

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Llew Jones, on February 10, 2011 at 2:30 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chair (R)
Sen. Jon Sonju, Vice Chair (R)
Sen. Ron Arthun (R)
Sen. Anders Blewett (D)
Sen. Edward Buttrey (R)
Sen. Mary Caferro (D)
Sen. Jim Keane (D)
Sen. Carmine Mowbray (R)
Sen. Bruce Tutvedt (R)
Sen. Gene Vuckovich (D)
Sen. David E. Wanzonried (D)
Sen. Ryan Zinke (R)

Members Excused:

None

Members Absent:

None

Staff Present:

Kirk Lundby, Committee Secretary
Rachel Weiss, 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 258, 2/4/2011
Executive Action: HB 60 Be Concurred In
SB 82 Tabled
SB 111 Do Pass As Amended
SB 137 Tabled
SB 235 Tabled

EXECUTIVE ACTION ON HB 60

00:01:04 **Motion/Vote:** Sen. Tutvedt moved that **HB 60 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Buttrey will carry the bill.

EXECUTIVE ACTION ON SB 111

00:03:27 **Motion:** Sen. Sonju moved that **SB 111 DO PASS AS AMENDED**. (Amendment previously added to bill on 2/1/2011)

00:04:16 **Motion:** Sen. Sonju moved to **RECONSIDER ACTION** and remove the amendment to SB 111 that occurred on February 1, 2011.

Discussion:

00:04:32 Vice Chair Sonju
00:05:38 Sen. Wanzenreid
00:06:43 Sen. Mowbray
00:06:51 Vice Chair Sonju
00:07:21 Sen. Vuckovich
00:07:42 Chairman Jones
00:08:25 Sen. Vuckovich
00:08:40 Chairman Jones

00:08:51 **Vote:** Motion carried 9-3 by voice vote with Sen. Blewett, Sen. Keane and Sen. Wanzenreid voting no.

00:09:15 **Motion:** Sen. Sonju moved that **SB 111 DO PASS**.

Discussion:

00:10:14 Sen. Blewett
00:12:04 Sen. Tutvedt

00:13:05 **Motion:** Sen. Tutvedt moved that **SB 111 BE AMENDED**.
[EXHIBIT\(his33a01\)](#)

Discussion:

00:13:43 Sen. Wanzenreid
00:13:55 Rachel Weiss, Legislative Services Division, (LSD)
00:14:10 Sen. Buttrey
00:14:43 Sen. Wanzenreid
00:14:56 Sen. Buttrey
00:15:48 Chairman Jones
00:16:26 Sen. Vuckovich
00:17:10 Sen. Blewett
00:17:40 Sen. Buttrey
00:18:06 Sen. Blewett
00:18:22 Sen. Buttrey

00:18:40 Sen. Arthun and Sen. Zinke absent from committee room.
Vote: Motion carried 9-3 by roll call vote with Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting no. Sen. Arthun and Sen. Zinke voted by proxy.

00:19:50 **Motion:** Sen. Sonju moved that **SB 111 DO PASS AS AMENDED.**

Discussion:

00:19:53 Sen. Blewett
00:20:17 Sen. Mowbray
00:20:40 Sen. Keane
00:21:01 Sen. Buttrey

00:21:44 **Vote:** Motion carried 7-5 by roll call vote with Sen. Blewett, Sen. Caferro, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting no. Sen. Arthun and Sen. Zinke voted by proxy.

EXECUTIVE ACTION ON SB 251

00:22:45 **Motion:** Sen. Sonju moved that **SB 251 DO PASS.**

00:23:03 **Substitute Motion/Vote:** Sen. Tutvedt made a substitute motion that **SB 251 BE TABLED.** Substitute Motion carried 7-5 by roll call vote with Sen. Blewett, Sen. Caferro, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting no. Sen. Arthun and Sen. Zinke voted by proxy.

HEARING ON SB 258

Opening Statement by Sponsor:

00:27:44 Sen. Edward Buttrey (R), SD 13, opened the hearing on SB 258, Revise tow truck laws.

Proponents' Testimony:

00:29:35 Bob Gilbert, representing the Montana Tow Truck Association (MTTA) and the Montana Automobile Dismantlers and Recyclers Association (MADRA)

00:30:06 Jim Dusenberry, President (MTTA)

[**EXHIBIT\(his33a02\)**](#)

[**EXHIBIT\(his33a03\)**](#)

00:33:45 Carl Halcro, (MTTA)

00:34:34 Kacey Collins, (MTTA)

00:35:55 Loretta Miller, Owner, Green Meadow Auto Salvage (GMAS)

[**EXHIBIT\(his33a04\)**](#)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:37:57	Sen. Tutvedt
00:38:29	Sen. Buttrey
00:39:25	Jim Dusenberry, (MTTA)
00:39:51	Sen. Tutvedt
00:40:12	Jim Dusenberry
00:41:15	Sen. Vuckovich
00:42:03	Sen. Buttrey
00:42:33	Sen. Vuckovich
00:43:13	Bob Gilbert, (MTTA) (MADRA)
00:45:42	Sen. Vuckovich
00:46:14	Bob Gilbert
00:46:40	Sen. Blewett
00:47:50	Bob Gilbert
00:50:45	Sen. Blewett
00:50:58	Bob Gilbert
00:51:16	Rachel Weiss, (LSD)
00:51:35	Sen. Blewett
00:52:01	Bob Gilbert
00:52:33	Vice Chair Sonju
00:52:51	Bob Gilbert
00:54:30	Vice Chair Sonju
00:54:52	Bob Gilbert
00:55:00	Sen. Keane
00:56:06	Bob Gilbert
00:56:13	Sen. Keane
00:56:22	Bob Gilbert
00:56:43	Chairman Jones
00:57:37	Bob Gilbert
00:58:01	Sen. Keane
00:58:26	Bob Gilbert
00:59:14	Sen. Blewett
01:00:05	Bob Gilbert
01:00:43	Sen. Blewett
01:01:08	Chairman Jones
01:01:59	Bob Gilbert
01:02:25	Sen. Caferro
01:02:44	Loretta Miller, (GMAS)
01:04:10	Sen. Blewett
01:04:42	Loretta Miller
01:05:13	Sen. Blewett
01:05:52	Loretta Miller
01:06:05	Rachel Weiss
01:06:30	Loretta Miller
01:06:41	Sen. Blewett

01:07:46 Sen. Buttrey

Closing by Sponsor:

01:08:41 Sen. Buttrey

01:09:32 recess

01:14:34 reconvene

EXECUTIVE ACTION ON SB 137

01:14:49 **Motion:** Sen. Sonju moved that **SB 137 DO PASS.**

Discussion:

01:15:05 Sen. Caferro

01:20:59 Sen. Keane

01:22:31 Sen. Blewett

01:24:25 Sen. Tutvedt

01:24:47 Sen. Keane

01:25:56 Sen. Caferro

01:26:18 Sen. Keane

01:26:29 Sen. Vuckovich

01:27:11 Sen. Buttrey

01:28:00 Sen. Keane

01:28:37 Sen. Buttrey

01:28:59 Sen. Caferro

01:29:45 Chairman Jones

01:32:10 **Vote:** Motion failed 5-7 by roll call vote with Sen. Blewett, Sen. Caferro, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting aye. Sen. Arthun and Sen. Zinke voted by proxy.

01:33:10 **Motion/Vote:** Sen. Tutvedt moved that **SB 137 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote of those present and voting.

EXECUTIVE ACTION ON SB 235

01:34:20 **Motion:** Sen. Sonju moved that **SB 235 DO PASS.**

01:34:27 **Motion:** Sen. Sonju moved that **SB 235 BE AMENDED.**
EXHIBIT(his33a05)

Discussion:

01:34:31 Vice Chair Sonju

01:35:34 Sen. Wanzenried

01:35:53 Rachel Weiss, (LSD)

01:36:50 Sen. Wanzenried

01:37:02 Vice Chair Sonju
01:37:24 Sen. Mowbray
01:37:44 Vice Chair Sonju
01:38:24 Sen. Mowbray
01:38:38 Sen. Buttrey
01:39:09 Sen. Blewett

01:40:09 **Vote:** Motion carried 11-1 by voice vote with Sen. Mowbray voting no. Sen. Arthun and Sen. Zinke voted by proxy.

01:40:57 **Motion:** Sen. Sonju moved that **SB 235 DO PASS AS AMENDED.**

Discussion:

01:41:23 Sen. Blewett

01:44:35 **Vote:** Motion failed 5-7 by roll call vote with Sen. Buttrey, Sen. Jones, Sen. Mowbray, Sen. Sonju and Sen. Tutvedt voting aye. Sen. Arthun and Sen. Zinke voted by proxy.

01:45:37 **Motion/Vote:** Sen. Sonju moved that **SB 235 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote of those present and voting.

EXECUTIVE ACTION ON SB 82

01:45:53 **Motion/Vote:** Sen. Sonju moved that **SB 82 DO PASS.** Motion failed 5-7 by roll call vote with Sen. Blewett, Sen. Caferro, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting aye. Sen. Arthun and Sen. Zinke voted by proxy.

01:47:14 **Motion/Vote:** Sen. Sonju moved that **SB 82 BE TABLED AND THE VOTE REVERSED.** Motion carried 11-1 by voice vote with Sen. Wanzenried voting no. Sen. Arthun and Sen. Zinke voted by proxy.

EXECUTIVE ACTION ON SB 251

01:48:06 **Motion/Vote:** Sen. Keane moved that **SB 251 BE REMOVED FROM TABLED.** Motion carried unanimously by voice vote. (SB 251 is waiting for review and additional action)

Discussion:

01:51:00 Chairman Jones

ADJOURNMENT

Adjournment:
01:51:09

Kirk Lundby, Secretary

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Additional Documents:

EXHIBIT([his33aad.pdf](#))