

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

March 5, 1985

The thirty-fifth meeting of the State Administration Committee was called to order on Tuesday, March 5, 1985, by Chairman Jack Haffey in Room 331, Capitol.

ROLL CALL: With Senator Tveit being absent, all the other members were present.

CONSIDERATION OF HOUSE JOINT RESOLUTION 8: Representative Les Kitselman, House District 95, Billings, is the sponsor of this resolution entitled, A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA HONORING THE CENTENNIAL OF THE MONTANA NATIONAL GUARD AND URGING PUBLIC RECOGNITION OF THE SPLENDID COMBAT RECORD AND ACCOMPLISHMENTS OF THE MONTANA NATIONAL GUARD IN SERVING THE PEOPLE OF THE STATE OF MONTANA. What this does is simply commemorate the 100th Anniversary of the National Guard, which began on March 10, 1885 and was known as the militia. Representative Kitselman gave some of the background of the National Guard as listed on the bill. He told the Committee how the National Guard helps in times of emergencies and disasters. Representative Kitselman asked that Senator Neuman carry this bill to the floor of the Senate because he is a member of the National Guard.

PROPOSERS: There were no other proponents.

OPPOSERS: There were no opponents.

COMMITTEE QUESTIONS: There were no committee questions.

EXECUTIVE ACTION ON HOUSE JOINT RESOLUTION 8: Senator Manning made a motion that HOUSE JOINT RESOLUTION 8 be concurred in. Question was called and the Committee voted unanimously that HOUSE JOINT RESOLUTION 8 BE CONCURRED IN.

Senator Haffey asked the Committee to present their reports on the Directors appointed by the Governor and presented to the Committee for action.

Senator Hirsch presented his report on ELLEN FEAVER, director of Administration saying that he talked personally with Ellen Feaver, who he knew from before when she was with the department of Revenue. He also contacted the people that work with her and they felt she was a capable administrator. Senator Hirsch said that all the remarks were favorable and he would recommend that she be confirmed. Senator Hirsch made a motion that he recommends that this Committee present to the whole Senate that ELLEN FEAVER be confirmed as director of the Department of Administration. Question was called and the Committee

March 5, 1985

voted unanimously to recommend confirmation of ELLEN FEAVER as director of the Department of Administration.

Senator Hirsch also had John J. Drynan, as director of Health and Environmental Sciences. Senator Hirsch said he was director starting in 1980 and is a very capable administrator. Senator Hirsch said that he spent time over there talking to people and he would recommend that Dr. Drynan be confirmed. Senator Hirsch made a motion that he recommends that this Committee present to the whole Senate that JOHN J. DRYNAN, M.D. be confirmed as director of Health and Environmental Sciences. Question was called and the Committee voted unanimously to recommend confirmation of JOHN J. DRYNAN, M.D. as director of Health and Environmental Sciences.

Senator Anderson presented his report of JAMES FLYNN as the Director of Fish, Wildlife and Parks Department. He said that he had contacted many people regarding Jim Flynn and nearly everyone thinks Jim is doing a very commendable job. Senator Anderson said that many people felt that during Jim Flynn's tenure of office, the relations between land owners and the Fish and Game Department had made a marked improvement. Senator Anderson felt that he was very professional in his dealings and presentations before legislative committees. Senator Anderson moved that JAMES FLYNN be presented to the whole Senate and be confirmed as director of Fish, Wildlife and Parks Department. Question was called, and the Committee voted unanimously that the Committee recommend that JAMES FLYNN be confirmed as director of Fish, Wildlife and Parks Department. (See Exhibit "1" attached hereto and by this reference made a part hereof.)

Senator Conover presented his report on KEITH KELLY and asked that it be read into the record. (See Exhibit "2" attached hereto and by this reference made a part hereof.) Senator Conover had done extensive research into Mr. Kelly's background and found him to be very professional and a good administrator. Senator Conover made a motion that KEITH KELLY be presented to the Senate as a whole for confirmation as director of the Department of Agriculture. Question was called and the Committee voted unanimously that KEITH KELLY be recommended for confirmation as director of the Department of Agriculture.

Senator Farrell presented his report on CARROLL V. SOUTH, as director of Institutions. Senator Farrell said that most of the people he talked to felt Mr. South was doing a good job. He said there were some complaints from small businesses, but he felt that Jan Brown's bill will evaluate that better two years from now. Senator Farrell felt he was a good administrator.

OPPONENTS: Representative Paul Pistoria, House District 36, said that he was not particularly against Mr. South's confirmation,

March 5, 1985

but he had had a run-in with him and wanted to tell the Committee about it. It had to do with a half-way house and someone escaping from it, stealing a car and wrecking it up in Great Falls and it turning out that the state was not insured against things such as this. Representative Pistoria had to keep on them continuously on behalf of his constituent whose jeep had been wrecked and he finally managed to get the man reimbursed for \$1400.00. (See Exhibit "3" attached hereto and by this reference made a part hereof.)

Senator Farrell made a motion that CARROLL V. SOUTH be presented to the Senate as a whole for confirmation as director of Institutions. Question was called and the Committee voted unanimously that CARROLL V. SOUTH be recommended for confirmation as director of Institutions.

Senator Farrell also had the nomination of General JAMES W. DUFFY, as Adjutant General of Military Affairs. Senator Farrell says all he could find out was that he had been around forever and does a good job. Senator Farrell made a motion that GENERAL JAMES W. DUFFY be presented to the Senate as a whole for confirmation as Adjutant General of Military Affairs. Question was called, and the Committee voted unanimously that GENERAL JAMES W. DUFFY be recommended for confirmation as Adjutant General of Military Affairs.

Senator Harding presented her report on JOHN D. LaFAVER. Senator Harding said that she had a really good interview with Mr. LaFaver and asked him about the big turn-over in that office, but the people that she spoke to about it seemed to feel that he would be able to handle it. Senator Harding made a motion that JOHN D. LaFAVER be presented to the Senate as a whole for confirmation as director of Revenue. Question was called and the Committee voted unanimously that JOHN D. LaFAVER be recommended for confirmation as director of Revenue.

Senator Harding also had DAVID M. LEWIS, as director of Social and Rehabilitation Services. Senator Harding said that she did not do as extensive an interview of Mr. Lewis, but she talked to others and found no problems. Senator Harding made a motion that DAVID M. LEWIS be presented to the Senate as a whole for confirmation as director of Social and Rehabilitation Services. Question was called, and the Committee voted unanimously that DAVID M. LEWIS be recommended for confirmation as director of Revenue.

Senator Manning presented his report on GARY BLEWETT, as administrator of the Workers' Compensation Division of the Department of Labor and Industry. Senator Manning gave Mr. Blewett's background and education. He said that he talked to people who work for him and they all had nothing but good to say about him.

March 5, 1985

Senator Manning said that he had dealt with Mr. Blewett personally and found him to be fair, so he would recommend that he be reappointed. Senator Manning made a motion that GARY BLEWETT be presented to the Senate as a whole for confirmation as administrator of the Workers' Compensation Division of the Department of Labor and Industry. Question was called, and the Committee voted unanimously that GARY BLEWETT be confirmed as administrator of the Workers' Compensation Division of the Department of Labor and Industry.

Senator Lynch presented his report on DAVID E. WANZENRIED, as Commissioner of Labor and Industry. (See Exhibit "4" attached hereto and by this reference made a part hereof.) Senator Lynch said that through his inquiries with legislators, the public and his peers, that he found him to be acceptable for this position. Senator Lynch said that he had worked with him personally and found him to be an able administrator. Senator Lynch made a motion that DAVID E. WANZENRIED be presented to the Senate as a whole for confirmation as Commissioner of Labor and Industry. Question was called, and the Committee voted unanimously that DAVID E. WANZENRIED be recommended for confirmation as Commissioner of Labor and Industry.

Senator Lynch also had the appointment of GARY WICKS as directors of Highways. Senator Lynch said that he had reviewed this nomination and although he had received letters in disagreement with the decisions made by Mr. Wicks on behalf of the Highway Department, these reasons would not compel him to recommend nonconfirmation. Senator Lynch said that he had also received comments of support as well as comments of disagreement regarding Mr. Wicks. He said the objections to Mr. Wicks seems to be either of a personal matter or in disagreement with his decisions. Senator Lynch felt that nothing in his research would indicate any reason for him not being confirmed. (See Exhibit "5" attached hereto and by this reference made a part hereof.)

OPPONENTS: Representative Paul Pistoria, Great Falls, House District 36, spoke in opposition to this confirmation. Representative Pistoria told how Mr. Wicks had held up Colstrip 3 and 4 for four years, and had cost the consumers more money due to inflation. He told about Mr. Wicks building a road on Gore Hill that cost \$715,000 and went only to a gravel pile. (Exhibit "6" attached hereto and by this reference made a part hereof.) Representative Pistoria said that Long Construction got the bid and they own the gravel pit at the other end of the road. Representative Pistoria told of his continuing battle with Mr. Wicks regarding the 10th Avenue Bridge in Great Falls and how badly it needs fixing. He entered many newspaper clippings and pictures (Exhibits 7 through 20 attached hereto and by this reference made a part hereof.) Representative Pistoria feels that Gary Wicks has all the say and the Highway Department has none. He told about the hassle with them to get a sign for the Deaf and Blind School. He also said he had to put in a bill this session in order to get signs pointing out the way

to their Vocational Schools and that Mr. Wicks made the fiscal note show \$7500.00. Representative Pistoria felt it could not possibly cost that much for a few signs. He feels Mr. Wicks is stubborn and uncooperative. Representative Pistoria says that Mr. Wicks is dictatorial.

Representative Koehnke, House District 32, opposes this confirmation. He said he was appearing on behalf of the people in his area who could not be here because of bad roads. Representative Koehnke told about trying to get a sign removed at Toston which obstructed the view as you came across the overpass. Finally, after an accident, the people took it out. He also told about trying to get signs on the bus routes. Representative Koehnke felt that there were many complaints against Mr. Wicks and they come from the "top brass." Representative Koehnke told of the Neihart area trying to get the speed limit reduced and instead Mr. Wicks raised it. He told of Monarch trying to get the Highway Department to leave a snow plow at Monarch. Mr. Wicks promised this would be done, but he broke that promise. Representative Koehnke felt that someone was going to have to be killed before anything was done and he felt that was a very high price.

COMMITTEE QUESTIONS AND COMMENTS: Senator Manning said that he knew well the problems with Mr. Wicks in his area, and although he was saving the right to vote either way on the floor, he was going to oppose the recommendation for confirmation of the Committee.

Senator Anderson said he felt that Gary Wicks was not always co-operative and that he doesn't use tact when he works with the people. He said they have had this experience in Twin Bridges.

Senator Mohar said that when he first came to the last session, he was bound and determined to get the road fixed between Troy and Libby, and that every chance he got, he jumped Gary Wicks about it. He said it suddenly dawned on him how much the man is hassled because everyone in the state has a road that needs fixing. He feels that Gary Wicks is doing a good job and that he is very progressive.

Senator Haffey said that he felt Gary Wicks has presented some good ideas and many of them are starting to bear fruit. He feels that the man is very professional. Senator Haffey said that he was going to support his confirmation, but he felt that the directors are extensions of the Governor and in dealing with the people, they should show tact, diplomacy and flexibility.

Senator Harding said that she was going to have to vote against recommending Mr. Wicks for confirmation because she feels that he is not responsive to the people and their needs. She felt the Committee should not condone his behavior, and that this should be passed on to the Governor.

March 5, 1985

Senator Lynch moved that GARY WICKS be presented to the Senate as a whole for confirmation as director of Highways.

Senator Conover said that he received a lot of letters on Mr. Wicks but it seems the Governor is appointing and the Committee is only confirming. Senator Conover seemed to feel many of these problems should be brought to Mr. Wick's attention. He felt the Governor should be notified of the problem in the Neihart area.

Senator Farrell said that administratively Gary Wicks is very good at his job. Senator Farrell believes he has brought the department of Highways in a progressive direction. He felt that Gary Wicks should be more flexible, but he does not feel that his whole program should be dumped because of this shortcoming.

Senator Haffey said that the Committee hopes that diplomacy, tact and interpersonal skills will display themselves more often in Mr. Wicks' dealings with the public than they have in the past, and that applies to all agency directors.

Question was called, and the Committee with Senator Manning voting no and Senator Harding voting no voted that GARY WICKS be recommended for confirmation as director of Highways.

Senator Mohar presented his report on MORRIS BRUSETT, as a member of the Pacific Northwest Electric Power and Conservation Planning Council. Senator Mohar told the Committee that Mr. Brusett was a certified public accountant and had worked 20 years as a state legislative auditor and 4 years ago he worked for the Department of Administration. Senator Mohar said that he had talked to various people who knew him and worked with him. Senator Mohar said he had been criticized for being too black or white and not enough gray, but he felt that this was because he was cautious. Senator Mohar felt he was a hard worker. Senator Mohar moved that MORRIS BRUSETT be presented to the Senate as a whole for confirmation as a member of the Pacific Northwest Electric Power and Conservation Planning Council. Question was called, and the Committee voted unanimously that MORRIS BRUSETT be recommended for confirmation as a member of the Pacific Northwest Electric Power and Conservation Planning Council.

Senator Mohar had also reviewed GERALD MUELLER, as a member of the Pacific Northwest Electric Power and Conservation Planning Council. Senator Mohar said that Mr. Mueller has been involved in this since its inception. Senator Mohar said that he does a good job and that he is excited to be working on this part of it. Senator Mohar was very impressed with him. Senator Mohar made a motion that GERALD MUELLER be presented to the Senate as a whole for confirmation as a member of the Pacific Northwest Electric Power and Conservation Planning Council. Question was called, and the Committee voted unanimously that GERALD MUELLER

March 5, 1985

be recommended for confirmation as a member of the Pacific Northwest Electric Power and Conservation Planning Council.

Senator Mohar also reviewed LARRY FASBENDER, as director of Natural Resources and Conservation. Senator Mohar talked to several people regarding Mr. Fasbender and got very positive answers. He said that he took office on January 1st, right in the middle of a department controversy. He said Mr. Fasbender is quick to get to the bottom of complex issues. Senator Mohar felt that Mr. Fasbender was open, friendly and up-front. He also felt he does an excellent job and gets along well with people. Senator Mohar moved that LARRY FASBENDER be presented to the Senate as a whole for confirmation as director of Natural Resources and Conservation. Question was called, and the Committee voted unanimously that LARRY FASBENDER be recommended for confirmation as director of Natural Resources and Conservation.

Senator Tveit was excused from the Committee, so his report was given on Wednesday, March 7, 1985, and will be incorporated herein. Senator Tveit reviewed DENNIS HEMMER as Commissioner of State Lands. Senator Tveit said that he had talked to several people and he feels that Mr. Hemmer is conscientious and recommends him for this position. Senator Tveit made a motion that DENNIS HEMMER be presented to the Senate as a whole for confirmation as Commissioner of State Lands. Senator Conover said that he has worked for a long time with Mr. Hemmer and feels that because of him the State Lands has come a long way. Senator Conover feels that he is a great asset. Question was called, and the Committee voted unanimously that DENNIS HEMMER be recommended for confirmation as Commissioner of State Lands.

Senator Tveit next said that Gary Wicks of the Highway Department was arrogant and dictatorial and that he was going on record as voting no to his recommendation. He would also like to be on record as voting yes on all the other recommendations.

Senator Haffey presented his report on KEITH COLBO, as director of Commerce. (Exhibit "21" attached hereto and by this reference made a part hereof.) Senator Haffey said that he had reviewed Mr. Colbo's experience and education history. His experience, particularly in governmental administration work dates from 1964 through present. Senator Haffey also visited with people who have worked with Mr. Colbo and based on these visits, he feels Mr. Colbo is an excellent administrator and his appointment should be confirmed. Senator Haffey made a motion that KEITH COLBO be recommended for confirmation as director of Commerce. Question was called, and the Committee voted unanimously that KEITH COLBO be recommended for confirmation as director of Commerce.

The meeting was adjourned at 11:30 a.m.



SENATOR JACK HAFFEY, CHAIRMAN



The Big Sky Country

Exhibit "1"
3-5-85

MONTANA STATE SENATE

SENATOR JOHN H. ANDERSON, JR.

HOME ADDRESS:
P.O. BOX 86
ALDER, MONTANA 59710
HELENA ADDRESS:
CAPITOL STATION
HELENA, MONTANA 59620

SENATE COMMITTEES:
NATURAL RESOURCES
FISH AND GAME
STATE ADMINISTRATION

February 7, 1985
Thursday

REPORT TO SENATE STATE ADMINISTRATION COMMITTEE

Re: Appointment of Jim Flynn as the Director of Fish, Wildlife, and Parks Department

A large cross-section of people have been contacted as to the manner in which Jim Flynn manages the Dept. of Fish, Wildlife, and Parks. Nearly everyone thinks Jim is doing a very commendable job. In fact, no one told me he was doing a poor job.

Many of the comments were that during Jim Flynn's tenure of office, the relations between land owners and the Fish and Game Dept. has made a marked improvement. The working relationship within the Dept. is generally good.

I have known Jim Flynn personally for many years and I am impressed by the diplomatic manner by which the many difficult problems are arbitrated under his guidance.

When Jim appears before Legislative Committees, he is always well prepared and presents the Dept.'s concerns very well.

I highly recommend Jim Flynn be reappointed.

Sincerely,

John H. Anderson, Jr.

John H. Anderson, Jr
Senate District #37



TED SCHWINDEN
GOVERNOR

STATE OF MONTANA
DEPARTMENT OF AGRICULTURE

OFFICE OF THE DIRECTOR
AGRICULTURE/LIVESTOCK BLDG.
CAPITOL STATION
HELENA, MONTANA 59620-0201

TELEPHONE:
AREA CODE 406
444-3144

KEITH KELLY
DIRECTOR

Exhibit "a2"
3-5-85

Biographical Sketch for
Keith Kelly, Director

Keith Kelly was born in Red Lodge, Montana, and raised on his parent's sheep and cattle ranch there. He was appointed Director in 1983 after working two years as Deputy Director. He is chairman of the Staff Advisory Council for Agriculture of the National Governor's Association and past chairman of the Montana Governor's Ad Hoc Committee on Agriculture.

Prior to his appointment as Deputy Director, Kelly served as Administrative Assistant for Agriculture and Natural Resources in the Lt. Governor's office. As Assistant Director of Western Wheat Associates in Washington, D.C., he toured India and the Pacific Rim countries, reviewing market programs. Western Wheat Associates was an original cooperator program with the U. S. Department of Agriculture. Kelly has also worked for the Cooperative Extension Service where he developed the nation's first toll-free grain marketing news service.

Kelly received an Ag Business degree from Montana State University where he was president of the MSU chapter of Alpha Gamma Rho. He has also been a 4-H and FFA member, and was an FFA state officer. He served with the 101st Airborne Division of the U. S. Army in Viet Nam.

Kelly and his wife, the former Norma Jean Walsh of Butte, have four children; sons Keith, Jr., Conan and Kevin, and a daughter, Shannon.

A handwritten signature in cursive script that reads "Mac Conover".

An Affirmative Action/Equal Employment Opportunity Employer

Exhibit "3"
2-5-85

STATE OF MONTANA

WARRANT TRANSMITTAL

TRANS. DATE (Optional)	
FORM CODE	231
INPUT AGENCY	6101
DOCUMENT NUMBER	24787

DESCRIPTION OF ITEMS BEING PAID

INPUT AGENCY NAME

Settlement of Claim

ADMIN/Insurance & Legal

PAYABLE TO

Rec'd - Mon - July 9th, 1984

GARY RANDALL
112 14th Street North
Great Falls, MT 59401

1400.00

TOTAL AMOUNT PAID



STATE OF MONTANA STATE AUDITOR

STATE WARRANT

No. 189950

93-104
920

To the Treasurer of the State of Montana

APPRO.	ACCOUNT	DATE	CLAIM NO.	DOLLARS	CENTS	NUMBER
	07300	07-06-84	0024787	*****1,400.00		189950

VOID ONE YEAR FROM DATE

PAY TO THE ORDER OF

GARY RANDALL

HELENA, MONTANA

PAY	
*****1,400.00	
Know Your Endorser Require Identification	

DEPARTMENT

DEPARTMENT OF ADMINISTRATION

E.V. "Sonny" Omholt

⑈ 189950 ⑈ ⑆ 092001046 ⑆

17

RETURN IN FIVE DAYS TO

E.V. "SONNY" OMHOLT
STATE AUDITOR

P.O. BOX 4009

HELENA, MONTANA 59604-4009

Rec'd - Mon - July 9th, 1984





The Big Sky Country

Exhibit "4"
3-5-85

MONTANA STATE SENATE

SENATOR JOHN "J. D." LYNCH

SENATE DISTRICT 34
BUTTE-SILVER BOW
ANACONDA-DEER LODGE

HOME ADDRESS:
532 WEST MERCURY
BUTTE, MONTANA 59701
PHONE: (406) 723-8431

COMMITTEES:
LEGISLATIVE COUNCIL
LABOR & EMPLOYMENT
RELATIONS, CHAIRMAN
PUBLIC HEALTH, WELFARE &
SAFETY, VICE-CHAIRMAN
STATE ADMINISTRATION

Senator Haffey
Chairman of State
Administration

March 5, 1985

In compliance with your instructions, I have reviewed the nomination of Dave Wanzenried for Commissioner of Labor. Through my inquiries with Legislators, the public and his peers, I have found him to be acceptable for this position. As Chairman of the Senate Labor and Employment Relations Committee, I have worked with Mr. Wanzenried personally and find him to be an able administrator.

Nothing in my research would indicate any reason for him not being confirmed. Therefore, I recommend his conformation to you.

Sincerely,

A handwritten signature in cursive script that reads "J.D. Lynch".

Senator J.D. Lynch

JDL/med



The Big Sky Country

Exhibit "5"
3-5-85

MONTANA STATE SENATE

SENATOR JOHN "J. D." LYNCH

SENATE DISTRICT 34
BUTTE-SILVER BOW
ANACONDA-DEER LODGE

HOME ADDRESS:

532 WEST MERCURY
BUTTE, MONTANA 59701
PHONE: (406) 723-8431

COMMITTEES:

LEGISLATIVE COUNCIL
LABOR & EMPLOYMENT
RELATIONS, CHAIRMAN
PUBLIC HEALTH, WELFARE &
SAFETY, VICE-CHAIRMAN
STATE ADMINISTRATION

Senator Haffey
Chairman of State
Administration

March 5, 1985

Dear Senator Haffey:

In compliance with your instructions, I have reviewed the nomination of Gary Wicks for Director of the Highway Department.

Although, I have received letters in disagreement with the decisions made by Mr. Wicks, on behalf of the Highway Department, these reasons would not compel me to recommend nonconformation. I have received comments of support as well as comments of disagreement regarding Mr. Wicks.

The objections to Mr. Wicks seems to be either of a personal matter or in disagreement with his decisions.

Nothing in my research would indicate any reason for him not being confirmed. Therefore, I recommend his conformation to you.

Sincerely,


Senator J.D. Lynch

JDL/med

Exhibit 7
3-5-85

TRIBUNE - FRIDAY, APRIL 4, 1975 - PAGE 13 Paul K. Dietrich

State blamed for closing bridge

The Montana Department of Highways is solely responsible for closure of the Tenth Street Bridge and the city commission wants the facility repaired and reopened as quickly as possible, City Commissioner Don Ostrem said in a prepared statement Thursday.

Ostrem's statement said in part: *"I WAS TOLD"* "The point now is that I, as a city commissioner, am continually quoted as being against opening the Tenth Street Bridge. I must state very positively that the city commission and certainly (myself) very much favor reopening the Tenth Street

Bridge. The state closed it, not the city.

"Additionally, the city's master traffic and bridge plan includes the Tenth Street Bridge as a two-lane light traffic structure. I am in favor of that and so are the city management staff and the traffic engineer. What I oppose is a special interest group talking about repair and reopening of the bridge — and meaning a \$5 million four-lane redecking, which in essence means a new Tenth Street Bridge without proper south end approaches which might cost another \$5 million.

"I strongly suspect that the

Tenth Street Bridge could be reopened now if the state highway officials were not using its closure politically to force the expansive multi-million-dollar redeck project.

"Please put the blame where it belongs. The state closed the bridge and the city would very much appreciate it being reopened as a two-lane repaired — not reconstructed — structure. The city and every citizen's group and committee that have studied bridges agree on the local priorities. We don't want all of the money spent putting four lanes on Tenth Street when it is possible to repair the two-lane

structure at perhaps less than \$1 million and still have the lower Squaw Island River-view-Valley View-Northwest side access to downtown as well as a new First Avenue North Bridge as first priorities. These bridges also serve the Fairgrounds and the proposed multi-purpose center with high traffic requirements.

"Again, I am sure the citizens will consider these bridges in proper perspective and understand that the city government certainly is not against reopening the Tenth Street Bridge. I hope it can be reopened tomorrow."

Exhibit "8"
3-5-85

TRIBUNE - SAT - APRIL 12, 1975 - PAGE 13.

451. LIVER LIP LIVESAY
COOK POST CHR PARK RD
MAY 1 1975
PIPE DR

Solons challenge statement on bridge

Three Cascade County members of the State House of Representatives have taken exception to a Great Falls city commissioner's view that the state is to blame for the prolonged closure of the Tenth Street Bridge.

Reps. Helen O'Connell, Jack Moore and Joe Tropia signed a letter addressed to the Great Falls commission, challenging statements recently published by Commissioner Donald L. Ostrem.

Ostrem said the state was responsible for closing the bridge, not the city, and in-

... the question of repairing or redecking the bridge is primarily a local one and a matter of priorities, to be decided by the city commission, the Policy Coordinating Committee and the Technical Advisory Committee... the highway officials told the legislators.

A willingness to begin almost immediately with design work was expressed, "when—and if—the city commission ever makes up its mind as to exactly what it wants."

The highway department told the three representatives that design for redecking had been under way and a public hearing on the project held, at which "little opposition was discovered."
It was following the hearing, according to one official, that

The department was further quoted as saying that "The highway department... has so many different versions of Traffic Engineer (Robert) Livesay's pipe-dream floating around that the department scarcely knows from one day to the next which one is in favor and which one is out of favor. The one we saw was a far-fetched plan that would involve relocating all the industries on the east side of the Missouri, building a beltway, new bridges and riverfront parks, moving railroad tracks to the other side of the river, and several other pie-in-the-sky ideas."

The city commission has obviously not made repair and retention of the bridge a priority item, the highway department charged.

The department also told the legislators that it favors redecking over patching because in the opinion of their engineers, a simple patch job would not meet the safety standards desirable.

"We suggest that the city commission stop passing the buck and engaging in word battles in this matter... and take immediate action to implement what they say they favor," the representatives said in closing their letter.

Exhibit "9"
3-5-85

Agreeable plans first priority for bridges

Sat - May 3, 1975

Saturday, May 3, 1975

Great Falls Tribune 9

By WAYNE ARNST
Tribune Staff Writer

The first priority in gaining funds to begin resolution of Great Falls bridge problems is to formulate agreeable plans about what the city and county want to do with the bridges, according to state Department of Highways officials during a Great Falls Technical Advisory Committee (TAC) meeting Friday.

But the state, city-county planners and citizen action groups often appear at odds. Some apparently believe there should be more investigation before any plan is approached. Others say that a general plan is necessary before further investigation is possible. In the meantime Great Falls bridges remain closed or deteriorate to the point where action must be taken soon.

During the Friday TAC meeting a "Transportation Master Plan" was resubmitted and a motion regarding bridge priorities was approved for submission to the Policy Coordinating Committee (PCC). The two committees were created several years ago by

formal agreement between the state, city, county and City-County Planning Board and the state is not authorized to proceed without the recommendations of the two, according to state highway engineering chief Tack Beyer. The motion to PCC regarding bridge priorities recommends that the Major Project Construction Priority List regarding Missouri River Bridges have subpriorities established as follows:

- 1. Subpriority No. 1 shall be "Repair of the Tenth Street Bridge" to attempt to meet the general requirements.
- 2. Repair to meet state liability requirements to remain on the State Highway System and Federal Aid System.
- 3. Be repaired to allow vehicles with maximum load of 8,000 lbs. GVW.
- 4. Have at least a 15 year designed service life.
- 5. Have the structure repaired and in service within calendar year 1975, if possible (as an emergency project, funding may be utilized if necessary from priority No. 1, Sixth St. SW - North Section).

tion and to request extraordinary funding for Missouri River bridges. The "Transportation Master Plan" listing goals and objectives as essential tools in developing a successful transportation plan and recommends the following goals:

- 1) Maximize mobility of people and goods.
- 2) Enhance the urban environment.
- 3) The plan calls for objectives under goal one to include: 1) Minimize travel time; 2) Minimize travel cost; 3) Provide adequate system capacity; 4) Provide adequate system safety; 5) Provide adequate system reliability; and 6) Provide total system continuity.

Objectives under goal two, recommended by TAC, include: 1) Provide for equitable distribution of local accessibility for employment, health, education, commerce, and recreation; 2) Foster a desirable arrangement of land use and transportation facilities; 3) Minimize community

The subcommittee is to report back to TAC within 90 days on what effect the transportation concept will have on bridge locations.

Victor, division construction section, Montana Dept. of Highways.

disruption; and 4) Minimize air, noise and site pollution. In other action, TAC formed a sub-committee to work on the transportation concept in an effort to speed the planning process. The sub-committee will include John Mooney, acting director City-County Planning Board; Arthur Rusch, division roadmaster, Burlington Northern; H. J. Mahoney, assistant superintendent, Chicago, Milwaukee, St. Paul and Pacific Railroad; Robert Livesey, city traffic engineer; and James Sullivan, super-

Exhibit 70
3-5-85

Had no authority,
just a rubber stamp. At the time
that I brought up the Gure Hill Rd
to Paul Foster's gravel pit for 715,000
& he get the bid - 3.6 miles

TRIBUNE - THUR. FEB. 18, 1982 - FRONT PAGE

Chairman of highway panel plans to leave post in April

Tribune Capitol Bureau
HELENA - Baxter Larson of Wolf Point has resigned as chairman of the Montana Highway Commission effective in April.

Larson, who has served on the five-member commission since April 1975, hand-delivered his letter of resignation to Gov. Ted Schwinden Feb. 2. In his brief letter Larson said he was resigning for personal reasons but didn't elaborate.

There had been no public announcement of the resignation and Larson declined to discuss it with the Tribune.

"I have nothing to say," the Wolf Point attorney said when asked if he was resigning.

Larson is a long-time associate of Schwinden, who also is from Wolf Point.

"I was extremely disappointed to receive the resignation of someone who has distinguished himself so well for so many years on the Highway Commission," Schwinden said.

Larson's term would have expired Jan. 1, 1983. The five highway commissioners are appointed to staggered four-year terms. Each commissioner must be from one of the separate highway districts.

Paving plan said possible conflict of interest

By SUE O'CONNELL
Tribune Staff Writer
and The Associated Press
HELENA — State Rep. Paul Pistoria said Monday the pavers a proposed paving project near Great Falls is not necessary and could be a conflict of interest benefiting a member of the state Highway Commission whose firm won the road contract.

Pistoria, a Great Falls Democrat, wants the project stopped. He said some businessmen are interested in financing a court action to obtain an injunction against the project. He would not name the businessmen, however, during his remarks to a legislative subcommittee on highways.

The state Highway Commission awarded in December a \$715,948 contract to Long Construction Co. of Billings to pave a 3.6-mile stretch of gravel frontage road along the south side of Interstate 15, from the Gore Hill interchange toward Uim.

State Highway Commissioner Paul Foster, Billings, formerly of Great Falls, is an officer of Long Construction and also owns the Northern Materials gravel pit and asphalt plant located just off the frontage road in question.

Pistoria said he does not believe anything illegal has been done, but he added, "It sure looks funny." He emphasized, though, that his interest stems from his belief that the project is not necessary more than because there is an appearance of conflict of interest.

Foster said in a telephone interview Monday that he sees no conflict of interest, adding his company won the contract in a free and fair competitive bid. He said he abstained from voting when the commission awarded the contract to his company.

The paving project was initiated in July 1979 at the request of the Department of Highway's Great Falls Division, Engineer Bill Freeman, who submitted a petition requesting

the road be paved because of "high traffic volumes, severe dust and the inability of state forces to maintain the route."

At the time, an estimated 470 cars traveled on the road, which provides access to the Pretty Prairie subdivision and other residences. City-County Planning Director John Mooney said Monday no additional traffic counts appear to have been taken since then; he believes traffic has remained at about the same level because little "significant growth" has occurred in the past few years.

In October 1979, the Technical Advisory Committee, made up of local, state and federal transportation planners, recommended against using federal interstate funds for the project. Instead, it proposed that local interests consider funding the project with gasoline taxes or a creation of a rural special improvement district.

In April 1980, it was determined that the project was eligible for federal interstate improvement funds and the Highway Department approved the program. Federal Highway Administration approvals were granted in February and July last year.

Foster became a member of the Highway Commission in February 1981 and attended his first commission meeting in April.

In November, the Great Falls Policy Coordinating Committee on transportation matters endorsed the project. Committee Chairman Franklin Stevart said Monday the project was considered necessary to provide area residents with a good, safe road and to alleviate a severe dust problem in the area.

Bids for the project were let in December. Long Construction was the low bidder over McIntyre Construction Co. of Great Falls at \$701,519. Hide Construction Co. of Great Falls bid at \$815,962 and Konitz Contracting Inc. at \$803,001. The official state engineer's estimate had

been \$774,083. Hide Construction Co. headquarters is also located on the same frontage road.

Pistoria claimed there are few other businesses located on the road, which ends at an interstate underpass and at the point where a driveway begins into Foster's gravel pit. Foster said his trucks have not used the gravel frontage road but

rather the underpass leading to old U.S. 91 which runs along the north side of Interstate 15.

Pistoria said the existence of the old highway on the north side makes paving the frontage road on the south side doubly unnecessary. However, Stevart cited the dust problem as one that made the project worth funding. He said at times, the

amount of dust created by traffic flows onto the interstate and impairs visibility.

State Highway Director Gary Wicks said he had forgotten about the existence of the old highway to Uim and had always considered the paving of the southside road necessary. But he said he would consider Pistoria's objections and review the

project; however, he said he doubted anything could be done since the contract has been awarded. He said that if there was any fault, it was the highway department's, not the commission's. Pistoria said that it could still be stopped since no work has yet begun, and the money could be spent on a more worthy project.



Road leads to controversy

A gravel frontage road along the southside of I-15 from Gore Hill interchange toward Uim is the subject of accusations by State Rep. Paul Pistoria of a possible conflict of interest and unnecessary spending of highway funds. The photo above

was taken about 3/4 mile off the gravel road that leads to a gravel pit and asphalt plant owned by the state highway commissioner. (Tribune Photo by Steve Velaski)

Corps asked to deal with dredging

Exhibit "12"
3-5-85

TRIBUNE, March 11, 1982

Plans to pave road proceed

By CHARLES S. JOHNSON
Tribune Capitol Bureau

HELENA — Despite criticism from a Great Falls legislator, the state Highway Department will proceed with a project to pave a gravel road along Interstate 15 near Ulm.

Director Gary Wicks said officials re-evaluated the proposal after Rep. Paul Pistoria, D-Great Falls, questioned the need for it Monday.

After looking at the proposal again, the department firmly stands by its original decision to proceed with the project, Wicks said Wednesday.

"I'm convinced that we've got to proceed with completing that project in accordance with the contract," Wicks said in an interview.

Wicks said the project will proceed despite Pistoria's threat that some undisclosed Great Falls businessmen might sue to halt the project.

The state agency itself would risk a lawsuit if it canceled the contract without significant reason, Wicks said.

Pistoria had criticized the project as unneeded and a potential conflict of interest benefiting a member of the state Highway Commission whose firm won the road contract.

The project involves paving a 3.6-mile stretch of gravel frontage road on the south side of Interstate 15 from the Gore Hill interchange toward Ulm.

Pistoria said Monday the project is not needed because few businesses are located on the road. Besides, he said, the existence of an old highway on the north side makes paving the south frontage road unnecessary.

He also questioned the Highway Commission's decision in December to award the \$715,948 contract to Long Construction Co., Billings.

State Highway Commissioner Paul Foster, Billings, formerly of Great Falls, is an officer of Long Construction and also owns the Northern Materials gravel pit and asphalt plant located just off the frontage road in ques-

tion.
Foster has said he sees no conflict of interest because his company won the contract in a fair competitive bid. He said he abstained from voting on the bid award.

Wicks went over the proposed project with Don Harriott, administrator of the department's Engineering Division, and Bill Freeman, supervisor of the Great Falls division of the department's construction section.

In disputing Pistoria's claim that the project isn't needed, Wicks cited several factors.

The project enjoys strong local support, Wicks said. About 275 area residents signed a petition in 1979 complaining about the dust from the gravel road.

It was endorsed in October 1979 by the Technical Advisory Committee, made up of local, state and federal transportation planners. In November 1981, the Great Falls Policy Coordinating Committee, consisting of some local elected officials, also backed the project.

The traffic count on the road supports the need for paving, Wicks said. The latest count, taken in 1979, showed 470 cars a day using the road, which Freeman said was built in the late 1960s for 50 cars daily.

"Looking at 20 years into the future, we don't see anything but growth in that area," Wicks said.

The cost of maintaining the gravel road is high because it is "a bearcat" to keep up, Wicks said.

Highway officials also are concerned about the dust problem.

As to Pistoria's suggestion that the money should be spent on another project, Wicks said the department's discretion is limited by its federal funds. The money in question must be spent on such a project, he said.

Freeman disputed Pistoria's claim that a paved road is unnecessary on the south side of Interstate 15 because the old highway, located on the north side, is already paved.

People living in a subdivision on the south side of the interstate need an access road, the Great Falls official said.

Marlenee, Melcher races analyzed

By PETER JOHNSON
Tribune Staff Writer

Eastern district Rep. Ron Marlenee's re-election chances this year may hinge on his ability to overcome any identification with Reagan administration farm policy, a Congressional Quarterly report says.

Meanwhile, Montana's "only Senate campaign so far" has been between Democratic incumbent John Melcher and the National Conservative Political Action Committee (NCPAC), "with the state's Republicans playing no conspicuous role at all," the magazine said.

The independent political journal analyzed the two Montana races in a special, Feb. 27, "pre-primary report" of various congressional races around the country. The analyses are based on interviews with politicians and reporters in the congressional districts.

The magazine did not analyze the House race in the western district.

In discussing Republican Marlenee's re-election chances, Congressional Quarterly put heavy weight on agricultural issues.

"Like counterparts around the country, the wheat-growers and ranchers of eastern Montana have grown

in campaign financing and has no track record as a candidate, the article said. "But if rural Montana is in open revolt on farm issues this fall, (Lyman) could be the vehicle for a large-scale protest."

The article mentioned only in passing the other two Democratic candidates for the eastern district seat, liberal attorney Jim Tulley from Big Timber and Pat Foley, a semi-retired rancher from Columbus.

However, interviewing for the article took place before Tulley formally launched his campaign Feb. 20 in Great Falls and Billings. Both Lyman and Tulley have been campaigning full time around the district in recent weeks.

The analysis traced the running battle Melcher has had with NCPAC concerning the accuracy of charges the conservative group made against Melcher in fund-raising letters and broadcast commercials.

The effectiveness of NCPAC's anti-Melcher ads is hard to gauge, the article said, because of Montana's limited number of broadcast stations and the refusal of some stations to carry the ads.

"But many Republicans say they are pleased by the campaign so far, and some Montanans have suggested

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Exhibit "13"
3-5-85

POWDER RIVER
County Bank

BROADUS, MONTANA

April 2, 1982

rec'd - Thur - April 8th, 1982

Representative Paul Pistoria
Great Falls, Montana 59401

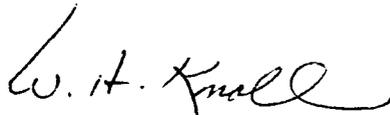
Sir:

I applaud your efforts to make the Highway Commission answer for their actions and urge you to continue your pursuit of this matter until satisfaction is realized.

This situation clearly puts into focus the self gratification of Highway Commission members that the Montana taxpayers have quietly witnessed over the years. It is indeed a sad commentary when a commission that is supposed to serve the public interest not only disregards that interest but also totally rebuffs an elected public official who questions their actions. All at a time when the entire state highway system is in need of extensive repair and maintenance and tax dollars are not sufficient to meet those needs.

Only truly concerned public officials such as yourself can bring this commission under control. I would hope that others that serve with you will rise to the call for accountability and stand by your side.

Sincerely,



Warren H. Knoll

Exhibit "14"
3-5-85

Sullivan Leaves Highway Commission

LIVINGSTON (AP) — John Sullivan has resigned as a member of the Montana Highway Commission, saying he was frustrated by its lack of authority.

Sullivan, editor and publisher of The Livingston Enterprise, was appointed to the five-member board by Gov. Ted Schwinden in January 1981 for a four-year term.

letter of resignation to Schwinden also cited personal reasons for his resignation.

"The commission seems to have a reputation for having some real and significant role in the direction of the Highway Department," Sullivan said, even though it lost control of the agency years ago under executive reorganization.

He said that when he joined the commission "it was absolutely nothing more than a rubber stamp for department decisions." He stayed on, he said, it "hopes" the Legislature would give it more authority.

The Legislature attempted to do this by giving the commission the authority to set priorities on construction projects, he said. But the Department of Highways, as a practical matter, still controls the priorities

because of the technical engineering and financing issues that are involved, he said.

Sullivan said he also was led to understand that the commission was supposed to act as an intermediary between the public and the Highway Department's professional staff.

"Yet, we really don't have any authority to bring about any changes in most of the department's decisions," Sullivan said. "I found myself in between the public and the department, trying to defend both sides against each other and not really being effective in getting any synthesis accomplished."

Sullivan said his letter to Schwinden said that "If you accept a position of community service you really ought to have some feeling your presence is needed and your actions are effective."

"I didn't, so I determined I ought to take my community service time elsewhere."

Sullivan said he doesn't believe the commission "will attract a lot of interested membership" until its structure is changed.

we passed S.B. 10 in the 1983 session to give them authority J.D. Synneth carried this bill in the Senate FOR H.B. 850 D. Paul Patton

carried it in the House

Exhibit "15"
3-5-85



TRIBUNE METRO/MONTANA

Section B
Saturday, September 22, 1984

Local and state officials feuding over bridge

By RICHARD ECKE
Tribune Staff Writer

Local government leaders accused state highway officials of being unfair and "irresponsible" in a heated meeting over the Tenth Street bridge project Friday.

City and county officials promised to take their complaints to the State Highway Commission, claiming Great Falls has been unfairly asked to contribute \$1.5 million to help rebuild the bridge.

Highway Department representatives denied any ill intent, but local officials clearly were miffed.

County Commissioner Pat Ryan termed the local contribution request an "ultimatum" that was "not being given to anyone else in the state."

"If the agenda is to cut us out of that bridge, it's a pretty effective way of doing it," City Manager Al Johnson added.

But Bob Champion, head of the highway department's program development division, said the department has only \$3 million to spend

on urban bridges through 1990. Rebuilding the Tenth Street Bridge from its arches up would cost an estimated \$4.5 million, he said.

"It goes without saying you can't build a \$4.5 million bridge with \$3 million," Champion said. So, local governments were asked to come up with the extra \$1.5 million, he explained.

But local leaders had plenty of objections.

Commissioner Dick Gasvoda said the city and county probably could not even scrape up \$100,000 for the project, let alone \$1.5 million.

"It's so far out that the old mule can't even see it," Gasvoda said.

Local officials used the word "arbitrary" at least a half-dozen times, and questioned the method used by the state to decide how to parcel out up to \$50 million in bridge replacement dollars available through 1990.

Champion said the \$50 million will go to three categories of bridges in the state — urban, primary and secondary. The money was divided

among the three categories based on the square footage of deficient bridge decks in the various systems, Champion explained.

"There's a hundred other ways to do it," Champion conceded. Based on square footage figures, urban bridges are to be given \$3 million, secondary bridges \$7.2 million, and primary bridges \$40 million, Champion said. If the federal money amounts to less than \$50 million, the primary bridge amount will be cut, he said.

Local officials argued that the relative condition of the bridges should have been taken into account, possibly providing more money for the Tenth Street Bridge.

Mayor Bob Worthington said he has "sincere frustrations" that the state did not give "some logical play" to bridge-condition ratings in parceling out the money.

"Again, that's one other way to do it," Champion replied.

He said local officials could ask the Highway Commission to change the allocation, but agreed that might

mean hurting other projects.

"You can't give to one without taking from another," Champion said.

Meanwhile, City Manager Al Johnson said the state created a "whole new ballgame" by suggesting local contributions to projects. Traditionally, money is used to fully complete a certain number of projects, rather than just paying for portions of projects and seeking local shares.

"There's never enough money to go around," Johnson said. The federal government provided bridge money with the intent states "get the job done," he said.

Ryan suggested highway officials, in picking projects, might be taking "political" considerations into account, basing choices upon "who's got the most clout."

And City-County Planning Director John Mooney said some people believe the Highway Department might be playing a "numbers game" that will end up killing the local bridge project.

That's "absolutely not true," replied Tom Barnard, district engineer for the Highway Department.

He and Champion noted more than once that \$15 million in bridge construction money has been pumped into Great Falls bridge projects over the last six years.

"We're a river town," Johnson replied.

Mooney also rapped statements by Champion that the Highway Department will not study the need for the Tenth Street Bridge if local governments cannot produce \$1.5 million first.

"That is irresponsible action," Mooney suggested.

"Either way, the study should be presented to the commission," Ryan agreed.

Ryan asked for a single example of other localities providing local shares.

Champion said money to build a new Johnson Lane Interchange on Interstate 90 east of Billings will include local money. But Mooney said

the money will come from real estate developers with a "vested interest" in the new interchange.

County Commission Chairman Jack Whaker termed the reference to the Billings interchange "pathetic."

Barnard said the city of Kalispell has contributed general city tax money by paying for some highway engineering and design work.

Champion said the Tenth Street Bridge project is the "one unique circumstance" in the various bridge programs.

"This is the only case where the money available in a program won't bring just one bridge," he said.

The 90-minute meeting included some raised voices.

"Obviously we disagree over the mechanics," Champion said.

At the meeting's close, local officials ruled out any local contribution. Johnson said officials here question "whether it should even be under consideration" due to the "fairness of the thing."

for H.B. 850

Exhibit "16"
3-5-85

TRIBUNE METRO/MONTANA

Tuesday, December 18, 1984 Great Falls Tribune 7-A

10th of Bridge

State makes offer on bridge rebuilding

By RICHARD ECKE
Tribune Staff Writer

A state official Monday offered local leaders "maybe the only alternative" to the death of the Tenth Street Bridge project.

The rickety bridge over the Missouri River would cost \$4.5 million to rebuild, and the state Department of Highways wants a \$1.5 million local share before agreeing to any work.

Tom Barnard, district engineer for the state Department of Highways, proposed a plan in which the city and county street and road departments would maintain certain state roads for 25 years in exchange for the state footing the cost of rebuilding the bridge.

"I'm not here to push this or anything like that," Barnard added, stressing that the state might not

even accept the deal.

Under Barnard's plan, the city would maintain 4.1 miles of roadway on River and Park drives between Tenth Avenue South and Fifteenth Street. The county would maintain 3.15 miles of roadway, including the new Tenth Street Bridge itself, its approaches, North River Drive from Tenth to Fifteenth Streets and Second Avenue North from Thirty-eighth to Fifty-seventh streets.

Barnard said the local departments would take over complete responsibility.

"It belongs to us for 25 years," County Commissioner Pat Ryan summarized. Most officials gave no immediate reaction.

But Lou Fontana, a surveyor with the county road department, said the road department has more than

enough work to do already.

Doing the additional work would put "quite a burden on the county." The state has better equipment and more maintenance money, he said.

"The county isn't tooled up for that stuff," he said. Fontana suggested feating a general obligation bond to come up with \$1.5 million, which would mean a "token payment from every property owner."

However, County Commissioner Jack Whitaker questioned whether higher taxes would be welcomed.

County officials also said county road and bridge budgets are heavily subsidized through revenue sharing, which the Reagan administration reportedly wants to cut.

"Who determines what level of maintenance will be done?" Commis-

sioner Dick Gasvoda asked. The county might have to "get by filling some potholes" when repaving might be more appropriate, he said.

Barnard said the city and county would maintain the roads as they are able, although he said the Federal Highway Administration keeps an eye on Second Avenue North maintenance.

Gasvoda said the offer means the County would get a new bridge for the equivalent of about \$27,000 a year, not counting the city's costs.

Officials here have resisted the idea of a local share to get the bridge built.

City Manager Al Johnson Monday contended the Highway Department request for a local share involves a "whole new set of rules."

FOR H.B. 850

Our 100th Year Friday

Great Falls

TRIBUNE

February 1, 1985

Great Falls, Montana

25 Cents

No. 264—100th Year

Exhibit "17" 3-5-85

State highway officials insist on local bridge contribution

By CHARLES S. JOHNSON
Tribune Capital Bureau

HELENA — The state Highway Commission Thursday refused to reconsider an earlier decision and gave Great Falls and Cascade County officials until March to raise \$1.5 million in local money to match \$3 million in federal money to rebuild the Tenth Street Bridge.

If the local officials miss that deadline, state highway officials may have to state the federal bridge repair money to another city, Highway Department Director Gary Wicks said. He pledged the department's continued cooperation in trying to reach a solution but said a decision must be made soon.

One possible way for the city and county to meet the matching money requirement would be for them to take over the maintenance of some state highways for a 30-year period. Local officials, however, weren't sure their road maintenance budgets could afford it.

The commissioner's unanimous decision came after a sometimes-heated meeting in which the Great Falls officials threatened legal action to stop distribution of the federal bridge repair money. The state expects to receive \$50 million in this money over the next five years, although Wicks warned that it is as uncertain as any federal funding.

The Great Falls officials believe the Tenth Street Bridge project should receive the full \$4.5 million in federal money from the state's anticipated \$50 million total and questioned whether the matching requirement was discriminatory.

"It is disappointing to learn that the game rules have now been unilaterally changed in such a discriminatory manner and that Great Falls and Cascade County are the only players required to provide local funds," they charged in a prepared statement. "The Department of Highways has fabricated an arbitrary system of rules which elimi-

nated the Tenth Street Bridge at the beginning."

Wicks disputed this assessment. Highway Commissioner Paul Foster of Billings said he couldn't believe that city and county residents couldn't come up with the matching \$1.5 million themselves.

"Can't you help yourself a little bit?" he asked, suggesting they create a special improvement district to raise the money through additional taxes or even charge people a toll of 25 cents for every trip across the bridge.

Local taxpayers, "don't know they're tapped out," Foster said. The old laws are done, fellows," Foster said. "Communities are going to have to do it for themselves."

But Great Falls Mayor Bob Worthington disagreed, pointing out that the property tax levy increased 19 percent last year to 440 mills. "If you don't think property taxes see BRIDGE, 2-A

FOR H.B. 850

Bridge — From 1-A

are a problem in Great Falls. I'd encourage you to call some people," Worthington said.

The officials' threat of legal action to stop state distribution of the federal bridge repair money drew a rebuke from a federal highway official, Roger Scott.

"That sounds like a game of hardball, and I would suggest that in a game of hardball, you'd come out a loser," he warned.

City-County Planning Director John Mooney read the long, sharply worded statement on behalf of the local officials that accused highway officials of not following federal regulations for distributing money.

Mooney questioned whether the requirements of Federal Bridge Replacement and Rehabilitation Program were being met by not providing the full \$4.5 million for the Tenth Street Bridge project. The intent of the program, he said, is that the worst bridges with the lowest "sufficiency ratings" would get the top priority for money.

HE SAID THE Tenth Street Bridge has a sufficiency rating of 6.7, which is the lowest of all urban system bridges in the state and the fourth lowest regardless of system designation. The combined cost of repairing the three bridges rated worse is only \$2.1 million, which would still leave plenty of money to fund the Tenth Street Bridge project, he said.

Mooney questioned why the repair money is being distributed first to the urban, primary, secondary and and other systems and then allocated again by project within a system. The money should have been allocated directly to the bridges with the lowest sufficiency ratings, regardless of systems, he said.

In response, Wicks said the department and commission decided on the distribution system that they considered to be fair. "They could have put all of the money into the primary system and not allocated any to the urban system," he said.

Mooney said federal regulations do not provide for a local matching requirement, but Wicks said other communities have done so in the past. But Mooney said none of the examples cited by Wicks involved the bridge repair funds and in most cases the contributions were initiated by property owners and developers who owned land adjacent to the roadway and stood to benefit personally.

Exhibit -18"
3-5-8

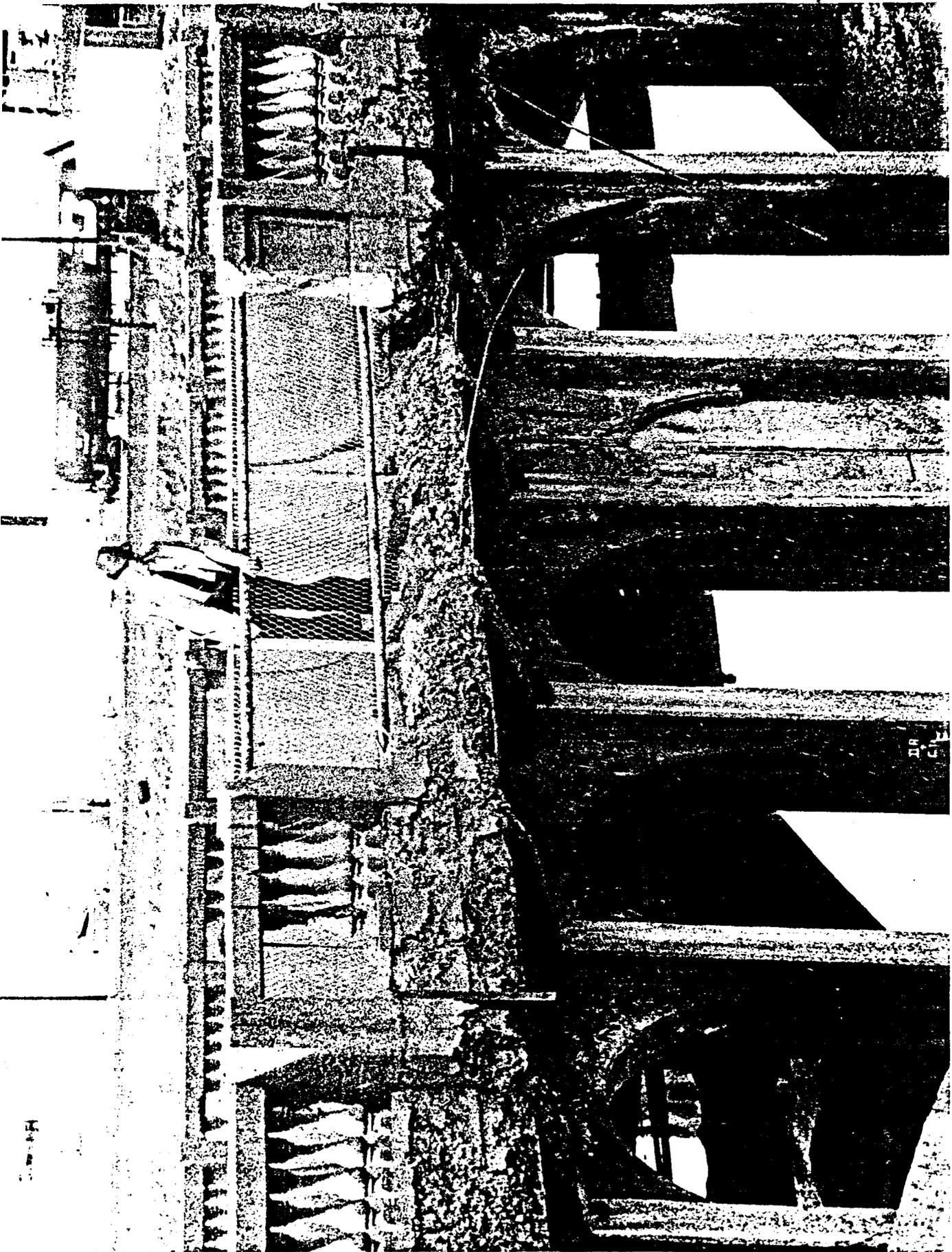


Exhibit 419
3-5-85

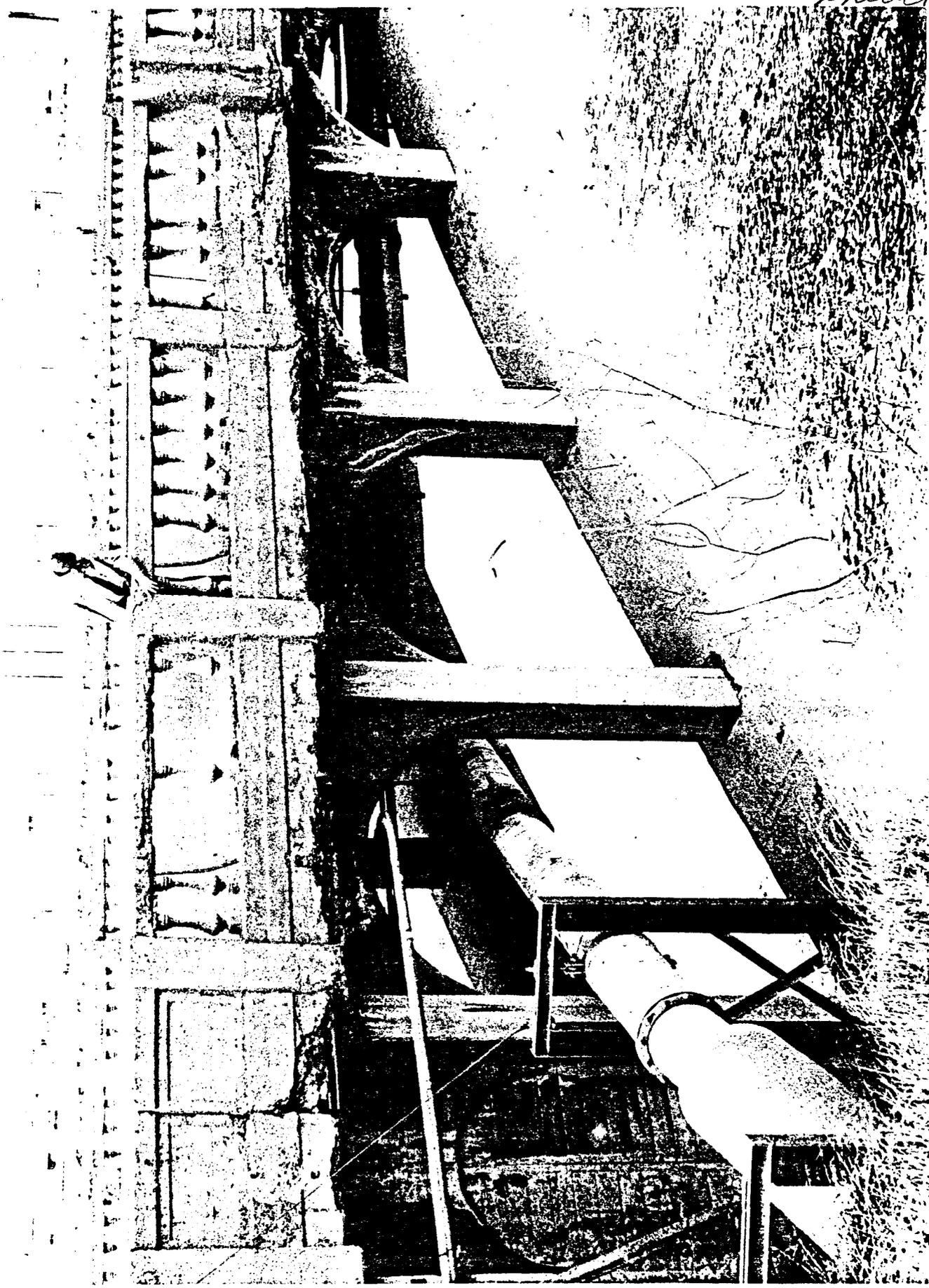


Exhibit "20"

3-5-85

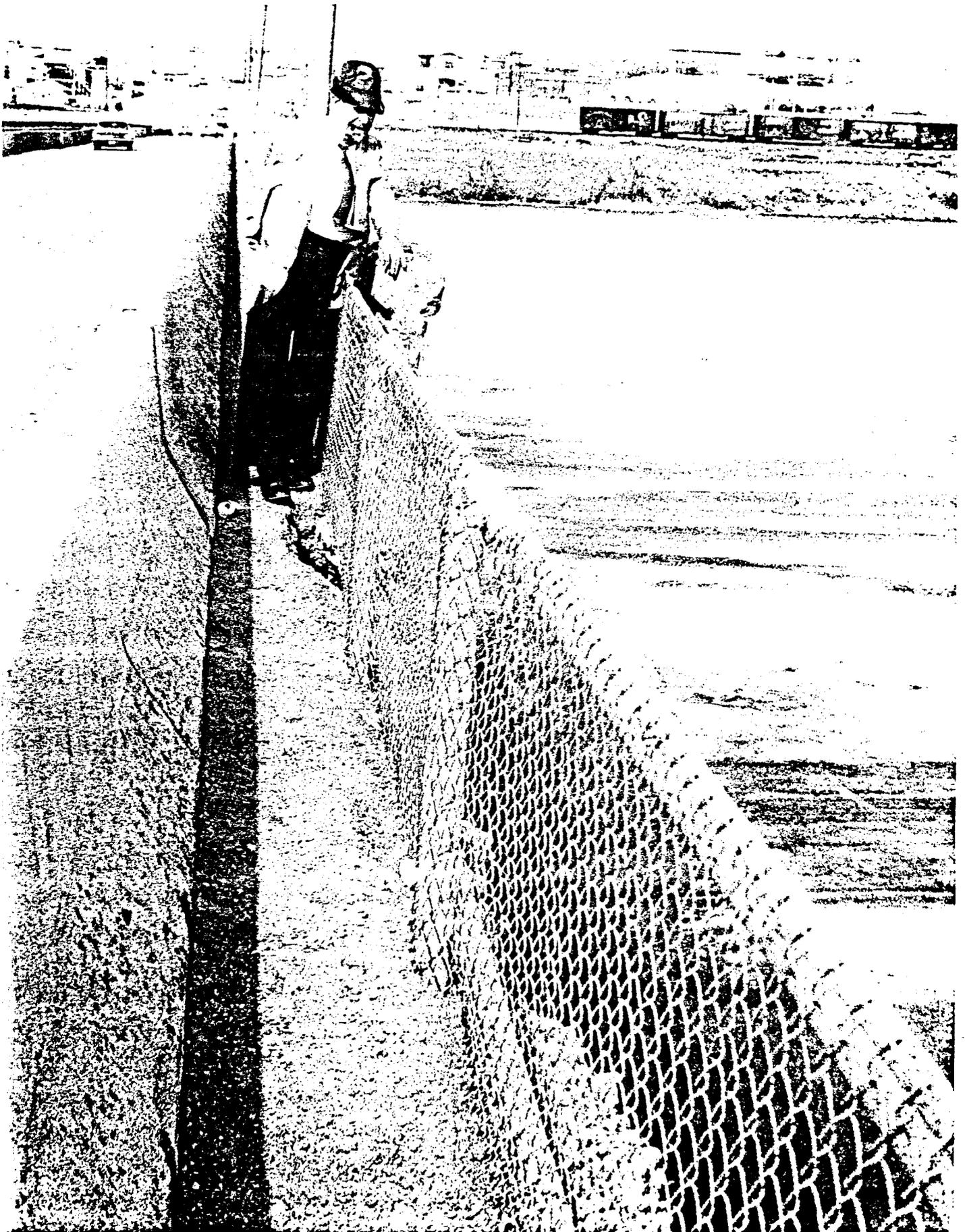


Exhibit "21"
3-5-85



The Big Sky Country

MONTANA STATE SENATE

SENATOR JACK HAFHEY

SENATE DISTRICT 33

HOME ADDRESS:

709 WEST FOURTH STREET
ANACONDA, MONTANA 59711
PHONE: (406) 563-7086

HELENA ADDRESS:

250 ANDERSON
PHONE: (406) 442-1946

COMMITTEES:

FINANCE & CLAIMS, VICE-CHAIRMAN
EDUCATION
STATE ADMINISTRATION, CHAIRMAN
LABOR
LEGISLATIVE FINANCE

REPORT TO SENATE STATE ADMINISTRATION

February 27, 1985

Re: Governor's Appointment of Keith Colbo as Director of the Department of Commerce.

I have reviewed Mr. Colbo's experience and education history. His experience, particularly in governmental administration work dates from 1964 through present. He has been director of various departments of Montana state government, Budget Director of state of Montana, Executive Assistant to two governors, and most recently a member and Chairman of the Northwest Power Planning Council.

I also visited with persons who have worked with Mr. Colbo and I recommend, based on his experience and the visits I have had with persons who know and have worked with him, that Mr. Colbo is an excellent administrator and his appointment should be confirmed as Director of the Department of Commerce.

Sincerely,

Jack Haffey

SENATOR JACK HAFHEY

JH/gmp

KEITH L. COLBO
1037 Cedarwood
Helena, Montana 59601
(406) 443-1573

EXPERIENCE

Director of Commerce - January 1985 through Present

Chairman, Northwest Power Planning Council - November 1983 through
December 1984

Council Member, Northwest Power Planning Council - May 1981 through
December 1984

Executive Assistant to the Governor - January 1981 through April 1981

Chief of Transition Team, Governor-Elect - November-December 1980

Director of Fish, Wildlife and Parks - July 1980 through December
1980

Director of Social and Rehabilitation Services - August 1978 through
June 1980

Executive Assistant to the Governor - September 1974 through August
1978

Director of Budget and Program Planning - April 1974 through September
1974

Director of Revenue - August 1971 through March 1974

Budget Director - January 1969 through August 1971

Assistant Budget Director - August 1967 through January 1969

Budget Analyst - February 1964 through August 1967

EDUCATION

Montana State University (formerly Montana State College), Bozeman,
Montana, B.S. in Commerce with accounting major - June 1963

Powell County High School, Deer Lodge, Montana - May 1959

Elementary School, Deer Lodge, Montana

ORGANIZATIONS

Honorary: Pi Omega Pi (Commerce)

Social: Sigma Chi
MSU District Alumni Association - Past
President

Business: Multi-State Tax Commission - Executive Committee
National Association of Tax Administrators
National Alcoholic Beverage Control Association
Western States Association of Tax Administra-
tors - Secretary
National Governors' Association - Award for
Distinguished Service to State Governments,
1979
Western Association of Fish & Wildlife Agencies
- President
Governor's Human Services Committee
Governor's Emergency & Disaster Advisory
Committee - Chairman
Montana Power Company Committee on Problems of
Energy Costs on Low and Fixed Income - Chairman
Governor's Policy Initiatives - Co-chairman
University of Montana Citizens' Advisory Council

STANDING COMMITTEE REPORT

March 5 1985

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration HOUSE JOINT RESOLUTION No. 8

third reading copy (blue)
color

(Senator Neuman will carry this Resolution on the floor)

**RESOLUTION HONORING THE CENTENNIAL OF THE MONTANA NATIONAL
GUARD**

Respectfully report as follows: That HOUSE JOINT RESOLUTION No. 8

BE CONCURRED IN

~~DELETED~~

~~XXXXXXXXXX~~

.....
Chairman.

STANDING COMMITTEE REPORT

March 5, 1935

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration

~~XXXXXXXXXX~~

color

The Governor's appointment of ELLEN FEAVER, of Helena, Montana, as Director of the Department of Administration, to serve at the pleasure of the Governor.

Respectfully report as follows: That

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

~~XXXXXX~~

~~XXXXXXXXXX~~

.....
Chairman.

STANDING COMMITTEE REPORT

March 5, 1985

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration.....

~~XXXXXXXXXX~~
color)

The Governor's appointment of KEITH KELLY, of Helena, Montana, as director of the Department of Agriculture, to serve at the pleasure of the Governor.

Respectfully report as follows: That.....

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

~~XXXXXXXXXX~~

~~XXXXXXXXXX~~

DO NOT WRITE

.....
Chairman.

STANDING COMMITTEE REPORT

March 5 1965

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration **XX**

~~XXXXXXXXXX~~)
color

The Governor's appointment of KEITH L. COLBO, of Helena, Montana, as director of the Department of Commerce, to serve at the pleasure of the Governor.

Respectfully report as follows: That **XX**

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

~~XXXXXXXXXX~~

~~XXXXXXXXXXXX~~

.....
Chairman.

STANDING COMMITTEE REPORT

March 5 1905

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration XX

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color

The Governor's appointment of JAMES W. FLYNN, of Helena, Montana, as director of Fish, Wildlife and Parks, to serve at the pleasure of the Governor.

Respectfully report as follows: That XX

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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DO PASS

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DO NOT PASS

.....
Chairman.

STANDING COMMITTEE REPORT

March 5 1935

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration..... ~~XX~~

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The Governor's appointment of JOHN J. DRYNAN, M.D., of Helena, Montana, as director of Health and Environmental Sciences, to serve at the pleasure of the Governor.

Respectfully report as follows: That..... ~~XX~~

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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Chairman.

STANDING COMMITTEE REPORT

March 5 1935

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration.....

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color

The Governor's appointment of CARROLL V. SOUTH, of Helena, Montana, as director of the Department of Institutions, to serve at the pleasure of the Governor.

Respectfully report as follows: That.....

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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DO NOT PASS

.....
Chairman.

STANDING COMMITTEE REPORT

March 5 19 35

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration..... ~~XX~~

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reading copy)
color

The Governor's appointment of DAVID E. WAMZENRIED, of Helena, Montana, as Commissioner of the Department of Labor and Industry, to serve at the pleasure of the Governor.

Respectfully report as follows: That..... ~~XX~~

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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Chairman.

STANDING COMMITTEE REPORT

March 5 19 85

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration..... NR

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color

The Governor's appointment of GENERAL JAMES W. DUFFY, of Helena, Montana, as Adjutant General of the department of Military Affairs, to serve at the pleasure of the Governor.

Respectfully report as follows: That..... NR

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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Chairman.

STANDING COMMITTEE REPORT

March 5 1985

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration..... ~~XX~~

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color

The Governor's appointment of LARRY FASBENDER, of Helena, Montana, as director of the Department of Natural Resources and Conservation, to serve at the pleasure of the Governor.

Respectfully report as follows: That..... ~~XX~~

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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Chairman.

STANDING COMMITTEE REPORT

March 5 1905

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration..... ~~XX~~

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color

The Governor's appointment of JOHN D. LaFAVER, of Helena, Montana, as director of the Department of Revenue, to serve at the pleasure of the Governor.

Respectfully report as follows: That..... ~~XX~~

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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DO PASS

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.....
Chairman.

STANDING COMMITTEE REPORT

..... March 5 19 85

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration..... ~~XX~~

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color

The Governor's appointment of DAVID M. LEWIS, of Helena, Montana, as director of the Department of Social and Rehabilitation Services, to serve at the pleasure of the Governor.

Respectfully report as follows: That..... ~~XX~~

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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Chairman.

STANDING COMMITTEE REPORT

March 5, 1905

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration XXXX

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color

The Governor's appointment of DENNIS HENNER, of Helena, Montana, as Commissioner of State Lands, to serve at the pleasure of the Governor.

Respectfully report as follows: That XXXX

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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Chairman.

STANDING COMMITTEE REPORT

March 5

19 85

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration XX

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color

The Governor's appointment of MORRIS BRUSETT, of Helena, Montana, as a member of the Pacific Northwest Electric Power and Conservation Planning Council, to serve at the pleasure of the Governor.

Respectfully report as follows: That XX

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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Chairman.

STANDING COMMITTEE REPORT

March 5 1935

MR. PRESIDENT

We, your committee on **STATE ADMINISTRATION**

having had under consideration **NR**

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color

The Governor's appointment of GERALD MUELLER, of Helena, Montana, as a member of the Pacific Northwest Electric Power and Conservation Planning Council, to serve at the pleasure of the Governor.

Respectfully report as follows: That **NR**

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

~~XXXXX~~
DO PASS

~~XXXXXX~~
DO NOT PASS

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Chairman.

STANDING COMMITTEE REPORT

March 5 1935

MR. PRESIDENT

We, your committee on STATE ADMINISTRATION

having had under consideration..... No.....

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color

The Governor's appointment of GARY L. BLEWETT, of Helena, Montana, as administrator of the Workers' Compensation Division of the Department of Labor and Industry, to serve at the pleasure of the Governor.

Respectfully report as follows: That..... ~~RE~~.....

said appointment be concurred in and confirmed by the Senate, and that the attached resolution be adopted by the Senate.

BE CONCURRED IN AND CONFIRMED

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Chairman.