

**MINUTES**

**MONTANA SENATE  
60th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** By **CHAIRMAN GERALD PEASE**, on February 8, 2007 at 3:30 P.M., in Room 405 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Gerald Pease, Chairman (D)  
Sen. Jerry W. Black (R)  
Sen. Roy Brown (R)  
Sen. John Brueggeman (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Sam Kitzenberg (D)  
Sen. Jesse Laslovich (D)  
Sen. Frank Smith (D)  
Sen. Donald J. Steinbeisser (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Andrew Geiger, Legislative Branch  
Lois O'Connor, 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 23, 2/2/2007; SB 414, 2/2/2007;  
SB 415, 2/2/2007  
Executive Action: HB 23, SB 414, SB 303, SB 302, SB  
222, SB 298, SB 194

00:01:06

**HEARING ON HB 23**

**Opening Statement by Sponsor:**

00:01:42 **REP. CYNTHIA HINER (D), HD 85**, opened the hearing on **HB 23**, Clarify allocation of certain drivers license fees.

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:** None.

00:03:03 Lee Heiman, Staff Attorney, Legislative Services  
Division (LSD)

**Questions from Committee Members and Responses:**

**Closing by Sponsor:**

00:03:33 Rep. Hiner

**EXECUTIVE ACTION ON HB 23**

00:04:28 **Motion/Vote:** **SEN. BRUEGGEMAN** moved that **HB 23 BE CONCURRED IN**. Motion carried unanimously by voice vote. **SEN. KITZENBERG** voted aye by proxy.

**HEARING ON SB 414**

**Opening Statement by Sponsor:**

00:05:46 **SEN. JESSE LASLOVICH (D), SD 43**, opened the hearing on **SB 414**, Clarify application of motor carrier law in certain cities and towns.

[EXHIBIT\(his28a01\)](#)

[EXHIBIT\(his28a02\)](#)

[EXHIBIT\(his28a03\)](#)

**Proponents' Testimony:**

00:12:38 Gary Spaeth, Montana Solid Waste Contractor  
Association and for Spook Stang, Montana Motor Carriers

Association and Alan Stacy, Bekins Transfer and  
Storage, Great Falls

**EXHIBIT(his28a04)**

00:17:53 Gordon Giuglio, Giuglio Disposal Services

00:18:52 Doug Sparrow, City-County Sanitation, Helena

**Opponents' Testimony:** None.

**Informational Testimony:**

00:20:44 Greg Jergeson, Chairman, Public Service Commission

**Questions from Committee Members and Responses:**

00:22:44 Sen. Roy Brown to Sen. Laslovich

00:23:21 Sen. Gerald Pease to Sen. Laslovich

**Closing by Sponsor:**

00:24:06 Sen. Laslovich

**EXECUTIVE ACTION ON SB 414**

00:24:30 **Motion/Vote:** SEN. BLACK moved that SB 414 DO PASS.  
Motion carried unanimously by voice vote. SEN.  
KITZENBERG voted aye by proxy.

**Discussion:**

00:25:12 Sen. Frank Smith

00:26:18 Break

00:32:43 Reconvene

**HEARING ON SB 415**

**Opening Statement by Sponsor:**

00:32:52 **SEN. JIM SHOCKLEY (R), SD 45**, opened the hearing on **SB 415**, Revise laws governing motor vehicle insurance and punishments.

**Proponents' Testimony:** None.

**Opponents' Testimony:**

00:36:40 Roger McGlenn, Executive Director, Independent Insurance Agents of Montana (IIAM)

00:44:02 Don Allen, Montana Association of Insurance and Financial Advisors (MAIFA)

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:44:55 Sen. Vicki Cocchiarella to Sen. Shockley

**Closing by Sponsor:**

00:49:08 Sen. Shockley

**EXECUTIVE ACTION ON SB 303**

00:53:03 Andrew Geiger, Research Analyst, Legislative Services Division (LSD)

00:55:00 Sen. Brown to Mr. Geiger, LSD

00:55:50 **Motion:** SEN. BRUEGGEMAN moved that SB 303 DO PASS.

00:56:10 **Motion:** SEN. BRUEGGEMAN moved that #SB030301.AAG DO PASS. Motion that amendment #SB030301.AAG DO PASS carried 6-3 by voice vote. SEN. PEASE, SEN. BLACK, and SEN. LASLOVICH voted nay.

**EXHIBIT** (his28a05)

00:57:07 **Motion/Vote:** SEN. COCCHIARELLA moved that SB 303 BE TABLED. Motion failed 4-4 by roll call vote with SEN. BROWN, SEN. BRUEGGEMAN, SEN. KITZENBERG, and SEN. STEINBEISSER voting nay. SEN. BLACK was excused.

00:59:19 SEN. BRUEGGEMAN withdrew the DO PASS motion. No further action was taken.

**EXECUTIVE ACTION ON SB 302**

01:01:47 **SEN. COCCHIARELLA** moved that SB 302 DO NOT PASS.

**Discussion:**

01:02:19 Sen. Cocchiarella

01:03:55 Sen. Smith to Sen. Pease

01:05:30 Sen. Brueggeman

01:05:05 Sen. Frank

01:05:49 Sen. Cocchiarella to Sen. Brueggeman

01:07:11 Mr. Geiger, LSD

01:07:28 Sen. Brueggeman

01:08:02 Sen. Pease to Sen. Brueggeman

01:09:03 Sen. Don Steinbeisser to Sen. Brueggeman

01:09:37 Sen. Brueggeman

01:11:27 Sen. Pease

01:11:45 **Vote:** Motion that SB 302 DO NOT PASS failed 3-6 by roll call vote with SEN. COCCHIARELLA, SEN. PEASE, and SEN. SMITH voting aye.

01:12:00 **Substitute Motion/Vote:** SEN. COCCHIARELLA made a substitute motion TO TABLE SB 302. Substitute motion failed 4-5 by roll call vote with SEN. BROWN, SEN. BRUEGGEMAN, SEN. KITZENBERG, SEN. LASLOVICH, and SEN. STEINBEISSER voting NAY.

01:16:27 **Motion/Vote:** SEN. BRUEGGEMAN moved that SB 302 DO PASS. Motion carried 6-3 by roll call vote with SEN. COCCHIARELLA, SEN. PEASE, and SEN. SMITH voting no.

**EXECUTIVE ACTION ON SB 222**

01:18:24 **Motion/Vote:** SEN. BRUEGGEMAN moved that SB 222 DO PASS. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 298**

01:19:31 **Motion:** SEN. SMITH moved that SB 298 DO PASS.

**Discussion:**

01:20:16 Sen. Brown to Mr. Geiger, LSD

01:21:32 Mr. Geiger, LSD

01:22:37 Sen. Pease to Mr. Geiger, LSD

01:22:56 **Motion:** SEN. STEINBEISSER moved that #SB029801.AAG DO PASS.

**EXHIBIT** (his28a06)

**Discussion:**

01:23:17 Sen. Laslovich

01:23:57 **Vote:** Motion #SB029801.AAG failed unanimously by voice vote.

01:24:32 **Motion/Vote:** SEN. LASLOVICH moved that SB 298 BE TABLED. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 194**

01:25:10 **Motion:** SEN. KITZENBERG moved to RECONSIDER THE MOTION on SB 194.

**Discussion:**

01:26:29 Sen. Brueggeman

01:27:27 Sen. Kitzenberg

01:29:15 **Vote:** Motion to RECONSIDER THE MOTION on SB 194 failed 3-6 by roll call vote with SEN. KITZENBERG, SEN. LASLOVICH, and SEN. SMITH voting aye.

**Discussion:**

01:32:47 Sen. Pease

**ADJOURNMENT**

Adjournment: 5:10 P.M.

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SEN. GERALD PEASE, Chairman

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LOIS O'CONNOR, Secretary

GP/lo

Additional Exhibits:

**EXHIBIT ([his28aad.pdf](#))**