

CHAPTER NO. 153.

SENATE BILL NO. 237

INTRODUCED BY VAN VALKENBURG

IN THE SENATE

January 24, 1979	Introduced and referred to Committee on Highways and Transportation.
January 25, 1979	Fiscal note requested.
January 26, 1979	Rereferred to Committee on Local Government.
January 31, 1979	Fiscal note returned.
February 1, 1979	Committee recommend bill do pass as amended. Report adopted.
February 3, 1979	Printed and placed on members' desks.
February 5, 1979	Second reading, do pass.
February 6, 1979	Considered correctly engrossed.
February 7, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 8, 1979	Introduced and referred to Committee on Local Government.
March 2, 1979	Committee recommend bill be concurred in. Report adopted.
March 3, 1979	Second reading, concurred in.
March 6, 1979	Third reading, concurred in.

IN THE SENATE

March 7, 1979

Returned from second house.
Concurred in. Sent to
enrolling.

Reported correctly enrolled.

1 *Anast* BILL NO. 237
2 INTRODUCED BY *Harold J. Wallaby*
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 60-2-210, MCA, TO DELETE THE REQUIREMENT THAT A MUNICIPALITY
6 MUST PAY ONE-HALF OF THE STATE'S SHARE OF THE COST OF CURBS
7 AND GUTTERS; AND TO CLARIFY THE DEFINITION OF "STREET"."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 60-2-210, MCA, is amended to read:
11 "60-2-210. Payment of construction and maintenance
12 costs within municipalities. (1) Except--as--provided--in
13 subsection--(2)--of--this--section--the The department of
14 highways shall pay the entire costs of construction and
15 maintenance of streets and highways which:

16 (a) are state highway routes; and
17 (b) are within municipalities incorporated prior to
18 January 1, 1965.

19 (2) ~~An incorporated municipality shall pay one-half of~~
20 ~~the state's share of the cost of--curbs--and--gutters--along~~
21 ~~those--streets--and--highways. For the purposes of this~~
22 ~~section, "street" is defined in 61-1-203 and includes curbs,~~
23 ~~gutters, and sidewalks immediately adjacent to the street."~~

-End-

8/12/07
INTRODUCED BILL

STATE OF MONTANA

Request No. 112-79

FISCAL NOTE

Form BD-15

In compliance with a written request received January 21, 1979, there is hereby submitted a Fiscal Note for Senate Bill 237 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

A proposal to delete the requirement that a municipality must pay one-half of the State's share of the cost of curbs and gutters.

ASSUMPTIONS:

1. The Department will place 60,000 linial feet of curbs and gutters each year.
2. The proposed legislation requires the Department of Highways to maintain sidewalks in the incorporated limits.

FISCAL IMPACT:

	FY 80	FY 81
Additional cost to state of construction	\$ 46,332	\$ 46,332
Additional maintenance cost:		
Personal services	330,000	350,000
Operations	2,338,034	2,353,668
Capital	100,000	100,000
	<u>2,768,034</u>	<u>2,803,668</u>
Total additional expenditures due to proposed legislation	<u>\$2,814,366</u>	<u>\$2,850,000</u>

The additional cost must be funded from the Highways Earmarked Revenue Account.

LOCAL IMPACT:

Incorporated cities and towns would not incur any cost to construct and maintain curbs, gutters, and sidewalks. The cost savings is estimated to be \$46,000 per year in total.

Carolyn Daering for
BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 4/31/79

Approved by Comm.
on Local Government

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7 SIDEWALKS, CURBS, AND GUTTERS; AND TO CLARIFY THE DEFINITION
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15 highways shall pay the entire costs of construction DE
16 STREETS, CURBS, GUTTERS, AND SIDEWALKS and maintenance of
17 streets, and highways, CURBS, AND GUTTERS which:

18 (a) are state highway routes; and

19 (b) are within INCORPORATED municipalities
20 incorporated prior to January 1, 1965.

21 (2) An incorporated municipality shall pay one-half of
22 the state's share of the cost of curbs and gutters along
23 those streets and highways for the purposes of this
24 section. "Street" is defined in 61-1-203 and includes curbs
25 and gutters and sidewalks immediately adjacent to the streets."

-End-

SB 0237
SECOND READING

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20 incorporated-prior-to-January-1-1965.

21 {2}--An-incorporated-municipality-shall-pay-one-half-of
22 the--state's--share--of--the-cost-of-curbs-and-gutters-along
23 those--streets--and--highways. For--the--purposes--of--this
24 section--"street"--is-defined-in-§1-1-283-and-includes-curbways
25 gutterways--and--sidewalks--immediately-adjacent-to-the-streets"

-End-

SB 237
THIRD READING

SENATE BILL NO. 237

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24 section--"street"--is--defined--in--§--1--203--and--includes--curbs--
25 gutters--and--sidewalks--immediately--adjacent--to--the--street--"

-End-

SE 207
REFERENCE BILL