

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Steve Lavin, on February 6, 2013 at 3:00 PM, in Room 455 Capitol

ROLL CALL

Members Present:

Rep. Steve Lavin, Chair (R)
Rep. Liz Bangerter (R)
Rep. Forrestina (Frosty) Boss Ribs (D)
Rep. Clayton Fiscus (R)
Rep. Krayton Kerns (R)
Rep. Reilly Neill (D)
Rep. Bridget Smith (D)
Rep. Nancy Wilson (D)

Members Excused: Rep. Lee Randall, Vice Chair (R)
Rep. Carolyn Squires, Vice Chair (D)
Rep. Christy Clark (R)
Rep. Jerry O'Neil (R)

Members Absent: None

Staff Present: Casey Barrs, Legislative Branch
Tia Hunter, 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 331, 1/30/2013; HB 233, 1/31/2013; HB 334, 1/31/2013; HB 355, 1/31/2013
Executive Action: HB 305

EXECUTIVE ACTION ON HB 305

00:12:03 **Motion/Vote:** Rep. Kerns moved that **HB 305 DO PASS**. Motion carried unanimously by voice vote with Rep. Clark, Rep. O'Neil, Rep. Randall, and Rep. Squires voted by proxy.

00:13:26 Recessed

00:14:50 Rep. Randall and Rep. Clark entered.

00:24:42 Reconvened

00:24:45 Chairman Lavin

HEARING ON HB 334**Opening Statement by Sponsor:**

00:25:18 Rep. Jennifer Eck (D), HD 82, opened the hearing on HB 334, Revise department of transportation contracting laws.

Proponents' Testimony:

00:27:12 Kevin Christensen, Construction Engineer, Department of Transportation (MDT)

00:29:11 Jessie Luther, Montana Contractors Association (MCA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:23 Rep. Wilson

00:30:58 Mr. Christensen, MDT

00:31:04 Rep. Wilson

00:31:30 Mr. Christensen, MDT

00:32:15 Rep. Kerns

00:32:29 Mr. Christensen, MDT

00:33:21 Rep. Kerns

00:33:30 Mr. Christensen, MDT

00:33:41 Rep. Kerns

00:33:57 Mr. Christensen, MDT

00:35:47 Rep. Fiscus

00:36:05 Mr. Christensen, MDT

00:36:49 Rep. Fiscus

00:37:15 Mr. Christensen, MDT

00:37:41 Rep. Fiscus

00:38:00 Mr. Christensen, MDT

00:38:51 Rep. Clark

00:39:14 Mr. Christensen, MDT

00:40:38 Rep. Boss Ribs

00:40:51 Mr. Christensen, MDT

00:41:38 Rep. Smith

00:42:05 Mr. Christensen, MDT

00:42:55 Rep. Smith

00:42:58 Mr. Christensen, MDT
00:43:02 Rep. Smith
00:43:05 Mr. Christensen, MDT

Closing by Sponsor:

00:43:44 Rep. Eck

HEARING ON HB 331

Opening Statement by Sponsor:

00:44:32 Rep. Nancy Wilson (D), HD 97, opened the hearing on HB 331, Revise transportation commission laws.

[EXHIBIT\(trh26a01\)](#)

Proponents' Testimony:

00:51:18 Kate Cholewa, City of Missoula
00:51:54 Melinda Barnes, Bike Walk Montana

Opponents' Testimony:

00:54:14 Jessie Luther, MCA

Informational Testimony: None

Questions from Committee Members and Responses:

00:55:27 Rep. Smith
00:55:57 Rep. Wilson
00:57:32 Rep. Smith

Closing by Sponsor:

00:58:00 Rep. Wilson

HEARING ON HB 355

Opening Statement by Sponsor:

01:01:31 Rep. Christy Clark (R), HD 17, opened the hearing on HB 355, eliminate the 5-year look back for alcohol and drug driving offenses.

[EXHIBIT\(trh26a02\)](#)

Proponents' Testimony:

01:04:04 Jon Bennion, Deputy Attorney General and Legislative Liaison, Department of Justice (DOJ)
01:07:12 Tom Butler, Lieutenant Colonel, Montana Highway Patrol (MHP)
01:08:10 Mark Murphy, Montana County Attorneys Association (MCAA)
01:11:27 Jessie Luther, Association of Montana Troopers (AMT)
01:12:03 Larry Epstein, representing Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:12:46 Rep. Fiscus
01:13:19 Mr. Murphy, MCAA
01:13:42 Rep. Fiscus
01:13:50 Mr. Murphy, MCAA
01:14:03 Rep. Fiscus
01:14:31 Mr. Murphy, MCAA

Closing by Sponsor:

01:15:55 Rep. Clark

HEARING ON HB 233**Opening Statement by Sponsor:**

01:17:38 Rep. Steve Lavin (R), HD 8, opened the hearing on HB 233, Generally revise 24/7 sobriety program.

[EXHIBIT\(trh26a03\)](#)**Proponents' Testimony:**

01:21:03 Jon Bennion, Deputy Attorney General and Legislative Liaison, Department of Justice (DOJ)

[EXHIBIT\(trh26a04\)](#)

01:24:42 Ali Bovingdon, Deputy Chief of Staff, Governor's Office (GOV)
01:27:08 Rep. Neill left.
01:27:10 Tom Butler, Lieutenant Colonel, Montana Highway Patrol (MHP), Chairman, 24/7 Sobriety Program Advisory Council

[EXHIBIT\(trh26a05\)](#)**[EXHIBIT\(trh26a06\)](#)**

01:32:27 Leo Dutton, Sheriff, Lewis and Clark County
01:38:50 Pat Roos, Undersheriff, Custer County, Board member, Montana Sheriffs and Peace Officers Association (MSPOA)
01:39:07 Rep. Boss Ribs left.
01:41:56 Rep. Smith left.
01:42:01 Mike Swingley, Justice of the Peace, Lewis and Clark County
01:48:16 Perry Miller, Justice of the Peace, Blaine County, and City Judge, Chinook and Harlem, Montana Magistrates Association (MMA)
01:52:00 Kevin Evans, Undersheriff, Yellowstone County
01:54:44 Larry Epstein, Montana County Attorneys Association (MCAA), Montana Police Protective Association (MPPA), Montana Association of Chiefs of Police (MACOP)
01:55:19 Todd Harwell, Department of Public Health and Human Services (DPHHS)

[EXHIBIT\(trh26a07\)](#)

01:56:19 Jessie Luther, Association of Montana Troopers (AMT)
01:56:59 Mark Taylor, Montana Hospital Association (MHA)
01:57:43 Ken Lang, Clean Start of Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:59:27 Rep. Clark
01:59:40 Mr. Miller, MMA
02:01:52 Rep. Wilson
02:02:20 Rep. Lavin
02:02:39 Mr. Butler, MHP, 24/7 Sobriety Program Advisory Council
02:03:29 Rep. Wilson

Closing by Sponsor:

02:03:46 Rep. Lavin

ADJOURNMENT

Adjournment: 02:05:43

Tia Hunter, Secretary

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Additional Documents:

EXHIBIT([trh26aad.pdf](#))