

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Gordon Vance, on March 26, 2019 at 2:00 P.M., 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. John Esp (R)
Sen. Jen Gross (D)
Sen. Diane Sands (D)
Sen. Roger Webb (R)

Members Excused: Sen. Jeffrey W. Welborn (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:

Hearing & Date Posted: SB 346, 3/22/2019; SB 350, 3/22/2019; SB 353, 3/22/2019; SB 365, 3/36/2019

Executive Action: SB 346 DO PASS AS AMENDED; SB 365 DO PASS; SB 350 TABLED; SB 353 TABLED

14:03:03 Sen. Esp entered the meeting.

HEARING ON SB 346

Opening Statement by Sponsor:

14:06:10 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 346, Generally revise motor vehicle laws.

Proponents' Testimony:

14:07:25 Sarah Garcia, administrator, Motor Vehicle Division, Department of Justice (DOJ)

EXHIBIT(his62a01)

14:13:01 Rocky Haralson, Montana County Treasurers Association (MCTA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

14:15:01 Sen. Sands
14:15:28 Ms. Garcia, DOJ
14:15:56 Joann Loehr, Motor Vehicle Division, DOJ
14:16:50 Sen. Sands
14:17:02 Ms. Loehr, DOJ
14:17:29 Sen. Webb
14:17:39 Ms. Loehr
14:17:58 Sen. Brown
14:18:22 Ms. Garcia
14:18:56 Sen. Brown
14:19:15 Ms. Garcia
14:19:21 Sen. Brown
14:19:29 Ms. Garcia
14:20:29 Sen. Brown
14:20:57 Ms. Garcia
14:21:31 Sen. Brown
14:22:26 Ms. Garcia
14:22:52 Sen. Brown
14:23:46 Ms. Garcia
14:24:22 Sen. Brown
14:26:12 Ms. Garcia
14:26:27 Sen. Brown
14:26:40 Chair Vance

Closing by Sponsor:

14:26:59 Sen. Fitzpatrick

EXECUTIVE ACTION ON SB 346

14:27:34 **Motion:** Sen. Fitzpatrick moved that **SB 346 DO PASS.**

14:27:55 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 346 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Welborn voted by proxy.

EXHIBIT(his62a02)

14:29:46 **Motion:** Sen. Fitzpatrick moved that **SB 346 DO PASS AS AMENDED.**

Discussion:

14:29:57 Chair Vance

14:29:59 Sen. Brown

14:30:14 Sen. Sands

14:30:52 Sen. Fitzpatrick

14:31:06 Sen. Brown

14:31:19 **Vote:** Motion carried 8-2 by roll call vote with Sen. D. Brown and Sen. R. Webb voting no. Sen. Welborn voted by proxy.

14:32:59 Sen. Esp

14:33:16 Sen. Fitzpatrick

14:33:33 Sen. Esp

14:33:56 Chair Vance

EXHIBIT(his62a03)

HEARING ON SB 365

Opening Statement by Sponsor:

14:35:58 Sen. Dee Brown (R), SD 2, opened the hearing on SB 365, Memorialize Flathead veterans on the new southfork bridge.

14:36:30 Sen. Webb left the hearing.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

14:37:56 Sen. Gross

14:38:17 Sen. Brown

14:38:46 Sen. Sands

14:38:51 Sen. Brown

14:39:19 Sen. Bennett

14:39:36 Sen. Brown

14:40:08 Sen. Bennett

14:40:47 Sen. Brown

14:41:10 Chair Vance

14:41:23 Sen. Brown

Closing by Sponsor:

14:41:49 Sen. Brown

EXECUTIVE ACTION ON SB 365

14:42:03 **Motion:** Sen. Fitzpatrick moved that **SB 365 DO PASS.**

Discussion:

14:42:11 Sen. Sands

14:42:29 Sen. Brown

14:42:47 Sen. Sands

14:42:57 **Vote:** Motion carried unanimously by voice vote. Sen. R. Webb and Sen. Welborn voted by proxy.

14:44:27 Recess

14:54:27 Reconvened

HEARING ON SB 350

Opening Statement by Sponsor:

14:54:36 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 350, Encourage lap-shoulder belts on school buses.

EXHIBIT(his62a04)

Proponents' Testimony:

14:58:37 Joe Cohenour, self

14:59:22 Tom Cohn, self

15:00:34 Sen. Esp left the hearing.

Opponents' Testimony:

15:00:40 Bob Gilbert, Montana School Bus Contractors Association (MSBCA)

Informational Testimony:

15:09:49 Kara Flath, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

15:10:24 Sen. Gross

15:11:00 Sen. Cohenour

15:11:31 Sen. Gross

15:11:53 Mr. Gilbert, MSBCA

15:12:32 Sen. Gross

15:12:50 Mr. Gilbert

15:13:23 Sen. Gross

15:13:36 Sen. Cohenour

15:13:59 Sen. Gross

15:14:36 Sen. Fitzpatrick

15:15:19 Mr. Gilbert
 15:16:10 Sen. Fitzpatrick
 15:16:39 Mr. Gilbert
 15:17:05 Chair Vance
 15:17:16 Sen. Cohenour

Closing by Sponsor:

15:18:36 Sen. Cohenour

HEARING ON SB 353

Opening Statement by Sponsor:

15:22:04 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 353, Generally revise MVD laws.

Proponents' Testimony:

15:23:33 Tom Butler, chief, Montana Highway Patrol (MHP)
 15:24:32 Joann Loehr, Motor Vehicle Division, Montana Department of Justice (DOJ)
 15:26:52 Rocky Haralson, Montana County Treasurers Association (MCTA)

15:28:20 Sen. Webb returned to the hearing.

15:28:28 Joe Cohenour, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:32:12 Sen. Boland
 15:32:40 Sen. Cohenour
 15:33:56 Sen. Gross
 15:34:10 Sen. Cohenour
 15:35:04 Ms. Loehr, DOJ
 15:35:21 Sen. Gross
 15:35:42 Mr. Butler, MHP
 15:36:14 Sen. Gross
 15:36:43 Ms. Loehr
 15:36:57 Sen. Gross
 15:37:12 Ms. Loehr
 15:37:39 Sen. Gross
 15:37:54 Sen. Cohenour
 15:38:43 Sen. Brown
 15:39:10 Sen. Cohenour
 15:40:13 Sen. Brown
 15:40:34 Sen. Cohenour
 15:40:53 Sen. Bennett
 15:41:51 Sen. Cohenour
 15:42:45 Sen. Bennett
 15:43:25 Sen. Cohenour

15:43:42 Sen. Gross
 15:44:23 Sen. Cohenour
 15:45:36 Sen. Gross
 15:46:17 Sen. Cohenour
 15:46:52 Sarah Garcia, administrator, Motor Vehicle Division, Department of Justice (DOJ)
 15:47:30 Sen. Gross
 15:48:10 Ms. Garcia, DOJ
 15:48:17 Chair Vance
 15:48:38 Ms. Loehr
 15:49:05 Chair Vance
 15:49:09 Ms. Loehr
 15:49:34 Chair Vance

Closing by Sponsor:

15:49:43 Sen. Cohenour
 15:50:12 Chair Vance

EXECUTIVE ACTION ON SB 350

15:50:21 **Motion:** Sen. Fitzpatrick moved that **SB 350 DO PASS.**

Discussion:

15:50:35 Sen. Boland
 15:51:48 **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. Welborn voted by proxy.
 15:52:29 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 350 BE TABLED.** Motion carried 8-2 by voice vote with Sen. Boland and Sen. Sands voting no. Sen. Esp and Sen. Welborn voted by proxy.

EXECUTIVE ACTION ON SB 353

15:52:54 **Motion:** Sen. Fitzpatrick moved that **SB 353 DO PASS.**
 15:52:59 **Motion:** Sen. Gross moved that **SB 353 BE CONCEPTUALLY AMENDED TO STRIKE THE WORDS "FROM ANY SOURCE" ON PAGE 6, LINE 25.**

Discussion:

15:53:32 Chair Vance
 15:53:49 **Vote:** Motion carried 6-3 by voice vote with Sen. Esp, Sen. Vance and Sen. R. Webb voting no. Sen. Esp voted by proxy. Sen. Welborn was excused.
 15:54:21 **Motion:** Sen. Fitzpatrick moved that **SB 353 DO PASS AS AMENDED.**

15:54:28 **Motion/Vote:** Sen. Bennett moved that **SB 353 BE CONCEPTUALLY AMENDED TO INSERT THE WORDS "FOR CIVIC, EDUCATIONAL, OR CHARITABLE PURPOSES" ON PAGE 10, LINE 1.** Motion carried unanimously by voice vote. Sen. Esp and Sen. Welborn voted by proxy.

15:55:39 **Motion:** Sen. Fitzpatrick moved that **SB 353 DO PASS AS AMENDED.**

Discussion:

15:55:45 Sen. Brown

15:56:32 Sen. Esp returned to the meeting.

15:56:37 Sen. Sands

15:56:45 Sen. Brown

15:56:55 Sen. Gross

15:57:44 **Vote:** Motion failed 5-5 by roll call vote with Sen. Bennett, Sen. Boland, Sen. Fitzpatrick, Sen. Gross and Sen. Sands voting aye. Sen. Welborn voted by proxy.

15:58:13 **Motion/Vote:** Sen. Fitzpatrick moved that **SB 353 BE TABLED.** Motion carried 9-1 by voice vote with Sen. Boland voting no. Sen. Welborn voted by proxy.

ADJOURNMENT

Adjournment: 4:00 PM

Noah Horan, Secretary

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Additional Documents:

Additional Documents:

EXHIBIT([his62aad.pdf](#))