

HIGHWAYS AND TRANSPORTATION
COMMITTEE

February 17, 1977

The Committee on Highways and Transportation was called to order on February 17, 1977 at 10:00 a.m. with Chairman Baeth presiding and all members were present.

The following bills were scheduled for discussion today: HB 632, HB 769 and HJR 64.

HOUSE BILL 769

Chairman Baeth is the sponsor of this bill and turned over the chair to Vice-Chairman Kanduch. Chairman Baeth then said he wanted Jim Beck, attorney for the Department of Highways, to speak in his place.

Jim Beck said this bill was introduced at the request of the Department of Highways. Its purpose is to designate a state maintenance system for public highways and to provide additional funding therefor by increasing the tax on gasoline and special fuels by 1/4 cent per gallon.

There has been some question as to who is responsible for maintenance of different highways and roads. Two similar bills were introduced: HB 632 and HB 769. HB 769 provides for funding, which HB 632 does not.

Jim Beck suggested an amendment to HB 769 which he feels takes care of the provisions of HB 632 and thus makes that bill unnecessary. This amendment said that the Highway Commission will maintain all roads that it has been doing as of July 1, 1976. It further provides that the Department of Highways will enter into agreements with local governing bodies to maintain portions of our public highways that are in their locality and paying them for the work.

He went into details of why this 1/4 cent extra revenue is needed. In the last few years, 700 miles of secondary roads were transferred from secondary system to the primary system. 334 of them had been maintained by the counties. Once they are in the primary system, they become the responsibility of the Department of Highways. This made a big fiscal impact on the department.

Mr. Donald Gruel, administrator of the Maintenance Division of the Department of Highways, said in 1968 the department of highways assumed most all federal-aid system roads within municipalities. With the advent of the federal-aid urban system, many more miles of highway were added and included on the urban system.

The 1973 federal-aid highway act required a study of reclassification of roads. It was determined that 763 miles of existing secondary system roads would be transferred to the primary system. The Department of Highways had maintained 429 miles of the 763, but this added 334 miles.

Their estimate of maintenance costs of this additional 334 miles of new primary highway will cost \$1,930,381 for the first year and \$903,925 for the second year in the next biennium. The 1/4 cent tax on fuels would supply enough revenue to cover these costs. If municipalities or counties were contracted to do this work, corresponding revenue would be transferred to them.

Proponent David Hunter of the Montana League of Cities and Towns said they feel this bill will take care of our maintenance problems and they support it.

Proponent Ken Haag of City of Billings said he supports this bill and the suggested amendment.

Proponent George Hammond, representing Montana Council No. 9 of AFSCME, AFL-CIO, and former highway employee, said they feel this small increase will not greatly affect the price of gasoline and will do alot of good in the maintenance of highways.

Jim Beck gave the committee a detailed Montana map marked by this department showing which areas and roads would be affected.

He said their appropriation bill is being held until this bill has been decided upon. This extra revenue from this bill is necessary because the department cannot absorb the added costs of this additional 334 miles.

It is estimated that 2.7 million would be generated next year by this bill if it is passed.

Hearing closed on HB 769. All materials marked Exhibit 11.

HOUSE BILL 632

Chairman Baeth, chief sponsor of this bill, turned over the chair to Vice-Chairman Kanduch. He then introduced Jim Beck, attorney for the Department of Highways.

Mr. Beck said it is their feeling that with the amendments in HB 769 which covers the pertinent parts of this HB 632, they suggest that HB 632 be killed.

Hearing closed on HB 632.

HOUSE JOINT RESOLUTION 64

Representative Edna Gunderson, chief sponsor of this bill, said this resolution is to encourage the Congress to take necessary steps to release funds for improving the safety of rail-highway grade crossings for off-system roads. A state must clearly demonstrate the need for these funds in order to get them. The Department of Highways has worked out a study and plan on the many places in great need for improvement of railroad crossings.

Les Harris, project planning section supervisor of the Planning Bureau of the Engineering Division of the Department of Highways, said that Montana has 6257 railroad grade crossings and of these 2291 of them are on public roads. 3955 are on private crossings. Of the public road crossings, 362 of them are on the federal-aid highway system. Of these 362, 149 of them are protected by signals. 2012 have very minimal protection.

12% of all crossings are protected with signals. The department has come out with a priority listing of what needs protection. We have a listing of 100 on the federal air system and 100 on the off-road system that we think merit signals and/or gates. This priority listing is based on a hazard index and is updated as needed.

If federal funds are obtained, they will be 90/10% match. The state highways trust funds would be used for matching purposes. It is their estimate that \$819,000 would come to Montana in 1977 and 1978 both. These funds are not yet released and this is the reason for this resolution. He said the average cost of installation is \$58,000 and the railroad assumes maintenance and liability. Proponent Kenneth Clark of the United Transportation Union said they are in favor of this resolution.

Proponent David Hunter of the League of Cities and Towns said they are in support of this resolution.

There were no opponents.

Hearing closed on HJR 64.

EXECUTIVE SESSION

HOUSE BILL 627

Chairman Baeth turned over the chair to Vice-Chairman Kanduch as he is the chief sponsor of this bill. There was a detailed on the merits of it and also some things that could be amended. The director of the Rimrock Foundation of Billings gave the committee some suggested amendments because they feel the present wording might affect their other sources of income. Since there were no opponents present, Rep. Tropila and Mular objected to the presentations being done during executive session. Rep. Tropila made a motion to put this bill in subcommittee. This motion was carried unanimously.

A subcommittee on HB 627 was named: Tropila, O'Keefe, Mular, Baeth and Keyser.

HOUSE BILL 769

Rep. Kanduch moved to accept the suggested amendments on this bill. This was unanimously carried. Rep. Mular made a motion of AS AMENDED DO PASS. Ten yes with Keyser, Tropila and Kropp voting no. (10 yes, 3 no) Motion carried.

HOUSE BILL 632

Rep. Kanduch made a motion of DO NOT PASS. Rep. Kropp seconded it. It was unanimously passed.

HOUSE JOINT RESOLUTION 64

Rep. Tropila made a motion of DO PASS. It was unanimously carried.

Rep. Pistoria made a motion that the committee make a resolution, according to his typed suggestion, on vehicle noise pollution. Rep. Tropila seconded it. 8 yes votes, with Kropp, Hansen, Underdal, Wood and Keyser voting no. (8 yes, 5 no) It requires a 3/4 vote, so motion failed.

Executive Session ended at 12:00 noon.

William R. Baeth
William R. Baeth, Chairman