

MINUTES OF THE MEETING OF THE HOUSE HIGHWAYS AND  
TRANSPORTATION COMMITTEE, January 27, 1983

The meeting was called to order by Chairman Abrams on Thursday, January 27, 1983 at 12:30pm in Room 129, State Capitol. All members were present with the exception of Rep. Brown, who was absent.

HEARINGS

HOUSE BILL 397. REP. JIM JENSEN, District 66, Yellowstone County, testified as sponsor of the bill which would replace men working signs with crew working signs by 1993. He told committee members both Canada and Alaska had adopted the signs.

PROPONENTS

MS. LINDA JACOBSEN, Helena, stated her support of the bill adding, the Wobblies Union, (International Workers of the World), of which she is a members, supports non-sexist signs in the workplace.

MR. JIM BECK, Department of Highways, said he would prefer a symbol of a worker in lieu of "crew" working signs as it would conform with requirements in the Manual on Uniform Traffic Control Devices, published by the federal government. He proposed the Committee amend line 20 be striking "crew working" and inserting "displaying the symbol of a worker", after "sign".

MS. JULIE FASBENDER, Associated Students of the University of Montana, stated her association's support of the bill.

OPPONENTS

There were no opponents of the bill.

IN CLOSING, Rep. Jensen said he had no problem with the amendment proposed by the Department, adding we take many things for granted and shouldn't, especially since many women are presently employed in traditinally male roles.

REP. HAMMOND read the definition of the word "crew" from the Webster Collegiate Dictionary.

REP. KEYSER asked what the basic use of the sign would be. Rep. Jensen replied it was to warn traffic of workers' presence.

REP. KEYSER asked if the proposed signs would contribute to highway safety. Rep. Jensen said there should be no difficulty with public adjustment to the signs and they would probably improve safety.

REP. STOBIE asked Mr. Beck what the financial impact would be. Mr. Beck replied it would be little or none, based on a seven year life cycle for the signs.

REP. SHONTZ said it would be advantageous to utilize international signs in the interest of foreign drivers.

REP. O'CONNELL asked how the signs would eliminate the problem with harrassment of women on the job. Rep. Jensen said if the problem were addressed in the work place, it could gradually be eliminated.

REP. HARP said the bill contained no responsibility to the private contractor to change signs accordingly.

REP. ZABROCKI asked Mr. Beck to provide the Committee with a picture of an international sign, which Mr. Beck did.

REP. STOBIE asked Rep. Jensen if the international sign were acceptable to him. Rep. Jensen said he would have no objection to the sign. Mr. Beck commented there would still be no fiscal impact if the bill were amended to utilize the international symbol.

REP. JENSEN said he thought the ten year limit to change signs was fair and if there were any costs involved they would not be unduly burdensome. Mr. Beck advised the Department manufactures its own signs.

The hearing was closed on House Bill 397.

HOUSE BILL 353. REP. JOHN SHONTZ, District 53, Richland County, testified as sponsor of the bill which addresses the statute requiring GVW stations to remain open on a 24 hour basis. Rep. Shontz said the statute should either be repealed or the stations funded so they could remain open as required.

#### PROPONENTS

MR. DON COPLEY, Department of Highways, said the statute was enacted in 1965, but the Department has not

complied because of insufficient funding. He said the Legislative Auditor suggested compliance or a change in statutes in his 1979-80 report and told the Committee if the bill passes and major entrances to the State manned, 22 new FTE would be required in addition to 5 new FTE for 5 other entrances, adding the average cost per FTE is \$25,000. Mr. Copley advised committee members the 1981 Legislature authorized additional FTE for GVW stations, but the emphasis on roving GVW checks has worked out well.

#### OPPONENTS

There were no opponents of the bill and Rep. Shontz closed.

#### QUESTIONS

REP. HEMSTAD asked by border stations were established in 1965. Mr. Copley replied he did not know.

REP. UNDERDAL asked if existing stations would remain open. Mr. Copley replied they would, adding new FTE's, if approved, would be assigned roving duties.

REP. ZABROCKI asked if the State could cut down on roving personnel if weigh stations were manned on a 24 hour basis and for the percentage difference in violations between interstate and intrastate traffic. Mr. Copley said there are many ways a truck can violate weight regulations and miss stations, which reinforces the need for roving crews. He told the Committee violations average 7-8% at weigh stations and 20% with roving crews.

REP. ZABROCKI asked if any centered weigh stations were in use in Montana. Mr. Copley said there is one in Crow Agency, which is working very well.

REP. LYBECK said a great discrepancy was found in scales in the Kalispell area, used by roving personnel. Mr. Copley replied discrepancies appear between scales, which are serviced and sealed annually.

REP. KEYSER said in 1982, roving crews were mostly stopping intrastate violators, adding most interstate traffic is fairly well aware of Montana weight requirements. He said truckers are capable of by-passing many weigh stations in the State.

REP. SHONTZ told the Committee the Department has begun discussion with adjoining states for ports of entry inspections, adding House Bill 353 may present a problem to the discussions.

REP. HEMSTAD asked if the Department has ever adhered to statute. Mr. Copley replied the Department has not requested the additional funding and manpower to meet the requirements of the statute.

REP. ZABROCKI said at least 17 trucks are parked along the highway near Columbus, MT, at all times, waiting for the scales to close.

The hearing on House Bill 353 was closed.

HOUSE BILL 410. REP. KELLY ADDY, District 62, Yellowstone County, testified as chief sponsor of the bill, which was drafted at the request of the Department at the suggestion of the Legislative Auditor.

#### PROPOSERS

MR. JIM BECK, Department of Highways, said the bill would provide metropolitan planning funds could only be used in areas with population greater than 50,000, in accordance with federal regulations. He said the bill would apply to Missoula, Great Falls and Billings, adding there were \$161,700 in metropolitan planning funds available in 1981 and will be \$226,000 in 1983.

#### OPPOSERS

There were no opposers of the bill.

#### QUESTIONS

REP. HEMSTAD asked Mr. Beck what the federal match percentage is. Mr. Beck replied the federal match is 80% and the State supplies the remaining 20%. He said Billings would receive 41.42%; Great Falls, 31.76%; and Missoula 27.82% of available funds.

REP. HEMSTAD asked if federal funding would be lost if the bill were amended to include areas with populations of 10,000 or more. Mr. Beck replied he would have to research the matter, since funding would change, adding

certain amounts are budgeted for each category and for a particular purpose.

REP. SHONTZ asked Mr. Beck if the bill would affect urban funding to cities of less than 50,000 population. Mr. Beck replied it would not.

REP. LYBECK asked if the funding were restricted to city limits. Mr. Beck it would be restricted to urban boundaries which usually exceed city limits.

REP. STOBIE asked if funding would apply to thoroughfares and side streets and how long the program had been in existence. Mr. Beck replied it was ten years old and could even apply to mass transit.

REP. KEYSER asked if the population requirement were the same for all areas. Mr. Beck replied the density requirement was 1,000 persons per square mile.

The hearing was closed on House Bill 410.

#### EXECUTIVE SESSION

HOUSE BILL 7. REP. HARP moved the bill Do Pass. Rep. Stobie seconded the motion.

REP. SOLBERG said he noted a large number of critical miles in the Kalispell area. Rep. Harp said the bill would address financial districts and not funding.

The motion was approved with all members voting aye except Rep. Solberg, who voted no.

HOUSE BILL 9. REP. KEYSER moved the bill Do Pass. Rep. Stobie seconded the motion.

REP. HARP moved the Committee adopt the proposed amendments pertaining to 25% funding for 40% sufficiency levels and 75% funding for 60% sufficiency levels, on page 2, line 16, as approved by the bill's sponsor, Rep. Waldron (exhibit).

REP. HARP explained the formula to the Committee (exhibit) and the difference in costs versus terrain for certain areas of construction in the State.

The motion was unanimously approved by committee members.

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CHAIRMAN ABRAMS requested the Committee to defer final action on House Bill 9, pending related bills to be heard by members, and asked it be taken on Tuesday, February 1, 1983.

The meeting was adjourned at 2pm.

  
REP. HUBERT ABRAMS, CHAIRMAN

Joann T. Gibson, Secretary



	Date: 1/27 No: HB 7	Date: 2/17 No: HB 636 Table	Date: 2/17 No: HB 443 Do Pass	Date: 2/17 No: HB 636 Reconsider	Date 2/19 No: HB 636 Amend.	Date: No:
ABRAMS	Y	N	Y	Y	Y	
ZABROCKI	Y	Y	Y	Y	N	
BROWN	A	Y	Y	N	N	
COMPTON	Y	Y	Y	N	Y	
HAMMOND	Y	N	N	Y	N	
HARP	Y	N	N	Y	N	
HEMSTAD	Y	N	Y	Y	N	
HOWE	Y	Y	N	N	A	
KENNERLY	Y	Y	N	N	N	
KEYSER	Y	Y	Y	N	Y	
KOEHNKE	Y	Y	Y	N	Y	
LYBECK	Y	N	N	Y	N	
O'CONNELL	Y	N	Y	Y	N	
SHONTZ	A	N	N	Y	N	
SOLBERG	N	Y	Y	N	Y	
STOBIE	Y	Y	Y	N	Y	
UNDERDAL	Y	Y	Y	Y	Y	

# STANDING COMMITTEE REPORT

JANUARY 27

19 83

MR. SPEAKER:

We, your committee on ROADWAYS AND TRANSPORTATION

having had under consideration HOUSE Bill No. 7

DUPLICATE reprinting note WHITE,  
Editor

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR  
CONGRUENCE OF HIGHWAY COMMISSION DISTRICTS AND HIGHWAY  
FINANCIAL DISTRICTS; AMENDING SECTIONS 2-15-2502 AND  
60-3-203, MCA; AND PROVIDING AN EFFECTIVE DATE."

Respectfully report as follows: That HOUSE Bill No. 7

DO PASS

MR. HUBERT ABRAMS

Chairman.



1/27/83  
 Exhibit

PRESENT AND PROPOSED PRIMARY FUNDING ALLOCATIONS

Present Primary Funding Allocation System

Section 60-3-205(1), MCA, provides for primary funding allocations based on incompleting primary mileage in each financial district compared to total incompleting primary mileage in the state. Incompleting mileage means any mileage failing to meet the latest approved state standards. The department has defined incompleting mileage as the deficient mileage in each district based on sufficiency ratings. The number of deficient mileage for a segment of highway is the percentage deficiency from a perfect road times the length of the segment. For example, a 10-mile segment of road with a sufficiency rating of 70 percent (30 percent deficiency) is said to have 3 deficient miles. (Appendix A on page 122 of the report gives the number of deficient miles in each financial district.)

Proposed Primary Funding Allocation System

House Bill 9 requires the Highway Commission to designate a sufficiency level considered adequate and a lesser sufficiency level considered critical to be used to allocate primary highway funds. Half of the primary funds would be allocated based on the number of primary miles below the adequate level in each financial district. The other half would be based on the number of primary miles at or below the critical level in each financial district.

This allocation method double counts the critical primary miles because these miles are also included as miles below the adequacy level. Therefore, financial districts with substantial critical mileage will receive a large percentage of the available primary funds. One way to lessen this double counting of critical miles would be to base one-fourth of the allocation on critical miles and three-fourths on miles below the adequate level.

Amendment to House Bill 9

The following amendment to House Bill 9 would distribute the available primary funds with three-fourths based on adequate mileage and one-fourth based on critical mileage.

Page 2, line 16

(3) The department shall then apportion ~~divide~~ DISTRIBUTE 3/4 OF the available state construction funds to for the federal-aid primary system in each district on the basis of the computed ratio into two equal portions and distribute one portion among the financial districts according to the ratios computed in subsection (2)(a) and the other portion 1/4 OF THE AVAILABLE STATE CONSTRUCTION FUNDS FOR THE FEDERAL-AID PRIMARY SYSTEM among the financial districts according to the ratios computed in subsection (2)(b)."

The following chart shows the primary funding allocation for fiscal year 1981-82 with a designated adequate sufficiency level of 60 percent and a designated critical sufficiency level of 40 percent. These are the levels the department indicated were adequate and critical. Also shown is the allocation with the suggested amendment to House Bill 9.

PRESENT AND PROPOSED PRIMARY FUNDING ALLOCATIONS (H.B. 9 ONLY)  
Fiscal Year 1981-82 (In Millions of Dollars)

Financial District	Present System	H.B. 9		Amended H.B. 9	
		1/2 0-40% Suff.	1/2 0-60% Suff.	1/4 0-40% Suff.	3/4 0-60% Suff.
1 - Kalispell	\$ 6.75 / 12.8%	\$14.41 / 27.2%	\$11.20 / 21.2%		
2 - Havre	3.42 / 6.5	1.88 / 3.6	2.50 / 4.7		
3 - Wolf Point	5.29 / 10.0	2.17 / 4.1	3.14 / 5.9		
4 - Glendive	3.35 / 6.3	3.04 / 5.7	2.76 / 5.2		
5 - Lewistown	3.78 / 7.2	1.69 / 3.2	2.54 / 4.8		
6 - Great Falls	4.60 / 8.7	4.39 / 8.3	4.95 / 9.4		
7 - Helena	2.76 / 5.2	3.39 / 6.4	3.33 / 6.3		
8 - Missoula	5.99 / 11.3	8.54 / 16.1	7.71 / 14.6		
9 - Butte	2.87 / 5.4	2.09 / 4.0	2.50 / 4.7		
10 - Bozeman	4.54 / 8.6	2.25 / 4.3	3.11 / 5.9		
11 - Billings	4.71 / 8.9	5.10 / 9.6	5.12 / 9.7		
12 - Miles City	4.83 / 9.1	3.95 / 7.5	4.03 / 7.6		
	<u>\$52.89</u> / <u>100.0%</u>	<u>\$52.89</u> / <u>100.0%</u>	<u>\$52.89</u> / <u>100.0%</u>		

Source: Calculated using the Department of Highways 1980 Primary Highway Sufficiency Ratings. Fiscal Year 1981-82 allocations under present system from Appendix BII of 1982 Performance Audit Report of the Department of Highways.

Financial Districts

Section 60-3-303, MCA, divides the state into 12 financial districts for the allocation of highway funds. These districts are shown in Illustration 7 on page 21 of the report. House Bill 7 provides for five financial districts with boundaries that approximate the department's new administrative districts.

The following chart shows the fiscal year 1981-82 primary funding allocation for the five new financial districts. Allocations are based on House Bill 9 with a critical sufficiency level of 40 percent and an adequate sufficiency level of 60 percent. Also shown is the allocation with the suggested amendment to House Bill 9.

PRESENT AND PROPOSED PRIMARY FUNDING ALLOCATIONS  
(H.B. 7 AND H.B. 9)

Fiscal Year 1981-82 (In Millions of Dollars)

<u>Financial District</u>	<u>H.B. 7 Present System</u>	<u>H.B. 7 &amp; H.B. 9 1/2 0-40% Suff. 1/2 0-60% Suff.</u>	<u>H.B. 7 &amp; Amended H.B. 9 1/4 0-40% Suff. 3/4 0-60% Suff.</u>
1 - Missoula, Kalispell	\$12.74 / 24.1%	\$22.95 / 43.4%	\$18.87 / 35.7%
2 - Butte, Bozeman	7.82 / 14.8	4.68 / 8.8	6.12 / 11.6
3 - Havre, Great Falls, Helena	8.55 / 16.1	8.19 / 15.5	8.73 / 16.5
4 - Wolf Point, Glendive, Miles City	14.74 / 27.9	9.93 / 18.8	11.13 / 21.0
5 - Lewistown, Billings	9.04 / 17.1	7.14 / 13.5	8.04 / 15.2
	<u>\$52.89 / 100.0%</u>	<u>\$52.89 / 100.0%</u>	<u>\$52.89 / 100.0%</u>

Source: Calculated using the Department of Highways 1980 Primary Highway Sufficiency Ratings. Total fiscal year 1981-82 allocation from Appendix BII of 1982 Performance Audit Report of the Department of Highways.

## Bill Summaries

### House Highways and Transportation Committee

HB 353 repeals section 60-2-302 (copy attached) which requires the highway department to establish checking stations at points on the major highways entering the state and to keep them open at all times.

HB 398 requires the department of highways to replace "men working" signs with "crew working" signs.

HB 410 allows the department of highways to allocate state funds to match federal funds available for metropolitan planning, and provides a method for apportioning the funding to cities in excess of 50,000 people.

**60-2-302. Checking stations required at major points of entry into state.** In addition to the power granted to it in 60-2-301, the department shall establish checking stations at convenient points on the major highways entering this state, and the checking stations shall be kept open at all times.

History: En. Sec. 2, Ch. 137, L. 1965; amd. Sec. 85, Ch. 316, L. 1974; R.C.M. 1947, 32-2420.

**60-2-303. Cooperation in use of ports of entry and checking stations.** The department shall cooperate with other agencies and political subdivisions of this state in the use of the ports of entry or checking stations so that maximum use can be made of the facilities in enforcement of the laws of this state.

History: Ea. Sec. 3, Ch. 137, L. 1965; amd. Sec. 86, Ch. 316, L. 1974; R.C.M. 1947, 32-2421.

### CHAPTER 3

## DISTRIBUTION AND APPORTIONMENT OF HIGHWAY FUNDS

### Part 1 — Federal-Aid Funds

#### Section

- 60-3-101. Assent to federal law.
- 60-3-102. Purposes.
- 60-3-103. Purposes for which federal funds to be expended.
- 60-3-104. Extent of interest acquired.
- 60-3-105. Expenditure of funds.

### Part 2 — State Funds

- 60-3-201. Distribution and use of proceeds of gasoline dealers' license tax.
- 60-3-202. Funding highway system maintenance.
- 60-3-203. Districts for apportionment of department funds.
- 60-3-204. Apportionment of state construction funds.
- 60-3-205. Apportionment of state funds to federal-aid primary highway system.
- 60-3-206. Apportionment of state funds to federal-aid secondary highway system.
- 60-3-207. Secondary highway information.
- 60-3-208. Apportionment of state funds to federal-aid off-system roads.
- 60-3-209. Apportionment of state funds to federal-aid interstate highway system.
- 60-3-210. Increases in obligations.
- 60-3-211. Apportionment of state funds to federal-aid urban highways.
- 60-3-212. Interim apportionment to match federal-aid funds.
- 60-3-213. Allocation for safety construction programs.
- 60-3-214. Construction or reconstruction of bridges.
- 60-3-215. Replacement of bridges.
- Sections 60-3-216 through 60-3-220 reserved.
- 60-3-221. Priority primary routes defined.
- 60-3-222. Selection of routes.
- 60-3-223. Allocation of funds.
- 60-3-224. Apportionment of funds.
- 60-3-225. Excess obligations.
- Sections 60-3-226 through 60-3-230 reserved.
- 60-3-231. Economic growth center defined.
- 60-3-232. Department of highways to determine centers.
- 60-3-233. Allocation of funds.
- 60-3-234. Apportionment of funds.

ROLL CALL VOTE ----- 1983 HIGHWAYS AND TRANSPORTATION COMMITTEE

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ABRAMS	Y	N	Y	Y	Y	
ZABROCKI	Y	Y	Y	Y	N	
BROWN	A	Y	Y	N	N	
COMPTON	Y	Y	Y	N	Y	
HAMMOND	Y	N	N	Y	N	
HARP	Y	N	N	Y	N	
HEMSTAD	Y	N	Y	Y	N	
HOWE	Y	Y	N	N	A	
KENNERLY	Y	Y	N	N	N	
KEYSER	Y	Y	Y	N	Y	
KOEHNKE	Y	Y	Y	N	Y	
LYBECK	Y	N	N	Y	N	
O'CONNELL	Y	N	Y	Y	N	
SHONTZ	A	N	N	Y	N	
SOLBERG	N	Y	Y	N	Y	
STOBIE	Y	Y	Y	N	Y	
UNDERDAL	Y	Y	Y	Y	Y	