

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON TRANSPORTATION

**Call to Order:** By **CHAIRMAN ROGER SOMERVILLE**, on March 26, 2001  
at 3:00 P.M., in Room 472 Capitol.

#### ROLL CALL

**Members Present:**

Rep. Roger Somerville, Chairman (R)  
Rep. Sylvia Bookout-Reinicke, Vice Chairman (R)  
Rep. Carol C. Juneau, Vice Chairman (D)  
Rep. Darrel Adams (R)  
Rep. Debby Barrett (R)  
Rep. Ronald Devlin (R)  
Rep. Dave Gallik (D)  
Rep. Steven Gallus (D)  
Rep. George Golie (D)  
Rep. Donald L. Hedges (R)  
Rep. Jim Keane (D)  
Rep. Gary Matthews (D)  
Rep. William Price (R)  
Rep. Allen Rome (R)  
Rep. Frank Smith (D)  
Rep. Karl Waitschies (R)

**Members Excused:** Rep. Joe Balyeat (R)  
Rep. Donald Steinbeisser (R)

**Members Absent:** None.

**Staff Present:** Donna Huffman, Committee Secretary  
Leanne Kurtz, Legislative Branch

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 3, 04/26/01.  
Executive Action: SB 3, SB 448, SB 393, SB 191.

HEARING ON SB 3

Sponsor: Senator Sam Kitzenberg, SD 48.

Proponents: Andy Parker, Senator Sam Kitzenberg Aide; Bob Sivertsen, Self; Art Kleinjan, Bearpaw Economic Development Board, Blaine County; Allan Underdal, Commissioner of Toole County; William L. McCauley, GAIN, Economic Development of Glacier County and Cutbank Chamber Of Commerce; Mary Phippen, Self; Gene Fenderson, Montana Joint Heavy and Highway Equipment Committee; Raymond Salois, Glacier County Commissioner; Betty Stone, Glasgow; Senator Glenn Roush, SD 43; John Ravenberg, Fort Peck, Montana.

Opponents: none.

Informational Witnesses: Dave Galt, Director of Montana Department of Transportation; Carl Schweitzer, Kalispell Chamber of Commerce.

Opening Statement by Sponsor:

Senator Kitzenberg said this bill is a hope and a dream for future economic development. This will create an economic corridor between the east coast and the west coast. This highway will pave the way for trade into the 21<sup>st</sup> century. He handed out letters of support from Governor John Hoeven of North Dakota **EXHIBIT (trh68a01)**, and a letter from AGI, llc, in Scobey area, **EXHIBIT (trh68a02)**.

Proponents' Testimony:

Andy Parker read testimony from Brad Bekkedahl, Finance and Economic Development Commissioner for the City of Williston, North Dakota, and the President of the North Dakota statewide Transportation Committee for Highway 2, known as the Communities for a Modern Highway 2. **EXHIBIT (trh68a03)**.

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Bob Sivertsen said Economic development is dependent on good highways, the four lane designation for Hwy 2 in SB 3, means a more safe Hwy 2, thus saving lives and encouraging more traffic through small towns and along the Hi-Line. The communities along the 700 mile stretch can share in the economic growth of this great State. **EXHIBIT (trh68a04)**.

**Art Kleinjan** said there have been many businesses that have not come to the Hi-Line area, because of the roads. He was a truck driver for many years, and said Hwy 2 is dangerous. As a Blaine County Commissioner, he listened to problems constituents have with ruts in the road, ice and snow. With this bill it will make it safe, economic and they will have good business on the Hi-Line.

**Allan Underdal** said they support SB 3, this project would benefit a large portion of Montana in a positive way. The benefits for Montana would be more employment, improved safety, economic opportunities in Northern Montana and tourism promotion.

**EXHIBIT (trh68a05)**.

**William L. McCauley** said economic development is what they need across the Hi-Line. Agriculture has become the only thing they have left across there and this bill would help in getting businesses in their area. There are so many areas where it is essential to have 4 lanes so truck drivers can move with ease.

**Mary Phippen** said she is a resident of Cutbank, Glacier County. There has been a deterioration in the economy since 1966. A four lane highway would develop more tourism. She supports SB 3.

**Gene Fenderson** said in the next forty to sixty years, the population in Montana will double, which means the moving of more goods and people. One of the natural routes across the state is Highway 2. He supports SB 3.

**Raymond Salois** said they support SB 3.

**Betty Stone** said in the last 12 years she has been promoting tourism and economic growth in Northeastern Montana. A four lane highway would promote tourism and economic growth in all of Montana. She supports SB 3.

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**Senator Roush** said a four lane highway system would be important for economic growth and development for Montana. North Dakota has almost completed a four lane highway. Tourists travel interstate systems in Montana because they are a four lane road and more safe. This bill as amended still includes planning and requires federal funding only to fund this project.

**John Ravenberg** said he supports SB 3.

**Roosevelt County Commissioners** sent in a letter of support for SB 3. **EXHIBIT (trh68a06)**.

**Opponents' Testimony:** none.

**Informational Witnesses' Testimony:**

***{Tape : 1; Side : B; Approx. Time Counter : 4.7}***

**Dave Galt** said MDT thinks this bill is a good idea but not one they can afford yet. This is a resource allocation issue. Highway 2 is a National Highway System in Montana. The goal of the Department of Transportation is to construct a 40 foot wide highway, which is 2 12-foot lanes with 2 8-foot shoulders from the North Dakota border from the Idaho border. It will take MDT until the end of this decade to get that accomplished. At 667 miles, give or take, their records show there are 161 miles of 40 foot, 2 lane in place now, or continuing to construct on. For the people and residents of the Hi-Line, the MDT has projects that are coming together. He said the amended bill directs MDT to seek additional Federal Funding. The additional Federal Funding does not require a state funding match.

**Carl Schweitzer** said Highway 2 does come to and from Kalispell, Mt. and is a very important Highway. He handed out information on US 93 and US 2, with Traffic and Usage Data and Accident Data. **EXHIBIT (trh68a07)**.

**Questions from Committee Members and Responses:**

**Rep. Gallik** asked **Senator Kitzenberg** with regard to Mr. Schweitzer's Testimony about US 93, if he sees this as a competitor to US 93. **Senator Kitzenberg** said in no way is this in competition with Highway 93.

**Rep. Smith** asked **Mr. Galt** with regard to Mr. Schweitzer's Testimony, with problems on Highway 93, if those problems have been addressed. **Mr. Galt** said there is a need and some projects are coming. On Highway 93, some of that stretch of road has been reconstructed, but there is still parts of that road left to do.

**Rep. Smith** asked **Mr. Galt** if Highway 2 construction goes through, if there will be problems with Highway 93. **Mr. Galt** said there is a considerable amount of work going in on Highway 2 in the next five years. There are projects on both highways, and in their program, funding is dedicated to both.

**Rep. Bookout-Reinicke** asked **Mr. Galt** in the future when we have four lanes here, what he anticipates on maintenance. **Mr. Galt** said they base their maintenance efforts on lane miles, there would be a lane mile increase, and would require about double maintenance.

**Rep. Devlin** asked **Mr. Galt** how to determine when a two lane or four lane highway is sufficient. **Mr. Galt** said they have standards they apply to the number of vehicles on a highway and amount of congestion on a highway.

**Pat Saindon, Administrator of Planning Division for Montana Department of Transportation**, said when they look at project needs, they look at traffic volume and accident clusters, and where there are unsafe places on roads.

**Rep. Devlin** asked **Ms. Saindon** when talking about a four lane highway, if this is different than a controlled access interstate, and would the lanes narrow down to two lanes going through towns. **Ms. Saindon** said Senator Kitzenberg had recommended in this bill that the four lanes would narrow down to two lanes when it goes through communities and also would not bypass any community.

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**Chairman Somerville** asked **Senator Kitzenberg** in new Section 3, a couple of Indian Reservations are not listed, such as the Salish-Kootenai. **Senator Kitzenberg** said this could have been an oversight, and they are an important part of this too.

**Closing by Sponsor:**

**Senator Kitzenberg** said this bill is an opportunity in not just solving problems, but as an opportunity for economic developments. He said as the current bill exists, it does not hinder current projects. **EXHIBIT (trh68a08)**. MDT's current plan is to give us a two lane highway, and they are working on that project. Also Highway 93 will not be affected, construction on this Highway will progress. This bill gives people hope for a better economy in the future.

*{Tape : 2; Side : A; Approx. Time Counter : 5.3}*

**Toni Hagener** of Havre and Hill County sent in a letter of support for SB 448. **EXHIBIT (trh68a09)**.

**EXECUTIVE ACTION ON SB 393**

**Motion:** REP. KEANE moved that SB 393 BE CONCURRED IN.

**Motion:** REP. BOOKOUT-REINICKE moved that AMENDMENT, #SB039302.ALK FOR SB 393 DO PASS.

Substitute Motion: REP. WAITSCHIES made a substitute motion for an AMENDMENT that \$23.00 GO TO LEWIS AND CLARK BICENTENNIAL FUND COMMISSION DO PASS. Rep. Waitschies withdrew his motion.

Substitute Motion/Vote: REP. GALLUS made a substitute motion for an AMENDMENT TO STRIKE SUBSECTION (5), AND IN SUBSECTION (6), STRIKE \$3, INSERT \$8. DO PASS. Substitute motion carried 14-4 with Balyeat, Gallik, Golie, and Price voting no. EXHIBIT(trh68a10).

Motion/Vote: REP. GALLUS moved that SB 393 BE CONCURRED IN AS AMENDED. Motion carried 13-5 with Adams, Balyeat, Gallik, Golie, and Price voting no.

Rep. Waitschies will carry SB 393 to House.

EXECUTIVE ACTION ON SB 191

Motion: REP. DEVLIN moved that SB 191 BE CONCURRED IN.

Motion: REP. GALLUS moved that AMENDMENT #SB019101.ALK DO PASS.

Substitute Motion/Vote: REP. GALLUS made a substitute motion to AMENDMENT #SB01901.alk TO STRIKE #3, CHANGE #4, CHANGE TO \$8.00 INSTEAD OF \$9.00. DO PASS. Substitute motion carried 18-0. EXHIBIT(trh68a11).

Motion/Vote: REP. BALYEAT moved that AMENDMENT #SB019102.ALK DO PASS. Motion carried 12-6 with Devlin, Gallik, Golie, Juneau, Keane, and Matthews voting no. EXHIBIT(trh68a12).

Motion: REP. SOMERVILLE moved that AMENDMENT #SB019103.ALK DO PASS.

Substitute Motion: REP. WAITSCHIES made a substitute motion to SEGREGATE AMENDMENTS #1 & #3.

Motion/Vote: REP. WAITSCHIES moved that AMENDMENT #2 DO PASS. Motion failed 9-9 with Devlin, Gallus, Golie, Juneau, Matthews, Price, Smith, Somerville, and Steinbeisser voting aye.

Motion/Vote: REP. SOMERVILLE moved that AMENDMENT #SB019103.ALK #1 & #3. DO PASS. Motion carried 18-0. EXHIBIT(trh68a13).

Motion/Vote: REP. GALLUS moved that SB 191 BE CONCURRED IN AS AMENDED. Motion failed 9-9 with Adams, Bookout-Reinicke, Gallik,

Gallus, Hedges, Rome, Smith, Somerville, and Steinbeisser voting aye.

Motion/Vote: REP. GALLUS moved to RECONSIDER SB 191 TO BE CONCURRED IN AS AMENDED. Motion carried 12-6 with Adams, Barrett, Devlin, Keane, Price, and Waitschies voting no.

Rep. Cindy Younkin will carry SB 191 to House.

### EXECUTIVE ACTION ON SB 3

Motion: REP. HEDGES moved that SB 3 BE CONCURRED IN.

Motion/Vote: REP. GALLUS moved a CONCEPTUAL AMENDMENT TO ADD PRESENT ROUTE IN FRONT OF ROUTE DO PASS. Motion carried 16-0.

Motion/Vote: REP. SOMERVILLE moved a CONCEPTUAL AMENDMENT TO ADD SALISH-KOOTENAI TO SECTION 3. DO PASS. Motion carried 12-4 with Balyeat, Hedges, Price, and Waitschies voting no.

**EXHIBIT** (trh68a14).

### Discussion:

Rep. Somerville said on Line 12, Page 1, it says for Montana Department of Transportation to construct a four lane highway, should they place it before designing a 40 foot 2-lane or 3-lane highway, generally along the route of US Highway 2 from the North Dakota border to the Idaho border.

Rep. Keane said this bill is a concept bill to get things moving forward.

Rep. Waitschies said this legislation is to get a good road to match North Dakota's 4 lane highway. He said this does not cut out Highway 93.

Rep. Somerville said this needs to reflect lane lengths or widths and numbers.

Rep. Balyeat said the purpose of Rep. Somerville's amendment is to say in some places it might be 2 lanes. If the bill passes as is, and it has to be a four lane, and they shall seek federal funds, it doesn't say if they will get the funds.

Senator Kitzenberg said that is why he put the word, "generally" in the bill, just in case there were exceptions.

**Motion:** REP. SOMERVILLE moved a CONCEPTUAL AMENDMENT TO LINE 12, PAGE 1. DO PASS. Rep. Somerville withdrew motion.

**Motion/Vote:** REP. GALLUS moved that SB 3 BE CONCURRED IN AS AMENDED. Motion carried 16-2 with Balyeat and Somerville voting no.

Rep. Waitschies will carry SB 3 to House.

**EXECUTIVE ACTION ON SB 448**

**Motion:** REP. HEDGES moved that SB 448 BE CONCURRED IN.

**Motion/Vote:** REP. SOMERVILLE moved that AMENDMENT #SB044801.ALK DO PASS. Motion carried 18-0. EXHIBIT(trh68a15).

**Motion/Vote:** REP. DEVLIN moved that AMENDMENT #SB044802.ALK DO PASS. Motion carried 11-7 with Balyeat, Barrett, Gallik, Golie, Hedges, Juneau, and Keane voting no. EXHIBIT(trh68a16).

**Motion/Vote:** REP. ROME moved a CONCEPTUAL AMENDMENT TO ADD 25 CENT FEE TO ALL VEHICLE REGISTRATIONS DO PASS. Motion carried 11-6 with Adams, Balyeat, Barrett, Bookout-Reinicke, Steinbeisser, and Waitschies voting no.

**Motion:** REP. HEDGES moved that CONCEPTUAL AMENDMENT (FOR THE FEE TO APPLY ONLY TO LIGHT VEHICLES) DO PASS. Rep. Hedges withdrew motion.

**Motion:** REP. HEDGES moved that AMENDMENT #SB044803.ALK DO PASS.

**Substitute Motion/Vote:** REP. GALLIK made a substitute motion to ELIMINATE LANGUAGE THAT APPLIES TO ANYTHING OTHER THAN LIGHT VEHICLES. DO PASS. Substitute motion failed 6-12 with Devlin, Gallik, Hedges, Juneau, Keane, and Price voting aye.

**Motion/Vote:** REP. HEDGES moved that AMENDMENT #SB044803.ALK DO PASS. Motion carried 18-0. EXHIBIT(trh68a17).

**Motion/Vote:** REP. BOOKOUT-REINICKE moved that SB 448 BE CONCURRED IN AS AMENDED. Motion carried 13-5 with Adams, Balyeat, Barrett, Somerville, and Steinbeisser voting no. EXHIBIT(trh68a18).

Rep. Juneau will carry SB 448 to House.

**ADJOURNMENT**

Adjournment: 6:15 P.M.

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REP. ROGER SOMERVILLE, Chairman

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DONNA HUFFMAN, Secretary

RS/DH

**EXHIBIT (trh68aad)**