

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Elsie Arntzen, on March 26, 2013 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Elsie Arntzen, Chair (R)
Sen. Edward Buttrey, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Anders Blewett (D)
Sen. Matthew M. Rosendale Sr (R)
Sen. Jon Sonju (R)
Sen. Gene Vuckovich (D)
Sen. David E. Wanzonried (D)
Sen. Roger Webb (R)

Members Excused: Sen. Dee Brown (R)
Sen. Jim Keane (D)
Sen. Bruce Tutvedt (R)

Members Absent: None

Staff Present: Dave Bohyer, Legislative Branch
Charlene Devine, 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 566, 3/19/2013, SB 390, 3/19/2013

Executive Action: HB 566, Be Concurred In, SB 390, Tabled, HB 494, Tabled

HEARING ON SB 390

Opening Statement by Sponsor:

00:23:55 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 390, Prohibit use of hand-held electronic devices while driving.

Proponents' Testimony:

00:28:55 Carl Straub, Helena High School (HHS)
00:29:46 Sen. Tutvedt entered the hearing.
00:31:25 Sen. Kaufmann (speaking about amendments)
00:33:11 Mona Jamison, General Motors (GM)
00:34:55 John MacDonald, Alliance of Automobile Manufacturers (AAM)
00:35:57 Larry Epstein, Montana Association of Chiefs of Police (MACOP)
00:36:39 Art Noonan, Northwestern Energy (NE)
00:37:54 Erin McGowan Fincham, Association of Montana Public Health Officials (AMPHO), Montana Public Health Association (MPHA)
00:39:26 Jerry Williams, Montana Police Protective Association (MPPA)
00:41:29 Ed Bartlett, City of Billings
00:41:49 Jane Hamman, Montana Traffic Education Association (MTEA)
00:42:39 Doug Dunn, Amateur Radio
00:43:21 Aidan Myhre, AT&T
00:44:26 Don Judge, Montana Nurses Association (MNA)

Opponents' Testimony: None

Informational Testimony: None

00:46:22 Steve Keller, Department of Transportation (MDT)

Questions from Committee Members and Responses:

00:46:45 Sen. Vuckovich
00:47:35 Sen. Christine Kaufmann (D), SD 41,
00:49:29 Sen. Arntzen
00:49:53 Ed Bartlett, City of Billings

Closing by Sponsor:

00:50:37 Sen. Kaufmann
00:51:23 Sen. Brown entered the hearing.

HEARING ON HB 566

Opening Statement by Sponsor:

00:51:40 Rep. Tom Woods (D), HD 64, opened the hearing on HB 566, Revise vehicle license plate laws related to military families.

[EXHIBIT\(his65a01\)](#)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:56:10 Rep. Woods

EXECUTIVE ACTION ON SB 390

00:56:48 **Motion:** Sen. Buttrey moved that **SB 390 DO PASS.**

Discussion:

00:57:48 Sen. Tutvedt

00:59:00 Sen. Arntzen

00:59:14 Sen. Tutvedt

00:59:26 Sen. Barrett

00:59:50 Sen. Tutvedt

01:00:13 Dave Bohyer, Legislative Services Division (LSD)

01:00:22 Sen. Blewett

01:00:30 Dave Bohyer, LSD

01:01:01 Sen. Arntzen

01:01:20 **Motion:** Sen. Di. Barrett moved that **SB 390 BE AMENDED.**

[EXHIBIT\(his65a02\)](#)

Discussion:

01:02:13 Sen. Barrett

01:02:57 Sen. Brown

01:03:54 **Vote:** Motion failed 6-6 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Buttrey, Sen. Keane, Sen. Vuckovich and Sen. Wanzneried voting aye. Sen. Keane voted by proxy.

01:05:04 **Motion:** Sen. Di. Barrett moved that **SB 390 BE AMENDED.**
[EXHIBIT\(his65a03\)](#)

Discussion:

01:05:15 Sen. Barrett
 01:05:39 Sen. Brown
 01:06:07 Sen. Arntzen
 01:06:36 Steve Keller, MDT
 01:07:06 Sen. Sonju
 01:07:22 Steve Keller
 01:07:32 Sen. Sonju

01:07:45 **Vote:** Motion failed 5-7 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting aye. Sen. Keane voted by proxy.

01:08:34 **Motion:** Sen. Di. Barrett moved that **SB 390 BE AMENDED.**
[EXHIBIT\(his65a04\)](#)

Discussion:

01:08:55 Sen. Barrett

01:09:54 **Vote:** Motion carried 8-4 by roll call vote with Sen. Brown, Sen. Rosendale, Sen. Sonju and Sen. Webb voting no. Sen. Keane voted by proxy.

01:09:58 **Motion:** Sen. Di. Barrett moved that **SB 390 BE AMENDED.**
[EXHIBIT\(his65a05\)](#)

Discussion:

01:10:27 Sen. Buttrey
 01:10:34 Sen. Barrett
 01:10:37 Sen. Tutvedt
 01:11:17 Sen. Webb
 01:11:47 Sen. Brown

01:12:20 **Vote:** Motion carried 7-5 by roll call vote with Sen. Arntzen, Sen. Buttrey, Sen. Rosendale, Sen. Sonju and Sen. Webb voting no. Sen. Keane voted by proxy.

01:13:19 **Motion:** Sen. Di. Barrett moved that **SB 390 BE AMENDED.**
[EXHIBIT\(his65a06\)](#)

Discussion:

01:13:21 Sen. Barrett
 01:13:45 Sen. Tutvedt

- 01:13:59 **Vote:** Motion failed 5-7 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting aye. Sen. Keane voted by proxy.
- 01:14:38 **Motion:** Sen. Di. Barrett moved that **SB 390 DO PASS AS AMENDED.**
- 01:15:12 **Substitute Motion/Vote:** Sen. Buttrey made a substitute motion that **SB 390 BE TABLED.** Substitute Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting no. Sen. Keane voted by proxy.

EXECUTIVE ACTION ON HB 494

Discussion:

- 01:17:03 Sen. Barrett
01:17:54 Dave Bohyer, Legislative Services Division (LSD)
- 01:22:32 **Motion:** Sen. Buttrey moved that **HB 494 BE CONCURRED IN.**
- 01:22:50 **Motion:** Sen. Tutvedt moved that **HB 494 BE AMENDED.**
[EXHIBIT\(his65a07\)](#)

Discussion:

- 01:23:04 Dave Bohyer, LSD
01:26:19 Sen. Rosendale
01:27:29 Sen. Arntzen
01:27:49 Cary Hegreberg, Montana Contractors Association (MCA)
01:31:01 Sen. Webb
01:33:31 Dave Bohyer
01:34:28 Sen. Barrett
01:35:25 Dwayne Kailey, Montana Department of Transportation (MDT)
01:37:12 Sen. Sonju
01:38:00 Sen. Tutvedt
01:38:10 Dwayne Kailey, MDT
01:38:33 Sen. Rosendale
01:38:52 Sen. Brown
- 01:39:14 **Vote:** Motion failed 5-7 by roll call vote with Sen. Arntzen, Sen. Brown, Sen. Buttrey, Sen. Sonju and Sen. Tutvedt voting aye. Sen. Keane voted by proxy.
- 01:40:22 **Substitute Motion/Vote:** Sen. Blewett made a substitute motion that **HB 494 BE TABLED.** Substitute Motion carried 7-5 by roll call vote with Sen. Arntzen, Sen. Brown, Sen. Tutvedt, Sen. Vuckovich and Sen. Wanzenried voting no. Sen. Keane voted by proxy.

EXECUTIVE ACTION ON HB 566

01:41:39

Motion/Vote: Sen. Tutvedt moved that **HB 566 BE CONCURRED IN**. Motion carried 11-0 by voice vote. Sen. Keane was excused. Sen. Keane will carry the bill.

ADJOURNMENT

Adjournment: 4:23 P.M.

Charlene Devine, Secretary

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Additional Documents:

EXHIBIT([his65aad.pdf](#))