

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON HIGHWAYS AND TRANSPORTATION

**Call to Order:** Chair Gordon Vance, on March 30, 2021 at 3:00 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:**

Hearing & Date Posted: SB 392, 3/25/2021  
Executive Action on: SB 392; HB 264; HB 586; HB 598

15:02:35 Chair Vance passed the duties of the chair to Vice Chair Welborn.

15:02:35 Sen. McGillvray, Sen. Glimm, and Sen. Fitzpatrick left the meeting.

### **HEARING ON SB 392**

#### **Opening Statement by Sponsor:**

15:02:40 Sen. Gordon Vance (R), SD 34, opened the hearing on SB392, Providing for energy and fiber right-of-way along interstate highways.

**EXHIBIT(his62a01)**

#### **Proponents' Testimony:**

15:05:31 Michael Ducker, Renewable Fuels and Western Region vice president, Mitsubishi Power  
15:10:11 Thomas Cameron, consultant, Mitsubishi Power  
15:13:16 JP Gallagher, chief executive, Butte-Silver Bow  
15:15:05 Mike McGinley, commissioner, Beaverhead County  
15:15:57 David Smith, CEO, Montana Contractors' Association  
15:16:30 Dave Galt, Montana Petroleum Association  
15:17:14 John Forkan, Montana State Building and Construction Trades Association  
15:18:10 Matt Vincent, consultant, Mitsubishi Power  
15:18:55 Jessie Luther, Mitsubishi Power

**EXHIBIT(his62a02)**

**Opponents' Testimony:** None

#### **Informational Testimony:**

15:21:17 Malcolm Long, director, Department of Transportation (MDT)

#### **Questions from Committee Members and Responses:**

15:22:57 Sen. Manzella  
15:23:34 Mr. Long, MDT  
15:22:24 Sen. Sands  
15:25:13 Mr. Ducker, Mitsubishi Power  
15:26:45 Sen. Sands  
15:26:58 Chair Welborn  
15:27:59 Sen. Vance  
15:28:25 Chair Welborn

#### **Additional Proponent Testimony:**

15:29:17 Dave Olsen, mayor, Lima

#### **Additional Questions from Committee Members and Responses:**

15:30:27 Sen. Boland  
15:31:14 Sen. Vance  
15:31:28 Mr. Long  
15:32:35 Sen. Boland  
15:34:15 Sen. Vance  
15:34:26 Ms. Luther, Mitsubishi Power

15:35:28 Sen. Boland

**Closing by Sponsor:**

15:36:04 Sen. Vance

15:36:40 Sen. Vance resumed the duties of the chair.

**EXECUTIVE ACTION ON SB 392**

15:36:50 **Motion:** Sen. Welborn moved that **SB 392 DO PASS.**

**Discussion:**

15:36:55 Chair Vance

15:37:13 Laura Sankey Keip, Legislative Services Division

15:37:40 Chair Vance

15:37:56 **Motion:** Sen. Welborn moved that **SB 392 BE AMENDED.**

**EXHIBIT**(his62a03)

**Discussion:**

15:38:17 Sen. Sands

15:38:45 Sen. Boland

15:39:45 **Vote:** Motion carried 8-5 by roll call vote with Sen. Bennett, Sen. Boland, Sen. Fox, Sen. Gross and Sen. Sands voting no. Sen. Fitzpatrick, Sen. Glimm, Sen. McGillvray and Sen. C. Smith voted by proxy.

15:40:34 **Motion:** Sen. Welborn moved that **SB 392 DO PASS AS AMENDED.**

**Discussion:**

15:40:43 Chair Vance

14:41:01 Sen. Welborn

15:42:39 Chair Vance

15:42:53 Malcolm Long, director, Department of Transportation (MDT)

15:43:46 Sen. Friedel

15:43:59 Sen. Welborn

15:44:09 Sen. Friedel

15:44:48 Mr Long, MDT

15:46:00 **Vote:** Motion carried 8-5 by roll call vote with Sen. Bennett, Sen. Boland, Sen. Fox, Sen. Gross and Sen. Sands voting no. Sen. Fitzpatrick, Sen. Glimm, Sen. McGillvray and Sen. C. Smith voted by proxy.

**EXECUTIVE ACTION ON HB 264**

15:50:09 **Motion:** Sen. Welborn moved that **HB 264 BE CONCURRED IN.**

**Discussion:**

15:50:34 Sen. Gross

15:51:24 Sen. McGillvray entered the meeting.

15:51:39 Chair Vance

15:52:24 **Vote:** Motion carried 9-4 by roll call vote with Sen. Fitzpatrick, Sen. Glimm, Sen. Manzella and Sen. C. Smith voting no. Sen. Fitzpatrick, Sen. Glimm and Sen. C. Smith voted by proxy. Sen. Welborn will carry the bill.

**EXECUTIVE ACTION ON HB 586**

15:53:24 **Motion/Vote:** Sen. Welborn moved that **HB 586 BE CONCURRED IN**. Motion carried unanimously by roll call vote. Sen. Fitzpatrick, Sen. Glimm and Sen. C. Smith voted by proxy. Sen. Vance will carry the bill.

**EXECUTIVE ACTION ON HB 598**

15:55:04 **Motion:** Sen. Welborn moved that **HB 598 BE CONCURRED IN**.

**Discussion:**

15:55:34 Sen. Friedel

15:55:57 Sen. Gross

15:56:26 **Vote:** Motion carried unanimously by roll call vote. Sen. Fitzpatrick, Sen. Glimm and Sen. C. Smith voted by proxy. Sen. Gross will carry the bill.

15:57:40 Sen. McGillvray

15:57:59 Chair Vance

**ADJOURNMENT**

Adjournment: 3:58 PM

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Gwyn Schooler, Secretary

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Additional Documents:

**EXHIBIT**([his62aad.pdf](#))