscriptions:

(i) at each entrance to Montana:

1 "The Gate is Open

2 Welcome to

3 MONTANA"; and

4 (ii) at each exit from Montana:

5 "So Long!

6 Come Again to

7 MONTANA".

8 (3) Notwithstanding the provisions of subsection (2),
9 welcome or farewell signs in place on the interstate highway
10 system on [the effective date of this act] and required to
11 be replaced under the provisions of [this act] must be
12 utilized at locations on the primary highway system as long
13 as those signs remain serviceable. When those signs are no
14 longer serviceable, they must be replaced on the primary
15 systems with signs described in subsection (2).

16 NEW SECTION. Section 2. Department authorized to
17 accept and expend funds for welcome and farewell signs. The
18 department may accept money from other state agencies,
19 federal agencies, or private persons for the purposes of
20 [this act] and may expend the money received for those
21 purposes.

22 NEW SECTION. Section 3. Codification instruction.
23 [Sections 1 and 2] are intended to be codified as an
24 integral part of Title 60, chapter 2, part 2, and the
25 provisions of Title 60, chapter 2, part 2, apply to

1 [sections 1 and 2].

2 NEW SECTION. Section 4. Effective date. [This act] is
3 effective on passage and approval.

-End-

1 HOUSE BILL NO. 56

2 INTRODUCED BY WHALEN, GIACOMETTO

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE
5 DEPARTMENT OF HIGHWAYS TO DESIGN, ERECT, AND MAINTAIN
6 CERTAIN WELCOME AND FAREWELL SIGNS; PROVIDING CERTAIN
7 EXCEPTIONS; PROVIDING GENERAL SPECIFICATIONS FOR THE SIGNS;
8 PROVIDING FOR PAYMENT OF THE COSTS FROM THE LODGING FACILITY
9 USE TAX; AMENDING SECTION 15-65-121, MCA; AUTHORIZING THE
10 DEPARTMENT OF HIGHWAYS TO ACCEPT AND EXPEND MONEY FOR THE
11 PURPOSE OF THIS ACT; AND PROVIDING AN IMMEDIATE EFFECTIVE
12 DATE AND A TERMINATION DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 (Refer to Introduced Bill)

16 Strike everything after the enacting clause and insert:

17 NEW SECTION. Section 1. Welcome and farewell signs --
18 design, erection, maintenance -- completion date --
19 exceptions -- use of existing signs. (1) (a) The department
20 shall:

21 (i) design, erect, and maintain welcome and farewell
22 signs within Montana at the nearest practical location to
23 the border of the state where each federal-aid interstate
24 highway, except interstate 90 at the Montana-Idaho border in
25 Mineral County, and each federal-aid primary highway enters

1 or leaves Montana;

2 (ii) select locations for the signs consistent with the
3 requirements for public safety and maximum visibility and
4 with all applicable provisions of federal law; and

5 (iii) subject to the exception in subsection (1)(a),
6 complete the construction and erection of welcome and
7 farewell signs:

8 (A) on the four interstate highways and on highway 212
9 in Carter County before July 1, 1991; and

10 (B) on the remainder of the primary highways at the
11 earliest possible date.

12 (b) However, nothing in this subsection (1) prevents
13 the department from constructing and erecting signs on the
14 remaining primary highways before July 1, 1991.

15 (2) Except as provided in subsection (3), the welcome
16 and farewell signs must be:

17 (a) (i) on the interstate system, approximately 20
18 feet high and 38 feet wide; and

19 (ii) on the primary system, approximately 8 feet high
20 and 16 feet wide;

21 (b) of substantial timber and plank construction,
22 similar to those shown in the design dated July 16, 1962,
23 and formerly in use at Montana's borders, with the
24 inscriptions:

25 (i) at each entrance to Montana:

1 "The Gate is Open
 2 Welcome to
 3 MONTANA"; and
 4 (ii) at each exit from Montana:
 5 "So Long!
 6 Come Again to
 7 MONTANA".

8 (3) Notwithstanding the provisions of subsection (2),
 9 welcome or farewell signs in place on the interstate highway
 10 system on [the effective date of this act] and required to
 11 be replaced under the provisions of [this act] must be
 12 utilized at locations on the primary highway system as long
 13 as those signs remain serviceable. When those signs are no
 14 longer serviceable, they must be replaced on the primary
 15 systems with signs described in subsection (2).

16 NEW SECTION. Section 2. Department authorized to
 17 accept and expend funds for welcome and farewell signs. The
 18 department may accept money from other state agencies,
 19 federal agencies, or private persons for the purposes of
 20 [this act] and may expend the money received for those
 21 purposes. THERE IS APPROPRIATED FOR THE 1990-91 BIENNIUM
 22 \$25,000 FROM THE HIGHWAY SPECIAL REVENUE FUND TO PAY TOWARD
 23 THIS PROJECT.

24 NEW SECTION. Section 3. Codification instruction.
 25 [Sections 1 and 2] are intended to be codified as an

1 integral part of Title 60, chapter 2, part 2, and the
 2 provisions of Title 60, chapter 2, part 2, apply to
 3 [sections 1 and 2].

4 NEW SECTION. Section 4. Effective date. [This act] is
 5 effective on passage and approval.

-End-

HOUSE BILL NO. 56

INTRODUCED BY WHALEN, GIACOMETTO

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF HIGHWAYS TO DESIGN, ERECT, AND MAINTAIN CERTAIN WELCOME AND FAREWELL SIGNS; PROVIDING CERTAIN EXCEPTIONS; PROVIDING GENERAL SPECIFICATIONS FOR THE SIGNS; PROVIDING FOR PAYMENT OF THE COSTS FROM THE LOGGING FACILITY USE TAX; AMENDING SECTION 15-65-121, MCA; AUTHORIZING THE DEPARTMENT OF HIGHWAYS TO ACCEPT AND EXPEND MONEY FOR THE PURPOSE OF THIS ACT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

NEW SECTION. Section 1. Welcome and farewell signs -- design, erection, maintenance -- completion date -- exceptions -- use of existing signs. (1) (a) The department shall:

(i) design, erect, and maintain welcome and farewell signs within Montana at the nearest practical location to the border of the state where each federal-aid interstate highway, except interstate 90 at the Montana-Idaho border in Mineral County, and each federal-aid primary highway enters

or leaves Montana;

(ii) select locations for the signs consistent with the requirements for public safety and maximum visibility and with all applicable provisions of federal law; and

(iii) subject to the exception in subsection (1)(a), complete the construction and erection of welcome and farewell signs:

(A) on the four interstate highways and on highway 212 in Carter County before July 1, 1991; and

(B) on the remainder of the primary highways at the earliest possible date.

(b) However, nothing in this subsection (1) prevents the department from constructing and erecting signs on the remaining primary highways before July 1, 1991.

(2) Except as provided in subsection (3), the welcome and farewell signs must be:

(a) (i) on the interstate system, approximately 20 feet high and 38 feet wide; and

(ii) on the primary system, approximately 8 feet high and 16 feet wide;

(b) of substantial timber and plank construction, similar to those shown in the design dated July 16, 1962, and formerly in use at Montana's borders, with the inscriptions:

(i) at each entrance to Montana:

"The Gate is Open

Welcome to

MONTANA"; and

(ii) at each exit from Montana:

"So Long!

Come Again to

MONTANA".

(3) Notwithstanding the provisions of subsection (2), welcome or farewell signs in place on the interstate highway system on [the effective date of this act] and required to be replaced under the provisions of [this act] must be utilized at locations on the primary highway system as long as those signs remain serviceable. When those signs are no longer serviceable, they must be replaced on the primary systems with signs described in subsection (2).

NEW SECTION. Section 2. Department authorized to accept and expend funds for welcome and farewell signs. The department may accept money from other state agencies, federal agencies, or private persons for the purposes of [this act] and may expend the money received for those purposes. THERE IS APPROPRIATED FOR THE 1990-91 BIENNium \$25,000 FROM THE HIGHWAY SPECIAL REVENUE FUND TO PAY TOWARD THIS PROJECT.

NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an

integral part of Title 60, chapter 2, part 2, and the provisions of Title 60, chapter 2, part 2, apply to [sections 1 and 2].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

-End-



State of Montana
Office of the Governor
Helena, Montana 59620
406-444-3111

STAN STEPHENS
GOVERNOR

April 21, 1989

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jack Galt
President of the Senate
State Capitol
Helena, MT 59620

Dear Representative Vincent and Senator Galt:

In accordance with the power vested in me as Governor by the Constitution and laws of the State of Montana, I hereby make the following line-item veto to House Bill 56, "AN ACT DIRECTING THE DEPARTMENT OF HIGHWAYS TO DESIGN, ERECT AND MAINTAIN CERTAIN WELCOME AND FAREWELL SIGNS; PROVIDING CERTAIN EXCEPTIONS; PROVIDING GENERAL SPECIFICATIONS FOR THE SIGNS; PROVIDING FOR PAYMENT OF--THE-COSTS-FROM-THE-LODGING-FACILITY-USE-TAX;-AMENDING SECTION-15-65-121;-MCA; AUTHORIZING THE DEPARTMENT OF HIGHWAYS TO ACCEPT AND EXPEND MONEY FOR THE PURPOSE OF THIS ACT; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

Pursuant to Section 5-4-303, MCA, and Article VI, Section 10 of the Montana Constitution I disapprove and object to the appropriation for the 1990-1991 biennium of \$25,000 from the Highway Special Revenue Fund to pay toward this project.

I therefore line-item veto the 1990-1991 biennium appropriation of \$25,000 in its entirety.

Such appropriation amount is found on page 3, line 22 of the Reference Copy of House Bill 56. At the time of signing this bill, I append to the bill my statement of the line-item veto, the item objected and my reason for objection.

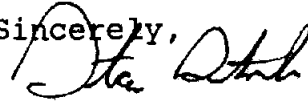
I will direct the Departments of Commerce and Highways to use such other funds received from private persons for the purposes of accomplishing this act. I believe that civic

HB 56

The Honorable John Vincent
The Honorable Jack Galt
April 21, 1989
Page Two

organizations can join in a partnership with the State to fund this project without the need of increased government spending.

Sincerely,

A handwritten signature in dark ink, appearing to read "Stan Stephens", written over the word "Sincerely,".

STAN STEPHENS
Governor