

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Llew Jones, on February 3, 2011 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Llew Jones, Chairman (R)
Sen. Jon Sonju, Vice Chairman (R)
Sen. Ron Arthun (R)
Sen. Anders Blewett (D)
Sen. Edward Buttrey (R)
Sen. Mary Caferro (D)
Sen. Jim Keane (D)
Sen. Carmine Mowbray (R)
Sen. Gene Vuckovich (D)
Sen. David E. Wanzenried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Bruce Tutvedt (R)

Members Absent: None

Staff Present:

Kirk Lundby, Committee Secretary
Rachel Weiss, 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 235, 2/1/2011; SB 251, 2/1/2011; HB 60, 2/1/2011
Executive Action: SB 192 Do Pass
SB 213 Do Pass As Amended

HEARING ON HB 60

Opening Statement by Sponsor:

00:02:37 Representative MacLaren (D), HD 89, opened the hearing on HB 60, Revise laws related to the supervisor of motor carriers.

Proponents' Testimony:

00:03:42 Kate Whitney, Regulatory Division Administrator, Public Service Commission (PSC)

[EXHIBIT\(his27a01\)](#)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

00:04:56 Rep. MacLaren

HEARING ON SB 235

Opening Statement by Sponsor:

00:07:05 Sen. Jon Sonju (R), SD 4, opened the hearing on SB 235, Allow admissibility of seat belt use as evidence in civil cases.

[EXHIBIT\(his27a02\)](#)

Proponents' Testimony:

00:08:38 John Alke, representing the Montana Defense Trial Lawyers (MDTL)

00:14:25 Barry Stang, representing the Motor Carriers of Montana (MCM)

00:16:25 Dick Brown, President, Montana Hospital Association (MHA)

00:16:54 John MacDonald, representing the Alliance of Automobile Manufacturers (AAM)

00:17:28 Cary Hegreberg, Executive Director, Montana Contractors Association (MCA)

00:18:11 Bill Warden, representing the National Association of Insurance and Financial Advisors (NAIFA)

00:18:38 Steve Wade, representing the Montana Municipal Insurance Authority (MMIA)

00:19:05 Jon Bennion, representing the Montana Chamber of Commerce (MCC)

00:19:18 Jason Todhunter, representing the Montana Logging Association (MLA)

00:19:51 Jacqueline Lenmark, representing the American Insurance Association, the American Council of Life Insurers, and State Farm Insurance
 00:20:39 Jessie Luther, representing the Association of Montana Troopers (AMT)
 00:21:00 Bruce Spencer, representing the Property Casualty Insurers Association of America (PCIAA), Allstate Insurance and State Farm Insurance

Opponents' Testimony:

00:21:38 Greg Pinsky
 00:25:27 Rick Pyfer
 00:31:53 Brenda Lindlief-Hall, representing herself
 00:34:44 Al Smith, representing the Montana Trial Lawyers Association (MTLA)

EXHIBIT(his27a03)

00:39:42 Willie Duffield, representing himself
 00:40:17 Mike Fellows, representing the Montana Libertarian Party

Informational Testimony:

00:41:08 Bob Gilbert, representing himself

Questions from Committee Members and Responses:

00:42:23 Sen. Blewett
 00:42:36 Dick Brown, (MHA)
 00:44:21 Sen. Blewett
 00:44:32 Dick Brown
 00:44:49 Sen. Blewett
 00:45:22 Greg Pinsky
 00:47:59 Sen. Blewett
 00:48:26 Greg Pinsky
 00:49:03 Sen. Buttrey
 00:50:13 Vice Chair Sonju
 00:50:44 Sen. Zinke
 00:51:30 Al Smith, (MTLA)
 00:52:33 Sen. Zinke
 00:53:18 Greg Pinsky
 00:54:21 Sen. Zinke
 00:54:38 Greg Pinsky
 00:55:38 Sen. Caferro
 00:56:00 Willie Duffield

Closing by Sponsor:

00:57:16 _____ Vice Chair Sonju

HEARING ON SB 251**Opening Statement by Sponsor:**

00:58:37 Sen. Christine Kaufmann (D), SD 41, opened the hearing on SB 251, Prohibit distracted driving.

Proponents' Testimony:

01:07:54 Major Tom Butler, representing the Montana Highway Patrol (MHP)
01:08:27 Bob Gilbert, representing the Montana Tow Truck Association (MTTA)
01:09:11 Larry Epstein, representing the Montana County Attorneys Association (MCAA)
01:10:58 Terry Whiteside, representing the American Radio Relay League (ARRL)
EXHIBIT(his27a04)
01:14:16 Aimee Grmoljez, representing Verizon Wireless
01:15:01 Ed Bartlett, representing the City of Billings
01:15:47 Rolf Schroder
01:18:20 Leo Denton, Sheriff, Lewis and Clark County
01:21:29 Bruce Spencer, representing the Property Casualty Insurers Association of America (PCIA) and Allstate Insurance

Opponents' Testimony:

01:22:09 Mike Fellows, Chairman, Montana Libertarian Party
EXHIBIT(his27a05)
EXHIBIT(his27a06)
EXHIBIT(his27a07)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:26:50 Sen. Vuckovich
01:28:06 Sen. Kaufmann
01:29:13 Leo Denton, Lewis and Clark County
01:29:57 Sen. Zinke
01:31:31 Sen. Kaufmann

Closing by Sponsor:

01:33:45 Sen. Kaufmann

EXECUTIVE ACTION ON SB 192

01:36:58 **Motion/Vote:** Sen. Buttrey moved that **SB 192 DO PASS**. Motion carried unanimously by voice vote. Sen. Blewett, Sen. Sonju, Sen. Tutvedt and Sen. Wanzenried voted by proxy.

EXECUTIVE ACTION ON SB 213

01:38:22 **Motion:** Sen. Buttrey moved that **SB 213 DO PASS.**

01:38:55 **Motion:** Sen. Buttrey moved that **SB 213 BE AMENDED.**
EXHIBIT(his27a08)

Discussion:

01:39:48 Sen. Zinke

01:39:56 Sen. Blewett reentered the committee room

01:39:52 **Vote:** Motion carried unanimously by voice vote. Sen. Sonju, Sen. Tutvedt and Sen. Wanzenried voted by proxy.

01:40:18 **Motion/Vote:** Sen. Buttrey moved that **SB 213 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote. Sen. Sonju, Sen. Tutvedt and Sen. Wanzenried voted by proxy.

Additional Exhibit:

The following exhibit was received today relating to SB 82 heard in committee on 1/27/2011

EXHIBIT(his27a09)

Letter dated 2/2/2011 from Patrick McCain

ADJOURNMENT

Adjournment:

01:40:54

Kirk Lundby, Secretary

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Additional Documents:

EXHIBIT([his27aad.pdf](#))