

House BILL NO. 393

INTRODUCED BY

*Brady Fournier McFee Storall
Emery Hogan Hubbard Robinson Bishop*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY COMMISSIONERS TO ASSIGN THE SUPERVISION OF COUNTY ROADS TO EITHER A COUNTY SURVEYOR OR A COUNTY ROAD SUPERINTENDENT; AND AMENDING SECTIONS 7-4-2812, 7-14-2102, AND 7-14-2301, MCA."

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

Section 1. Section 7-4-2812, MCA, is amended to read:

~~"7-4-2812. Duties of county surveyor related to roads and bridges in certain counties. (1) The county surveyor of all counties having a total registered vote of 20,000 or over at the last general election shall be responsible~~ The board of county commissioners may assign responsibility for the supervision and direction of all highways, bridges, and causeways within his the county to a county surveyor or to a county road superintendent. The board may allocate the duties between the surveyor and the superintendent.

~~(2) In the exercise of such control, supervision, and direction, he shall~~ The duties are to:

(a) keep all highways and bridges free and clear of all obstructions;

~~(b) cause highways to be graded, when needed, and~~ grade, maintain, and repair the same all highways;

~~(c) cause construct, maintain, and repair all bridges and causeways to be made, when needed, and keep the same maintained and in good repair and renew the same when destroyed;~~

(d) make all surveys;

(e) establish grades;

(f) prepare plans, specifications, and estimates;

(g) keep accurate cost data;

~~(h) approve all claims against the county for all highway, bridge, and causeway construction, maintenance, and repair, prior to presentation to the board of county commissioners;~~

~~(i) employ and assign deputies, men, and teams and discharge at his pleasure such deputies, men, and teams and determine how, when, and where such deputies, men, and teams shall work and staff;~~

(j) purchase and secure all highway and bridge machinery and machinery equipment and tools to

1 be used upon highways and bridges, with the approval of the board;

2 (k) purchase and secure all highway, bridge, and causeway supplies and materials, with the
3 approval of the board;

4 (l) from time to time, make reports and estimates of all matters relating to highways and bridges
5 when required by the board; and

6 (m) perform ~~such~~ other duties ~~as are now or which may be hereafter~~ required by law.

7 (3) ~~In the exercise of such control, supervision, and direction, he shall~~ If the duties are assigned
8 to the county surveyor, the surveyor must receive the annual salary provided by law for salaried county
9 surveyors and other county officials."

10

11 **Section 2.** Section 7-14-2102, MCA, is amended to read:

12 "**7-14-2102. General powers relating to county roads -- assignment of responsibility.** Each board
13 of county commissioners may in its discretion do whatever may be necessary for the best interest of the
14 county roads and the road districts. The board may assign responsibility for the supervision of county
15 roads to a county surveyor or to a county road superintendent or may allocate the duties between the
16 county surveyor and the county road superintendent."

17

18 **Section 3.** Section 7-14-2301, MCA, is amended to read:

19 "**7-14-2301. County road superintendent -- appointment and compensation.** (1) ~~In counties without~~
20 ~~a county surveyor, each~~ A board of county commissioners may appoint a county road superintendent. ~~He~~
21 ~~shall~~ The superintendent ~~have such~~ has the duties, powers, and responsibilities ~~as are~~ set forth in this part.
22 After ~~his~~ the appointment, the county road superintendent shall serve at the pleasure of and under the
23 direction and control of the board. ~~He~~ The superintendent shall file with the county clerk the customary
24 oath of office and a bond approved by the board for the faithful performance of ~~his~~ the superintendent's
25 duties.

26 (2) ~~He shall~~ The superintendent must receive ~~such~~ compensation as is determined by the board."

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-END-

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Grady Smith McFee Stovall
Emery Hogan Hubbard Robinson Bishop

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(g) keep accurate cost data;

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~~(i) employ and assign deputies, men, and teams and discharge at his pleasure such deputies, men, and teams and determine how, when, and where such deputies, men, and teams shall work and staff;~~

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1 be used upon highways and bridges, with the approval of the board;

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3 approval of the board;

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11 **Section 2.** Section 7-14-2102, MCA, is amended to read:

12 **"7-14-2102. General powers relating to county roads -- assignment of responsibility.** Each board
13 of county commissioners may in its discretion do whatever may be necessary for the best interest of the
14 county roads and the road districts. The board may assign responsibility for the supervision of county
15 roads to a county surveyor or to a county road superintendent or may allocate the duties between the
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18 **Section 3.** Section 7-14-2301, MCA, is amended to read:

19 **"7-14-2301. County road superintendent -- appointment and compensation.** (1) ~~In counties without~~
20 ~~a county surveyor, each~~ A board of county commissioners may appoint a county road superintendent. ~~He~~
21 ~~shall~~ The superintendent have such has the duties, powers, and responsibilities ~~as are~~ set forth in this part.
22 After ~~his~~ the appointment, the county road superintendent shall serve at the pleasure of and under the
23 direction and control of the board. ~~He~~ The superintendent shall file with the county clerk the customary
24 oath of office and a bond approved by the board for the faithful performance of ~~his~~ the superintendent's
25 duties.

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INTRODUCED BY

*Grady Smith Mike Storall
Evan Hagen Howard Johnson Bishop*

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-END-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 20, 1995

MR. PRESIDENT:


We, your committee on Local Government having had under consideration HB 393 (third reading copy -- blue), respectfully report that HB 393 be amended as follows and as so amended be concurred in.

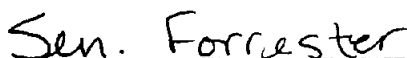
Signed: 
Senator Tom Beck, Chair

That such amendments read:

1. Page 2, lines 7 and 8.
Following: "~~shall~~" on line 7
Strike: the remainder of line 7 through ", the" on line 8
Insert: "The"

-END-


Amd. Coord.
5th Sec. of Senate


Senator Carrying Bill

HB 393
SENATE
641014SC.SPV

HOUSE BILL NO. 393

INTRODUCED BY GRADY, FORRESTER, MCGEE, STOVALL, EWER, HARPER, HIBBARD, R. JOHNSON,
BISHOP

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