

MINUTES

**MONTANA SENATE
52nd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By Senator Cecil Weeding, Chairman, on January 22, 1991, at 1:00 p.m.

ROLL CALL

Members Present:

Cecil Weeding, Chairman (D)
Betty Bruski, Vice Chairman (D)
Bill Farrell (R)
John Harp (R)
Francis Koehnke (D)
Jerry Noble (R)
Jack Rea (D)
Lawrence Stimatz (D)
Larry Tveit (R)

Members Excused: None

Staff Present: Paul Verdon (Legislative Council).
Pat Bennett, Secretary

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

Announcements/Discussion: None

HEARING ON SENATE BILL 91

Presentation and Opening Statement by Sponsor:

SENATOR TOM KEATING, District #44, said Senate Bill 91 is a result of a legislative audit for the Highway Traffic Safety Administration. It was discovered during the audit that there was no method of appointing anyone to that office in the event the current administration left. The current administrator came in at the time the administration was enacted and there were no provisions for appointing a successor. This bill will provide the language so the Governor can appoint an administrator to the Highway Traffic Safety Administration.

Proponents' Testimony:

JOHN NORTHEY, Legislative Auditor's Office, stated that when Montana enacted the laws relating to the Highway Traffic Safety Program the federal law required that the Governor be the administrating authority. This was also in the Montana law which created a Highway Traffic Safety Committee that had the authority to hire personnel. During recodification in 1974 the statutes relating to the Committee were repealed, there was no replacement statute put in place. This bill would make up for that.

ALBERT GOKE, Administrator of the Highway Traffic Safety, said he would be glad to answer questions from the Committee.

Opponents' Testimony:

None

Questions from Committee Members:

CHAIRMAN WEEDING asked Senator Keating if he felt the bill was consent calendar material. Senator Keating said it would be fine with him.

Closing by Sponsor:

SENATOR KEATING closed the hearing on Senate Bill 91.

EXECUTIVE ACTION ON SENATE BILL 91

Motion:

SENATOR FARRELL MOVED that SENATE BILL 91 DO PASS.

MOTION PASSED UNANIMOUSLY.

SENATOR FARRELL MOVED to put SENATE BILL 91 be put on the CONSENT CALENDAR.

MOTION PASSED UNANIMOUSLY.

Discussion:

Committee discussed putting the bill on the consent calendar.

HEARING ON SENATE BILL 95

Presentation and Opening Statement by Sponsor:

SENATOR BECK, District #24, said Senate Bill 95 is an act to exempt, along with fire fighting equipment, the police emergency and safety education units. This was at the request of the Department of Justice.

Proponents' Testimony:

BOB GRIFFITH, Montana Highway Patrol, explained to the Committee that they have a safety education trailer which is moved around the state. This trailer falls in the 26,000 LB class. He stated they also work in conjunction with the Montana Motor Carriers Association. There are seven officers who drive the trailer to its destination. The Montana Motor Carriers Association, at times, furnishes drivers. When the new drivers license law was passed, the seven drivers said they would not pay the additional fee or the for the physicals needed to get a commercial driver's license fees. This is to exempt this type of vehicle. He said they have also wanted to get a portable communications center. The exemption would be only for emergency type vehicles.

Opponents' Testimony:

None

Questions From Committee Members:

CHAIRMAN WEEDING asked if the trailer meets the requirements within A & B of Senate Bill 95.

BOB GRIFFITH said it does meet the weight requirement.

PAUL VERDON, Legislative Council Staff, stated the way that section is written, you need to meet both requirements to be a commercial vehicle. There needs to be a conjunctive "or" in there. However, if it has been the statute this long, with no one questioning it this far, it might be best to leave it as is.

Closing by Sponsor:

SENATOR BECK said he had no problem with amending an "or" into that section should the Committee choose to do so. He stated that because this vehicle weighs over the 26,000 LBs it needs a commercial license.

EXECUTIVE ACTION ON SENATE BILL 95

Motion:

SENATOR FARRELL MOVED that SENATE BILL 95 DO PASS.

MOTION PASSED UNANIMOUSLY.

SENATOR NOBLE MOVED that SENATE BILL 95 be put on the
CONSENT CALENDAR.

MOTION PASSED UNANIMOUSLY.

Discussion:

None.

EXECUTIVE ACTION ON SENATE BILL 80

Motion:

Executive Action was postponed until January 29, 1991,
pending further information from Dave Galt.

Discussion:

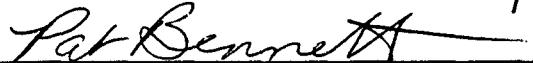
The Committee discussed Senate Bill 80 and the fiscal note
attached. They requested that Dave Galt, GVW, be present on
January 29 to answer questions from the Committee before taking
action.

ADJOURNMENT

Adjournment At: 2:00 p.m.



SENATOR CECIL WEEDING, Chairman



PAT BENNETT, Secretary

