

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Llew Jones, on March 8, 2011 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chairman (R)
Sen. Jon Sonju, Vice Chairman (R)
Sen. Ron Arthun (R)
Sen. Jim Keane (D)
Sen. Carmine Mowbray (R)
Sen. Gene Vuckovich (D)
Sen. David E. Wanzenried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Anders Blewett (D)
Sen. Edward Buttrey (R)
Sen. Mary Caferro (D)
Sen. Bruce Tutvedt (R)

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: HB 216, 2/21/2011; HB 254, 2/21/2011; HB 259,
2/21/2011; HB 277, 3/4/2011
Executive Action: HB 171 Do Concur As Amended
HB 178 Do Concur As Amended
HB 213 Do Concur As Amended

EXECUTIVE ACTION ON HB 171

00:01:08 **Motion:** Sen. Sonju moved that **HB 171 BE CONCURRED IN.**

Discussion:

00:01:24 Rachel Weiss, Legislative Services Division (LSD)

00:01:49 Sen. Zinke left the committee room

00:02:21 **Motion/Vote:** Sen. Sonju moved that **HB 171 BE AMENDED.** Motion carried 7-0 by voice vote of those present and voting.

EXHIBIT(his52a01)

00:02:48 **Motion/Vote:** Sen. Sonju moved that **HB 171 BE CONCURRED IN AS AMENDED.** Motion carried 7-0 by voice vote of those present and voting. Sen. Sonju will carry the bill.

EXECUTIVE ACTION ON HB 178

00:03:23 **Motion:** Sen. Sonju moved that **HB 178 BE CONCURRED IN.**

00:03:30 Sen. Caferro entered the committee room

00:03:42 **Motion:** Sen. Sonju moved that **HB 178 BE AMENDED.**

EXHIBIT(his52a02)

Discussion:

00:04:13 Rachel Weiss, LSD

00:04:35 Sen. Keane

00:04:56 **Vote:** Motion carried 8-0 by voice vote of those present and voting.

00:05:07 **Motion:** Sen. Sonju moved that **HB 178 BE CONCURRED IN AS AMENDED.**

Discussion:

00:05:42 Sen. Mowbray

00:05:45 Rachel Weiss

00:06:17 **Vote:** Motion carried 7-5 by roll call vote with Sen. Blewett, Sen. Caferro, Sen. Keane, Sen. Vuckovich and Sen. Wanzonried voting no. Sen. Blewett, Sen. Buttrey, Sen. Tutvedt and Sen. Zinke voted by proxy. Sen. Buttrey will carry the bill.

EXECUTIVE ACTION ON HB 213

00:08:19 **Motion:** Sen. Sonju moved that **HB 213 BE CONCURRED IN.**

00:08:51 **Motion:** Sen. Wanzenried moved that **HB 213 BE AMENDED.**

[EXHIBIT\(his52a03\)](#)

Discussion:

00:09:21 Rachel Weiss, LSD
 00:10:09 Sen. Blewett entered the committee room
 00:10:44 Sen. Keane
 00:11:08 Rachel Weiss
 00:11:16 Chairman Jones
 00:11:57 Vice Chair Sonju
 00:12:01 Chairman Jones
 00:12:18 Sen. Vuckovich
 00:12:26 Rachel Weiss
 00:13:02 Sen. Keane
 00:13:16 Rachel Weiss
 00:13:43 Chairman Jones
 00:13:58 Sen. Keane
 00:14:07 Chairman Jones
 00:14:10 Rachel Weiss
 00:14:38 Sen. Vuckovich
 00:14:54 Chairman Jones
 00:15:12 Rachel Weiss
 00:15:41 Sen. Buttrey entered the committee room
 00:15:46 Sen. Keane

00:16:17 **Vote:** Motion failed 3-9 by roll call vote with Sen. Caferro, Sen. Jones and Sen. Wanzenried voting aye. Sen. Tutvedt and Sen. Zinke voted by proxy.

00:17:39 **Motion:** Sen. Sonju moved that **HB 213 BE CONCURRED IN AS AMENDED.**

00:17:42 **Motion:** Sen. Sonju moved that **HB 213 BE AMENDED.**

[EXHIBIT\(his52a04\)](#)

Discussion:

00:18:36 Sen. Keane
 00:18:39 Chairman Jones

00:18:54 **Vote:** Motion carried 9-3 by voice vote with Sen. Blewett, Sen. Keane and Sen. Wanzenried voting no. Sen. Tutvedt and Sen. Zinke voted by proxy.

00:19:52 **Motion:** Sen. Keane moved that **HB 213 BE CONCURRED IN AS AMENDED.**

00:20:23 **Motion/Vote:** Sen. Keane moved that **HB 213 BE AMENDED.** Motion carried 10-0 by voice vote of those present and voting.

[EXHIBIT\(his52a05\)](#)

00:21:01 **Motion/Vote:** Sen. Keane moved that **HB 213 BE CONCURRED IN AS AMENDED**. Motion carried 10-0 by voice vote of those present and voting. Sen. Caferro will carry the bill.

HEARING ON HB 254

Opening Statement by Sponsor:

00:23:34 Rep. Gordon Vance (R), HD 67, opened the hearing on HB 254, Revising motor club service laws.

Proponents' Testimony:

00:25:16 John MacDonald, representing Alliance of Automobile Manufactures
00:26:57 Don Kaltschmidt, Owner, Don K Automobile Dealership
00:28:08 Bruce Spencer, representing Montana Automobile Dealers Association
00:29:07 Mona Jamison, representing General Motors

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:31:33 Sen. Keane
00:31:46 Mona Jamison, General Motors

Closing by Sponsor:

00:32:11 Rep. Vance

HEARING ON HB 277

Opening Statement by Sponsor:

00:32:46 Rep. Ted Washburn (R), HD 69, opened the hearing on HB 277, Provide for regulation of golf cart operation.

Proponents' Testimony:

00:35:24 John Marceau, representing City of Three Forks
[EXHIBIT\(his52a06\)](#)

Opponents' Testimony:

None

Informational Testimony:

00:36:49 Brenda Nordlund, Administrator, Motor Vehicle Division, Department of Justice (DOJ)

Questions from Committee Members and Responses:

00:37:37 Sen. Buttrey
00:38:15 Brenda Nordlund, DOJ
00:39:22 Sen. Buttrey
00:39:43 Rep. Washburn
00:40:51 Sen. Keane
00:41:08 Brenda Nordlund
00:41:36 Sen. Keane
00:41:53 Brenda Nordlund
00:42:18 Sen. Keane
00:42:25 Rep. Washburn
00:43:13 Sen. Keane
00:43:46 Rep. Washburn
00:43:59 Sen. Keane
00:44:07 Brenda Nordlund
00:45:16 Sen. Vuckovich
00:45:42 Brenda Nordlund

Closing by Sponsor:

00:46:12 Rep. Washburn
00:46:58 Chairman Jones turned chair duties over to Vice Chair Sonju and left the committee room

HEARING ON HB 259

Opening Statement by Sponsor:

00:47:05 Rep. Cleve Loney (R), HD 25, opened the hearing on HB 259, Revise motor vehicle laws regarding intersections.

Proponents' Testimony:

00:47:50 Colonel Mike Tooley, Chief, Montana Highway Patrol (MHP)
00:48:17 Dwight Easton, representing Farmers Insurance Group (FIG)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:49:11 Sen. Blewett
 00:49:28 Col. Mike Tooley, (MHP)
 00:49:38 Sen. Blewett
 00:50:22 Col. Mike Tooley
 00:50:44 Sen. Blewett

Closing by Sponsor:

00:51:10 Rep. Looney

HEARING ON HB 216

Opening Statement by Sponsor:

00:51:29 Rep. Mike Miller (R), HD 84, opened the hearing on HB 216, Allow students with learners' permits to drive alone in certain circumstances.

Proponents' Testimony:

00:53:21 Jo Webb
 00:55:13 Sandre Quigley

Opponents' Testimony:

00:56:34 Steve York, Assistant Superintendent, Office of Public Instruction (OPI)
[EXHIBIT\(his52a07\)](#)
 01:01:02 Gary Dalton, representing Montana Traffic Education Association (MTEA)
 01:03:02 Jane Hamman, MTEA

Informational Testimony:

01:04:22 Brenda Nordlund, DOJ
[EXHIBIT\(his52a08\)](#)

Questions from Committee Members and Responses:

01:09:34 Sen. Blewett
 01:10:05 Steve York, OPI
 01:10:20 Brenda Nordlund
 01:10:42 Sen. Blewett
 01:10:53 Brenda Nordlund
 01:11:42 Sen. Blewett
 01:12:05 Rep. Miller
 01:12:18 Sen. Vuckovich
 01:12:39 Steve York
 01:12:45 Sen. Zinke entered the committee room
 01:13:12 Sen. Arthun
 01:13:31 Jo Webb

01:14:53 Sen. Keane
01:15:18 Brenda Nordlund, (DOJ)
01:16:43 Sen. Keane
01:16:53 Brenda Nordlund
01:17:07 Chairman Sonju
01:17:12 Brenda Nordlund
01:18:29 Chairman Sonju
01:18:44 Brenda Nordlund
01:18:54 Sen. Vuckovich
01:19:12 Brenda Nordlund
01:19:24 Sen. Vuckovich
01:19:50 Brenda Nordlund
01:20:17 Sen. Zinke
01:20:24 Brenda Nordlund

Closing by Sponsor:

01:20:39 Rep. Miller

Discussion:

01:22:31 Sen. Buttrey
01:23:20 Rachel Weiss

ADJOURNMENT

Adjournment:
01:23:28

Kirk Lundby, Secretary

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Additional Documents:

EXHIBIT([his52aad.pdf](#))