

MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

March 8, 1977

The seventeenth meeting of the Highways and Transportation Committee was called to order by Chairman Manning on the above date in Romm 404 of the State Capitol Building at 9:30 a.m.

ROLL CALL: Senator Lockrem was absent, Senator Graham arrived at 9:40. All other members were present.

Those present to testify included the following:

Jack Beckert	Department of Highways
Les Harris	Department of Highways
Ken Clark	United Transportation Union
John Delano	Montana Railroad Association
Carl Knutson	Brotherhood of Motor Way Employees
Cliff Cate	Self

Chairman Manning turned the meeting over to Vice Chairman Aber as he had a bill in a House Committee hearing.

CONSIDERATION OF HOUSE JOINT RESOLUTION 10: Representative Carl Seifert, chief sponsor of the bill, testified that approximately two years ago the J.C.s of Polson and Ronan tried to make the public aware of the bad situation on Highway 93 and sold bumper stickers that read "Pray for me, I drive Highway 93." Representative Seifert said that this resolution seeks to give the Department of Highways an indication of the legislature's recognition of the bad condition of Highway 93 from the intersection with the interstate at Missoula to Polson, a total of 57 miles.

Representative Seifert testified that this area has the third highest daily traffic count among all rural primaries in Montana, with 2,365 vehicles daily; it has 9% of all rural vehicle miles driven in the state; it has 7% of all the rural commercial vehicle miles traveled in the state; it has the fourth highest out of state vehicle volume in the state; it has increased in usage by 60% in ten years' time; Colonel Sol has testified that this section of road requires 2/3 of the special enforcement team in the state; this road has a fatality rate 46% higher than the statewide average.

Representative Seifert said that the Department of Highways said that the priority wording which was amended out in the House was too strong and would upset the five year programming that they have established. Representative Seifert said that he felt the resolution was still necessary to put a little pressure on the

March 8, 1977

Department of Highways , for it would still be ten to fifteen years before anything is done to the highway. Representative Seifert commented that it had taken two years to get the Highway Department to put up caution signs from the entrance of his own business where there are a number of trucks entering constantly.

Senator Smith asked how many vehicles turn off onto Highway 35 just south of Polson. Representative Seifert said that he did not know. Senator Smith said that the stretch of Highway 93 continuing to Kalispell has lots of problems too. Representative Seifert said that he would be glad to get the figures from the Highway Department, but that the traffic did split there and did not have nearly the load that the stretch south of Polson carried. Representative Seifert said that he knew that Senator Himsel would want to amend the bill too to include the section from Polson to Kalispell. It was Representative Seifert's intention to get the worst area into the bill, for the section that the bill addresses has bumper to bumper traffic in the summer months.

Senator Smith commented that lots of people in Whitefish and Kalispell had bought the bumper stickers from the Polson J.C.s. Senator Smith requested that the bill be held in committee until Representative Seifert could provide the figures on the split of traffic at the junction with Highway 35.

Senator Bergren asked how strong a bearing any action taken by the Legislature in the form of a resolution like this had on the Department of Highways. Mr. Jack Beckert of the Department of Highways said that the Department had testified in the House and had pointed out that the Department of Highway programs had to take into consideration the state financial district laws. This stretch of highway crossed through financial districts 1 and 8 and that in order to concentrate on this stretch of road, money would have to be taken from other programs in that area, thus putting those other programs into a holding pattern. Mr. Beckert said that it was immaterial to the Department, but they are obligated to proceed on the five year program that has been approved unless the legislature directs them to do otherwise.

Senator Hazelbaker asked what financial district contained the stretch of Highway 93 south of Missoula. Mr. Beckert answered that that was financial district 8 also. Senator Hazelbaker asked if there was a program planned to construct the highway to the Idaho boarder. Mr. Beckert responded that the Highway Department was trying to build the Lost Trail Pass with Forest Service financial assistance. Many miles would not be in this program, but there are reconnaissance projects in that area south of Hamilton to Charlo Heights. A four lane highway may be envisioned from Florence to LoLo. The Arlee area is being studied also.

Senator Graham asked if the counters were placed on the roads to determine priority construction areas. Mr. Beckert said that the Department took into consideration the amount of traffic, the accident rate, the fatality rate, the maintenance costs, the economic and

March 8, 1977

social factors, but the most average daily traffic and the accidents were primary in decisions.

Senator Aber asked when Representative Seifert could have the information that Senator Smith requested. Representative Seifert said that he could have it for tomorrow. Vice Chairman Aber requested that he return on Thursday with the additional information.

CONSIDERATION OF HOUSE JOINT RESOLUTION 61: Representative Mular, chief sponsor of the legislation, testified that the reason for this resolution had nothing to do with the cooperation of the Department of Highways. The lack of cooperation here was instead on the local level. The resolution asks the Butte Technical Advisory Council and the Montana Highway Commission to take steps to correct the hazardous conditions that exist at the Harrison Avenue Interchange at Butte. The deramping must cross a lane of traffic and results in a blocking of traffic. The Woodville Hill must eventually be abandoned due to expansion of the Anaconda mining, which will expand the Harrison Avenue traffic by about 600 vehicles daily.

Representative Mular said that Senator Mansfield has said that if this interchange is made a priority in Montana, then Federal aid could be obtained to correct the problems. Senator Metcalf himself had been injured on the Homestake Pass due to safety hazards. The policy committee did try to resolve the problem by making some of the streets one way traffic only. But the problem still exists and the Technical Advisory Council has been slow in taking action. The local community must develop the alternatives and present them to the Department of Highways before the Federal funds can even be applied for. The cost would be about \$2.3 million dollars.

Representative Mular demonstrated with a map the problems that occur with a back-up of traffic on the deramp off of the interstate. The Highway Department has been great and has suggested some alternatives, but a commitment is needed from the city.

Senator Healy asked what the status of the advisory committee will be with the new unit of government. Representative Mular responded that the policy committee changes on May 2nd and that the concerned people do not want the problem to die with the change in government.

Senator Smith asked why the advisory council had taken no action. Representative Mular answered that with the problems that have existed with the County Commissioners, the Tac Committee had overlooked getting to the Policy Committee. Senator Smith commented that he never did understand Butte politics.

Senator Hager commented that he had seen Representative Mular on TV more than two years ago on this same problem, so he knew that he had been working on this for a long time. Representative Mular complimented the Highway Department for their great work on this project. Mr. Beckert commented that the Department of Highways has no objections to or problems with this resolution.

March 8, 1977

DISPOSITION OF HOUSE JOINT RESOLUTION 61: Senator Healy moved that HJR 61 be concurred in. Senator Hazelbaker seconded the motion. The motion carried unanimously with Senators Lockrem and Manning absent. Senator Healy will carry the resolution on the floor.

CONSIDERATION OF HOUSE JOINT RESOLUTION 64: Representative Edna Gunderson, chief sponsor of the resolution, testified that the Montana Highway Commission supports the resolution which encourages Congress to release funds for improving the railroad crossing for off-system roads. Because these crossings are not on Federal-aid systems, the funds do not come from the Highway Trust fund, and must be authorized by Congress. \$130 million nationally await release. These funds, like the Federal-aid funds are earmarked. There are a backlog of duly qualified projects awaiting funding at this time.

Mr. Les Harris of the Department of Highways testified that the Department favored HJR 64. The Federal Highway Safety Act of 1976 designated \$819,715 to go to Montana in fiscal 1977 for crossings on the Federal-aid system. The off-system crossings are funded from the general fund, however, and to date there has been no action by Congress to release the funds. Committee hearings are taking place right now in Congress, and HJR 64 might help to communicate our concerns to the Congress. The Department of Highways is ready to commit money and will initiate the projects shortly after the federal funds are received.

Mr. John Delano, representing the Montana Railroad Association testified that his organization supported the bill.

Mr. Ken Clark, representing the Railroad Brotherhoods of Montana, testified that his organization supported the resolution and considered it very important legislation.

Mr. Beckert testified that this resolution was parallel to SB 103, for both pieces of legislation encourage Congress to get moving for these two off-system programs. Mr. Beckert said that he had been in contact with Senator Melcher and that he would appreciate this bit of assistance.

Representative Gunderson closed by saying that unless Congress allocated these funds, Montana would lose some \$1 1/2 million in the next two years in addition to the many lives that would be lost.

DISPOSITION OF HOUSE JOINT RESOLUTION 64: Senator Smith moved that HJR 64 be concurred in. Senator Graham seconded the motion. The motion carried with Senators Hager, Bergren, Lockrem and Manning absent. Senator Smith will carry the unanimously passed resolution on the floor.

CONSIDERATION OF HOUSE JOINT RESOLUTION 76: Representative Gene Frates, chief sponsor of the resolution, testified that this resolution addressed the problem of the roads in the southeast portion of the state from Alzada to Ekalaka. The resolution asks the Highway Department to explore the means available to pave this road soon without dis-

March 8, 1977

rupting any other projects.

Representative Carl Smith had asked the Highway Department to change the road designation from a secondary road to a primary road, but Mr. Beckert had said that was impossible. This resolution has resulted as a Committee resolution to address the problem. The road that connects the two areas must be an all weather road. It is presently a farm to market road with a traffic load of 95 vehicles per day. Forty-five miles of this road is not paved and is getting paved at the rate of one mile per year.

Representative Frates noted that if the road is paved completely, it will open a new route to the Black Hills traffic that presently bypasses this area and travels through northern Wyoming. People depend on this road to get to schools, in cases of sickness, for commerce and business. It is the only north-south road in the area. There are several state parks in the southeastern corner that could be reached by this road.

Representative Carl Smith testified in support of the resolution. He said that he had introduced the bill that asked that this road be made part of the primary road system. There were problems with going that route, so the Committee introduced this resolution to address the problem. This route is a direct route to Canada. Representative Smith submitted several letters in support of the resolution to the committee. (Attachment #1)

Mr. Cliff Cate testified in support of the bill stating that he had made this resolution a pet project and hoped that this resolution would help, being that the bill was defeated. Mr. Cate stated that this resolution would be helpful in getting federal funds to help complete the project. It would cost approximately \$11 million to complete the entire project to Alzada and the connection with 212. This opens a new route to the Black Hills, and could triple the tourist traffic in this area. The packet of letters presented to the committee includes input from the various professionals and businesses in the community, including a letter from Jim Madden of South Dakota who feels that the completion of the road would be beneficial to the farming community. Last fall approximately 15,000 head of cattle came to his market over this road. Mr. Cate noted that this resolution was not intended to criticize the Highway Department, but that because of the small number of votes in this area, the problem has been overlooked in the past.

Mr. Jack Beckert of the Department of Highways testified in support of the resolution in its present form. The only reason that the Department had to oppose the bill before was the same financial district law restraints. The Highway Department recognizes the need of the road, the desirability of the road and the needs of the communities, but the state cannot violate the financial district laws, and therefore there are problems.

Senator Graham asked if this road was under the secondary system and if the problem of construction was the lack of funds. Mr. Beckert

March 8, 1977

responded that the allocation to the small counties was minimal and that this type of road cost a lot of money to build per mile. It is a secondary road and all of the money in that financial district has been poured into the road for a number of years. But the entire stretch cannot be constructed within the confines of the financial district law.

Senator Graham commented that he was aware that a lot of grain trucks and cattle trucks traveled over the road in the fall and that it was really a horrible road when the weather was bad.

Mr. Beckert noted that the Federal-Aid Highway Program was just not significant enough to address all of the problem areas of the state, and thus roads such as this one are neglected.


Senator Aber asked if the road was muddy in wet weather. Mr. Beckert answered that the road could not be traversed with a normal passenger car because of the gumbo after rains. Senator Aber asked if the road was graveled. Mr. Beckert answered that the road is graveled often, but the gravel just works into the gumbo.

Senator Smith asked how much of the road was completed. Mr. Beckert answered that the road is 71 miles long and approximately 30 miles of that is paved. Senator Healy asked if the work was just paving or reconstructing. Mr. Beckert responded that it was reconstruction and that was why the funding was difficult because it would cost approximately \$200,000 per mile.

Mr. Cate commented that the letter submitted to the committee from Mr. Anderson stated that sooner or later the legislature would have to go to another way of funding road construction to make it compatible.

DISPOSITION OF HOUSE JOINT RESOLUTION 76: Senator Graham moved that HJR 76 be concurred in. Senator Hazelbaker seconded the motion. The motion carried with Senators Lockrem, Bergren, Manning and Hager absent. The vote was unanimous. Senator Graham will carry the resolution on the floor.

ADJOURNMENT: There being no further business, the meeting was adjourned at 10:20 a.m.


LARRY ABER, VICE CHAIRMAN

STANDING COMMITTEE REPORT

March 8

19 77

MR. **President**

We, your committee on **HIGHWAYS AND TRANSPORTATION**

having had under consideration **HOUSE JOINT RESOLUTION**

Bill No. **64**

Respectfully report as follows: That **HOUSE JOINT RESOLUTION**

Bill No. **64**

BE CONCURRED IN
UNPAID

STANDING COMMITTEE REPORT

March 8

1977

MR. President

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration HOUSE JOINT RESOLUTION Bill No. 61

Respectfully report as follows: That HOUSE JOINT RESOLUTION Bill No. 61

BE CONCURRED IN

DO PASS

STANDING COMMITTEE REPORT

March 8

19 77

MR. President

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration HOUSE JOINT RESOLUTION Bill No. 76

Respectfully report as follows: That HOUSE JOINT RESOLUTION Bill No. 76

BE CONCURRED IN
DOCKASSEY

STATE OF MONTANA
DEPARTMENT OF HIGHWAYS

October 22, 1976

10:HJA

Mr. Cliff Cate
Ekalaka, Montana 59324

Dear Mr. Cate:

The Governor has asked that I respond to your letter of September 29 regarding the Ekalaka-Alzada Highway.

As you know, we are near completion of a 4.3 mile section of this road (Contract Amount - \$860,118.32). However, there are still a number of miles to be constructed in the future.

This stretch of highway is part of the Secondary system and as such Carter County, under Federal Aid apportionments and operation of Montana's Financial District law, has been getting State and Federal funds which will construct not quite one mile of highway per year. As a result, total construction under the Secondary program will take many years.

The Ekalaka-Alzada highway will, at some future date, qualify for inclusion on the Primary system. Again, the needs of the Primary system in the State greatly exceed the funds available.

It seems to me that sometime the Congress of the United States and the Montana State Legislature must face the highway needs of a rural State such as Montana so that unpaved stretches of highway such as Ekalaka-Alzada can be brought up to a paved standard in a reasonable length of time.

If you have further questions on this subject, I will be happy to respond.

Very truly yours,

H. J. ANDERSON
Director of Highways

HJA:tz

cc: Governor Thomas L. Judge