

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By CHAIRMAN TVEIT, on APRIL 6 , 1989, at
1:00 p.m. in Room 410 of the State Capitol.

ROLL CALL

Members Present: SENATORS: Larry Tveit, Darryl Meyer,
Hubert Abrams, Bill Farrell, Cecil Weeding, Jerry
Noble, Lawrence Stimatz, John Harp, Bob Williams

Members Excused: None

Members Absent: None

Staff Present: Lee Heiman, Legislative Council

Announcements/Discussion: CHAIRMAN TVEIT announced the
hearing on House Bill 774 and reconsideration of House
Bills 56 and 709.

HEARING ON HOUSE BILL 774

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE DeBRUYCKER, District 13 explained that
originally there were 11 roads in the bill, but the
House Appropriations deleted 3 of those. SEE EXHIBIT
1.

List of Testifying Proponents and What Group they Represent:

Ray Standiford, Liberty County Commissioner
John Witt, Chouteau County Commissioner
Senator Loren Jenkins, District 7
Senator Gary Aklestad, District 6
Gordon Morris, Executive Director of the Association of
Counties
Steve Browning, Attorney representing Chouteau and
Liberty County
Charles Dansewther, Chouteau County Commissioner

Testimony:

RAY STANDIFORD, Liberty County Commission from Chester stated he supports House Bill 774. SEE EXHIBIT 2. In 1961, Choteau and Liberty Counties prioritized their projects and expenditures of their secondary roads money and started to pave the routes which the State said was in accordance with Statewide Traffic. Over a period of time, reassurance came from the State, and in 1967 when the route from Stanford to Fort Benton was completed, the State did in fact assume maintenance of that route. At that time, the two counties continued with their priority and started upgrading the route from Fort Benton to Chester with the understanding that when they finished it would be taken over just like the first portion. This route was finished in 1973 and a request was made in writing for the State to assume their responsibilities. The money expended on these routes is not just secondary money. There are several hundred thousands dollars that have been spent on these routes that were collected from the taxpayers in these counties. He stated they feel that it is now time for the State to live up to their part of the responsibility.

JOHN Witt, Chouteau County Commissioner in Fort Benton gave the Committee Members a map of the route they are talking about. SEE EXHIBIT 3. It is the main route for all the fertilizer, propane, ammonia down to central Montana and Billings. He informed the Committee that it is at the point, because of all the traffic it now gets, that they can not keep up the condition of the road.

SENATOR JENKINS, District 7 testified in support of House Bill 774. He stated that in 1961 the state wrote to the counties about the plan to expand the oiled highways in the state. The counties did not write to the state, it was the state that contacted the counties. He explained that the State told the counties that if they upgrade these roads, when they were finished the State would take over. There are 4 left out of the 11 the State agreed to take over and the have not.

SENATOR AKLESTAD, District 6 expressed support of House Bill 774 stating that this is a main, important road between two agricultural communities. The people of that area are deserving of the commitment made and the State should live up to their obligation.

GORDON MORRIS, Executive Director for the Association of Counties stated that the Association and the 55 member counties are in support of House Bill 774.

STEVE BROWNING, Attorney representing Chouteau and Liberty Counties stated that the funding was removed by Representative Swysgood in the Appropriation Committee because funding for individual highway maintenance is not provided in appropriation acts. SEE EXHIBIT 7.

REPRESENTATIVE DUANE COMPTON, District 17 gave the Committee his amendment for House Bill 774. SEE EXHIBIT 4. He also distributed a map showing the four highways. SEE EXHIBIT 5. He informed the Committee that back in 1972 he was a Commissioner in Phillips County and Verne Gordon was the district engineer for the State Highway Department. He came down to Malta and said that if the road was built from Malta north, the state would take over the maintenance of it. It has been, since then, completed. This road has a lot of traffic from Canada and is the main route taken to get to Yellowstone Park.

CHARLES DANSEWTER, Chouteau County Commissioner distributed copies of a letter from B.B. Briscos, District Engineer. SEE EXHIBIT 6.

List of Testifying Opponents and What Group They Represent:

Bill Gosnell, Executive Assistant, Highway Department

Testimony:

BILL GOSNELL, Executive Assistant for the Highway Department stated they are in opposition to House Bill 774. They are opposed based on the fact that the law gave them responsibility and the Highway Commission has been very reticent and have not done so since then, on accepting responsibility for the roads. He stated they feel there is a president being set. The issue, he said he was most concerned with is what will be coming down a few years from now. The law the Department works under now, Federal Aid Primary, Secondary and Urban, will all change dramatically. The current law expires in 1991. The 5,200 miles of primary that they presently build and maintain in Montana, approximately two-thirds of those will drop off the system. Those roads will then become the direct responsibility of the State. He requested that the Committee be sure if this does pass to put money in it, giving them the authority to spend for the maintenance otherwise it will be taken from something else.

Questions From Committee Members: SENATOR NOBLE asked Ray Standiford what his idea of the maintenance cost right now.

RAY STANDIFORD answered that right now it is quite a bit because they are putting an overlay on it. The state said it would be somewhere around \$2,500 to \$3,500 per mile which is about \$150,000 maximum.

SENATOR WEEDING asked Ray Standiford when the last time they made this request to the Highway Department.

RAY STANDIFORD stated that it was in 1987.

SENATOR WILLIAMS asked about the FTEs and the building, and if they could maintain it out of Fort Benton and Chester.

BILL GOSNELL stated that it could be maintained out of those two places but in order to get the truck it would mean less time maintaining the other roads during the winter. A minimum standard runs \$4,000 a mile.

SENATOR FARRELL asked why some of the roads were taken off the list and not the others.

RAY STANDIFORD answered that he had asked Attorney General Mike Greely who said he felt the intent of that law was to keep the Highway Department from randomly dropping maintenance of frontage roads along the interstate. It does not specifically say they can not maintain more roads, it says they will maintain what they already maintain.

SENATOR NOBLE asked Bill Gosnell what the result would be if they pass the bill taking out the funding appropriation.

BILL GOSNELL stated that they would have to do it, but they would be cutting back on other activities of less importance such as road side maintenance, rest area maintenance, etc.

Closing by Sponsor: REPRESENTATIVE DeBRUYCKER closed the hearing on House Bill 774.

DISPOSITION OF HOUSE BILL 774

Discussion: The Committee discussed the suggested amendments. SEE EXHIBIT 4.

CHAIRMAN TVEIT asked when the last overlay was done on highway 314.

RAY STANDIFORD answered it was done in Spring 1986. There was 11.8 miles done and it cost a little over \$1 million.

Amendments and Votes: None.

Recommendation and Vote: SENATOR MEYER MOVED THAT HOUSE BILL 774 BE CONCURRED IN.

MOTION FAILED ON A ROLL CALL VOTE 5-4.

COMMITTEE REQUESTED A REVERSE VOTE THAT HOUSE BILL 774 BE NOT CONCURRED IN.

MOTION PASSED ON A ROLL CALL VOTE 5-4.

DISPOSITION OF HOUSE BILL 709

Discussion: CHAIRMAN TVEIT informed the Committee that House Bill 709 was called back to the Committee for reconsideration. He stated that there were some concerns about the \$2.8 million.

REPRESENTATIVE HANSON distributed a handout to the Committee. SEE EXHIBIT 8. She also showed the Committee pictures of the most recent truck accident on that road. Big Horn County has agreed to use their secondary funds for one more year which makes it \$2.95 million.

Senator Weeding will carry House Bill 709.

Amendments and Votes: None

Recommendation and Vote: SENATOR HARP MOVED that HOUSE BILL 709 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

DISPOSITION OF HOUSE BILL 56

Discussion: SENATOR HARP MOVED to reconsider HOUSE BILL 56. MOTION PASSED UNANIMOUSLY.

Senator Williams will carry House Bill 56.

Amendments and Votes: None

Recommendation and Vote: SENATOR WILLIAMS MOVED that HOUSE
BILL 56 BE CONCURRED IN.

MOTION PASSED ON A ROLL CALL VOTE 5-4.

ADJOURNMENT

Adjournment At: 2:30



SENATOR LARRY TVEIT, Chairman

LT/pb

senmin.406

ROLL CALL

HIGHWAY COMMITTEE

DATE 4-6-89 1989

51st
LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
CHAIRMAN TVEIT	✓		
VICE CHAIRMAN MEYER	✓		
SENATOR ABRAMS	✓		
SENATOR FARRELL	✓		
SENATOR WEEDING	✓		
SENATOR NOBLE	✓		
SENATOR STIMATZ	✓		
SENATOR HARP	✓		
SENATOR WILLIAMS	✓		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

April 6, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 774 (third reading copy -- blue), respectfully report that HB 774 be not concurred in.

Sponsor: DeBruycker (Tveit)

BE NOT CONCURRED IN

Signed: *Larry J. Tveit*

Larry J. Tveit, Chairman

SENATE STANDING COMMITTEE REPORT

March 30, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 709 (third reading copy -- blue), respectfully report that HB 709 be concurred in.

Sponsor: Hanson, M. (Weeding)

BE CONCURRED IN

Signed: _____

Larry J. Tveit, Chairman

4-12-89
eg
3:15

SENATE STANDING COMMITTEE REPORT

April 6, 1989

MR. PRESIDENT,

We, your committee on Highways and Transportation, having had under consideration HB 56 (third reading copy -- blue), respectfully report that HB 56 be concurred in.

Sponsor: Whalen (Williams)

BE CONCURRED IN

Signed: *Larry J. Tveit*
Larry J. Tveit, Chairman

4-16-89
eg

HOUSE BILL 774
FACT SHEET - FAS 223BACKGROUND

FAS 223 begins at a junction with U.S. 87 opposite Fort Benton and extends northerly 53 miles to a junction with U.S. 2 in Chester. Approximately 26 miles of the route is in Chouteau County and 27 miles is in Liberty County. The route has been improved over the years with funds from the secondary road accounts of Chouteau and Liberty County and is asphalt paved. The improvements were made on the strength of representations by the Montana Department of Highways that it would assume maintenance responsibilities once the improvements were completed. (See below.)

HISTORY OF STATE REPRESENTATIONS
TO ASSUME MAINTENANCE OF FAS ROUTE 223

1. 1961: State of Montana agrees to assume maintenance of FAS 223 if paved by responsible counties.
2. 1966: State acknowledges agreement to assume maintenance of FAS 223 when paving completed.
3. 1970: State again reaffirms agreement to assume maintenance of FAS 223 when paving completed.
4. June 12, 1974: Liberty County formally informs State that paving of FAS 223 is complete.
5. June 21, 1974: State tells Liberty County it cannot commit to assuming maintenance.
6. June 1979: State tells Liberty County that FAS 223 is eligible for primary system and to make request of Highway Commission.
7. 1981, 1984 and 1986: Chouteau and Liberty Counties request that FAS 223 be placed on primary system or that State otherwise assume maintenance responsibility. Highway Commission denied each request.

FAS 223 is a transportation corridor providing a route for (1) movement of goods from Canada, (2) transportation of agricultural products, and (3) normal highway traffic. Its importance to Montana requires that the prior commitments of the State now be honored.

**HIGHWAY COMMISSION**

STATE HIGHWAY DEPARTMENT

HELENA, MONTANA

September 28, 1961

IN REPLY REFER
PS-HTB

COMMISSIONERS

ROY L. SUPPES, CHAIRMAN
BILLINGS
S. N. MALVORSON, VICE CHAIRMAN
RAISPIEL
OTIS S. WATERS, MEMBER
RICHIE
GEORGE M. GOSMAN, MEMBER
DILLON
TED JAMES, MEMBER
GREAT FALLS
JOHN D. WHEELER, SECRETARY
HELENA

Board of County Commissioners

Chouteau County
Fort Benton, Montana

Gentlemen:

After considerable deliberation and investigation, the State Highway Commission has decided to establish a State Secondary System. This system will consist of a number of important routes now on the present Secondary System which are considered to be of statewide interest and usage.

For your information, we are enclosing a copy of a statement explaining the criteria which were considered and evaluated in the selection of eligible routes for inclusion in the State Secondary System.

In addition to these criteria which were used in evaluating the relative merits of the various routes, there are other basic conditions which must be complied with if a State Secondary System is to meet the objectives of statewide interest and usage. These conditions are described briefly in the following:

1. To achieve statewide importance, an otherwise eligible route must be paved throughout its length in order to provide unrestricted traffic service to the motorist.
2. The only difference between a route on the State Secondary System and a route on the regular Secondary System is that the State Highway Commission agrees to assume the burden and cost of maintaining routes on the State Secondary System because of their statewide importance. Also, prior to the assumption of the maintenance responsibility by the State Highway Commission, it must be determined that the highway in question has been properly maintained by the county involved. In the event that any maintenance deficiency exists, the county must agree that the deficiency will be corrected by county forces or by paying the State Highway Commission for the cost of bringing the highway up to normal maintenance standards.
3. Since all State funds for construction on the Secondary

System are allocated under State law to the various counties, there are no special funds available to the State Highway Commission for any necessary construction on the State Secondary System. Under these conditions, it is necessary for the individual counties involved to assign first priority to essential construction or reconstruction of sections of those routes which are considered eligible for inclusion in the State Secondary System. This provision is based on the assumption that if a route is of sufficient importance to be placed on the State Secondary System, it automatically becomes of sufficient importance to be assigned first priority for construction or reconstruction purposes.

You will be pleased to learn that the following route, or routes, are considered to qualify for inclusion in the State Secondary System, subject to the conditions described in the foregoing.

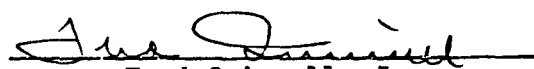
FAS Route 223 - From a point on U.S. #67 at Fort Benton northerly to a point on U.S. #2 at Chester (Fort Benton-Chester Road)

FAS Route 230 - From a point on U.S. #67 at Stanford northwesterly to a point on U.S. #67 at Fort Benton (Stanford-Fort Benton Road)

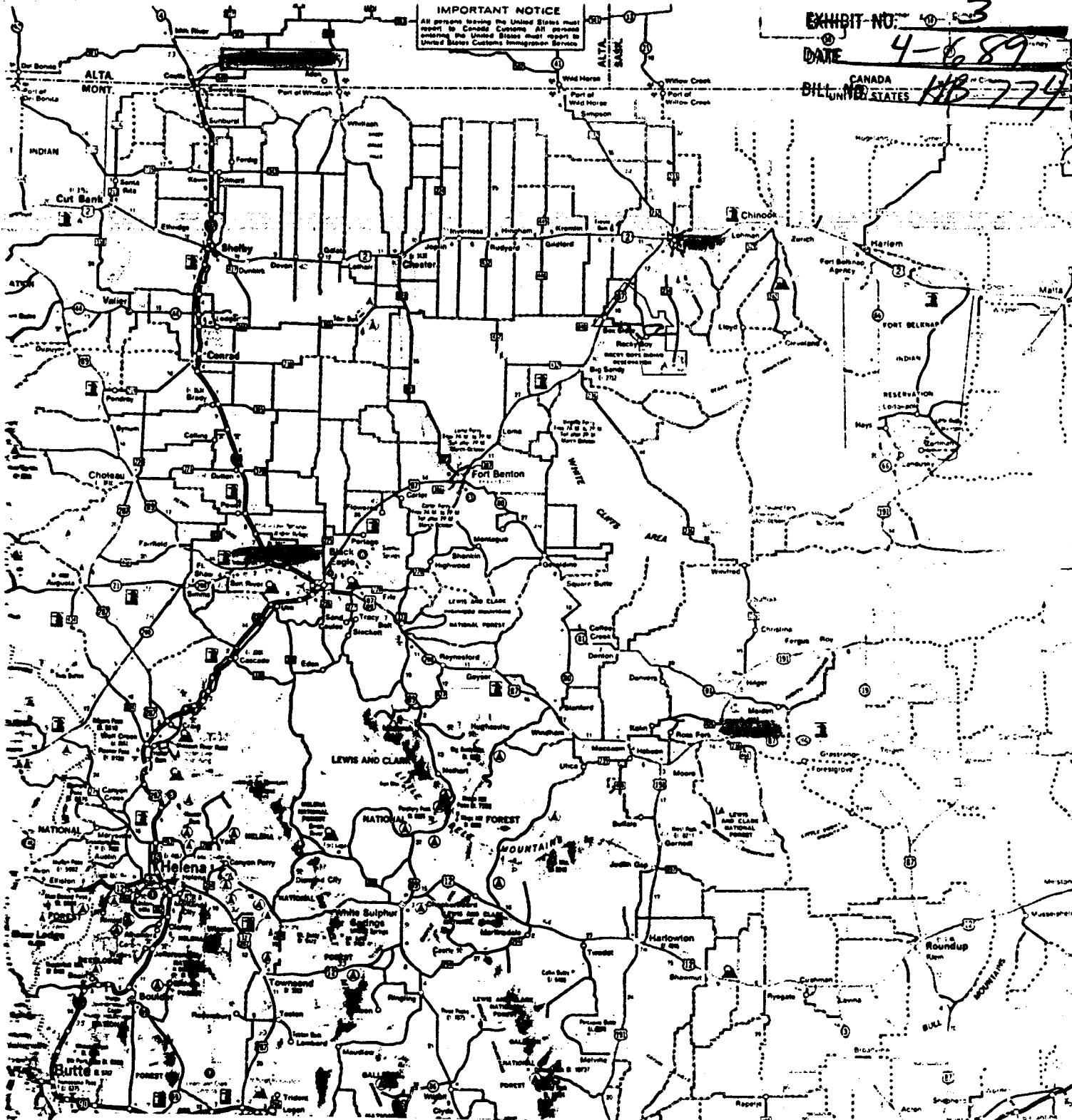
At such time as these highways are completed throughout with a paved surface and it is evident that the highways have been maintained by the county to normal maintenance standards, the State Highway Commission will enter into an agreement with the county whereby the State will assume the maintenance responsibility for the highway and the county will be relieved of such responsibility.

We hope that you will be pleased to learn that the State Highway Commission will assume the responsibility for maintaining the routes described above at such time as the stipulated conditions have been complied with.

Very truly yours,


Fred Quinnell, Jr.
State Highway Engineer

IMPORTANT NOTICE
All persons leaving the United States must report to Canada Customs. All persons entering the United States must report to United States Customs Immigration Service.



HB 774

As amended, the Bill requires maintenance of FAS 223.

Amendments to House Bill No. 774
Third Reading Copy

Requested by Representative Compton

Prepared by Paul Verdon
April 3, 1989

1. Title, line 12.

Following: "ROADS"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 2, line 25.

Strike: "ROAD"

Insert: "roads"

3. Page 3, line 3.

Following: line 2

Insert: "FAS 242

Malta - North

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 60, chapter 2, part 2, and the provisions of Title 60, chapter 2, part 2, apply to [section 1].

NEW SECTION. Section 3. Effective date. [This act] is effective July 1, 1989."

Mr. Tom Scherrard
 March 23, 1970
 Page Two

1969 12.9 miles of Fort Benton - Chester Road completing route in Chouteau Co.

1971 5.9 miles of Belt - Highwood Road, completing route. This work scheduled for March, 1970 contract letting with completion in 1971

9.0 miles of Big Sandy - West Road. This work scheduled for contract letting in August, 1970 with completion in 1971.

Total mileage improved since 1952, including that scheduled for this year will be about 110 miles in Chouteau County alone, or an average of about 5.5 miles per year. This extremely slow rate of improvement is further evidence of the inadequacies of present methods of road financing now in use in our State. #

Under present regulations the State will assume maintenance of completed sections of Secondary roads if those sections meet established criteria. The Fort Benton - Stanford road was taken over for maintenance by the State upon its completion in 1966. The Fort Benton - Chester road is in the same category and will become State maintained when the remainder of that route is completed. in Liberty County. Under present schedules this should occur in about 1973.


The "Bootlegger Trail" route as now approved for inclusion in the Federal-Aid Secondary system may be broken down into County mileage as follows - Cascade County, 12 miles, all asphalt paved - Chouteau County, 33 miles unimproved - Liberty County, 7 miles unimproved and Toole County, 4 miles unimproved. The northern terminus of this route connects with the Ledger - East Secondary route in Toole County. The Ledger - East road in Pondera and Toole Counties is being improved under the current ABM system but information as to exact mileage to be improved is not yet known.

As all Secondary system fund allocations are on a County basis, the improvement of the "Bootlegger Trail" in all three counties must fall on County Commissioner priorities.

There are several other county roads in Chouteau County that may be considered high traffic roads and are therefore eligible for improvement to oiled standards under our present specifications. Also a badly needed improvement is a new bridge over the Teton River north of Carter. Therefore, before Federal-Aid Secondary funds may be programmed for additional work on the "Bootlegger Trail" in Chouteau County, it will be necessary for the Commissioners to establish additional priorities.

It is hoped that the above report will give you an idea of the amount of work accomplished under the Secondary Road Program in Chouteau County in recent years and will afford you information of what might be anticipated in further road improvement in the next few years.

Sincerely,


 E.B. Briscoe - P.E.
 District Engineer

BBB/r

cc: Chouteau Co. Comm. - Ft. Benton ✓
 Mr. John Beers, Chairman
 Chamber of Commerce Sub-Committee - Gr Falls

EXHIBIT NO. 17
DATE 4-6-89
BILL NO. HB 977

BROWNING, KALECZYC, BERRY & HOVEN, P.C.

ATTORNEYS AT LAW
28 NORTH LAST CHANCE GULCH
POST OFFICE BOX 1697
HELENA, MONTANA 59624

R. STEPHEN BROWNING*
STANLEY T. KALECZYC*
LEO BERRY
J. DANIEL HOVEN
D. IVEA H. GOE
KATHARINE S. DONNELLEY
JON METROPOULOS

TELEPHONE
4061 449-6220
TELECOPIER
4061 443-0700

*MEMBER OF MONTANA AND THE
DISTRICT OF COLUMBIA BARS

1. Member - Do not pass

March 16, 1989

z.

House Appropriations Committee
House of Representatives
Capitol Station
Helena, MT 59620

Re: House Bill 774

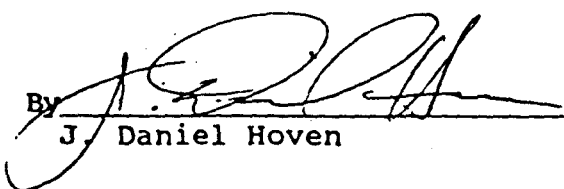
Dear Committee Members:

Questions were raised at the hearing on this bill concerning the extent of the State's commitment to assume maintenance of FAS 223 - Fort Benton - Chester. Attached are copies of letters and memorandum which make express commitments and/or recognize the State's obligation to assume maintenance of FAS 223 when it was paved by the respective counties. The attachments are as follows:

1. Quinnell letter of 1961;
2. Buswell Memorandum, 1966; see page 3; and
3. B. B. Briscoe letter of 1970.

Very truly yours,

BROWNING, KALECZYC, BERRY & HOVEN, P.C.

By 
J. Daniel Hoven

/arh
Enclosures

COMMISSIONERS

ROY L. SONPHELLS, Chairman
 BILLINGS
 S. N. HALVORSON, Vice Chairman
 BILLINGS
 OTIS S. WATERS, Member
 RICHBY
 GEORGE M. GOSMAN, Member
 BILLINGS
 TED JAMES, Member
 GREAT FALLS
 JOHN D. WHEELER, Secretary
 HELENA



FRED GUINNEL
 STATE HIGHWAY ENGINEER

STATE HIGHWAY COMMISSION

STATE HIGHWAY DEPARTMENT

HELENA, MONTANA

September 28, 1961

IN REPLY REFER
 PS-RTB

Board of County Commissioners
 Liberty County
 Chester, Montana

Gentlemen:

After considerable deliberation and investigation, the State Highway Commission has decided to establish a State Secondary System. This system will consist of a number of important routes now on the present Secondary System which are considered to be of statewide interest and usage.

For your information, we are enclosing a copy of a statement explaining the criteria which were considered and evaluated in the selection of eligible routes for inclusion in the State Secondary System.

In addition to these criteria which were used in evaluating the relative merits of the various routes, there are other basic conditions which must be complied with if a State Secondary System is to meet the objectives of statewide interest and usage. These conditions are described briefly in the following:

1. To achieve statewide importance, an otherwise eligible route must be paved throughout its length in order to provide unrestricted traffic service to the motorist.
2. The only difference between a route on the State Secondary System and a route on the regular Secondary System is that the State Highway Commission agrees to assume the burden and cost of maintaining routes on the State Secondary System because of their statewide importance. Also, prior to the assumption of the maintenance responsibility by the State Highway Commission, it must be determined that the highway in question has been properly maintained by the county involved. In the event that any maintenance deficiency exists, the county must agree that the deficiency will be corrected by county forces or by paying the State Highway Commission for the cost of bringing the highway up to normal maintenance standards.
3. Since all State funds for construction on the Secondary

System are allocated under State law to the various counties, there are no special funds available to the State Highway Commission for any necessary construction on the State Secondary System. Under these conditions, it is necessary for the individual counties involved to assign first priority to essential construction or reconstruction of sections of those routes which are considered eligible for inclusion in the State Secondary System. This provision is based on the assumption that if a route is of sufficient importance to be placed on the State Secondary System, it automatically becomes of sufficient importance to be assigned first priority for construction or reconstruction purposes.

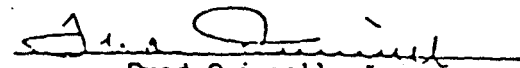
You will be pleased to learn that the following route, or routes, are considered to qualify for inclusion in the State Secondary System, subject to the conditions described in the foregoing.

FAS Route 223 - From a point on U.S. #87 at Fort Benton northerly to a point on U.S. #2 at Chester (Fort Benton-Chester Road)

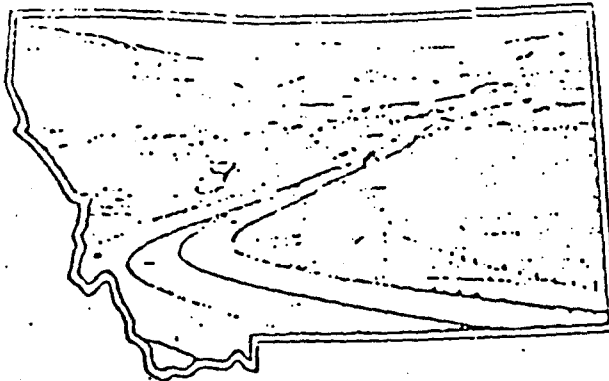
At such time as these highways are completed throughout with a paved surface and it is evident that the highways have been maintained by the county to normal maintenance standards, the State Highway Commission will enter into an agreement with the county whereby the State will assume the maintenance responsibility for the highway and the county will be relieved of such responsibility.

We hope that you will be pleased to learn that the State Highway Commission will assume the responsibility for maintaining the routes described above at such time as the stipulated conditions have been complied with.

Very truly yours,


Fred Quinnell, Jr.
State Highway Engineer

(6)



HELENA, MONTANA

September 12, 1966

TIM BABCOCK
GOVERNOR

PAUL M. JOHNSON
STATE HIGHWAY ENGINEER

IN REPLY REFER TO:

20-HTB

- ALTR BELVEIT, CHAIRMAN
GREAT FALLS
- B. N. HALVONSON, VICE CHAIRMAN
BALISPELL
- JOSEPH M. NASS, MEMBER
POPLAR
- A. J. OLD M. SWANSON, MEMBER
BOZEMAN
- DALLAS W. VAN DELINDER, MEMBER
BILLINGS
- JOHN D. WHEELER, SECRETARY
HELENA

TO : PAUL M. JOHNSON, STATE HIGHWAY ENGINEER

FROM : H. T. BUSWELL, ADMINISTRATIVE COORDINATOR

SUBJECT: PRESENT STATUS OF STATE-MAINTAINED SECONDARY SYSTEM

As instructed during the August Commission meeting, I have prepared the following report concerning the present status of the State-Maintained Secondary System which was approved by the State Highway Commission to become effective on November 1, 1961.

This system was established for the reason that a number of counties were reporting that they did not have the money or the equipment to maintain several Secondary System routes which had been completed to oiled standards or were substantially completed to such standards. Many of these routes were of significant statewide interest and usage and would normally be included in the Primary System except for the fact that there was no mileage available to permit their inclusion in the 7% System.

In the preliminary analysis, routes were selected for consideration which qualified under the following criteria:

1. System integration with connections at both ends to existing highways of importance.
2. Trunkline service for through traffic.
3. A substantial measure of statewide interest.
4. Service to a substantial volume of traffic which would be predominantly of statewide origin.
5. The cost of maintaining the highway placed an unreasonable burden on the county road funds.

In order to establish a priority rating system, a formula was devised assigning points to the following factors:

1. Present traffic volumes.
2. Potential traffic volumes of the route upon completion to oiled standards.

Mr. Johnson
 September 12, 1966
 Page Two

3. The amount of the potential traffic that would be of state-wide origin.
4. The proportion of the potential traffic that would be of statewide origin.
5. The distance savings to traffic through use of the Secondary System highway as compared with alternate routings via existing paved highways.
6. The extent to which the cost of maintaining the Secondary System highway placed a burden on the county finances. This was measured by comparing the annual maintenance cost with the total money available in the county road fund if the full ten-mill levy were to be applied by the county involved.

A total of 34 Secondary System routes, amounting to 1,178 miles, were analyzed under this procedure. Under the point system, priority ratings were assigned to each route for comparison purposes.

It was the opinion of the Commission members that an 8% System might eventually be approved for Montana and that the mileage to be approved for state maintenance as an initial increment should be limited to the additional mileage that could be included in the Primary System if an 8% System were to be approved. This was done with the thought that the same routes, which were included in the initial increment of the State-Maintained Secondary System, would be transferred to the Primary System if an 8% System were to be approved at some future date.

The routes which were investigated have been classified into the following categories:

CATEGORY 1
ROUTES IN THE INITIAL SYSTEM HAVING A PAVED SURFACE
THROUGHOUT AND BEING ELIGIBLE FOR IMMEDIATE MAINTENANCE

<u>Rank</u>	<u>FAS No.</u>	<u>Location</u>	<u>Miles</u>	<u>Annual Mtce. Co</u>
✓2	208	Somers - Big Fork	6.9	\$ 9,315
✓4	249	Nashua - Fort Peck	10.6	14,310
✓5	401	Whitehall - Southwest	12.1	16,335
✓7	244	Winnett Cutoff	24.7	33,345
✓8	209-326	Clearwater - Echo Lake	92.8	125,280
✓18	376	Harlem - Hayes	50.0	67,500
✓21	256	Plentywood - Raymond	15.6	21,060
✓22	291	Belgrade Cutoff	7.5	10,125
✓23	289	Norris - Bozeman	29.1	39,285
✓24	302-397	Bridger - Eelfry - Chance	21.4	28,860
		TOTAL.....	270.7	\$365,445

Mr. Johnson
 September 12, 1966
 Page Three

CATEGORY 2
ROUTES IN THE INITIAL SYSTEM WHICH HAVE SINCE BEEN COMPLETED
TO OILED SURFACE AND ARE NOW BEING MAINTAINED BY THE STATE

Rank	FAS No.	Location	Miles	Annual Mccc. Co
✓1	247	Glasgow - Ophelia - Canada	61.0	\$ 82,350
✓3	499	Madison Canyon - Quake Lake	23.1	31,180
✓5	412	Lolo Pass	32.6	44,010
✓9	319	Broadus - Biddle - Wyoming Line	29.4	39,690
TOTAL.....			146.1	\$197,230

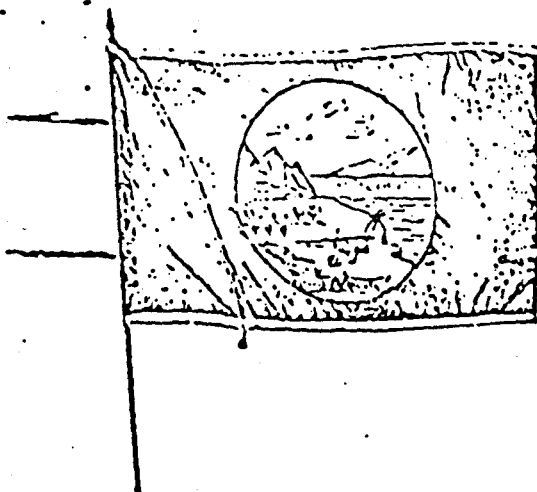
CATEGORY 3
ROUTES IN THE INITIAL SYSTEM FOR WHICH THE STATE HAS AGREED
TO ASSUME MAINTENANCE UPON COMPLETION TO OILED STANDARDS

Rank	FAS No.	Location	Miles	Annual Mccc. Co
10	242	Malta - Loring - Canada	54.4	\$ 73,440
✓11	223	Fort Benton - Chester	56.3	76,005
✓12	230	Fort Benton - Stanford	67.3	90,855
13	271-272	Avon - Helmville - Montana 20	32.9	44,415
14	281	Boulder - Cardwell	31.1	41,585
✓15	232	Havre - Wild Horse - Canada	43.7	58,995
16	323	Ekalaka - Alzada	71.7	96,795
17	461	St. Regis - Paradise	22.5	30,375
20	253	Terry - Brockway	46.7	63,045
✓21	518	East Haven - Argonne City	50.0	
TOTAL.....			426.6	\$575,910

✓ Routes maintained by State.

CATEGORY 4
ROUTES OUTSIDE THE INITIAL SYSTEM WHICH THE STATE SHOULD CONSIDER FOR
MAINTENANCE IF THE SYSTEM IS ENLARGED AND THE HIGHWAY IS COMPLETED TO OILED STANDARDS

Rank	FAS No.	Location	Miles	Annual Mccc. Co
19	462	Rock Springs - Van Horn	41.5	\$ 56,205
25	252	Circle - Weldon - Montana 24	37.9	51,165
26	294	Ringling - Martinsdale	29.2	39,420
27	293	Bozeman - Wilsall	38.4	51,840
28	274	Anaconda - Ralston	22.0	29,700
29	279	Helena - Lincoln (Fletcher Pass)	40.6	54,810
30	219-378	Chouteau - Conrad	31.9	43,065
31	201	Fairview - Montana 16	11.8	15,930
32	471	Thompson Falls - Idaho	15.4	20,790
33	261	Wibaux - Sidney	49.5	66,825
34	382	Perma - Hot Springs	16.0	21,600



MONTANA HIGHWAY COMMISSION

Great Falls, Montana
March 23, 1970

STATE OF MONTANA
DEPARTMENT OF TRANSPORTATION

BOULDER, MONTANA

Secondary Road Construction Chouteau County

Mr. Tom Scherrard, Chairman
Triangle Highway Assoc. for Toole Co.
Ledger, Montana

Dear Sir:

As a result of the recent meeting in Great Falls with the Chamber of Commerce Highway Committee, Chouteau and Pondera County Commissioners and landowners from the "Bootlegger Trail" farm area, I have compiled a resume of the Secondary road construction program in Chouteau County from the records of the Highway Department in Great Falls. All of the work undertaken has been financed by State and Federal funds except for the new Missouri River Bridge at Fort Benton, which included special County funds raised thru a special bond issue. I have gone back to 1952 as this was the first year that County roads in Chouteau County were constructed to an asphalt-paved roadway finish. In the following list, the year indicates the calendar year in which construction was completed:

- 1952 6.5 miles of Big Sandy - South Road.
- 1953 5.2 miles of Fort Benton - Chester Road, including a Great Northern R.R. Overpass & Teton River Bridge.
- 1956 10.7 miles of Fort Benton - Stanford Road.
- 1958 9.1 miles of Fort Benton - Chester Road.
9.2 miles of Big Sandy - South Road.
18.3 miles Total
- 1961 8.0 miles of Big Sandy - West Road.
- 1962 11.7 miles of Fort Benton - Stanford Road, including the Missouri River Bridge at Fort Benton financed in part by County wide bond issue.
- 1964 16.3 miles of Fort Benton - Stanford Road.
- 1965 5.1 miles of Fort Benton - Stanford Road completing route.
New bridge over Teton River on Bootlegger Trail financed with State Flood Repair Funds.

Mr. Tom Scherrard

March 23, 1970

Page Two

1969 12.9 miles of Fort Benton - Chester Road completing route in Chouteau Co.

1971 5.9 miles of Belt - Highwood Road, completing route. This work scheduled for March, 1970 contract letting with completion in 1971

9.0 miles of Big Sandy - West Road. This work scheduled for contract letting in August, 1970 with completion in 1971.

with some other
Bridges
Contract

Total mileage improved since 1952, including that scheduled for this year will be about 110 miles in Chouteau County alone, or an average of about 5.5 miles per year. This extremely slow rate of improvement is further evidence of the inadequacies of present methods of road financing now in use in our State.

Under present regulations the State will assume maintenance of completed sections of Secondary roads if those sections meet established criteria. The Fort Benton - Stanford road was taken over for maintenance by the State upon its completion in 1966. The Fort Benton - Chester road is in the same category and will become State maintained when the remainder of that route is completed in Liberty County. Under present schedules this should occur in about 1973.


The "Bootlegger Trail" route as now approved for inclusion in the Federal-Aid Secondary system may be broken down into County mileage as follows - Cascade County, 12 miles, all asphalt paved - Chouteau County, 33 miles unimproved - Liberty County, 7 miles unimproved and Toole County, 4 miles unimproved. The northern terminus of this route connects with the Ledger - East Secondary route in Toole County. The Ledger - East road in Pondera and Toole Counties is being improved under the current ABM system but information as to exact mileage to be improved is not yet known.

As all Secondary system fund allocations are on a County basis; the improvement of the "Bootlegger Trail" in all three counties must fall on County Commissioner priorities.

There are several other county roads in Chouteau County that may be considered high traffic roads and are therefore eligible for improvement to oiled standards under our present specifications. Also a badly needed improvement is a new bridge over the Teton River north of Carter. Therefore, before Federal-Aid Secondary funds may be programmed for additional work on the "Bootlegger Trail" in Chouteau County, it will be necessary for the Commissioners to establish additional priorities.

It is hoped that the above report will give you an idea of the amount of work accomplished under the Secondary Road Program in Chouteau County in recent years and will afford you information of what might be anticipated in further road improvement in the next few years.

Sincerely,

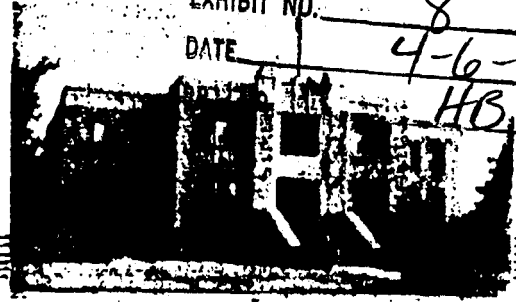

B. B. Briscoe - P.E.
District Engineer

SENATE HIGHWAYS

EXHIBIT NO. 8

DATE 4-6-89

HB 709



BIG HORN COUNTY

HARDIN, MONTANA 59034

SUBJECT: HIGHWAY #314 (14.2 miles paving needed)
Secondary Road

LOCATION: Kirby - Decker area in southeastern Big Horn County

FUNDING: Big Horn County contribution = \$2.95 million
(including future FAS)

Needed via Coal Board or HB #709 = \$2.80 million
Total Project = \$5.75 million

OVERVIEW: Road built in 1946; paved on north and south portions,
lacking 14.2 miles of pavement in center section;

Surface: red shale

Vehicle Count: 1987 = 101,470 vehicle count, an
11.07% increase over 1985;

Accident rate: 10.8% above average

Use: Primary market route for Montana stoker coal
sales, for export of Montana timber, for coal field
employment, agriculture, tourism, recreation, and is a
regional transit link between Montana and Wyoming.

IMPORTANT NOTES: A recent study (3/89) indicates that the LACK of
a paved surface on Highway #314 is costing vehicle owners, the
coal industry, timber industry, agriculture, mine employees,
recreationists, Big Horn County, and the State of Montana, a MINIMUM
of \$978,000 per annum, and potentially as much a \$2.5 million per
annum, if trends in declining stoker coal sales continue.

Conversely, to pave the road would benefit Montana from \$1,000,000
to \$2,447,000 per year. (Source: March 29, 1989 - Highway #314 Report)

ROLL CALL VOTE

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date APRIL 6, 1989 Bill No. HB 774 Time 2:00 p.m.

<u>NAME</u>	<u>YES</u>	<u>NO</u>
VICE CHAIRMAN MEYER	✓	
SENATOR ABRAMS		✓
SENATOR FARRELL		✓
SENATOR WEEDING		✓
SENATOR NOBLE	✓	
SENATOR STIMATZ	✓	
SENATOR HARP		✓
SENATOR WILLIAMS	✓	
CHAIRMAN TVEIT		✓

Secretary
Pat Bennett

Chairman
Larry Tveit

Motion: SENATOR MEYER MOVED THAT HOUSE BILL 774 BE CONCURRED IN.

MOTION FAILED ON A 5-4 VOTE.

COMMITTEE REQUESTED A REVERSE VOTE ON A BE NOT CONCURRED IN.

ROLL CALL VOTE

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date APRIL 6, 1989 Bill No. HB 774 Time 2:00 p.m.

<u>NAME</u>	<u>YES</u>	<u>NO</u>
VICE CHAIRMAN MEYER		✓
SENATOR ABRAMS	✓	
SENATOR FARRELL	✓	
SENATOR WEEDING	✓	
SENATOR NOBLE		✓
SENATOR STIMATZ		✓
SENATOR HARP	✓	
SENATOR WILLIAMS		✓
CHAIRMAN TVEIT	✓	

Secretary
Pat Bennett

Chairman
Larry Tveit

Motion: COMMITTEE REQUESTED A REVERSE VOTE OF HB 774 BE NOT CONCURRED
IN.

MOTION PASSED 5-4.

ROLL CALL VOTE

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date APRIL 6, 1989 House Bill No. 56 Time _____

NAME	YES	NO
VICE CHAIRMAN MEYER		✓
SENATOR ABRAMS		✓
SENATOR FARRELL	✓	
SENATOR WEEDING	✓	
SENATOR NOBLE		✓
SENATOR STIMATZ	✓	
SENATOR HARP	✓	
SENATOR WILLIAMS	✓	
CHAIRMAN TVEIT		✓

Secretary
Pat Bennett

Chairman
Larry Tveit

Motion: SENATOR WILLIAMS MOVED THAT HOUSE BILL 56 BE CONCURRED IN.
MOTION PASSED 5-4.