

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** By **CHAIRMAN SCOTT MENDENHALL**, on March 16, 2005  
at 3:37 P.M., in Room 172 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Scott Mendenhall, Chairman (R)  
Rep. Bernie Olson, Vice Chairman (R)  
Rep. Elsie Arntzen (R)  
Rep. Bob Bergren (D)  
Rep. George Golie (D)  
Rep. Jim Keane (D)  
Rep. Monica Lindeen (D)  
Rep. Gary MacLaren (R)  
Rep. Bruce Malcolm (R)

##### **Members Excused:**

Rep. Jill Cohenour, Vice Chairman (D)  
Rep. John Balyeat (R)  
Rep. Larry Jent (D)

**Members Absent:** None.

**Staff Present:** Kyanne Kelly, Committee Secretary  
Leanne Kurtz, 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: SB 459, 3/11/2005; SB 465,  
3/11/2005; SJ 21, 3/11/2005  
Executive Action: SJ 21, SB 318, HB 765, SB 304

**HEARING ON SJ 21**

**Opening Statement by Sponsor:**

**SEN. GLENN ROUSH (D), SD 8**, opened the hearing on **SJ 21**, Urge continuation of Amtrak passenger rail service.  
00:02:08

**Proponents' Testimony:**

00:07:10 John Bolinger, Lt. Governor of Montana

**EXHIBIT**(trh58a01)

00:11:11 Nancy Peterson, Director Department of Agriculture

00:12:29 Nancy Peterson, Farmer from Havre

00:13:57 Mike Anderson, Hill County Commissioner

00:14:23 Jim Currie, Department of Transportation

00:14:54 James Mular, Transportation & Communication Union

00:17:23 Harold Blattie, Montana Association of Counties

00:17:43 Fran Marceau, United Transportation Union

**EXHIBIT**(trh58a02)

00:19:14 **REP. BOB BERGREN, HD 33, HAVRE**

00:19:50 Keith Allen, AFL-CIO

00:20:07 Robert Speirer, AARP Montana

**EXHIBIT**(trh58a03)

**EXHIBIT**(trh58a04) Letter from Craig Gilchrist, Brotherhood of  
Engineers and Trainmen

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:21:07

**Closing by Sponsor:**

00:23:47

**EXECUTIVE ACTION ON SJ21**

**Motion/Vote:** **REP. KEANE** moved that **SJ 21 BE CONCURRED IN**. Motion carried unanimously by voice vote. **REPS. BALYEAT, COHENOUR AND JENT** voted by proxy. **REP. WILSON** to carry.

**HEARING ON SB 465**

**Opening Statement by Sponsor:**

**SEN. JESSE LASLOVICH (D), SD 43**, opened the hearing on **SB 465**, Standards for chemicals used to remove ice, snow on roads, streets.

00:30:17

**Proponents' Testimony:**

00:35:19 Harold Blattie, Montana Association of Counties

00:36:39 Spook Stang, Montana Motor Carriers Association

**Opponents' Testimony:** None

**Informational Testimony:**

00:37:29 Jim Currie, Department of Transportation

**Questions from Committee Members and Responses:**

00:37:50

**Closing by Sponsor:**

00:48:10

REP. JENT entered the room.

**HEARING ON SB 459**

**Opening Statement by Sponsor:**

**SEN. JOSEPH (JOE) TROPILA (D), SD 13**, opened the hearing on **SB 459**, Transfer motor carrier safety assistance program from justice to transportation.

00:51:20

**Proponents' Testimony:**

00:54:15 Jim Currie, Department of Transportation

00:54:46 Drew Livesay, Motor Carrier Services Division

00:56:08 Mike Tooley, Montana Highway Patrol

00:57:53 Spook Stang, Motor Carriers Association

**Opponents' Testimony:** None

**Informational Testimony:** None

Questions from Committee Members and Responses:

00:59:18

Closing by Sponsor:

01:15:58

REP. COHENOUR entered the room.

EXECUTIVE ACTION ON SB 318

Motion: REP. OLSON moved that SB 318 BE CONCURRED IN.

Discussion:

01:19:49

Motion: REP. OLSON moved that SB 318 BE AMENDED.

Discussion:

01:20:21

[EXHIBIT](#)(trh58a05)

Vote: Motion carried unanimously by voice vote. REP. BALLYEAT voted by proxy.

Motion: REP. OLSON moved that SB 318 BE CONCURRED IN AS AMENDED.

Motion: REP. OLSON moved that SB 318 BE FURTHER AMENDED.

Discussion:

01:22:53

[EXHIBIT](#)(trh58a06)

Vote: Motion carried unanimously by voice vote. REP. BALLYEAT voted by proxy.

Motion: REP. OLSON moved that SB 318 BE CONCURRED IN AS AMENDED.

Discussion:

01:24:16

Vote: Motion carried 9-3 by voice vote with REP. BERGREN, REP. KEANE, and REP. LINDEEN voting no. REP. BALLYEAT voted by proxy. REP. BALLYEAT to carry.

EXECUTIVE ACTION ON HB 765

Motion: REP. OLSON moved that HB 765 DO PASS.

Discussion:

01:27:06

Motion: REP. OLSON moved that HB 765 BE AMENDED.

Discussion:

01:28:11

[EXHIBIT](#)(trh58a07)

Vote: Motion carried unanimously by voice vote. REP. BALYEAT voted by proxy.

Motion: REP. OLSON moved that HB 765 DO PASS AS AMENDED.

Motion/Vote: REP. KEANE moved that HB 765 BE AMENDED. Motion carried unanimously by voice vote. REP. BALYEAT voted by proxy. [EXHIBIT](#)(trh58a08)

Motion: REP. OLSON moved that HB 765 DO PASS AS AMENDED.

Discussion:

01:30:45

Motion/Vote: REP. JENT moved that HB 765 BE TABLED. Motion failed 6-6 by roll call vote with REP. BALYEAT, REP. BERGREN, REP. COHENOUR, REP. GOLIE, REP. JENT, and REP. MACLAREN voting aye. REP. BALYEAT voted by proxy.

Vote: Motion DO PASS AS AMENDED carried 7-5 by roll call vote with REP. ARNTZEN, REP. BALYEAT, REP. COHENOUR, REP. GOLIE, REP. JENT, and REP. OLSON voting no. REP. BALYEAT voted by proxy.

EXECUTIVE ACTION ON SB 304

Motion/Vote: REP. BERGREN moved TO RECONSIDER SB 304 and it be taken from the table. Motion carried 10-1 by roll call vote with REP. MENDENHALL voting no.

Motion: REP. BERGREN moved that SB 304 BE CONCURRED IN.

**Discussion:**

**01:40:24**

**Vote: Motion carried 10-2 by voice vote with REP. BALLYEAT and  
REP. MENDENHALL voting no. REP. BERGREN to carry.**

**ADJOURNMENT**

Adjournment: 5:20 P.M.

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REP. SCOTT MENDENHALL, Chairman

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KYANNE KELLY, Secretary

SM/kk

Additional Exhibits:

**EXHIBIT ([trh58aad0.PDF](#))**