

MINUTES LOG

July 12, 2021
Room 137, Capitol Building
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

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MEMBERS PRESENT:

Sen. Diane Sands, Chair (D)
Sen. Gordon Vance, Vice Chair (R)
Sen. Fox, (D)
Rep. Whiteman Pena, (D)
Rep. Loge, (R)
Rep. Fern, (D)
Rep. Duram, (R)

MEMBERS EXCUSED:

Sen. Ankney, (R)

STAFF PRESENT:

Joe Carroll, Attorney
Bri Nordhagen, Secretary
Toni Henneman, Research Analyst

AGENDA [\(Attachment 1\)](#)

VISITOR'S LIST [\(Attachment 2\)](#)

COMMITTEE ACTION

- **Adopted committee rules.**
- **Elected Sen. Diane Sands Chair and Sen. Mark Sweeney Vice Chair.**
- **Adopted draft work plan and decision matrix.**

CALL TO ORDER/ROLL CALL

08:59:48 Sen. Sands called the Transportation Interim Committee to order at 8:59 a.m.;
the committee secretary took the roll.

Administrative Matters

- 09:10:21 Toni Henneman, Legislative Services Research Analyst (LSD), began her overview of the staff roles and responsibilities, as well as the committee budget and website.
- 09:13:43 Sen. Sands and committee members continued discussion on administrative matters***
- 09:16:38 Joe Carroll, LSD Staff Attorney introduced himself and his roles during the interim to the committee.
- 09:20:27 The committee and staff continued discussion on legislative rules.
- 09:25:26 Ms. Henneman began her review of the budget and website overview, as well as the “Summary of Transportation Legislation 2021 Legislative Session” handout. [\(Exhibit 1\)](#)

Overview and adoption of committee rules

- 09:34:12 Ms. Henneman began her overview of “Rules, Procedures, and Guidelines for Interim Committees” handout. [\(Exhibit 2\)](#)
- 09:37:41 The committee discussed the use of proxies***
- 09:38:43 Rep. Duram asked if it would be appropriate to discuss not being ok with the use of proxies at this time.

Motion

- 09:40:04 Sen. Vance made a motion the committee adopt the rules in totality which included the use of proxies.

Vote

- 09:40:08 The motion to adopt the rules, procedures and guidelines and accept proxies passed unanimously on a voice vote with none opposed.

Election of TIC Presiding Officer and Vice-Presiding Officer

- 09:40:31 Sen. Vance nominated Sen. Sands to be the Chairman of the Transportation Interim Committee.

Vote

- 09:41:12 The motion to elect Sen. Sands as Chairman of the Transportation Interim Committee passed unanimously on a voice vote.

Election of TIC Presiding Officer and Vice-Presiding Officer (continued)

- 09:41:21 Rep. Loge nominated Sen. Vance to be Vice Chair of the Transportation Interim Committee.

Vote

- 09:41:42 The motion to elect Sen. Vance as Vice Chair of the Transportation Interim Committee passed unanimously on a voice vote.

Introduction and Overview of Department of Transportation

- 09:47:08 Malcolm Long, Director Montana Department of Transportation (MDT), Julie Brown, Deputy Director, and Larry Flynn, Chief Financial Officer, began their review of the “MDT Overview” handout. [\(Exhibit 3\)](#)

Questions and discussion from the committee

- 09:59:20 Rep. Fern asked Director Long if the districts should be changed as far as geography, if there was a role within transportation and other departments to investigate subsidizing projects and why he liked roundabouts.
- 10:04:34 Rep. Loge asked if there was talk of lessening the cost of sanding materials.
- 10:07:04 Rep. Duram asked Director Long if he could introduce the five commissioners/districts and their roles, asked what chemicals were being used on roadways, and if designated highways were being evaluated for life-saving effectiveness.
- 10:12:20 Sen. Vance asked Director Long about roundabouts, what the financial issues were, and if they were financed with federal dollars.
- 10:14:25 Sen. Sands asked Director Long if there was a policy related to the issue of roundabouts and the finances, and whether that was in policy already.
- 10:15:23 Sen. Vance asked whether the department had a plan in place for dealing with noxious weeds in the right-of-ways, degradation of the paint used on the highways for lines, and if there had been a change in the material used. Sen. Sands asked what the process was regarding moving the rest area currently in Bozeman on the freeway to Three Forks, asked Director Long if he could keep the committee posted and if his department was going to develop a process for the future.
- 10:24:42 Rep. Loge asked Director Long about the right-of-way and vegetation, and if the department was pushing harder so the people can see results.
- 10:27:44 Sen. Sands reviewed the "Newline" handout from the Montana Department of Transportation. [\(Exhibit 4\)](#)

Transportation Commission

- 10:29:02 Loran Frazier, Chair of the Transportation Commission began his review for the committee.

Questions from the committee

- 10:30:32 Rep. Loge asked for a review of the process regarding safety concerns.
- 10:32:24 Sen. Vance asked if the meetings were regularly scheduled, publicly noticed, and if they moved around the state or were all in one location.

Board of Aeronautics

- 10:42:36 Bill Lepper, Chair of the Board of Aeronautics began his review for the committee.

Discussion from the committee

- 10:42:55 Sen. Sands stated she would appreciate his commission letting the committee know what the issues were so if there was any overlap with interests they would be covered.

Introduction and Overview of DOJ Motor Vehicle Division

- 10:44:30 Laurie Bakri, Division Administrator, began her review of the "MVD" packet. [\(Exhibit 5\)](#)

Questions from the committee

- 10:58:57 Rep. Fern asked Ms. Bakri about MERLIN, if they had any idea what the cost was going to be for a replacement program, how was the funding will be created

- to achieve that, and could there be a contingency plan that would help develop the opportunity to have funds for new technology.
- 11:02:12 Rep. Whiteman Pena asked Ms. Bakri about the MDT Express and the issue regarding transportation for individuals in rural areas.
- 11:06:15 Rep. Duram asked Ms. Bakri about the online renewal system, vehicle registration, and cancellation as an online option.
- 11:10:30 Sen. Vance asked Ms. Bakri about vehicle cancellation, CDL issues and whether that has been moving forward to get people in sooner, and to help explain the Real ID issue.
- 11:14:07 Rep. Loge asked Ms. Bakri about the MVD Express and how that was working to help with efficiency.

Administrative Rule Review

- 11:16:19 Mr. Carroll began his review of the “Administrative Rule Review” handout. **(Exhibit 6)**

Questions from the committee

- 11:18:50 Sen. Vance asked Mr. Carroll if he was going to update committee members as administrative rules are created.
- 11:20:42 Sen. Sands asked Director Long if he could address the public process in rulemaking.
- 11:23:57 Sen. Vance asked Director Long about the department’s budget, and if that could be broken down in terms of where the money comes from and goes.

LUNCH (Reconvened at 12:34:40)

11:30:11

Introduction and Review of Interim Work Plan Options

- 12:34:56 Ms. Henneman began her overview of the “Draft Work Plan for the 2021-2022 Interim” handout. **(Exhibit 7)**
- 12:41:49 The committee discussed the work plan***

Introduction of Decision Matrix

- 12:47:09 Ms. Henneman reviewed the “Draft work plan matrix” handout. **(Exhibit 8)**

Questions from the committee

- 12:51:06 Sen. Sands asked Ms. Henneman for clarification regarding FTE.

Introduction and Review of Interim Work Plan Options (continued)

- 12:53:34 Rep. Loge began his review of the “HJ 10” handout. **(Exhibit 9)**
- 12:57:01 Ms. Henneman continued her review of the work plan and the committee discussed options***

Public comment

- 13:29:55 John Iverson, AAA The Motor Club
- 13:30:38 Nick Shrauger, Bozeman
- 13:38:04 Director Long, Montana Department of Transportation

Committee Work Session

13:43:50 Ms. Henneman referred to the draft work plan decision matrix. (see exhibit 8)
13:50:21 Rep. Loge asked Director Long about numbers 8 and 9 regarding highway safety/highway construction and asked if they could be combined.
13:51:19 Rep. Fern asked what they are going to do at the next meeting and if there was any possibility between now and the next meeting to do an online vote. Rep. Fern asked leadership to consider the type of schedule they want to do regarding consolidation/efficiencies etc.

Committee Work Session

13:59:33 Sen. Sands discussed the adoption of the calendar; the committee continued the discussion***
14:08:58 Sen. Vance asked Mr. Carroll if he could get information to the committee members as it was accumulated and not wait until the next meeting date.
14:08:58 Rep. Fern asked Director Long if he had designated point people on those subjects who could communicate with the committee.
14:10:02 Sen. Sands asked Director Long about highway signs and taxation.
14:12:21 Mr. Carroll asked the committee how formally they would want the memorial highways policy, statute or general guidelines.

ADJOURNMENT

14:14:32 Chairman Sands adjourned the Transportation Interim Committee at 2:14 p.m.