

HB 376 INTRODUCED BY JENKINS, ET AL.
MAINTENANCE OF PAVED ROADS BETWEEN COUNTY SEATS BY
HIGHWAY DEPARTMENT

1/21 INTRODUCED
1/21 FISCAL NOTE REQUESTED
1/21 REFERRED TO HIGHWAYS & TRANSPORTATION
1/28 FISCAL NOTE RECEIVED
2/05 HEARING
2/18 COMMITTEE REPORT--BILL PASSED AS AMENDED
2/19 REVISED FISCAL NOTE REQUESTED
2/19 REVISED FISCAL NOTE RECEIVED
2/20 2ND READING PASSED 79 9
2/20 REFERRED TO APPROPRIATIONS
3/21 HEARING
3/21 TABLED IN COMMITTEE

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House BILL, NO. 376

INTRODUCED BY
ARLESIAD

[Signature]

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF HIGHWAYS TO MAINTAIN ALL PAVED ROADS CONNECTING COUNTY SEATS; AND AMENDING SECTION 60-2-203, MCA."

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

Section 1. Section 60-2-203, MCA, is amended to read:

"60-2-203. Maintenance responsibility. The department ~~shall have~~ has the responsibility for maintenance of:

(1) all public highways or portions thereof that it maintained on July 1, 1976; and

(2) any other paved public highway or portions thereof connecting two or more county seats."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of highways to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

INTRODUCED BILL
HB 376



STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB376, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring the Department of Highways to maintain all paved roads connecting county seats; and amending section 60-2-203, MCA.

ASSUMPTIONS:

1. Affected roads are those paved public roads, not currently maintained by the Department of Highways, which constitute all or part of a direct connecting route between two county seats. There are numerous other paved roads which constitute all or part of routes between county seats but which are not on the most direct route. These less direct routes are not included in this analysis.
2. Anticipated maintenance costs are assumed to be equal to current average costs per mile for state maintained secondary roads as derived by the MDOH Maintenance Management System FY86. These costs include labor, equipment, and materials.
3. Additional equipment costs are taken from the Department of Highways, Proposed FY88 Equipment Replacement Schedule. Equipment replacement costs are developed through the MDOH Equipment Management System.
4. Facilities costs are based on current average costs for similar new facilities as awarded to contract by the Montana Department of Administration, Architecture and Engineering Division.

FISCAL IMPACT:

	FY88			FY89		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Operating Expenses	\$ 0	\$ 1,859,978	\$ 1,859,978	\$ 0	\$ 1,859,978	\$ 1,859,978
Equipment	0	2,360,200	2,360,200	0	0	0
TOTAL	\$ 0	\$ 4,220,178	\$ 4,220,178	\$ 0	\$ 1,859,978	\$ 1,859,978
<u>Highways State</u>						
Special Revenue	\$ 0	\$ 4,220,178	\$ 4,220,178	\$ 0	\$ 1,859,978	\$ 1,859,978

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

1. County road mileage will be reduced 441.8 miles which will reduce gas tax allocation to affected counties. Under Section 60-3-201 MCA, \$14,000,000 is disbursed to cities and counties annually. Under this statute, distribution to the counties is based partially on county road mileage. Proposed changes of county maintained roads could change the proportionate distribution to the counties.
2. County expenditures for road maintenance on affected routes will be eliminated.

David L. Hunter DATE 1/28/87
DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

DATE _____
LOREN JENKINS, PRIMARY SPONSOR

Fiscal Note for HB376, as introduced.

HB-376

Fiscal Note Request, HB376, as introduced.

Form BD-15

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LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

State road maintenance responsibilities and costs will grow as county roads connecting county seats are paved.

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

Jurisdiction over affected routes is not affected. Therefore, the roads remain under the authority of the counties but the responsibility of the state. Proposed legislation is not clear as to what routes are intended to be affected.

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB376, second reading copy.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring the Department of Highways to maintain all paved roads connecting county seats; and amending section 60-2-203, MCA.

ASSUMPTIONS:

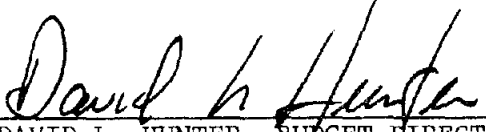
1. Anticipated maintenance costs are assumed to be equal to current average costs per mile for state maintained secondary roads as derived by the MDOH Maintenance Management System FY86. These costs include labor, equipment, and materials.
2. Additional equipment costs are taken from the Department of Highways, Proposed FY88 Equipment Replacement Schedule. Equipment replacement costs are developed through the MDOH Equipment Management System.
3. Facilities costs are based on current average costs for similar new facilities as awarded to contract by the Montana Department of Administration, Architecture and Engineering Division.

FISCAL IMPACT:

	FY88			FY89		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Operating Expenses	\$ 0	\$ 222,709	\$ 222,709	\$ 0	\$ 222,709	\$ 222,709
Equipment	0	209,000	209,000	0	0	0
TOTAL	\$ 0	\$ 431,709	\$ 431,709	\$ 0	\$ 222,709	\$ 222,709
Highways State						
Special Revenue	\$ 0	\$ 431,709	\$ 431,709	\$ 0	\$ 222,709	\$ 222,709

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

Jurisdiction over affected routes is not affected. Therefore, the roads remain under the authority of the counties but the responsibility of the state. Proposed legislation is not clear as to what routes are intended to be affected.

 DATE 2/19/89
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

DATE _____
 LOREN JENKINS, PRIMARY SPONSOR

Fiscal Note for HB376, second reading copy.

HB 376
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1 HOUSE BILL NO. 376

2 INTRODUCED BY JENKINS, KOLSTAD, IVERSON, AKLESTAD

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE
5 DEPARTMENT OF HIGHWAYS TO MAINTAIN ~~ALL--PAVED--ROADS~~
6 ~~CONNECTING-COUNTY--SEATS~~ FEDERAL-AID SECONDARY ROUTE 223
7 CONNECTING CHESTER AND FORT BENTON; AND AMENDING SECTION
8 60-2-203, MCA."

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 60-2-203, MCA, is amended to read:

12 "60-2-203. Maintenance responsibility. The department
13 ~~shall have~~ has the responsibility for maintenance of:14 (1) all public highways or portions thereof that it
15 maintained on July 1, 1976; and16 (2) ~~any other paved public highway or portions thereof~~
17 ~~connecting--two--or--more--county--seats.~~ FEDERAL-AID SECONDARY
18 ROUTE 223 FROM A POINT ON U.S. HIGHWAY 87 AT FORT BENTON
19 NORTH TO A POINT ON U.S. HIGHWAY 2 AT CHESTER."20 NEW SECTION. Section 2. Extension of authority. Any
21 existing authority of the department of highways to make
22 rules on the subject of the provisions of this act is
23 extended to the provisions of this act.

-End-