MONTANA SENATE
2005 LEGISLATURE

ROLL CALL

HIGHWAYS AND TRANSPORTATION

DATE 2/10/2005

NAMES	PRESENT	ABSENT	EXCUSED
SEN. GERALD PEASE (D), CHAIRMAN			✓
SEN. VICKI COCCHIARELLA (D), VICE CHAIRWOMAN	✓		
SEN. JERRY BLACK (R)	✓		
SEN. JOHN BRUEGGEMAN (R)	✓		
SEN. SAM KITZENBERG (R)	✓		
SEN. JESSE LASLOVICH (D)	✓		
SEN. FRANK SMITH (D)	✓		
SEN. DONALD STEINBEISSER (R)	✓		
SEN. DAN WEINBERG (D)	✓		
TODD EVERTS, LSD	✓		
PEG HOLWICK, COMMITTEE SECRETARY	✓		

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Highways and Transportation** recommend that **Senate Bill 318** (first reading copy -- white) **do pass as amended.**

Signed: Gerald Pease
Senator Gerald Pease, Chair

And, that such amendments read:

1. Title, line 5.
Following: "QUADRICYCLES;"
Insert: "ALLOWING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS' PARK RANGERS AND GAME WARDENS TO ENFORCE NOISE EMISSION AND SPARK ARRESTOR LIMITATIONS ON QUADRICYCLES;"

2. Title, line 17.
Following: "SECTIONS"
Insert: "23-1-122,"

3. Page 1, line 21.
Insert: "Section 1. Section 23-1-122, MCA, is amended to read:
"23-1-122. Enforcement powers of park rangers and game wardens. (1) Park rangers appointed pursuant to 23-1-121 and fish and game wardens appointed pursuant to 87-1-501 are authorized officers with the authority to enforce the laws and adopted rules relating to parks and outdoor recreation contained in chapters 1 and 2 of this title, except chapter 2, part 7.
(2) An authorized officer may:
(a) arrest, in accordance with Title 46, chapter 6, any person within an area managed by the department upon probable cause to believe that the person has committed an offense against chapters 1 and 2 of this title, except chapter 2, part 7, or rules of the department or the fish, wildlife, and parks commission;
(b) enforce the disorderly conduct and public nuisance laws under 45-8-101 and 45-8-111 as they apply to the operation of

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Committee Vote:
Yes 9, No 0.

motorboats on waters within areas managed by the department under this part; and

(c) exercise other powers of peace officers in the enforcement of:

(i) laws relating to parks and outdoor recreation contained in chapters 1 and 2 of this title, except chapter 2, part 7;

(ii) rules of the department and the fish, wildlife, and parks commission; ~~and~~

(iii) judgments obtained for violations of the laws and rules specified in this subsection (2)(c); and

(iv) laws related to noise emissions and spark arrestors on quadricycles under 61-9-418.""

Renumber: subsequent sections

4. Page 2, line 28.
Strike: "or"
Insert: "and"

5. Page 2, line 29.
Strike: "10"
Insert: "11"

6. Page 3, line 29.
Strike: "61-3-133"
Insert: "61-1-133"

7. Page 4, line 30.
Strike: "10"
Insert: "11"

8. Page 5.
Following: line 5
Insert: "(4) Revenue from the fees required under subsection (2) must be deposited in the state special revenue fund to the credit of the department of fish, wildlife, and parks to be used to administer issuance of nonresident temporary registrations pursuant to subsection (2) and to develop and administer a comprehensive off-highway vehicle program."

9. Page 5, line 13.
Strike: "6"
Insert: "7"

10. Page 10, line 7 through line 8.
Strike: "transferred" on line 7 through "fund" on line 8
Insert: "deposited in the state special revenue fund to the credit of the department of fish, wildlife, and parks to be used to administer the issuance of temporary nonresident driving permits and to develop and administer a comprehensive off-highway vehicle program"

11. Page 11, line 6.
Strike: "6"
Insert: "7"

12. Page 11, line 9.
Strike: "10"
Insert: "11"

13. Page 11, line 11.
Strike: "6"
Insert: "7"

14. Page 11, line 13.
Strike: "6"
Insert: "7"

15. Page 11, line 14.
Strike: "10"
Insert: "11"

16. Page 11, line 15.
Strike: "10"
Insert: "11"

17. Page 11, line 16.
Strike: "12"
Insert: "13"

18. Page 11, line 17.
Strike: "12"
Insert: "13"

- END -

SENATE STANDING COMMITTEE REPORT

Mr. President:

We, your committee on **Highways and Transportation** recommend that **Senate Bill 295** (first reading copy -- white) **do pass.**

Signed: _____
Senator Gerald Pease, Chair

- END -

Committee Vote:
Yes 9, No 0.

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PROXY VOTE

I, the undersigned, hereby authorize Senator Cochrane to vote my proxy on any issue before the Senate Highways & Transportation Committee held on February 10, 2005.

Bob Pear
SENATOR
STATE OF MONTANA

MONTANA STATE SENATE
2005 LEGISLATURE

VISITOR REGISTER

HIGHWAYS AND TRANSPORTATION

DATE 2/10/2005 **BILLS BEING HEARD TODAY** SB 285
SB 295

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Doug Abelin	449-7353	MTURA	SB-285	✓	
Michele Hand	542-5050	ABATE / MMSAC	285		✓
DA Smile	412 0737	AMA/MMSA	285		—
Michele Calvert	265-3565	MMRS	SB 285		✓
Buffy Woodring	266-3561	MSBCA & B&L Transfers		✓	
Jim Huffman	227-8984	LAKLAW		✓	
Deb Holland	880-0869	— UM Student	—		
Bob Gilbert	439-1939	Walleyes Unlimited	SB 285	✓	
D. Rehm	4548	DOJ		✓	
B. [illegible]	1773	DOJ			
Ronda Carpenter-Wiggers	899-5659	Mt City Trsrs / Mt Snowmobile	SB 285	✓	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY