

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Elsie Arntzen, on April 4, 2013 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Elsie Arntzen, Chair (R)
Sen. Edward Buttrey, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Anders Blewett (D)
Sen. Jim Keane (D)
Sen. Matthew M. Rosendale Sr (R)
Sen. Bruce Tutvedt (R)
Sen. Gene Vuckovich (D)
Sen. David E. Wanzonried (D)

Members Excused: Sen. Dee Brown (R)
Sen. Jon Sonju (R)
Sen. Roger Webb (R)

Members Absent: None

Staff Present: Dave Bohyer, Legislative Branch
Charlene Devine, 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 573, 3/25/2013; HB 542, 3/25/2013

Executive Action: HB 442, Be Concurred In As Amended; HB 494, Be Concurred In As Amended; HB 157, Be Concurred In As Amended; HB 573, Be Concurred In As Amended; HB 216, Tabled; HB 548, Tabled; HB 558, Tabled, HB 542, Tied (Not reported out of committee)

r

HEARING ON HB 573**Opening Statement by Sponsor:**

00:47:24 Rep. Roger Hagan (R), HD 19, opened the hearing on HB 573, Generally revise motor vehicle laws.

EXHIBIT(his70a01)

00:47:29 Sen. Brown entered the hearing.

01:00:48 Sen. Buttrey left the hearing.

Proponents' Testimony:

00:51:31 Russ Ehnes, Montana Trail Vehicle Riders Association (MTVRA)

00:53:34 Ronna Alexander, Montana Trail Vehicle Riders Association (MTVRA)

00:54:19 Brenda Nordlund, Montana Department of Transportation (MDT)

00:54:38 Sen. Tutvedt left the hearing.

00:55:43 Bob Gilbert, Citizens For Balanced Use (CFBU), Walleyes Unlimited of Montana (WULMT)

00:56:09 Bruce Spencer, Montana Auto Dealers Association (MADA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:57:11 Sen. Keane

01:00:13 Brenda Nordlund, MDT

01:00:26 Sen. Brown

01:00:33 Sen. Buttrey entered the hearing.

01:04:21 Brenda Nordlund

01:05:18 Sen. Keane

01:05:56 Brenda Nordlund

01:06:23 Sen. Keane

01:06:49 Spook Stang, Motor Carriers of Montana (MCM)

Closing by Sponsor:

01:06:59 Rep. Hagan

HEARING ON HB 542**Opening Statement by Sponsor:**

01:10:02 Rep. Amanda Curtis (D), HD 76, opened the hearing on HB 542, Revise speed limit laws.

[EXHIBIT\(his70a02\)](#)

[EXHIBIT\(his70a03\)](#)

[EXHIBIT\(his70a04\)](#)

01:10:34 Sen. Brown left the hearing.

Proponents' Testimony:

01:11:57 Rep. Wendy Warburton (R), HD 34

01:14:29 Jim Dusenbery, Capitol City Tow Association (CCTA), Montana Tow Truck Association (MTTA)

01:17:01 Terry Morrison, Montana Tow Truck Association (MTTA), National Highway Transportation Safety Administration (NHTSA)

01:17:42 Sen. Tutvedt entered the hearing.

01:18:16 Bob Gilbert, Montana Tow Truck Association (MTTA)

01:19:24 Ken Mergenthaler, Eastgate Volunteer Fire Department (EVFD)

01:22:41 Jerry Williams, Montana Protective Police Association (MPPA)

01:23:53 Tom Butler, Montana Highway Patrol (MHP)

01:24:55 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:27:48 Sen. Barrett

01:28:19 Ken Mergenthaler, EVFD

01:28:52 Sen. Rosendale

01:29:21 Tom Bulter, MHP

01:29:54 Sen. Blewett left the hearing.

01:30:09 Sen. Rosendale

01:30:16 Tom Butler

01:31:06 Sen. Keane

01:31:54 Tom Butler

01:32:53 Sen. Keane

01:35:16 Tom Butler

01:36:08 Sen. Buttrey

01:37:47 Tom Butler

01:38:05 Rep. Curtis

01:39:24 Sen. Buttrey

01:39:41 Sen. Barrett

01:40:26 Sen. Buttrey

01:40:55 Sen. Barrett
 01:42:11 Jim Dusenberry, CCTA, MTTA
 01:42:16 Sen. Barrett

Closing by Sponsor:

01:42:46 Rep. Curtis
 01:42:54 Rep. Wendy Warburton (R), HD 34

 01:47:47 Sen. Brown entered the hearing.

EXECUTIVE ACTION ON HB 442

01:48:12 **Motion:** Sen. Tutvedt moved that **HB 442 BE CONCURRED IN.**

Discussion:

01:48:53 Sen. Arntzen
 01:49:20 Sen. Wanzenried left the hearing.

01:50:40 Brief Recess
 01:55:39 Reconvened

01:55:50 **Motion:** Sen. Tutvedt moved that **HB 442 BE AMENDED.**
[EXHIBIT\(his70a05\)](#)

Discussion:

01:56:00 Dave Bohyer, Legislative Services Division (LSD)
 01:56:58 Sen. Barrett
 01:58:25 Sen. Arntzen
 01:58:36 Sen. Tutvedt
 01:58:54 Sen. Buttrey
 01:59:45 Sen. Rosendale
 02:00:10 Sen. Brown
 02:00:24 Sen. Keane

02:01:53 **Vote:** Motion carried 7-5 by roll call vote with Sen. Arntzen, Sen. Rosendale, Sen. Sonju, Sen. Tutvedt and Sen. Webb voting no. Sen. Blewett, Sen. Sonju, Sen. Wanzenried and Sen. Webb voted by proxy.

02:02:13 **Motion/Vote:** Sen. Di. Barrett moved that **HB 442 BE CONCURRED IN AS AMENDED.** Motion carried 9-3 by voice vote with Sen. Barrett, Sen. Blewett and Sen. Wanzenried voting no. Sen. Blewett, Sen. Sonju, Sen. Wanzenried and Sen. Webb voted by proxy. Sen. Sonju will carry the bill.

EXECUTIVE ACTION ON HB 494

02:02:54 **Motion:** Sen. Tutvedt moved that **HB 494 BE REMOVED FROM BEING TABLED.**

02:03:23 **Motion:** Sen. Rosendale moved that **HB 494 BE AMENDED.**

Discussion:

02:03:35 Sen. Brown

02:03:59 Without objection, Sen. Rosendale withdrew the BE AMENDED motion.

02:04:10 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:04:27 **Motion:** Sen. Rosendale moved that **HB 494 BE CONCURRED IN.**

02:04:40 **Motion:** Sen. Rosendale moved that **HB 494 BE AMENDED.**
EXHIBIT(his70a06)

Discussion:

02:04:53 Sen. Rosendale

02:05:18 Dave Bohyer, Legislative Services Division (LSD)

02:05:52 Without objection, Sen. Rosendale withdrew the BE AMENDED motion.

02:05:57 **Motion:** Sen. Rosendale moved that **HB 494 BE AMENDED.**
(See Exhibit 6)

Discussion:

02:06:10 Sen. Barrett

02:06:22 Sen. Rosendale

02:06:32 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:06:53 **Motion/Vote:** Sen. Tutvedt moved that **HB 494 BE CONCURRED IN AS AMENDED.** Motion carried 8-0 by voice vote. Sen. Sonju, Sen. Blewett, Sen. Wanzenried and Sen. Webb were excused. Sen. Rosendale will carry the bill.

EXECUTIVE ACTION ON HB 157

02:07:13 **Motion:** Sen. Buttrey moved that **HB 157 BE REMOVED FROM BEING TABLED.**

Discussion:

02:07:46 Sen. Brown
02:08:05 Sen. Buttrey

02:08:35 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:09:00 **Motion:** Sen. Buttrey moved that **HB 157 BE AMENDED.**
EXHIBIT(his70a07)

Discussion:

02:09:07 Sen. Buttrey

02:09:57 **Vote:** Motion carried 7-1 by voice vote. Sen. Keane voted no. Sen. Blewett, Sen. Sonju, Sen. Wanzenried and Sen. Webb were excused.

02:10:20 **Motion/Vote:** Sen. Buttrey moved that **HB 157 BE CONCURRED IN AS AMENDED.** Motion carried 9-2 by voice vote with Sen. Keane and Sen. Vuckovich voting no. Sen. Sonju, Sen. Wanzenried and Sen. Webb voted by proxy. Sen. Blewett was excused. Sen. Wanzenried will carry the bill.

EXECUTIVE ACTION ON HB 542

02:11:25 **Motion:** Sen. Buttrey moved that **HB 542 BE CONCURRED IN.**

02:11:35 **Motion:** Sen. Buttrey moved that **HB 542 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**

Discussion:

02:11:56 Dave Bohyer, LSD
02:11:40 Sen. Buttrey

02:13:45 **Vote:** Motion carried 6-2 by voice vote. Sen. Rosendale and Sen. Sonju voting no. Sen. Blewett, Sen. Sonju, Sen. Wanzenried and Sen. Webb were excused.

02:14:23 **Motion:** Sen. Rosendale moved that **HB 542 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**

Discussion:

02:15:00 Sen. Barrett
02:15:21 Sen. Tutvedt

02:15:56 Without objection, Sen. Rosendale withdrew the BE AMENDED motion.

02:16:10 **Motion/Vote:** Sen. Buttrey moved that **HB 542 BE CONCURRED IN AS AMENDED**. Motion failed 6-6 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Buttrey, Sen. Keane, Sen. Vuckovich and Sen. Wanzenried voting aye. Sen. Blewett, Sen. Sonju, Sen. Wanzenried and Sen. Webb voted by proxy. (Vote not reported out of committee).

02:17:32 Sen. Blewett entered the hearing.

EXECUTIVE ACTION ON HB 573

02:18:05 **Motion:** Sen. Buttrey moved that **HB 573 BE CONCURRED IN**.

Discussion:

02:18:26 Sen. Brown
02:19:49 Dave Bohyer

02:21:05 **Motion/Vote:** Sen. Tutvedt moved that **HB 573 BE AMENDED**. Motion carried 10-1 by voice vote with Sen. Keane voting no. Sen. Sonju and Sen. Webb voted by proxy. Sen. Wanzenried was excused.

EXHIBIT(his70a08)

Discussion:

02:22:05 Sen. Brown
02:23:02 Sen. Barrett
02:23:41 Sen. Keane

02:23:52 **Motion/Vote:** Sen. Vuckovich moved that **HB 573 BE CONCURRED IN AS AMENDED**. Motion carried 6-5 by roll call vote with Sen. Barrett, Sen. Blewett, Sen. Brown, Sen. Vuckovich and Sen. Webb voting no. Sen. Sonju and Sen. Webb voted by proxy. Sen. Wanzenried was excused. Sen. Rosendale will carry the bill.

EXECUTIVE ACTION ON HB 548

02:25:24 **Motion:** Sen. Buttrey moved that **HB 548 BE CONCURRED IN**.

Discussion:

02:25:58 Sen. Buttrey

02:26:21 **Motion:** Sen. Di. Barrett moved that **HB 548 BE AMENDED**.

Discussion:

02:26:39 Sen. Buttrey
02:27:33 Sen. Blewett
02:27:59 Sen. Arntzen

02:28:09 **Substitute Motion:** Sen. Blewett made a substitute motion that **HB 548 BE AMENDED WITH A CONCEPTUAL AMENDMENT.**

Discussion:

02:28:34 Sen. Buttrey
 02:28:47 Sen. Vuckovich left the hearing
 02:29:05 Sen. Arntzen
 02:29:12 Sen. Keane

02:29:15 Without objection, Sen. Blewett withdrew the BE AMENDED motion.

02:29:22 **Substitute Motion/Vote:** Sen. Blewett made a substitute motion that **HB 548 BE TABLED.** Substitute motion carried 6-2 by voice vote with Sen. Blewett and Sen. Brown voting no. Sen. Sonju, Sen. Vuckovich, Sen. Wanzenried and Sen. Webb were excused.

EXECUTIVE ACTION ON HB 558

02:30:04 **Motion:** Sen. Buttrey moved that **HB 558 BE CONCURRED IN.**

02:30:10 **Substitute Motion/Vote:** Sen. Buttrey made a substitute motion that **HB 558 BE TABLED.** Substitute motion carried 8-0 by voice vote. Sen. Sonju, Sen. Vuckovich, Sen. Wanzenried and Sen. Webb were excused.

EXECUTIVE ACTION ON HB 216

02:32:45 **Motion:** Sen. Tutvedt moved that **HB 216 BE CONCURRED IN.**

Discussion:

02:33:01 Sen. Tutvedt
 02:33:03 Sen. Keane

02:34:23 **Vote:** Motion failed 5-7 by roll call vote with Sen. Buttrey, Sen. Rosendale, Sen. Sonju, Sen. Tutvedt and Sen. Arntzen voting aye. Sen. Sonju, Sen. Vuckovich, Sen. Wanzenried and Sen. Webb voted by proxy.

02:34:36 **Motion/Vote:** Sen. Tutvedt moved that **HB 216 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote of those present and voting.

ADJOURNMENT

Adjournment: 6:35 P.M.

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([his70aad.pdf](#))