

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON HIGHWAYS AND TRANSPORTATION

**Call to Order:** Chair Llew Jones, on April 7, 2011 at 3:16 PM, in Room 405 Capitol

#### ROLL CALL

**Members Present:**

Sen. Llew Jones, Chair (R)  
Sen. Jon Sonju, Vice Chair (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)

**Members Excused:** Sen. Bruce Tutvedt (R)  
Sen. David E. Wanzenried (D)  
Sen. Ryan Zinke (R)

**Members Absent:** None

**Staff Present:** Pam Schindler, 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: HB 243, 4/1/2011; HB 636, 4/1/2011; SR 20, 4/1/2011  
Executive Action: SR 20-Be Adopted, HB 243-Tabled, HB 636-Tabled

**HEARING ON HB 636**

**Opening Statement by Sponsor:**

00:01:38 Rep. Cleve Loney (R), HD 25, opened the hearing on HB 636, Revise motor vehicle laws.

**Proponents' Testimony:**

00:03:22 Brenda Nordlund, Administrator, Department of Motor Vehicles (DMV), State of Montana

**EXHIBIT(his78a01)**

00:11:58 Ronda Wiggers, Montana County Treasurers Association (MCTA)

00:14:02 Roger Hagan, Montana Trail Vehicle Rider Association (MTVRA)

00:15:32 Bob Walker, American Motorcycle Association, Last Chance Motorcycle Association

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:18:31 Sen. Sonju

00:19:04 Ms. Nordlund

00:19:57 Sen. Arthun

00:20:25 Ms. Nordlund

00:22:36 Sen. Vuckovich

00:22:54 Ms. Nordlund

00:23:41 Sen. Keane

00:24:08 Ms. Nordlund

00:27:41 Sen. Buttrey

00:27:51 Ms. Nordlund

00:28:37 Sen. Vuckovich

00:29:30 Ms. Nordlund

**Closing by Sponsor:**

00:30:15 Rep. Loney

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**HEARING ON HB 243**

**Opening Statement by Sponsor:**

00:31:00 Rep. Douglas (Doug) Kary (R), HD 48, opened the hearing on HB 243, Revise laws on uninsured motorists.

**Proponents' Testimony:**

00:32:52 Ed Melcher, Insurance Agent, Billings, Montana

[EXHIBIT\(his78a02\)](#)

[EXHIBIT\(his78a03\)](#)

00:37:45 Bob Biskupiak, Independent Insurance Agents of Montana (IIA/MT)

**Opponents' Testimony:**

00:40:01 Bruce Spencer, Property Casualty Insurers Association of America (PCIAA), also for Greg Van Horssen, State Farm Insurance (SFI), also for Jacquelyn Lenmark, American Insurance Association (AIA)

[EXHIBIT\(his78a04\)](#)

**Informational Testimony:**

00:41:40 Brenda Nordlund, Administrator, Department of Motor Vehicles (DMV), State of Montana

**Questions from Committee Members and Responses:**

00:46:58 Sen. Blewett  
00:48:09 Ms. Nordlund  
00:48:44 Sen. Buttrey  
00:49:01 Sen. Vuckovich  
00:49:24 Rep. Kary  
00:49:37 Sen. Blewett  
00:50:33 Ms. Nordlund

**Closing by Sponsor:**

00:51:47 Rep. Kary

**HEARING ON SR 20**

(Vice-Chair Sonju assumes Chairman's role)

**Opening Statement by Sponsor:**

00:54:19 Sen. Llew Jones (R), SD 14, opened the hearing on SR 20, Confirm Governor's appointee to Transportation Commission.

**Proponents' Testimony:**

00:55:34 Patti Keebler, Board of Appointments, Office of the Governor  
00:56:05 Cary Hegreberg, Montana Contractors Association (MCA)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:57:11 Sen. Keane  
00:57:32 Barry "Spook" Stang, Executive Director, Montana Motor Carriers Association (MMCA), without objection

**Closing by Sponsor:**

00:57:54 Sen. Jones

(Chairman Jones resumes Chairman's role)

**EXECUTIVE ACTION ON SB 20**

00:58:12 **Motion/Vote:** Sen. Mowbray moved that **SR 20 BE ADOPTED**. Motion carried unanimously by voice vote. Sen. Tutvedt, Sen. Wanzenried and Sen. Zinke voted by proxy.

**EXECUTIVE ACTION ON HB 243**

00:58:54 **Motion:** Sen. Sonju moved that **HB 243 BE CONCURRED IN**.

00:59:25 **Motion:** Sen. Arthun moved that **HB 243 BE AMENDED**.  
**EXHIBIT**(his78a05)

**Discussion:**

00:59:47 Rachel Weiss, Legislative Services Division (LSD)

01:00:16 **Vote:** Motion carried unanimously by voice vote. Sen. Tutvedt, Sen. Wanzenried and Sen. Zinke voted by proxy.

01:01:05 Sen. Keane  
01:01:22 Sen. Buttrey  
01:02:16 Sen. Caferro  
01:03:44 Chairman Jones

01:03:56 **Motion:** Sen. Sonju moved that **HB 243 BE CONCURRED IN AS AMENDED.**

01:04:17 **Substitute Motion/Vote:** Sen. Keane made a substitute motion that **HB 243 BE TABLED.** Substitute Motion carried 7-5 by roll call vote with Sen. Buttrey, Sen. Jones, Sen. Mowbray, Sen. Sonju and Sen. Tutvedt voting no. Sen. Tutvedt, Sen. Wanzenried and Sen. Zinke voted by proxy.

**EXECUTIVE ACTION ON HB 636**

01:05:25 **Motion:** Sen. Buttrey moved that **HB 636 BE CONCURRED IN.**

01:05:39 **Motion:** Sen. Keane moved that **HB 636 BE AMENDED.**  
[EXHIBIT\(his78a06\)](#)

**Discussion:**

01:07:13 Ms. Weiss  
01:08:11 Sen. Mowbray  
01:09:24 Sen. Keane

01:10:19 **Vote:** Motion carried 11-1 by voice vote with Sen. Caferro voting no. Sen. Tutvedt, Sen. Wanzenried and Sen. Zinke voted by proxy.

01:10:43 **Motion:** Sen. Keane moved that **HB 636 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:11:32 **Motion:** Sen. Sonju moved that **HB 636 BE AMENDED.**  
[EXHIBIT\(his78a07\)](#)

**Discussion:**

01:11:46 Ms. Weiss  
01:12:50 Sen. Blewett  
01:13:27 Sen. Sonju  
01:13:36 Ms. Weiss  
01:14:48 Sen. Buttrey  
01:15:01 Ms. Weiss  
01:15:11 Sen. Mowbray  
01:15:16 Ms. Weiss  
01:15:45 Chairman Jones  
01:15:53 Sen. Vuckovich  
01:15:57 Ms. Weiss  
01:16:29 Sen. Buttrey  
01:16:54 Sen Mowbray  
01:17:06 Chairman Jones  
01:17:33 Sen. Buttrey

01:17:51 **Vote:** Motion carried 11-1 by voice vote with Sen. Arthun voting no. Sen. Tutvedt, Sen. Wanzenried and Sen. Zinke voted by proxy.

01:18:26 **Motion:** Sen. Sonju moved that **HB 636 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:18:36 Chairman Jones

01:18:55 Sen. Arthun

01:19:05 Sen. Vuckovich

01:19:14 Ms. Weiss

01:19:29 Sen. Keane

01:19:43 Ms. Weiss

01:20:02 Sen. Keane

01:20:09 Ms. Weiss

01:20:28 Sen. Mowbray

01:20:41 Brenda Nordlund, Administrator, Department of Motor Vehicles, State of Montana

01:21:48 Sen. Mowbray

01:22:04 Ms. Nordlund

01:23:00 Sen. Buttrey

01:23:23 Sen. Vuckovich

01:23:57 Sen. Keane

01:24:24 Chairman Jones

01:25:15 Sen. Keane

01:25:43 Sen. Buttrey

01:25:47 **Substitute Motion/Vote:** Sen. Keane made a substitute motion that **HB 636 BE TABLED.** Substitute Motion carried 7-5 by roll call vote with Sen. Buttrey, Sen. Jones, Sen. Mowbray, Sen. Sonju and Sen. Zinke voting no. Sen. Tutvedt, Sen. Wanzenried and Sen. Zinke voted by proxy.

01:26:54 Chairman Jones

**ADJOURNMENT**

Adjournment: 4:57 P.M.

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Pam Schindler, Secretary

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Additional Documents:

**EXHIBIT([his78aad.pdf](#))**