

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chairman John Brueggeman, on March 24, 2009 at
3:15 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: HB 238, 3/11/2009; HB 380,
3/10/2009; HB 531, 3/12/2009; SB
329, 3/18/2009

Executive Action: SB 508

HEARING ON HB 238

Opening Statement by Sponsor:

00:00:42 Rep. Mike Milburn (R), HD 19, opened the hearing on HB 238, Establish a Montana teen driver safety day.

Proponents' Testimony:

00:01:25 Mariah Gondeiro, Belt High School
00:04:34 Jessica Anderson, Belt High School
00:08:51 Sam Keaster, Belt High School

EXHIBIT(his65a01)

00:12:15 Greg Van Horssen, State Farm Insurance: and on behalf of Jacqueline Lenmark, American Insurance Association; Bruce Spencer, Property Casualty Insurance Association; and Jon Metropoulos, Farmers Insurance Group

00:12:44 Lt. Mike Reddick, Montana Highway Patrol

Opponents' Testimony:

00:13:43 None

Informational Testimony:

00:13:45 None

Questions from Committee Members and Responses:

00:13:49 None

Closing by Sponsor:

00:13:56 Rep. Milburn

EXECUTIVE ACTION ON SB 508

00:15:08 **Motion:** Sen. Brueggeman moved that **SB 508 DO PASS.**

00:16:16 **Motion:** Sen. Brueggeman moved that **SB 508 BE AMENDED.**
EXHIBIT(his65a02)

Discussion:

00:16:20 Sen. Brueggeman
00:18:13 Sen. Keane
00:18:20 Sen. Brueggeman

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00:19:38 Sen. Hinkle
00:20:06 Sen. Brueggeman
00:20:36 Sen. Hinkle
00:20:43 Sen. Brueggeman
00:20:53 Sen. Keane
00:21:03 Sen. Brueggeman
00:21:55 Sen. Keane
00:22:06 Sen. Brueggeman
00:22:31 Sen. Windy Boy
00:22:45 Sen. Brueggeman
00:24:09 Sen. Windy Boy
00:24:36 Sen. Brueggeman

00:24:39 Sen. Wanzenried left the meeting.

00:25:33 Sen. Hinkle
00:26:27 Sen. Brueggeman
00:27:21 Sen. Hinkle
00:27:41 Sen. Brueggeman
00:27:58 Sen. Keane
00:28:34 Sen. Brueggeman
00:29:29 Sen. Keane
00:29:54 Sen. Tutvedt
00:30:08 Sen. Brueggeman
00:30:56 Sen. Laible
00:31:21 Sen. Brueggeman
00:31:47 Sen. Laible
00:31:52 Sen. Brueggeman
00:32:21 Sen. Laible
00:32:33 Sen. Brueggeman
00:32:49 Sen. Keane
00:32:57 Sen. Brueggeman
00:33:07 Sen. Laslovich
00:33:21 Sen. Brueggeman
00:33:36 Sen. Laslovich
00:34:05 Sen. Tutvedt
00:34:21 Sen. Brueggeman
00:34:31 Sen. Zinke

00:35:31 **Vote:** Motion carried 7-2 by roll call vote with Sen. Hinkle and Sen. Keane voting no. Sen. Wanzenried voted by proxy.

00:36:52 **Motion:** Sen. Brueggeman moved that **SB 508 DO PASS AS AMENDED** (Exhibit 2).

- 00:37:09 **Substitute Motion/Vote:** Sen. Brueggeman moved to **REMOVE THE AMENDMENTS PREVIOUSLY ADDED** onto **SB 508** (Amendments SB 050801.atm that were adopted meeting of 3/19/2009). Motion carried unanimously by voice vote. Sen. Wanzenried voted by proxy.
- 00:38:10 **Motion:** Sen. Brueggeman moved that **SB 508 DO PASS AS AMENDED.**
- 00:38:17 **Vote:** Motion carried 6-3 by roll call vote with Sen. Hinkle, Sen. Keane, and Sen. Windy Boy voting no. Sen. Wanzenried voted by proxy.
- 00:39:17 Chairman Brueggeman left the meeting and relinquished the chair to Vice-Chairman Tutvedt.
- 00:39:20 Sen. Wanzenried rejoined the meeting.

HEARING ON HB 531

Opening Statement by Sponsor:

- 00:39:29 Rep. Bill Nooney (R), HD 100, opened the hearing on HB 531, Prohibit use technology for issuing citations not witnessed by officer.
- 00:41:02 Sen. Zinke left the meeting.

Proponents' Testimony:

- 00:45:51 None

Opponents' Testimony:

- 00:46:18 Lt. Rich McLane, Bozeman Police Department (Bozeman PD)
[EXHIBIT\(his65a03\)](#)
[EXHIBIT\(his65a04\)](#)
[EXHIBIT\(his65a05\)](#)
- 00:54:00 Kaaren Jacobson, Mayor of Bozeman
- 00:55:10 Sen. Brueggeman entered the meeting.
- 00:57:36 Chris Kukulski, Bozeman City Manager
- 00:59:38 Rich St. John, Billings Chief of Police
- 01:00:41 Sen. Zinke entered the meeting.

01:00:47 Tom Jones, self
01:02:23 Greg Van Horssen, State Farm Insurance; and on behalf
of Jacqueline Lenmark, American Insurance Association
01:03:06 Pam Bucy, Montana Association of Chiefs of Police
01:03:47 Mark Tymrak, Billings Police Department (Billings PD)
01:04:50 Jessie Luther, Burlington Northern Sante Fe Railway
01:05:21 Bruce Spencer, Property Casualty Insurers Association
(PCIA)

EXHIBIT(his65a06)

Informational Testimony:

01:05:53 None

Questions from Committee Members and Responses:

01:06:03 Sen. Tutvedt
01:06:22 Lt. McLane, Bozeman PD
01:07:08 Sen. Zinke
01:07:24 Lt. McLane, Bozeman PD
01:07:41 Sen. Zinke
01:07:48 Lt. McLane, Bozeman PD
01:08:12 Sen. Laible
01:08:55 Lt. McLane, Bozeman PD
01:09:53 Sen. Laible
01:10:05 Lt. McLane, Bozeman PD
01:10:34 Sen. Laible
01:10:48 Sen. Laslovich
01:11:09 Mr. Kulkuski, Bozeman City Manager
01:11:43 Lt. McLane, Bozeman PD
01:11:58 Sen. Laslovich
01:12:30 Mr. Kulkuski, Bozeman City Manager
01:13:10 Sen. Zinke
01:14:19 Lt. McLane, Bozeman PD
01:16:11 Sen. Zinke
01:16:24 Mr. Tymrack, Billings PD

Closing by Sponsor:

01:17:05 Rep. Nooney

EXHIBIT(his65a07)

01:21:38 Sen. Brueggeman resumed the chair.

HEARING ON HB 380

Opening Statement by Sponsor:

01:21:54 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 380, Revise motor vehicle fees.

Proponents' Testimony:

01:22:58 Sarah Swanson, Farm Equipment Sales
[EXHIBIT](#)(his65a08)

01:26:56 Brad Griffin, Montana Equipment Dealers Association

Opponents' Testimony:

01:27:40 None

Informational Testimony:

01:27:42 None

Questions from Committee Members and Responses:

01:27:45 Sen. Zinke
01:28:04 Mr. Griffin, Montana Equipment Dealers Association
01:28:33 Sen. Zinke
01:28:53 Rep. Stahl
01:29:12 Sen. Zinke
01:29:23 Rep. Stahl
01:29:28 Sen. Keane
01:29:42 Brenda Nordlund, Department of Justice (DOJ)
01:30:40 Sen. Keane
01:30:49 Ms. Nordlund, DOJ
01:31:02 Sen. Laible
01:31:23 Ms. Swanson, Farm Equipment Sales
01:32:23 Sen. Laible
01:32:36 Ms. Swanson, Farm Equipment Sales
01:33:06 Sen. Laible
01:33:27 Ms. Swanson, Farm Equipment Sales
01:34:29 Sen. Keane
01:34:42 Mr. Spencer, PCIA
01:34:52 Sen. Keane
01:34:59 Mr. Spencer, PCIA

Closing by Sponsor:

01:35:21 Rep. Stahl

01:35:54 Recess

01:35:55 Sen. Windy Boy left the meeting.

01:37:14 Reconvene

HEARING ON SB 329

Opening Statement by Sponsor:

01:37:44 Sen. Gregory Barkus (R), SD 4, opened the hearing on SB 329, Revise automobile licensing and insurance laws.

[EXHIBIT\(his65a09\)](#)

[EXHIBIT\(his65a10\)](#)

[EXHIBIT\(his65a11\)](#)

[EXHIBIT\(his65a12\)](#)

Proponents' Testimony:

01:48:43 Mark Taylor, on behalf of Capt. Tom Butler, Montana Highway Patrol

[EXHIBIT\(his65a13\)](#)

01:49:17 Aimee Grmoljez, Montana Nonprofit Association

[EXHIBIT\(his65a14\)](#)

Opponents' Testimony:

01:50:34 Greg Van Horssen, State Farm Insurance Company; and on behalf of Jacqueline Lenmark, American Insurance Association

01:52:18 Bruce Spencer, PCIA

Informational Testimony:

01:52:51 Gayle Lambert, Department of Corrections

Questions from Committee Members and Responses:

01:53:17 None

Closing by Sponsor:

01:54:06 Rep. Barkus

EXECUTIVE ACTION ON COMMITTEE BILL DRAFT REQUEST

01:55:27 **Motion:** Sen. Brueggeman moved the committee request a resolution to commemorate the service of Montana Highway Patrolman Michael Haynes.

01:55:47 **Vote:** Motion carried unanimously by voice vote. Senator Wanzenried voted by proxy. Senator Windy Boy was excused.

ADJOURNMENT

Adjournment: 5:15 P.M.

Libby Goodwin, Secretary

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Additional Exhibits:

[EXHIBIT \(his65a15\)](#)

[EXHIBIT \(his65a16\)](#)

[EXHIBIT \(his65a17\)](#)

[EXHIBIT \(his65a18\)](#)

[EXHIBIT \(his65a19\)](#)

[EXHIBIT \(his65a20\)](#)

Additional Documents:

[EXHIBIT \(his65aad.pdf\)](#)