

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: Chair Gordon Vance, on April 6, 2021 at 3:30 PM, in Room 405 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Gordon Vance, Chair (R)
Sen. Jeffrey W. Welborn, Vice Chair (R)
Sen. Bryce Bennett (D)
Sen. Steve Fitzpatrick (R)
Sen. Chris Friedel (R)
Sen. Carl Glimm (R)
Sen. Theresa Manzella (R)
Sen. Tom McGillvray (R)

Members Present by Zoom Video Conference:

Sen. Carlie Boland, Vice Chair (D)
Sen. Mike Fox (D)
Sen. Jen Gross (D)
Sen. Diane Sands (D)

Members Excused:

Sen. Cary Smith (R)

Members Absent: None

Staff Present: Alex Colafrancesco, Remote Meeting Coordinator
Laura Sankey Keip, Legislative Branch
Gwyn Schooler, 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:

Executive Action on: HB 188; HB 267; HB 300; HB 350; HB 365; HB 462; HB 476; HB 562; HB 608

15:33:19 Sen. McGillvray entered the meeting.

15:34:04 Sen. Boland

15:34:19 Sen. Vance

15:34:25 Recess

15:47:55 Reconvene

15:47:56 Sen. Glimm entered the meeting.

EXECUTIVE ACTION ON HB 188

15:48:01 **Motion:** Sen. Fitzpatrick moved that **HB 188 BE CONCURRED IN.**

15:48:09 **Motion:** Sen. Glimm moved that **HB 188 BE AMENDED.**

[EXHIBIT\(his65a01\)](#)

Discussion:

15:48:21 Sen. Glimm

15:50:18 **Vote:** Motion carried 11-2 by voice vote with Sen. Bennett and Sen. Gross voting no. Sen. C. Smith and Sen. Welborn voted by proxy.

15:50:41 **Motion:** Sen. Fitzpatrick moved that **HB 188 BE CONCURRED IN AS AMENDED.**

Discussion:

15:50:50 Sen. Boland

15:51:24 Sen. Bennett

15:51:58 **Vote:** Motion carried 8-5 by roll call vote with Sen. Bennett, Sen. Boland, Sen. Fox, Sen. Gross and Sen. Sands voting no. Sen. C. Smith and Sen. Welborn voted by proxy. Sen. Glimm will carry the bill.

EXECUTIVE ACTION ON HB 267

15:52:50 **Motion:** Sen. Fitzpatrick moved that **HB 267 BE CONCURRED IN.**

Discussion:

15:53:00 Laura Sankey Keip, Legislative Services Division

15:53:54 **Motion:** Sen. Fitzpatrick moved that **HB 267 BE AMENDED.**

[EXHIBIT\(his65a02\)](#)

15:54:05 **Vote:** Motion carried unanimously by voice vote. Sen. C. Smith and Sen. Welborn voted by proxy.

15:54:26 **Motion:** Sen. Fitzpatrick moved that **HB 267 BE CONCURRED IN AS AMENDED.**

Discussion:

15:54:32 Sen. McGillvray
15:54:53 Sen. Bennett
15:55:04 Sen. McGillvray
15:55:39 Sen. Bennett

15:55:47 **Vote:** Motion failed 3-10 by roll call vote with Sen. Fitzpatrick, Sen. Glimm and Sen. Manzella voting aye. Sen. C. Smith and Sen. Welborn voted by proxy.

15:56:34 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 267 BE TABLED**. Motion carried unanimously by voice vote. Sen. C. Smith and Sen. Welborn voted by proxy.

EXECUTIVE ACTION ON HB 300

15:57:00 **Motion:** Sen. Fitzpatrick moved that **HB 300 BE CONCURRED IN**.

Discussion:

15:57:22 Sen. Vance
15:57:51 Sen. Boland
15:58:29 Sen. Vance

15:58:39 **Vote:** Motion carried unanimously by voice vote. Sen. C. Smith and Sen. Welborn voted by proxy. Sen. Manzella will carry the bill.

EXECUTIVE ACTION ON HB 350

15:59:04 **Motion:** Sen. Fitzpatrick moved that **HB 350 BE CONCURRED IN**.

Discussion:

15:59:19 Sen. Boland

15:59:32 **Vote:** Motion failed 1-12 by roll call vote with Sen. Boland voting aye. Sen. C. Smith and Sen. Welborn voted by proxy.

16:00:33 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 350 BE TABLED**. Motion carried unanimously by voice vote. Sen. C. Smith and Sen. Welborn voted by proxy.

EXECUTIVE ACTION ON HB 365

16:00:52 **Motion:** Sen. Fitzpatrick moved that **HB 365 BE CONCURRED IN**.

Discussion:

16:01:04 Laura Sankey Keip, Legislative Services Division

16:02:03 **Motion:** Sen. Fitzpatrick moved that **HB 365 BE AMENDED**.
[EXHIBIT\(his65a03\)](#)

Discussion:

16:02:07 Sen. Sands
 16:02:11 Sen. Vance
 16:02:16 Sen. McGillvray

16:02:28 **Vote:** Motion carried unanimously by voice vote. Sen. C. Smith and Sen. Welborn voted by proxy.

16:02:45 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 365 BE CONCURRED IN AS AMENDED**. Motion carried 11-2 by roll call vote with Sen. Bennett and Sen. Gross voting no. Sen. C. Smith and Sen. Welborn voted by proxy. Sen. McGillvray will carry the bill.

EXECUTIVE ACTION ON HB 462

16:03:52 **Motion:** Sen. Fitzpatrick moved that **HB 462 BE CONCURRED IN**.

Discussion:

16:03:58 Laura Sankey Keip, Legislative Services Division

16:04:22 **Motion:** Sen. Bennett moved that **HB 462 BE AMENDED**.
[EXHIBIT\(his65a04\)](#)

Discussion:

16:04:26 Sen. Bennett

16:05:05 **Vote:** Motion carried 8-5 by roll call vote with Sen. Fitzpatrick, Sen. Glimm, Sen. C. Smith, Sen. Vance and Sen. Welborn voting no. Sen. C. Smith and Sen. Welborn voted by proxy.

16:06:01 **Motion:** Sen. Fitzpatrick moved that **HB 462 BE CONCURRED IN AS AMENDED**.

Discussion:

16:06:11 Sen. Gross

16:07:12 **Vote:** Motion carried 9-4 by roll call vote with Sen. Glimm, Sen. McGillvray, Sen. C. Smith and Sen. Vance voting no. Sen. C. Smith and Sen. Welborn voted by proxy. Sen. Friedel will carry the bill.

EXECUTIVE ACTION ON HB 476

16:08:17 **Motion:** Sen. Fitzpatrick moved that **HB 476 BE CONCURRED IN**.

Discussion:

16:08:26 Laura Sankey Keip, Legislative Services Division (LSD)

16:09:58 **Motion:** Sen. Fitzpatrick moved that **HB 476 BE AMENDED.**
[EXHIBIT\(his65a05\)](#)

Discussion:

16:10:05 Ms. Sankey Keip, LSD

16:10:19 **Vote:** Motion carried unanimously by voice vote. Sen. C. Smith and Sen. Welborn voted by proxy.

16:10:39 **Motion:** Sen. Fitzpatrick moved that **HB 476 BE CONCURRED IN AS AMENDED.**

Discussion:

16:10:48 Sen. Glimm

16:12:59 Sen. Sands

16:13:14 **Vote:** Motion carried 9-4 by roll call vote with Sen. Glimm, Sen. McGillvray, Sen. C. Smith and Sen. Vance voting no. Sen. C. Smith and Sen. Welborn voted by proxy. Sen. Friedel will carry the bill.

EXECUTIVE ACTION ON HB 562

16:14:20 **Motion:** Sen. Fitzpatrick moved that **HB 562 BE CONCURRED IN.**

16:14:34 Chair Vance

16:14:52 **Substitute Motion/Vote:** Sen. Sands made a substitute motion that **HB 562 BE TABLED.** Substitute Motion carried 7-6 by roll call vote with Sen. Fitzpatrick, Sen. Friedel, Sen. Glimm, Sen. Manzella, Sen. McGillvray and Sen. Welborn voting no. Sen. C. Smith and Sen. Welborn voted by proxy.

EXECUTIVE ACTION ON HB 608

16:15:56 **Motion:** Sen. Fitzpatrick moved that **HB 608 BE CONCURRED IN.**

Discussion:

16:16:14 Sen. Vance

16:17:02 **Vote:** Motion failed 6-7 by roll call vote with Sen. Bennett, Sen. Boland, Sen. Fox, Sen. Gross, Sen. Sands and Sen. Welborn voting aye. Sen. C. Smith and Sen. Welborn voted by proxy.

16:17:55 **Motion/Vote:** Sen. Fitzpatrick moved that **HB 608 BE TABLED.** Motion carried unanimously by voice vote. Sen. C. Smith and Sen. Welborn voted by proxy.

16:18:20 Sen. Glimm

16:18:50 Sen. Sands

16:18:59 Bob Gilbert, Montana Tow Truck Association

16:19:50 Chair Vance

16:20:24 Sen. Glimm
16:20:36 Chair Vance

ADJOURNMENT

Adjournment: 4:21 PM

Gwyn Schooler, Secretary

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Additional Documents:

EXHIBIT([his65aad.pdf](#))