

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Steve Lavin, on February 20, 2013 at 3:00 PM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Steve Lavin, Chair (R)
Rep. Lee Randall, Vice 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. 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 442, 2/13/2013; HB 487, 2/15/2013; HB 494, 2/15/2013
Executive Action: HB 216, HB 525, HB 355

00:04:38 Chairman Lavin

EXECUTIVE ACTION ON HB 216

00:04:54 **Motion:** Rep. Bangerter moved that **HB 216 BE REMOVED FROM TABLED.**

Discussion:

00:05:05 Rep. Bangerter

00:06:09 Rep. Randall

00:06:42 **Vote:** Motion carried 9-0 by voice vote. Rep. Clark, Rep. O'Neil, and Rep. Squires did not vote.

00:06:58 **Motion:** Rep. Bangerter moved that **HB 216 DO PASS.**

00:07:00 **Motion:** Rep. Bangerter moved that **HB 216 BE AMENDED.**

[EXHIBIT\(trh38a01\)](#)

Discussion:

00:07:16 Rep. Randall

00:07:33 Rep. Wilson

00:07:47 Chairman Lavin

00:08:04 Rep. Squires entered.

00:08:11 Barry "Spook" Stang, Executive Vice President, Motor Carriers of Montana (MCM)

00:08:49 Chairman Lavin

00:08:54 Casey Barrs, Legislative Services Division (LSD)

00:10:12 Rep. Wilson

00:10:45 Mr. Barrs, LSD

00:10:50 Rep. O'Neil entered.

00:11:25 Rep. O'Neil left.

00:11:28 Chairman Lavin

00:11:33 **Vote:** Motion carried unanimously by voice vote. Rep. Clark and Rep. O'Neil voted by proxy.

00:11:54 **Motion:** Rep. Bangerter moved that **HB 216 DO PASS AS AMENDED.**

00:12:05 **Vote:** Motion carried 11-1 by voice vote with Rep. Neill voting no. Rep. Clark and Rep. O'Neil voted by proxy.

EXECUTIVE ACTION ON HB 383

00:12:45 Rep. Fiscus

00:12:22 **Motion:** Rep. Fiscus moved that **HB 383 BE REMOVED FROM TABLED.**

[EXHIBIT\(trh38a02\)](#)

00:14:44 **Vote:** Motion failed 3-9 by roll call vote with Rep. Bangerter, Rep. Fiscus and Rep. Squires voting aye. Rep. Clark and Rep. O'Neil voted by proxy.

EXECUTIVE ACTION ON HB 525

00:15:50 **Motion:** Rep. Randall moved that **HB 525 BE TABLED.**

00:16:36 Chairman Lavin

00:17:14 **Vote:** Motion carried 10-0 by voice vote. Rep. Clark and Rep. O'Neil did not vote.

EXECUTIVE ACTION ON HB 355

00:17:31 **Motion:** Rep. Randall moved that **HB 355 DO PASS.**

00:17:41 **Motion:** Rep. Randall moved that **HB 355 BE AMENDED.**
EXHIBIT(trh38a03)

Discussion:

00:17:55 Rep. Bangerter

00:18:07 Chairman Lavin

00:18:44 Rep. Bangerter

00:18:49 Chairman Lavin

00:18:58 Rep. Bangerter

00:19:02 Chairman Lavin

00:19:05 Rep. Randall

00:19:20 Rep. Squires

00:19:34 Chairman Lavin

00:19:41 Rep. Squires

00:19:44 Chairman Lavin

00:19:52 Rep. Squires

00:19:55 Chairman Lavin

00:20:15 Rep. Squires

00:20:20 Jon Bennion, Deputy Attorney General and Legislative Liaison, Department of Justice (DOJ)

00:21:10 Rep. Squires

00:21:15 Mr. Bennion, DOJ

00:22:06 Chairman Lavin

00:22:15 Rep. Smith

00:22:19 Chairman Lavin

00:23:06 **Vote:** Motion carried unanimously by voice vote. Rep. Clark and Rep. O'Neil voted by proxy.

00:23:28 **Motion:** Rep. Randall moved that **HB 355 BE AMENDED.**
EXHIBIT(trh38a04)

Discussion:

00:23:38 Rep. Randall

00:24:25 Rep. Fiscus

00:24:50 Rep. Randall

00:24:54 Chairman Lavin

00:25:12 **Vote:** Motion carried 10-2 by voice vote with Rep. Boss Ribs and Rep. Squires voting no. Rep. Clark and Rep. O'Neil voted by proxy.

00:25:48 **Motion/Vote:** Rep. Randall moved that **HB 355 DO PASS AS AMENDED.** Motion carried 11-1 by roll call vote with Rep. Kerns voting no. Rep. Clark and Rep. O'Neil voted by proxy.

00:27:56 Recessed

00:28:49 Reconvened

HEARING ON HB 442

Opening Statement by Sponsor:

00:29:00 Rep. Lee Randall (R), HD 39, opened the hearing on HB 442, Increase vehicle damage reporting requirement.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:33:01 Rep. Smith
00:33:10 Rep Randall
00:33:33 Rep. Squires
00:33:41 Chairman Lavin
00:33:46 Rep. Squires
00:34:13 Chairman Lavin
00:34:27 Rep. Boss Ribs
00:34:43 Chairman Lavin
00:34:56 Rep. Squires
00:35:09 Rep. Fiscus
00:35:31 Rep. Randall
00:35:54 Rep. Clark entered.
00:36:17 Rep. Fiscus
00:36: Rep Randall
00:36:53 Rep. Smith
00:37:11 Rep. Randall
00:37:22 Rep. Squires
00:37:39 Chairman Lavin

Closing by Sponsor:

00:37:56 Rep. Randall

HEARING ON HB 487

Opening Statement by Sponsor:

00:38:32 Rep. Pat Connell (R), HD 87, opened the hearing on HB 487, Revise laws related to DUI convictions and restricted-use driving permit.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:45:01 Rep. Smith
00:45:20 Rep. Connell
00:46:39 Rep. Fiscus
00:47:14 Rep. Connell
00:48:42 Rep. Fiscus
00:49:08 Rep. Connell
00:49:25 Chairman Lavin
00:50:20 Rep. Connell
00:52:03 Rep. Wilson
00:52:11 Rep. Connell
00:52:15 Rep. Wilson
00:52:23 Rep. Connell
00:53:12 Rep. Clark
00:53:23 Rep. Connell
00:53:35 Chairman Lavin

Closing by Sponsor:

00:53:47 Rep. Connell

HEARING ON HB 494

Opening Statement by Sponsor:

00:55:32 Rep. Carl Glimm (R), HD 6, opened the hearing on HB 494, Require state agencies to determine final payment for construction services.
00:55:36 Rep. Bangerter left.

[EXHIBIT\(trh38a05\)](#)

Proponents' Testimony:

00:57:33 Casey Durbin, Wickens Construction
[EXHIBIT\(trh38a06\)](#)
01:00:59 Rep. O'Neil returned.
01:02:26 Paul Thompson, Engineer, Gilman Construction
01:07:27 Cary Hegreberg, Executive Director, Montana Contractors' Association (MCA) and representing Knife River Construction

[EXHIBIT\(trh38a07\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:10:17 Rep. Wilson
01:11:08 Rep. Glimm

01:11:21 Mr. Hegreberg, MCA
01:12:41 Rep. Squires
01:13:01 Chairman Lavin
01:13:17 Rep Fiscus
01:13:55 Mr. Thompson, Gilman Construction
01:14:13 Rep. Neill left.
01:14:32 Mr. Durbin, Wickens Construction
01:14:57 Rep. Fiscus
01:15:30 Mr. Durbin, Wickens Construction
01:15:48 Rep. Fiscus
01:16:06 Mr. Durbin, Wickens Construction
01:16:23 Rep. Smith
01:16:45 Mr. Thompson, Gilman Construction
01:17:12 Rep. Squires left.
01:17:46 Rep. Wilson
01:18:06 Chairman Lavin
01:18:33 Rep. Wilson
01:18:48 Chairman Lavin

Closing by Sponsor:

01:18:54 Rep. Glimm

01:20:43 Chairman Lavin

ADJOURNMENT

Adjournment: 01:22:09

Tia Hunter, Secretary

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Additional Documents:

EXHIBIT([trh38aad.pdf](#))