

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **CHAIRMAN GERALD PEASE**, on February 22, 2007 at 3:00 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Gerald Pease, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Roy Brown (R)
Sen. John Brueggeman (R)
Sen. Vicki Cocchiarella (D)
Sen. Sam Kitzenberg (D)
Sen. Jesse Laslovich (D)
Sen. Frank Smith (D)
Sen. Donald J. Steinbeisser (R)

Members Excused: None.

Members Absent: None.

Staff Present: Andrew Geiger, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	SB 469, 2/15/2007; SB 520, 2/15/2007; SB 516, 2/15/2007; SB 493, 2/15/2007
Executive Action:	SB 469, SB 449, SB 516, SB 520, SB 493

00:02:44

HEARING ON SB 469

Opening Statement by Sponsor:

00:04:11 SEN. VICKI COCCHIARELLA (D), SD 47, opened the hearing on SB 469, Revise tire law.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

00:05:33 Sen. John Brueggeman to Barry "Spook" Stang, Montana Motor Carriers Association

Closing by Sponsor:

00:06:22 Sen. Cocchiarella

EXECUTIVE ACTION ON SB 469

00:06:59 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 469 BE TABLED. Motion carried unanimously by voice vote. SEN. LASLOVICH was excused.

HEARING ON SB 520

Opening Statement by Sponsor:

00:07:43 SEN. CAROLYN SQUIRES (D), SD 48, opened the hearing on SB 520, Revise registration of fleet vehicles.

Proponents' Testimony:

00:14:40 Linda Stoll, Missoula County

Opponents' Testimony:

00:16:27 Robert Ward, Executive Vice President, Enterprise Rent-A-Car

00:17:28 Frank Cote, Montana Car Rental Association (MCRA)

Informational Testimony:

00:20:29 Brenda Nordlund, Motor Vehicle Division, Montana
Department of Justice (DOJ)

00:21:38 Michael O'Brian, Office of the Honorable Secretary of
State Brad Johnson

Questions from Committee Members and Responses:

00:22:08 Sen. Cocchiarella to Mr. Ward, Enterprise Rent-A-Car

00:23:02 Sen. Cocchiarella to Mr. Cote, MCRA

00:24:51 Sen. Roy Brown to Sen. Squires

Closing by Sponsor:

00:27:15 Sen. Squires

HEARING ON SB 516

Opening Statement by Sponsor:

00:29:21 **SEN. JERRY BLACK (R), SD 14**, opened the hearing on **SB
516**, Create minimum renewable biodiesel standards.

Proponents' Testimony:

00:41:27 Matt Leow, MontPIRG

00:44:18 Sarah Cobler, Montana Conservation Voters

00:47:52 Rick Moore, Northern Plains Resource Council

00:51:01 Pat Torgerson, Wives Involved in Farm Economics (WIFE)

Opponents' Testimony:

00:51:36 Tad Dale, Vice President of Human Resources, Montana
Resources

EXHIBIT(his40a01)

01:00:19 Jason Todhunter, Montana Logging Association

01:03:29 Dave Galt, Montana Petroleum Association (MPA)

01:07:21 Debbie Shea, Montana Mining Association

Informational Testimony:

01:08:09 Barbara Ranf, Burlington Northern Santa Fe Railroad
(BNSF)

01:08:33 Brian Spangler, Montana Department of Environmental
Quality (DEQ)

01:08:54 Barry "Spook" Stang, Montana Motor Carriers Association

Questions from Committee Members and Responses:

01:09:23 Sen. Frank Smith to Mr. Galt, MPA

01:11:12 Sen. Smith to Sen. Black

01:13:25 Sen. Smith to Ms. Cobler, Montana Conservation Voters
rereferred to Mr. Spangler, DEQ

01:14:58 Sen. Brown to Sen. Black

01:19:06 Sen. Cocchiarella to Sen. Black

Closing by Sponsor:

01:23:43 Sen. Black

HEARING ON SB 493

Opening Statement by Sponsor:

01:29:42 **SEN. SAM KITZENBERG (D), SD 18**, opened the hearing on
SB 493, Oil and gas revenue to fund 4 lanes for highway
2.

EXHIBIT(his40a02)

Proponents' Testimony:

01:44:24 Bob Sivertsen, President, Highway 2 Association

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:49:11 Sen. Don Steinbeisser to Sen. Kitzenberg

Closing by Sponsor:

01:52:16 Sen. Kitzenberg

EXECUTIVE ACTION ON SB 449

01:53:32 **Motion:** SEN. COCCHIARELLA moved that SB 449 DO PASS.

01:53:43 **Motion:** SEN. COCCHIARELLA moved that #SB044901.AAG DO PASS.

EXHIBIT(his40a03)

Discussion:

01:53:45 Andrew Geiger, Research Analyst, Legislative Services

01:56:23 Sen. Smith to Mr. Geiger, LSD

01:56:56 Sen. Brown to Mr. Geiger, LSD

01:57:17 Sen. Smith

01:57:38 **Vote:** Motion #SB044901.AAG DO PASS carried unanimously by voice vote.

01:57:58 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 449 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 516

01:59:10 **Motion:** SEN. BLACK moved that SB 516 DO PASS.

Discussion:

01:59:51 Mr. Geiger, LSD

02:00:36 Sen. Cocchiarella

02:01:15 Sen. Black

02:01:40 Sen. Cocchiarella

02:02:27 Sen. Steinbeisser

02:03:05 Sen. Smith
02:03:54 Sen. Brown to Sen. Steinbeisser
02:06:33 Sen. Smith
02:07:15 Sen. Black
02:09:39 Sen. Smith
02:10:06 Sen. Steinbeisser
02:10:52 Sen. Gerald Pease
02:11:37 **Vote:** Motion that SB 516 DO PASS carried 7-2 by voice vote with SEN. BROWN and SEN. COCCHIARELLA voting no.

EXECUTIVE ACTION ON SB 520

02:13:07 **Motion:** SEN. SMITH moved that SB 520 DO PASS.
02:13:20 **Substitute Motion/Vote:** SEN. BRUEGGEMAN made a substitute motion that SB 520 BE TABLED. Substitute motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 493

02:14:02 **Motion:** SEN. KITZENBERG moved that SB 493 DO PASS.
02:14:13 **Motion/Vote:** SEN. KITZENBERG moved that #SB049301.AAG DO PASS. Motion carried unanimously by voice vote.

EXHIBIT(his40a04)

02:15:05 **Motion:** SEN. KITZENBERG moved that SB 493 DO PASS AS AMENDED.

Discussion:

02:15:47 Sen. Steinbeisser
02:16:00 Sen. Kitzenberg
02:16:46 Sen. Jesse Laslovich to Sen. Kitzenberg
02:20:02 Sen. Brown

02:22:03 Sen. Smith

02:22:45 Sen. Brueggeman

02:24:06 Sen. Kitzenberg

02:25:08 **Motion/Vote:** SEN. KITZENBERG moved that CONCEPTUAL AMENDMENT DO PASS. Motion carried unanimously by voice vote.

Discussion:

02:25:39 Mr. Geiger, LSD

02:25:54 Sen. Kitzenberg

02:26:10 **Motion/Vote:** SEN. KITZENBERG moved that SB 493 DO PASS AS AMENDED. Motion failed 4-5 by roll call vote with SEN. BLACK, SEN. KITZENBERG, SEN. LASLOVICH, and SEN. SMITH voting aye.

02:27:47 **Motion:** SEN. LASLOVICH moved that SB 493 BE TABLED AND THE VOTE REVERSED.

ADJOURNMENT

Adjournment: 5:30 A.M.

SEN. GERALD PEASE, Chairman

LOIS O'CONNOR, Secretary

GP/lo

Additional Exhibits:

EXHIBIT ([his40aad.pdf](#))