

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** Chairman John Brueggeman, on February 3, 2009 at 3:00 P.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. John Brueggeman, Chairman (R)  
Sen. Bruce Tutvedt, Vice Chairman (R)  
Sen. Greg Hinkle (R)  
Sen. Jim Keane (D)  
Sen. Rick Laible (R)  
Sen. Jesse Laslovich (D)  
Sen. David E. Wanzonried (D)  
Sen. Jonathan Windy Boy (D)  
Sen. Ryan Zinke (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Libby Goodwin, Committee Secretary  
Tammy McGill, Legislative Branch

**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 268, 1/28/2009; SB 283,  
1/28/2009

Executive Action: SB 268

**HEARING ON SB 283**

**Opening Statement by Sponsor:**

00:00:52 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 283, Update state rail plan.

[EXHIBIT\(his25a01\)](#)

**Proponents' Testimony:**

00:06:03 Michael Ackley, National Association of Railroad Passengers (NARP)

[EXHIBIT\(his25a02\)](#)

[EXHIBIT\(his25a03\)](#)

00:08:03 Jim Lynch, Director, Department of Transportation (DOT)

00:12:21 Sharyl Ackley, NARP

00:13:51 Mack Palmer, NARP

00:14:50 Warren McGee, NARP

**Opponents' Testimony:**

00:15:29 None

**Informational Testimony:**

00:15:33 None

**Questions from Committee Members and Responses:**

00:15:37 Sen. Zinke

00:16:04 Sen. Erickson

00:16:09 Sen. Zinke

00:16:12 Sen. Erickson

00:16:37 Sen. Hinkle

00:17:07 Mr. Lynch, DOT

00:17:25 Sen. Hinkle

00:17:42 Mr. Lynch, DOT

00:18:40 Sen. Hinkle

00:19:24 Mr. Lynch, DOT

00:20:15 Sen. Laible

00:20:49 Mr. Lynch, DOT

00:21:10 Sen. Laible

00:21:18 Mr. Lynch, DOT

00:21:30 Sen. Keane

00:21:49 Mr. Lynch, DOT

00:22:21 Sen. Tutvedt

00:22:50 Mr. Lynch, DOT

00:24:57 Sen. Tutvedt

00:25:18 Mr. Lynch

**Closing by Sponsor:**

00:26:05 Sen. Erickson

**HEARING ON SB 268**

**Opening Statement by Sponsor:**

00:27:39 Sen. Roy Brown (R), SD 25, opened the hearing on SB 268, Revise law on securing of loads.

**EXHIBIT** (his25a04)

**Proponents' Testimony:**

00:29:53 Luke Anderson

00:35:14 Jim Lynch, DOT

00:36:26 Capt. Butch Huseby, Montana Highway Patrol (MHP)

00:37:25 Greg Van Horssen, State Farm Insurance Company; and on behalf of Jacqueline Lenmark, American Insurance Association, and Bruce Spencer, Montana Automobile Dealers Association

00:38:36 Spook Stang, Montana Motor Carriers Association (MMCA)

**Opponents' Testimony:**

00:39:46 Gordon Morris, Lewis and Clark County, and Montana Association of County Road Supervisors

**Informational Testimony:**

00:42:01 None

**Questions from Committee Members and Responses:**

00:42:07 Sen. Hinkle

00:42:58 Mr. Lynch, DOT

00:43:14 Sen. Hinkle

00:43:57 Mr. Lynch, DOT

00:44:19 Sen. Hinkle

00:44:52 Tammy McGill

00:45:14 Sen. Hinkle

00:45:48 Sen. Zinke

00:46:19 Sen. Brown

00:46:59 Sen. Zinke

00:47:17 Chairman Brueggeman

00:47:28 Mr. Stang, MMCA  
00:49:16 Chairman Brueggeman  
00:49:40 Mr. Stang, MMCA  
00:50:32 Sen. Tutvedt  
00:51:06 Mr. Stang, MMCA  
00:51:51 Sen. Tutvedt  
00:52:12 Mr. Stang, MMCA  
00:53:16 Sen. Tutvedt  
00:53:24 Sen. Brown  
00:53:32 Sen. Tutvedt  
00:54:37 Sen. Brown  
00:54:42 Sen. Tutvedt  
00:55:05 Sen. Brown  
00:55:15 Sen. Tutvedt  
00:55:26 Sen. Brown  
00:55:46 Sen. Tutvedt  
00:56:02 Capt. Huseby, MHP  
00:57:00 Sen. Laible  
00:57:32 Mr. Stang, MMCA  
00:58:28 Sen. Tutvedt  
00:59:01 Sen. Brown  
00:59:37 Sen. Tutvedt  
00:59:45 Sen. Brown  
01:00:06 Sen. Tutvedt  
01:00:16 Mr. Lynch, DOT  
  
01:01:05 **Closing by Sponsor:** Sen. Brown

**EXECUTIVE ACTION ON SB 268**

01:02:56 **Motion:** Sen. Laslovich moved that **SB 268 DO PASS.**

**Discussion:**

01:03:06 Sen. Wanzenreid  
01:03:19 Sen. Tutvedt  
01:04:11 Chairman Brueggeman  
  
01:05:10 **Vote:** Motion carried 8-1 by voice vote with Sen. Zinke voting no. Sen. Keane voted by proxy.

**ADJOURNMENT**

Adjournment: 4:10 P.M.

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Libby Goodwin, Secretary

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Additional Documents:

**EXHIBIT ([his25aad.pdf](#))**