

MINUTES OF THE MEETING  
HIGHWAY AND TRANSPORTATION  
MONTANA STATE SENATE

April 14, 1981

The Twenty-first meeting of the Highways and Transportation Committee was called to order on the above date in Room 410 of the State Capitol Building by Chairman Mark Etchart at 1:00 p.m.

ROLL CALL:

Present: Senator Etchart, Senator Hager, Senator Hazelbaker, Senator Elliott, Senator Tveit, Senator Manning, Senator Healy.  
Absent: Senator Graham, Senator Stimatz.

CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 56:

Representative Harp, Chief Sponsor of HJR56, told the committee this is a joint resolution of the Senate and the House of Representatives requesting a comprehensive interim study of the administration and operation of the Department of Highways and the Highway Commission. This bill was requested by the House Highways and Transportation Committee, so we could look at some of the problems the Highway Department is having.

He told the committee, the Highway Commission is a five member board. We need to look at the commission and see what their roll is. Some states have abolished their Highway Commission. The people who are presently on the commission have no knowledge or experience in road building or engineering. They are in the car business, or tire business. I think we could improve the makeup of the commission. We have areas in the state, where roads have not been touched for years.

There have been a couple of studies done on the Highway Department this session. The Legislative Fiscal Analyst made some recommendations for some problems they have. They have no long and short range goals in their planning. We are concerned about all the surveying that is being done over and over. I think we need to look at how we are going about acquiring right of ways. Also, we need to look at the contractors bidding on jobs, and how they are chosen, in regard to whether they are low or high bidders. It is important that the tax payers know they are getting a low bidder. Engineering firms and design firms sometimes are not a low bidder, and we need to look at how they are chosen. We also need to look at how we purchase vehicles through the State Motor Pool. According to an audit, we have vehicles bought through the State Motor Pool, that we are not receiving cost replacement for. Maybe we should go

strictly with leases and get out of purchasing vehicles. Last year we had 18 vehicles that did not go off their twelve month warranty.

Representative Shontz, District 53, told the committee he supported the Resolution and that he found it frustrating to deal with a one-half million dollar budget in six days. For this size budget, I think it is appropriate that we take a long term look at this department and now is the time to do that. Coming back in two years, we would then have the expertise to deal with their budget. I urge that you support this resolution. Also, an interim study could help House Bill No. 500.

Senator Etchart asked if there were any other proponents. There were none. Senator Etchart asked if there were any opponents.

Gary Wicks, Administrator of the Department of Highways, told the committee he is not appearing as an opponent, but appearing to try and clear up some of the misconceptions in the Resolution. He told the committee there is a need for greater efficiency, to tie projects back to the management. Also, he said there is a need to do a better job in the amount of maintenance they can expect for the amount of money. He told the committee they do not have any problem with the Legislature knowing what is going on in the Highway Department. The problem they have is within some of the "Whereas's", starting with Page 2, line 3.

He told the committee the Highway Department has a five year plan. One of the problems we have had with the five year plan, is that the rate of inflation has been so great, that when we usually plan for five years, we find that in reality we are talking about ten year plans. Every project costs more and more. We have not been able to keep strict compliance with the completion dates. Once we know the money is going to be there, I think we can get down to a more specific date. We have a concern about the decreasing amount of money and the increased amount of accountability to the Legislature. I don't know of any instance where the Highway Commission has been shielding the department. We will have three new members, one of whom is in the construction business. The commission's roll is a limited one, as to what goes on in the Highway Department. We have some mention made here of a Legislative Audit. The Motor Pool has been audited several times. They did find some problems in that we don't depreciate our vehicles properly. The problem is outlined in the Audit. We also were not collecting enough interest money, because we are doing full projects. We were not keeping up to date with the cost overrun on the projects. Both of these problems have been taken care of. We are now doing partial funding of the projects, so we don't have to have all the money on hand. I think the point we are trying to make is not that we don't need watching or studying. In the past there have been studies done on the Highway Department concerning road construction,

right-of-ways, motor pool financing, bid letting and control, and HB500. HB500 requires us to have management systems in place by 1985. So, with these five studies, we have enough studies and we think to add any more studies is wasteful. We have problems, and we are trying to correct them.

Senator Healy asked Mr. Wicks, "You are not opposed to the investigation?"

Mr. Wicks, said no. He said he thought most of it is already being done through audits and HB500.

Senator Hazelbaker asked when the fiscal audit was completed.

Mr. Wicks told him it was put into final form last February. Now there is going to be a performance audit, in addition to the fiscal audit.

Senator Hazelbaker said he was on the audit committee and it did seem to him that a performance audit would cover some of the things that this resolution covers. The performance audit has already been agreed to.

Senator Elliott asked who the new board members were.

Mr. Wicks told him, Milan Foster, John Sullivan, and a Mr. Hilliburt, from Havre.

ACTION ON HOUSE JOINT RESOLUTION NO. 65:

The committee members discussed the resolution.

Senator Tveit made the motion that HJR65 do pass.

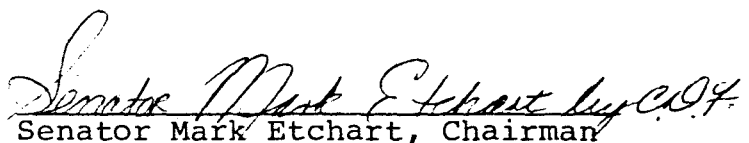
There was further discussion. Senator Etchart made a substitute motion that HJR65 be not concurred in.

Vote: Those voting no: Etchart, Elliott, Tveit.  
Those voting yes: Hager, Hazelbaker, Manning, Healy.

Senator Tveit requested a Majority/Minority Report on HJR65. The motion passed.

ADJOURNMENT:

There being no further business, the committee adjourned at 2:15 p.m.

  
Senator Mark Etchart, Chairman

ROLL CALL

SENATE HIGHWAYS & TRANSPORTATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 4-14

NAME	PRESENT	ABSENT	EXCUSED
SENATOR MARK ETCHART	✓		
SENATOR TOM HAGER	✓		
SENATOR FRANK W. HAZELBAKER	✓		
SENATOR ROGER H. ELLIOTT	✓		
SENATOR LARRY J. TVEIT	✓		
SENATOR DAVE MANNING	✓		
SENATOR CARROLL GRAHAM		✓	
SENATOR JACK HEALY	✓		
SENATOR LAWRENCE G. STIMATZ		✓	
VERDON - Legislative Council			

Each day attach to minutes.

# STANDING COMMITTEE REPORT

April 14

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MR. **President:**

**MAJORITY (MINORITY)**

We, your committee on **Highways and Transportation**

having had under consideration **House Joint Resolution**

Bill No. **56**

Respectfully report as follows: That **House Joint Resolution**

Bill No. **56**

*Hager*  
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**Senator Tom Hager**

*Hazelbaker*  
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**Senator Frank Hazelbaker**

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**Senator Dave Manning**

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**Senator Jack Healy**

*H.C.*  
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**BE NOT CONCURRED IN**

**Senator Mark Etchart**

Chairman.

# STANDING COMMITTEE REPORT

April 14

1981

MR. President:

**MINORITY (MAJORITY)**

We, your committee on Highways and Transportation

having had under consideration House Joint Resolution Bill No. 56

Respectfully report as follows: That House Joint Resolution Bill No. 56

Senator Mark Etchart

Senator Roger H. Elliott

Senator Larry J. Tveit

BE NOT CONCURRED IN