

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON HIGHWAYS AND TRANSPORTATION

**Call to Order:** Chair Gordon Vance, on March 19, 2019 at 3:00 PM, in Room 405 Capitol

#### ROLL CALL

**Members Present:**

Sen. Gordon Vance, Chair (R)  
Sen. Carlie Boland, Vice Chair (D)  
Sen. Steve Fitzpatrick, Vice Chair (R)  
Sen. Bryce Bennett (D)  
Sen. Dee Brown (R)  
Sen. Jen Gross (D)  
Sen. Diane Sands (D)  
Sen. Roger Webb (R)  
Sen. Jeffrey W. Welborn (R)

**Members Excused:** Sen. John Esp (R)

**Members Absent:** None

**Staff Present:** Noah Horan, Committee Secretary  
Laura Sankey Keip, 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:**

Executive Action: SB 173 DO PASS AS AMENDED; SB 317 DO PASS; HB 37 BE CONCURRED IN; HB 39 BE CONCURRED IN; HB 190 BE CONCURRED IN; HB 38 Tabled; HB 82 Tabled; HB 120 Tabled; HB 440 MOTION WITHDRAWN

15:01:21 Chair Vance

15:03:08 Sen. Welborn and Sen. Fitzpatrick entered the meeting. Sen. Webb left the meeting.

**EXECUTIVE ACTION ON SB 173**

15:04:56 **Motion:** Sen. Fitzpatrick moved that **SB 173 DO PASS.**

15:05:08 **Motion:** Sen. Fitzpatrick moved that **SB 173 BE AMENDED.**

[EXHIBIT\(his56a01\)](#)

[EXHIBIT\(his56a02\)](#)

**Discussion:**

15:05:33 Sen. Brown

15:05:50 **Vote:** Motion carried 8-2 by voice vote with Sen. D. Brown and Sen. Esp voting no. Sen. Esp and Sen. R. Webb voted by proxy.

15:06:16 **Motion:** Sen. Fitzpatrick moved that **SB 173 DO PASS AS AMENDED.**

**Discussion:**

15:06:37 Chair Vance

15:07:16 Sen. Sands

15:07:29 Chair Vance

15:07:40 Sen. Sands

15:07:49 Chair Vance

15:08:02 Sen. Brown

15:08:16 Sen. Gross

15:08:36 Laura Sankey Keip, Legislative Services Division (LSD)

15:08:44 Sen. Bennett

15:09:05 Chair Vance

15:09:33 **Vote:** Motion carried 6-4 by roll call vote with Sen. D. Brown, Sen. Esp, Sen. Vance and Sen. R. Webb voting no. Sen. Esp and Sen. R. Webb voted by proxy.

**EXECUTIVE ACTION ON SB 317**

15:12:08 **Motion:** Sen. Fitzpatrick moved that **SB 317 DO PASS.**

**Discussion:**

15:12:40 Sen. Brown

15:13:54 Sen. Gross

15:14:24 Sen. Boland

15:15:07 **Vote:** Motion carried 6-4 by roll call vote with Sen. D. Brown, Sen. Esp, Sen. Vance and Sen. R. Webb voting no. Sen. Esp and Sen. R. Webb voted by proxy.

**EXECUTIVE ACTION ON HB 37**

15:15:53 **Motion:** Sen. Fitzpatrick moved that **HB 37 BE CONCURRED IN.**

**Discussion:**

15:16:12 Sen. Brown

15:16:36 **Vote:** Motion carried unanimously by voice vote. Sen. Esp and Sen. R. Webb voted by proxy. Sen. Welborn will carry the bill.

**EXECUTIVE ACTION ON HB 38**

15:17:15 **Motion:** Sen. Fitzpatrick moved that **HB 38 BE CONCURRED IN.**

**Discussion:**

15:17:57 Sen. Brown

15:18:42 Chair Vance

15:18:56 Sen. Sands

15:19:01 Ms. Sankey Keip, LSD

**EXHIBIT(his56a03)**

15:19:58 Sen. Sands

15:20:44 Sen. Brown

15:21:28 Sen. Boland

15:21:53 Sen. Gross

15:22:58 Chair Vance

15:23:04 Ms. Sankey Keip

15:23:31 Chair Vance

15:23:49 Sen. Sands

15:24:18 **Motion:** Sen. Sands moved that **HB 38 BE AMENDED.**

**EXHIBIT(his56a04)**

**Discussion:**

15:24:30 Sen. Bennett

15:25:11 Sen. Brown

15:25:39 Sen. Sands

15:26:01 Ms. Sankey Keip

15:26:29 Sen. Sands

15:26:40 Ms. Sankey Keip

15:26:59 Chair Vance

15:27:15 Sen. Fitzpatrick

15:27:26 Sen. Sands

15:27:41 Sen. Brown

15:28:29 Ms. Sankey Keip

15:28:34 Sen. Fitzpatrick

15:29:03 Sen. Sands

15:29:14 **Vote:** Motion carried 7-3 by roll call vote with Sen. Fitzpatrick, Sen. R. Webb and Sen. Welborn voting no. Sen. Esp and Sen. R. Webb voted by proxy.

15:29:59 **Motion:** Sen. Fitzpatrick moved that **HB 38 BE CONCURRED IN AS AMENDED.**

**Discussion:**

15:30:07 Sen. Sands

15:30:20 Chair Vance

15:30:31 **Vote:** Motion failed 5-5 by roll call vote with Sen. Bennett, Sen. Boland, Sen. Fitzpatrick, Sen. Gross and Sen. Sands voting aye. Sen. Esp and Sen. R. Webb voted by proxy.

15:31:00 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 38 BE TABLED.** Motion carried 8-0 by voice vote. Sen. Esp and Sen. R. Webb were excused.

**EXECUTIVE ACTION ON HB 39**

15:31:26 **Motion:** Sen. Fitzpatrick moved that **HB 39 BE CONCURRED IN.**

**Discussion:**

15:31:39 Sen. Brown

15:31:57 **Vote:** Motion carried 7-3 by voice vote with Sen. Vance, Sen. R. Webb and Sen. Welborn voting no. Sen. Esp and Sen. R. Webb voted by proxy. Sen. Brown will carry the bill.

**EXECUTIVE ACTION ON HB 82**

15:32:49 **Motion:** Sen. Fitzpatrick moved that **HB 82 BE CONCURRED IN.**

**Discussion:**

15:33:09 Chair Vance

15:33:55 Sen. Brown

15:34:27 **Vote:** Motion failed 5-5 by roll call vote with Sen. Bennett, Sen. Boland, Sen. Fitzpatrick, Sen. Gross and Sen. Sands voting aye. Sen. Esp and Sen. R. Webb voted by proxy.

15:35:00 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 82 BE TABLED.** Motion carried unanimously by voice vote. Sen. Esp and Sen. R. Webb voted by proxy.

**EXECUTIVE ACTION ON HB 120**

15:35:18 **Motion:** Sen. Fitzpatrick moved that **HB 120 BE CONCURRED IN.**

**Discussion:**

15:35:35 Sen. Brown

15:36:19 Sen. Gross

15:36:29 Sen. Brown

15:36:33 Sen. Fitzpatrick

15:36:49 Chair Vance

15:37:04 Sen. Gross  
 15:37:14 Chair Vance  
 15:37:25 Sen. Bennett  
 15:38:18 Sen. Brown

15:38:48 **Vote:** Motion failed 5-5 by roll call vote with Sen. Bennett, Sen. Boland, Sen. Gross, Sen. Sands and Sen. Welborn voting aye. Sen. Esp and Sen. R. Webb voted by proxy.

15:39:27 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 120 BE TABLED**. Motion carried 9-0 by voice vote. Sen. Esp voted by proxy. Sen. R. Webb was excused.

**EXECUTIVE ACTION ON HB 190**

15:39:40 **Motion:** Sen. Fitzpatrick moved that **HB 190 BE CONCURRED IN**.

**Discussion:**

15:39:51 Chair Vance

15:40:41 **Vote:** Motion carried 7-3 by roll call vote with Sen. D. Brown, Sen. Esp and Sen. R. Webb voting no. Sen. Esp and Sen. R. Webb voted by proxy. Sen. Vance will carry the bill.

**EXECUTIVE ACTION ON HB 440**

15:41:39 **Motion:** Sen. Fitzpatrick moved that **HB 440 BE CONCURRED IN**.

**Discussion:**

15:42:05 Chair Vance  
 15:42:16 Sen. Gross  
 15:43:14 Sen. Brown  
 15:43:31 Chair Vance  
 15:43:40 Sen. Bennett  
 15:44:25 Chair Vance  
 15:44:29 Sen. Bennett  
 15:44:32 Sen. Sands  
 15:44:53 Sen. Gross  
 15:45:26 Chair Vance  
 15:45:39 Sen. Gross  
 15:45:57 Sen. Sands  
 15:46:20 Sen. Gross  
 15:46:41 Chair Vance  
 15:46:48 Sen. Bennett  
 15:47:03 Sen. Gross  
 15:47:08 Chair Vance  
 15:47:17 Sen. Gross  
 15:47:22 Sen. Sands  
 15:47:49 Sen. Welborn  
 15:48:40 Sen. Brown  
 15:48:58 Chair Vance

15:49:16 Sen. Welborn  
15:49:50 Chair Vance  
15:49:53 Sen. Bennett  
15:50:23 Sen. Brown  
15:50:29 Sen. Bennett  
15:50:33 Chair Vance  
15:50:49 Sen. Gross  
15:50:52 Chair Vance  
15:50:59 Sen. Gross  
  
15:51:02 Without objection, Sen. Fitzpatrick withdrew the motion.

**Committee Business:**

15:51:11 Chair Vance  
15:52:02 Sen. Sands  
15:52:34 Chair Vance  
15:52:39 Sen. Sands  
15:52:42 Chair Vance  
15:52:55 Sen. Gross  
15:53:00 Chair Vance  
15:53:27 Sen. Brown  
15:53:30 Chair Vance

**ADJOURNMENT**

Adjournment: 3:54 PM

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Noah Horan, Secretary

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Additional Documents:

**EXHIBIT**([his56aad.pdf](#))