

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Steve Lavin, on February 22, 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. Carolyn Squires, Vice Chair (D)
Rep. Liz Bangerter (R)
Rep. Forrestina (Frosty) Boss Ribs (D)
Rep. Clayton Fiscus (R)
Rep. Krayton Kerns (R)
Rep. Reilly Neill (D)
Rep. Jerry O'Neil (R)
Rep. Nancy Wilson (D)

Members Excused: Rep. Christy Clark (R)
Rep. Bridget Smith (D)

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 508, 2/18/2013; HB 513, 2/18/2013; HB 542, 2/19/2013; HB 548, 2/20/2013; HB 570, 2/22/2013

Executive Action: HB 442, HB 487, HB 494, HB 508, HB 513, HB 542, HB 548, HB 570

00:02:59 Chairman Lavin
00:03:01 Rep. Smith entered.

HEARING ON HB 508

Opening Statement by Sponsor:

00:03:41 Rep. Champ Edmunds (R), HD 100, opened the hearing on HB 508, Revise commercial drivers' license laws related military veterans.

Proponents' Testimony:

00:04:59 Dan Antonietti, Legislative Chairman, Veterans of Foreign Wars of the United States (VFW)
00:05:25 Barry "Spook" Stang, Executive Vice President, Motor Carriers of Montana (MCM)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:00 Rep. O'Neil
00:06:35 Rep. Edmunds
00:07:05 Casey Barrs, Legislative Services Division (LSD)
00:07:26 Rep. O'Neil
00:07:47 Mr. Barrs, LSD
00:08:01 Rep. O'Neil
00:08:22 Chairman Lavin
00:08:34 Rep. Wilson
00:09:10 Rep. Edmunds
00:09:28 Mr. Barrs, LSD
00:09:52 Rep. Boss Ribs
00:10:04 Rep. Clark entered.
00:10:10 Rep. Edmunds
00:10:26 Rep. Boss Ribs
00:10:30 Rep. Edmunds

Closing by Sponsor:

00:10:40 Rep. Edmunds

00:11:07 Rep. Squires

HEARING ON HB 542

Opening Statement by Sponsor:

00:12:01 Rep. Amanda Curtis (D), HD 76, opened the hearing on HB 542, Revise speed limit laws.

EXHIBIT(trh40a01)

Proponents' Testimony:

00:16:44 Bob Gilbert, Montana Tow Truck Association, Ltd. (MTTA)

00:19:02 Leonard Lundby, Montana Fire Alliance, and Fire Chief, Manchester Volunteer Fire Department
00:20:02 Jim Dusenberry, MTTA and J&D Towing
00:23:44 Jerry Williams, Executive Director and Legislative Chair, Montana Police Protective Association (MPPA)
00:24:27 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)
00:26:10 Brian Reed, Montana State Council of Professional Firefighters (MSCOPFF)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:26:57 Rep. Curtis

00:28:28 Rep. Neill left.

HEARING ON HB 548

Opening Statement by Sponsor:

00:28:57 Rep. Daniel Zolnikov (R), HD 47, opened the hearing on HB 548, Increase truck speed limits by removing special restrictions.

Proponents' Testimony:

00:30:43 Allen Saylor, Self

00:34:18 Mr. Stang, MCM

00:36:29 Bob Gilbert, Self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:38:50 Rep. Wilson

00:39:18 Rep. Zolnikov

00:39:31 Chairman Lavin

00:39:37 Rep. Squires

00:40:06 Rep. O'Neil

00:40:37 Chairman Lavin

00:41:19 Mr. Stang, MCM

00:42:02 Chairman Lavin

00:42:12 Mr. Stang, MCM

00:42:56 Chairman Lavin

00:43:06 Rep. Fiscus

00:43:30 Mr. Stang, MCM

00:44:27 Rep. Fiscus

00:44:47 Mr. Stang, MCM
00:45:23 Rep. Fiscus
00:45:36 Mr. Stang, MCM

Closing by Sponsor:

00:46:01 Rep. Zolnikov

HEARING ON HB 570

Opening Statement by Sponsor:

00:47:01 Rep. Tom Woods (D), HD 64, opened the hearing on HB 570, Revise license plate laws related to antique cars.

Proponents' Testimony:

00:49:10 Representative Nicholas Schwaderer, HD 14

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:50:52 Rep. O'Neil
00:51:06 Rep. Squires
00:51:23 Rep. Woods
00:51:31 Rep. Squires
00:51:40 Rep. Woods
00:51:46 Chairman Lavin
00:52:12 Rep. Woods

Closing by Sponsor:

00:53:13 Rep. Woods

HEARING ON HB 513

Opening Statement by Sponsor:

00:53:57 Rep. Bill McChesney (D), HD 40, opened the hearing on HB 513, Exempt oversized load permits from the Montana Environmental Policy Act.

Proponents' Testimony:

00:56:58 Deb Poteet, Poteet Construction, Inc.
00:58:32 Trevor Livesay, President, Montana Lines, Inc.
01:00:23 Cary Hegreberg, Executive Director, Montana Contractors' Association (MCA), and representing Montana Chamber of Commerce and Treasure State Resource Industry Association (TSRIA)

EXHIBIT(trh40a02)

01:04:48 Mr. Stang, MCM
01:06:06 Gary Forrester, Knife River Corporation

Opponents' Testimony:

01:06:43 Kyla Maki, Montana Environmental Information Center (MEIC)

EXHIBIT(trh40a03)

01:17:53 Linda Stoll, Missoula County
01:19:45 Janet Ellis, Montana Audubon

EXHIBIT(trh40a04)

01:21:59 Ron Brey, Self
01:22:16 Nick Engelfried, Blue Skies Campaign
01:22:38 Claire Cantrell, Self
01:22:53 Nathan Titus, Self, and Blue Skies Campaign

Informational Testimony:

01:23:21 Duane Williams, Administrator, Motor Carrier Services Division, Department of Transportation (MDT)

Questions from Committee Members and Responses:

01:23:46 Rep. Bangerter
01:24:05 Mr. Williams, MDT
01:24:21 Rep. Bangerter
01:24:37 Mr. Williams, MDT
01:24:55 Rep. Bangerter
01:25:05 Mr. Williams, MDT
01:25:21 Rep. Bangerter
01:25:38 Mr. Williams, MDT
01:26:01 Rep. Bangerter
01:26:27 Rep. McChesney
01:26:41 Rep. Squires
01:27:17 Rep. Bangerter
01:27:26 Rep. Squires
01:27:29 Rep. Bangerter
01:27:32 Rep. Squires
01:27:59 Mr. Williams, MDT
01:28:04 Rep. Squires
01:28:26 Mr. Williams, MDT
01:28:39 Rep. Squires
01:28:57 Mr. Williams, MDT
01:29:00 Rep. Squires
01:29:15 Mr. Williams, MDT
01:29:34 Rep. Squires
01:30:07 Mr. Williams, MDT
01:30:20 Rep. Squires
01:30:29 Rep. Wilson
01:30:57 Rep. McChesney
01:31:00 Rep. Wilson
01:31:23 Rep. McChesney
01:32:14 Rep. Wilson
01:33:14 Rep. McChesney
01:33:43 Rep. Wilson
01:34:07 Rep. McChesney
01:35:34 Rep. Wilson
01:36:32 Ms. Maki, MEIC
01:38:04 Chairman Lavin

01:38:38 Mr. Stang, MCM
01:39:02 Chairman Lavin
01:39:31 Mr. Stang, MCM
01:39:59 Chairman Lavin
01:40:11 Mr. Hegreberg, MCA
01:41:07 Chairman Lavin
01:41:27 Mr. Hegreberg, MCA
01:42:41 Rep. Squires
01:42:44 Chairman Lavin
01:42:46 Rep. Squires
01:42:54 Mr. Hegreberg, MCA
01:43:35 Rep. Smith
01:44:05 Rep. McChesney
01:44:15 Rep. Smith
01:44:31 Rep. McChesney
01:44:51 Mr. Williams, MDT
01:45:13 Rep. Wilson
01:45:57 Mr. Williams, MDT

Closing by Sponsor:

01:46:15 Rep. McChesney

01:48:54 Recessed

01:54:56 Reconvened

EXECUTIVE ACTION ON HB 442

01:55:09 **Motion:** Rep. Randall moved that **HB 442 DO PASS.**

Discussion:

01:55:32 Chairman Lavin

01:56:00 **Vote:** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 487

01:56:44 **Motion:** Rep. Randall moved that **HB 487 DO PASS.**

01:56:52 **Substitute Motion/Vote:** Rep. Clark made a substitute motion that **HB 487 BE TABLED.** Motion carried 10-1 by voice vote with Rep. O'Neil voting no. Rep. Neill did not vote.

EXECUTIVE ACTION ON HB 494

01:57:50 **Motion:** Rep. Randall moved that **HB 494 DO PASS.**

Discussion:

01:58:14 Rep. Clark

01:58:31 Rep. Wilson

01:58:38 Chairman Lavin

01:58:41 Rep. Fiscus
01:58:51 Chairman Lavin

01:59:02 **Vote:** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 508

01:59:22 **Motion:** Rep. Randall moved that **HB 508 DO PASS.**

Discussion:

01:59:34 Rep. Squires
01:59:58 Rep. Clark
02:00:14 Rep. Bangerter
02:00:44 Chairman Lavin

02:00:48 **Vote:** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 513

02:01:01 **Motion:** Rep. Randall moved that **HB 513 DO PASS.**

Discussion:

02:01:10 Rep. Wilson
02:02:24 Rep. Fiscus
02:03:57 Rep. Squires
02:04:12 Rep. Fiscus
02:04:19 Chairman Lavin

02:05:01 **Vote:** Motion carried 8-3 by roll call vote with Rep. Boss Ribs, Rep. Squires and Rep. Wilson voting no. Rep. Neill did not vote.

EXECUTIVE ACTION ON HB 542

02:05:59 **Motion:** Rep. Randall moved that **HB 542 DO PASS.**

02:06:17 **Motion/Vote:** Rep. Randall moved that **HB 542 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Neill voted by proxy.

EXHIBIT(trh40a05)

02:06:51 **Motion:** Rep. Randall moved that **HB 542 DO PASS AS AMENDED.**

Discussion:

02:07:00 Rep. Kerns
02:07:35 Chairman Lavin
02:07:40 Rep. Fiscus
02:08:00 Rep. Wilson

02:08:20 **Vote:** Motion carried 7-5 by roll call vote with Rep. Clark, Rep. Fiscus, Rep. Kerns, Rep. O'Neil and Rep. Randall voting no. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 548

02:09:24 **Motion:** Rep. Randall moved that **HB 548 DO PASS.**

Discussion:

02:09:34 Rep. Randall
02:10:04 Rep. Fiscus
02:10:15 Rep. Wilson
02:10:58 Rep. Fiscus
02:11:14 Chairman Lavin

02:11:29 **Vote:** Motion carried 7-5 by roll call vote with Rep. Boss Ribs, Rep. Lavin, Rep. Neill, Rep. Squires and Rep. Wilson voting no. Rep. Neill voted by proxy.

EXECUTIVE ACTION ON HB 570

02:12:16 **Motion:** Rep. Randall moved that **HB 570 DO PASS.**

Discussion:

02:12:35 Chairman Lavin
02:13:20 Rep. Squires
02:13:26 Chairman Lavin
02:13:37 Rep. Squires
02:13:40 Chairman Lavin
02:13:44 Rep. Bangerter
02:14:01 Chairman Lavin

02:14:11 **Vote:** Motion failed 2-10 by roll call vote with Rep. O'Neil and Rep. Randall voting aye. Rep. Neill voted by proxy.

02:15:15 **Motion/Vote:** Rep. Randall moved that **HB 570 BE TABLED AND THE VOTE REVERSED.** Motion carried 11-0 by voice vote. Rep. Neill did not vote.

02:15:30 Chairman Lavin
02:15:35 Rep. Clark
02:15:46 Chairman Lavin

ADJOURNMENT

Adjournment: 02:16:21

Tia Hunter, Secretary

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Additional Documents:

EXHIBIT([trh40aad.pdf](#))