

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TRANSPORTATION

**Call to Order:** Chair Steve Lavin, on February 18, 2013 at 3:00 PM, in Room 455  
Capitol

#### ROLL CALL

**Members Present:**

Rep. Steve Lavin, Chair (R)  
Rep. Lee Randall, Vice Chair (R)  
Rep. Carolyn Squires, Vice Chair (D)  
Rep. Liz Bangerter (R)  
Rep. Forrestina (Frosty) Calf Boss Ribs (D)  
Rep. Christy Clark (R)  
Rep. Clayton Fiscus (R)  
Rep. Krayton Kerns (R)  
Rep. Jerry O'Neil (R)  
Rep. Bridget Smith (D)  
Rep. Nancy Wilson (D)

**Members Excused:** Rep. Reilly Neill (D)

**Members Absent:** None

**Staff Present:** Casey Barrs, Legislative Branch  
Tia Hunter, 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: HB 427, 2/11/2013  
Executive Action: HB 414, HB 398, HB 383, HB 427

00:09:01 Chairman Lavin

**HEARING ON HB 427**

**Opening Statement by Sponsor:**

00:10:07 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 427, Establishing requirements for pilot vehicles.

**Proponents' Testimony:**

00:10:56 Barry "Spook" Stang, Executive Vice President, Motor Carriers of Montana (MCM)

**[EXHIBIT\(trh36a01\)](#)**

**Opponents' Testimony:**

00:11:33 Bob Gilbert, Montana Tow Truck Association (MTTA)

00:12:07 Matt Flikkema, Montana Grain Growers Association (MGGA), and Montana Farmers Union (MFU)

00:12:39 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

**Informational Testimony:**

00:13:09 Duane Williams, Administrator, Motor Carrier Services Division, Department of Transportation (MDT)

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:13:47 Rep. Ankney

**EXECUTIVE ACTION ON HB 414**

00:14:38 **Motion:** Rep. Randall moved that **HB 414 DO PASS.**

**Discussion:**

00:14:44 Rep. Clark

00:15:29 **Motion:** Rep. Randall moved that **HB 414 BE AMENDED.**

**[EXHIBIT\(trh36a02\)](#)**

**Discussion:**

00:15:47 Rep. Randall

00:16:05 Rep. Squires

00:17:07 Rep. Randall

00:17:17 Rep. O'Neil

00:17:25 Rep. Squires

00:17:31 **Vote:** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

00:17:53 **Motion:** Rep. Randall moved that **HB 414 DO PASS AS AMENDED.**

**Discussion:**

00:18:02 Rep. Squires  
00:18:50 Rep. Randall  
00:19:07 Chairman Lavin

00:19:12 **Vote:** Motion carried 11-1 by voice vote with Rep. Squires voting no. Rep. Neill voted by proxy.

**EXECUTIVE ACTION ON HB 355**

00:19:34 **Motion:** Rep. Randall moved that **HB 355 DO PASS.**

00:20:33 **Motion:** Rep. Randall moved that **HB 355 BE AMENDED.**  
[EXHIBIT\(trh36a03\)](#)

**Discussion:**

00:21:11 Rep. Clark  
00:21:29 Rep. Kerns  
00:21:41 Rep. Clark  
00:22:23 Rep. Kerns  
00:22:32 Rep. Clark  
00:23:03 Rep. Randall  
00:23:44 Rep. Squires  
00:23:55 Chairman Lavin  
00:24:04 Rep. O'Neil  
00:24:46 Rep. Clark  
00:24:49 Rep. O'Neil  
00:24:55 Rep. Clark  
00:25:02 Rep. O'Neil  
00:25:40 Rep. Bangerter  
00:26:02 Rep. Randall  
00:26:55 Chairman Lavin  
00:28:08 Rep. Clark  
00:29:07 Chairman Lavin  
00:29:38 Rep. Clark

00:29:45 Rep. Randall withdrew the **DO PASS AND THE BE AMENDED MOTIONS.**  
Without objection.

**EXECUTIVE ACTION ON HB 398**

00:29:59 **Motion:** Rep. Randall moved that **HB 398 DO PASS.**

00:30:48 Rep. Clark left.

**Discussion:**

00:31:06 Rep. Kerns  
00:31:15 Rep. Wilson

00:31:59 **Vote:** Motion failed 6-6 by roll call vote with Rep. Bangerter, Rep. Calf Boss Ribs, Rep. Neill, Rep. Smith, Rep. Squires and Rep. Wilson voting aye. Rep. Clark and Rep. Neill voted by proxy.

00:33:01 **Motion/Vote:** Rep. Randall moved that **HB 398 BE TABLED**. Motion carried 8-4 by voice vote with Rep. Neill, Rep. Smith, Rep. Squires and Rep. Wilson voting no. Rep. Neill voted by proxy.

### **EXECUTIVE ACTION ON HB 383**

00:34:16 **Motion:** Rep. Randall moved that **HB 383 DO PASS**.

#### **Discussion:**

00:35:15 Chairman Lavin

[EXHIBIT\(trh36a04\)](#)

00:36:26 **Motion:** Rep. Randall moved that **HB 383 BE AMENDED**.

[EXHIBIT\(trh36a05\)](#)

00:36:51 **Vote:** Motion carried 11-0 by voice vote. Rep. Neill voted by proxy. Rep. Clark did not vote.

00:37:10 **Motion:** Rep. Randall moved that **HB 383 DO PASS AS AMENDED**.

#### **Discussion:**

00:37:16 Rep. Fiscus

[EXHIBIT\(trh36a06\)](#)

00:47:47 Rep. Wilson

00:50:47 Chairman Lavin

00:51:16 **Vote:** Motion failed 1-11 by roll call vote with Rep. Fiscus voting aye. Rep. Clark and Rep. Neill voted by proxy.

00:52:30 **Motion/Vote:** Rep. Randall moved that **HB 383 BE TABLED AND THE VOTE REVERSED**. Motion carried 9-1 by voice vote with Rep. Fiscus voting no. Rep. Clark and Rep. Neill did not vote.

00:52:36 Rep. Squires

### **EXECUTIVE ACTION ON HB 427**

00:53:10 **Motion/Vote:** Rep. Randall moved that **HB 427 BE TABLED**. Motion carried 11-0 by voice vote. Rep. Clark voted by proxy. Rep. Neill did not vote

00:53:49 Rep. Fiscus

00:53:50 Chairman Lavin

[EXHIBIT\(trh36a07\)](#)

[EXHIBIT\(trh36a08\)](#)

[EXHIBIT\(trh36a09\)](#)

**ADJOURNMENT**

Adjournment: 00:54:06

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Tia Hunter, Secretary

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Additional Documents:

**EXHIBIT([trh36aad.pdf](#))**