

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Elsie Arntzen, on April 11, 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. Jim Keane (D)
Sen. Matthew M. Rosendale Sr (R)
Sen. Bruce Tutvedt (R)
Sen. Gene Vuckovich (D)
Sen. David E. Wanzenried (D)

Members Excused: Sen. Anders Blewett (D)
Sen. Dee Brown (R)
Sen. Jon Sonju (R)
Sen. Roger Webb (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: SR 61, 4/5/2013; SR 62, 4/8/2013

Executive Action: SR 61, Be Adopted; SR 62 Be Adopted; HB 559, Be Concurred In As Amended; HB 607, Be Concurred In As Amended; SJ 26, Do Pass; HB 178, Tabled; HB 414 Tabled; HB 542, Tabled

HEARING ON SR 61

00: 23:13 Sen. Wanzenried took over responsibilities as chair.

Opening Statement by Sponsor:

00:24:37 Sen. Elsie Arntzen (R), SD 27, opened the hearing on SR 61, Confirm Governor's appointees to the board of aeronautics.

00:24:42 Sen. Brown entered the hearing.

00:24:52 Sen. Sonju entered the hearing.

Proponents' Testimony:

00:25:28 Debbie Alke, Montana Department of Transportation (MDT)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:26:11 Sen. Arntzen

HEARING ON SR 62

Opening Statement by Sponsor:

00:26:56 Sen. Elsie Arntzen (R), SD 27, opened the hearing on SR 62, Confirm Governor's appointees to highway commission.

Proponents' Testimony:

00:28:28 Tim Reardon, Montana Department of Transportation (MDT)

00:29:20 Cary Hegreberg, Montana Contractors Association (MCA)

00:30:41 Rick Griffith, Appointee

00:33:59 Barb Skelton, Appointee

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:35:16 Sen. Sonju

00:35:58 Rick Griffith, Appointee

00:38:34 Barb Skelton, Appointee

00:39:24 Sen. Rosendale

Closing by Sponsor:

00:40:14 Sen. Arntzen

00:41:09 Sen. Arntzen resumed chair responsibilities.

EXECUTIVE ACTION ON SR 62

00:42:37 **Motion/Vote:** Sen. Tutvedt moved that **SR 62 BE ADOPTED**. Motion carried 10-0 by voice vote. Sen. Blewett and Sen. Webb were excused.

EXECUTIVE ACTION ON SR 61

00:42:56 **Motion/Vote:** Sen. Tutvedt moved that **SR 61 BE ADOPTED**. Motion carried 10-0 by voice vote. Sen. Blewett and Sen. Webb were excused.

EXECUTIVE ACTION ON HB 542

00:43:42 **Motion:** Sen. Buttrey moved that **HB 542 BE CONCURRED IN**.

00:44:22 **Motion:** Sen. Buttrey moved that **HB 542 BE AMENDED**.

[EXHIBIT\(his76a01\)](#)

Discussion:

00:44:34 Sen. Buttrey

00:46:04 **Vote:** Motion carried 10-1 by voice vote with Sen Rosendale voting no. Sen. Webb voted by proxy. Sen. Blewett was excused.

00:46:19 **Motion:** Sen. Buttrey moved that **HB 542 BE CONCURRED IN AS AMENDED**.

Discussion:

00:46:29 Dave Bohyer, Legislative Services Division (LSD)

00:48:29 Sen. Arntzen

00:48:40 Dave Bohyer, LSD

00:48:55 Sen. Brown

00:49:26 Dave Bohyer

00:50:08 Sen. Tutvedt

00:51:02 Sen. Arntzen

00:51:34 Sen. Buttrey

00:51:36 Sen. Rosendale

00:52:00 **Vote:** Motion failed 5-7 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Keane, Sen. Vuckovich, and Sen. Wanzenried voting aye. Sen. Blewett and Sen. Webb voted by proxy.

00:52:59 **Motion/Vote:** Sen. Sonju moved that HB 542 **BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote of those present and voting.

EXECUTIVE ACTION ON HB 559

00:53:09 **Motion:** Sen. Buttrey moved that **HB 559 BE CONCURRED IN.**

00:54:41 **Motion:** Sen. Tutvedt moved that **HB 559 BE AMENDED.**
EXHIBIT(his76a02)

Discussion:

00:54:53 Dave Bohyer, Legislative Services Division (LSD)
00:57:10 Sen. Barrett
00:58:01 Sen. Wanzenried
00:59:29 John Bennion, Department of Justice (DOJ)

01:00:02 **Vote:** Motion failed 4-8 by roll call vote with Sen. Brown, Sen. Keane, Sen. Tutvedt and Sen. Vuckovich voting aye. Sen. Blewett and Sen. Webb voted by proxy.

01:01:08 **Motion:** Sen. Buttrey moved that **HB 559 BE AMENDED.**
EXHIBIT(his76a03)

Discussion:

01:01:43 Dave Bohyer, LSD
01:02:21 Sen. Brown
01:02:45 Sen. Buttrey
01:02:53 Sen. Keane
01:03:02 Sen. Buttrey

01:03:29 **Vote:** Motion carried 11-1 by roll call vote with Sen. Brown voting no. Sen. Blewett and Sen. Webb voted by proxy.

01:04:30 **Motion/Vote:** Sen. Buttrey moved that **HB 559 BE CONCURRED IN AS AMENDED.** Motion carried 9-3 by roll call vote with Sen. Brown, Sen. Tutvedt and Sen. Webb voting no. Sen. Blewett and Sen. Webb voted by proxy. Sen. Rosendale will carry the bill.

EXECUTIVE ACTION ON HB 178

01:05:48 **Motion:** Sen. Buttrey moved that **HB 178 BE CONCURRED IN.**

Discussion:

01:06:04 Sen. Buttrey
01:06:55 Sen. Tutvedt

- 01:07:23 Sen. Wanzenried
 01:07:46 Sen. Arntzen
 01:07:57 Sen. Buttrey
 01:08:20 Sen. Keane
 01:09:30 Sen. Barrett
 01:11:20 Sen. Arntzen
 01:11:38 Sen. Rosendale
 01:11:57 Sen. Buttrey
- 01:12:36 **Vote:** Motion failed 5-7 by roll call vote with Sen. Buttrey, Sen. Barrett, Sen. Blewett, Sen. Vuckovich and Sen. Wanzenried voting aye. Sen. Blewett and Sen. Webb voted by proxy.
- 01:13:13 Sen. Buttrey
 01:13:40 Sen. Tutvedt
- 01:13:43 **Motion:** Sen. Wanzenried moved that **HB 178 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**
- 01:14:40 Dave Bohyer, LSD
- 01:15:09 **Substitute Motion:** Sen. Di. Barrett made a substitute motion that **HB 178 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**
- Discussion:**
- 01:15:50 Sen. Arntzen
 01:16:13 Sen. Brown
 01:16:48 Sen. Barrett
 01:17:06 Sen. Arntzen
 01:17:41 Dave Bohyer
 01:18:43 Sen. Arntzen
 01:19:02 Sen. Tutvedt
 01:19:30 Sen. Sonju
 01:19:43 Sen. Wanzenried
 01:19:55 Jim Standaert, Legislative Fiscal Division (LFD)
 01:20:33 Sen. Tutvedt
 01:20:47 Jim Standaert, LFD
 01:20:56 Sen. Keane
- 01:21:40 **Vote:** Motion failed 4-8 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Buttrey and Sen. Wanzenried voting aye. Sen. Blewett and Sen. Webb voted by proxy.
- 01:23:34 **Motion/Vote:** Sen. Sonju moved that **HB 178 BE TABLED.** Motion carried 8-4 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Buttrey and Sen. Wanzenried voting no. Sen. Blewett and Sen. Webb voted by proxy.

EXECUTIVE ACTION ON HB 607

01:24:08 **Motion:** Sen. Buttrey moved that **HB 607 BE CONCURRED IN.**

01:24:41 **Motion:** Sen. Keane moved that **HB 607 BE AMENDED.**
EXHIBIT(his76a04)

01:25:25 Dave Bohyer

01:25:29 **Vote:** Motion carried unanimously by voice vote of those present and voting.

01:25:43 **Motion:** Sen. Keane moved that **HB 607 BE CONCURRED IN AS AMENDED.**

Discussion:

01:25:54 Sen. Barrett

01:26:40 Sen. Keane

01:27:15 Sen. Buttrey

01:27:43 **Vote:** Motion carried 8-4 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Brown and Sen. Wanzenried voting no. Sen. Blewett and Sen. Webb voted by proxy. Sen. Keane will carry the bill.

EXECUTIVE ACTION ON SJ 26

01:28:35 **Motion:** Sen. Tutvedt moved that **SJ 26 DO PASS.**

01:29:10 **Motion:** Sen. Wanzenried moved that **SJ 26 BE AMENDED.**
EXHIBIT(his76a05)

Discussion:

01:29:49 Sen. Tutvedt

01:30:40 Sen. Buttrey

01:31:04 Sen. Rosendale

01:31:29 Sen. Arntzen

01:32:26 **Vote:** Motion failed 5-7 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting aye. Sen. Blewett and Sen. Webb voted by proxy.

01:33:32 **Motion/Vote:** Sen. Buttrey moved that **SJ 26 DO PASS.** Motion carried 11-1 by roll call vote with Sen. Barrett voting no. Sen. Blewett and Sen. Webb voted by proxy.

EXECUTIVE ACTION ON HB 414

01:34:54 **Motion:** Sen. Buttrey moved that **HB 414 BE CONCURRED IN.**

Discussion:

01:35:17 Dave Bohyer, Legislative Services Division (LSD)

01:36:05 Sen. Barrett

01:36:21 Dave Bohyer, LSD

01:37:07 Sen. Keane

01:37:31 Sen. Brown

01:38:05 Sen. Buttrey

01:38:19 Sen. Wanzenried

01:38:57 Sen. Tutvedt

01:39:00 Sen. Wanzenried

01:39:03 **Substitute Motion/Vote:** Sen. Wanzenried made a substitute motion that **HB 414 BE TABLED.** Substitute motion carried 7-5 by roll call vote with Sen. Arntzen, Sen. Blewett, Sen. Buttrey, Sen. Sonju and Sen. Tutvedt voting no. Sen. Blewett and Sen. Webb voted by proxy.

ADJOURNMENT

Adjournment: 4:30 P.M.

Charlene Devine, Secretary

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Additional Documents:

EXHIBIT([his76aad.pdf](#))