

MINUTES OF THE MEETING  
LOCAL GOVERNMENT COMMITTEE  
MONTANA STATE SENATE

February 15, 1979

The meeting of the Local Government Committee was called to order by Chairman George McCallum on Thursday, February 15, 1979 at 7:30 p.m. in Room 405 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Senators Story, Peterson and Thomas who were excused.

Dennis Taylor, staff researcher, was in attendance.

Visitors were also in attendance. (See attachment.)

CONSIDERATION OF SENATE BILL 502: Senator A. T. (Tom) Rasmussen, sponsor of the bill, of Senate District 16, gave a brief resume of the bill. This bill is an act to allow a municipal governing body to order the installation and assessment of repair or replacement of utility service lines in certain circumstances without the formation of a special improvement district. Senator Rasmussen introduced Earl Tuffte of the City of Helena who stated that cities have had problems for a long time in areas where street improvements are being constructed, particularly in older areas of communities where the water system improvements are old and in need of repair. Prior to putting permanent street improvements in such areas, cities have attempted to upgrade the water systems so that failures will not occur and destroy the new streets. However, a problem exists with the serviceline connections from the city-owned water mains to the residential properties adjacent to the improvements. Mr. Tuffte stated this bill would save a lot of expenses.

Sonny Hansen, representing the Montana Technical Council, stated that they rebuilt the sewers and, therefore, they had to rebuild the streets. Mr. Hansen stated that he supports this bill.

Dave Stahey, a consulting engineer, favors SB 502. Mr. Stahey stated that patchwork on the streets is not as good as the original job and, therefore, the streets will deteriorate. He does not want to have to rebuild the streets.

David Hunter, representing the City of Helena, said passage of this legislation would allow cities to order in new servicelines when the need arises with a resultant benefit to all parties concerned. Mr. Hunter stated this would be aside from the S.I.D. procedures.

With no further proponents, Chairman McCallum called on the opponents. Hearing none, Senator Rasmussen closed the hearing by asking the Committee to please pass Senate Bill 502.

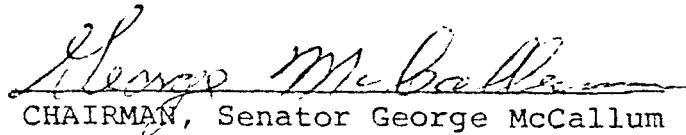
Senator McCallum opened the meeting to a question and answer period from the Committee. No action was taken.

CONSIDERATION OF SENATE BILL 503: Senator Lloyd Lockrem, Jr., of Senate District 32, sponsor of the bill, gave a brief resume. This bill is an act to establish general provisions and definitions common to all forms of municipal government with general powers; to outline general powers; and to establish basic requirements for public meetings, records, and reports. Senator Lockrem stated that this bill solves some of the administrative problems facing Missoula. It also cleans up some language in the codes.

Larry Grahil, representing the City of Billings and also the League of Cities and Towns, stated his support of the bill.

Senator Lockrem asked the Committee to hold the bill, as his main witnesses were not able to attend the hearing because of bad roads. Everyone felt this would be permissible.

ADJOURN: With no further business the meeting was adjourned at 8:10. The next meeting will be held on Saturday, February 17, 1979, to consider Senate Bills 462, 471, and 518.



George McCallum  
CHAIRMAN, Senator George McCallum

ROLL CALL

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## LOCAL GOVERNMENT COMMITTEE

46th LEGISLATIVE SESSION - 1979

Each Day Attach to Minutes.

SENATE

COMMITTEE

**BILL**

VISITORS' REGISTER

DATE

Please note bill no.

(check one)  SUPPORT  OPPO

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

NAME: MARY GRAHL DATE: Feb 15, 1979

DATE: Feb 15, 1979

ADDRESS: 1916 6th St West, Bremerton 59102

PHONE: 259-1203

REPRESENTING WHOM? C. t. y of BILLINGS & LEAGUE of C. t. & TOWN

APPEARING ON WHICH PROPOSAL: SB - 503

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS: \_\_\_\_\_

NAME: DAVE STAHL DATE: 2-15-79

ADDRESS: 1 So. DAKOTA ST.

PHONE: 442-8594

REPRESENTING WHOM? MYS E L F - C O N S U L T I N G E N G I N E E R

APPEARING ON WHICH PROPOSAL: 5-B 532

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS:

NAME: DS Hanson DATE: 2/15/79  
ADDRESS: Helena  
PHONE: 449-5500

REPRESENTING WHOM? Monte Technical Council  
APPEARING ON WHICH PROPOSAL: SB 502

DO YOU: SUPPORT?  AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS:

1. We need to update all underground  
features before rebuilding the above  
grade items.

NAME: E. B. Tufte DATE: 2-1-15

ADDRESS: 125 1/2th Street

PHONE: 441-222-1111

REPRESENTING WHOM? *City of Milwaukee*

DO YOU: SUPPORT? S AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

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For more information, contact the Office of the Vice President for Research and the Office of the Vice President for Student Affairs.

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PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Junior Wentz DATE: 2/15/99

DATE: 2/17/22

ADDRESS: Civic Center Plaza

PHONE: 442-9920

REPRESENTING WHOM? City of Hoboken

APPEARING ON WHICH PROPOSAL: 58 502

DO YOU: SUPPORT?  AMEND?  OPPOSE?

COMMENTS:

February 15, 1979

BACKGROUND INFORMATION RELATIVE TO SENATE BILL # 502

Cities for a long time have had problems in areas where street improvements are being constructed, particularly in older areas of communities where the water system improvements are old and in need of repair. Prior to putting permanent street improvements in such areas, cities have attempted to upgrade the water systems so that failures will not occur and destroy the new streets. However, a problem exists with the serviceline connections from the city-owned water mains to the residential properties adjacent to the improvements.

Our current regulations do not allow us to require replacement of the servicelines from the main to the properties, with the result that many old and outdated servicelines are not repaired. The resultant problem is that these servicelines are prone to fail and require, in some cases, extensive excavations in brand new street improvement areas.

The problem exists because the property owner is responsible for the service-line connection all the way from the main to his/her property and in order to replace the serviceline at the time the streets are constructed, the property owner has to voluntarily replace an old and antiquated serviceline. It has been our experience that property owners are very reluctant to make such an investment prior to street construction and they are subsequently subjected to far higher costs when they have to excavate and replace these lines under new pavements.

The proposed legislation under Senate Bill #520 would allow cities to require replacement of such lines at the time of the new street improvements and allow us to assess these costs against the property benefited and this would then eliminate, to a great degree, street maintenance problems.

Currently cities are allowed to order the construction and/or replacement of such things as curbs and gutters, sidewalks, and other surface improvements but do not currently have the right to order subsurface improvements such as servicelines. Passage of this legislation would allow cities to order in new servicelines when the need arises with a resultant benefit to all parties concerned.