

SENATE BILL NO. 103

INTRODUCED BY

*Don Hazzone*

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF "FEDERAL-AID SYSTEMS" TO CONFORM TO CURRENT LAW; CLARIFYING THE STATE'S RESPONSIBILITY FOR COSTS ASSOCIATED WITH THE RELOCATION OF UTILITIES FOR HIGHWAY CONSTRUCTION; AND AMENDING SECTIONS 60-4-401 AND 60-4-403, MCA."

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

Section 1. Section 60-4-401, MCA, is amended to read:

"60-4-401. Relocation -- definitions. For the purposes of the sections relating to relocation of utilities facilities, terms are defined as follows:

(1) "Utility" includes publicly, privately, and cooperatively owned utilities.

(2) "Cost of relocation" includes the entire amount paid by the utility properly attributable to the relocation after deducting any increase in the value of the new facility and any salvage value derived from the old facility.

(3) "Federal-aid systems" includes the ~~federal-aid primary system, the federal-aid secondary system, the federal-aid interstate system, and urban extensions of all of them;~~

(a) national highway system;

(b) primary highway system;

(c) secondary highway system; and

(d) urban highway system.

(4) "Interstate system" includes any highway now included or which may hereafter be included as a part of the national system of interstate and defense highways provided for in Title 23, U.S.C."

Section 2. Section 60-4-403, MCA, is amended to read:

"60-4-403. Relocation -- costs. Seventy-five percent of all costs of relocation, including the costs of acquisition of new right-of-way, of dismantling, and of removal, ~~shall~~ must be paid by the department

1 as a cost of highway federal-aid systems construction."

2 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0103, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act revising the definition of "federal-aid systems" to conform to current law; clarifying the state's responsibility for costs associated with the relocation of utilities for highway construction.

ASSUMPTIONS:

1. The department would continue to pay 75% of utility relocation costs on non-federal-aid construction projects (those construction projects funded 100% by the state under the reconstruction trust fund).

FISCAL IMPACT:

None

Dave Lewis 1-17-95  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

Don Hargrove 1/17/95  
DON HARGROVE, PRIMARY SPONSOR      DATE  
Fiscal Note for SB0103, as introduced  
**SB 103**

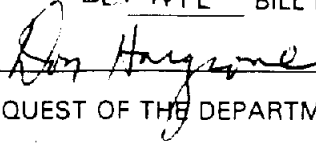
APPROVED BY COM ON  
HIGHWAYS & TRANSPORTATION

1

2

INTRODUCED BY

SENATE BILL NO. 103



3

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

4

5

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF "FEDERAL-AID SYSTEMS" TO  
CONFORM TO CURRENT LAW; CLARIFYING THE STATE'S RESPONSIBILITY FOR COSTS ASSOCIATED  
WITH THE RELOCATION OF UTILITIES FOR HIGHWAY CONSTRUCTION; AND AMENDING SECTIONS  
60-4-401 AND 60-4-403, MCA."

9

10

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

11

12

Section 1. Section 60-4-401, MCA, is amended to read:

13

"60-4-401. **Relocation -- definitions.** For the purposes of the sections relating to relocation of  
utilities facilities, terms are defined as follows:

15

(1) "Utility" includes publicly, privately, and cooperatively owned utilities.

16

(2) "Cost of relocation" includes the entire amount paid by the utility properly attributable to the  
relocation after deducting any increase in the value of the new facility and any salvage value derived from  
the old facility.

19

(3) "Federal-aid systems" includes the ~~federal-aid primary system, the federal-aid secondary  
system, the federal-aid interstate system, and urban extensions of all of them;~~

21

(a) national highway system;

22

(b) primary highway system;

23

(c) secondary highway system; and

24

(d) urban highway system.

25

(4) "Interstate system" includes any highway now included or which may hereafter be included  
as a part of the national system of interstate and defense highways provided for in Title 23, U.S.C."

27

28

Section 2. Section 60-4-403, MCA, is amended to read:

29

"60-4-403. **Relocation -- costs.** Seventy-five percent of all costs of relocation, including the costs  
of acquisition of new right-of-way, of dismantling, and of removal, ~~shall~~ must be paid by the department

30

1 as a cost of ~~highway~~ federal-aid systems construction."

2 -END-

SENATE BILL NO. 103

INTRODUCED BY


 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF "FEDERAL-AID SYSTEMS" TO CONFORM TO CURRENT LAW; CLARIFYING THE STATE'S RESPONSIBILITY FOR COSTS ASSOCIATED WITH THE RELOCATION OF UTILITIES FOR HIGHWAY CONSTRUCTION; AND AMENDING SECTIONS 60-4-401 AND 60-4-403, MCA."

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

**Section 1.** Section 60-4-401, MCA, is amended to read:

**"60-4-401. Relocation -- definitions.** For the purposes of the sections relating to relocation of utilities facilities, terms are defined as follows:

(1) "Utility" includes publicly, privately, and cooperatively owned utilities.

(2) "Cost of relocation" includes the entire amount paid by the utility properly attributable to the relocation after deducting any increase in the value of the new facility and any salvage value derived from the old facility.

(3) "Federal-aid systems" includes the ~~federal-aid primary system, the federal-aid secondary system, the federal-aid interstate system, and urban extensions of all of them;~~

(a) national highway system;

(b) primary highway system;

(c) secondary highway system; and

(d) urban highway system.

(4) "Interstate system" includes any highway now included or which may hereafter be included as a part of the national system of interstate and defense highways provided for in Title 23, U.S.C."

**Section 2.** Section 60-4-403, MCA, is amended to read:

**"60-4-403. Relocation -- costs.** Seventy-five percent of all costs of relocation, including the costs of acquisition of new right-of-way, of dismantling, and of removal, ~~shall~~ must be paid by the department

1 as a cost of highway federal-aid systems construction."

2 -END-

## 1 SENATE BILL NO. 103

2 INTRODUCED BY HARGROVE

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE DEFINITION OF "FEDERAL-AID SYSTEMS" TO  
6 CONFORM TO CURRENT LAW; CLARIFYING THE STATE'S RESPONSIBILITY FOR COSTS ASSOCIATED  
7 WITH THE RELOCATION OF UTILITIES FOR HIGHWAY CONSTRUCTION; AND AMENDING SECTIONS  
8 60-4-401 AND 60-4-403, MCA."  
9

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

11  
12 **Section 1.** Section 60-4-401, MCA, is amended to read:13 **"60-4-401. Relocation -- definitions.** For the purposes of the sections relating to relocation of  
14 utilities facilities, terms are defined as follows:

15 (1) "Utility" includes publicly, privately, and cooperatively owned utilities.

16 (2) "Cost of relocation" includes the entire amount paid by the utility properly attributable to the  
17 relocation after deducting any increase in the value of the new facility and any salvage value derived from  
18 the old facility.19 (3) "Federal-aid systems" includes the ~~federal-aid primary system, the federal-aid secondary~~  
20 ~~system, the federal-aid interstate system, and urban extensions of all of them;~~21 (a) national highway system;22 (b) primary highway system;23 (c) secondary highway system; and24 (d) urban highway system.25 (4) "Interstate system" includes any highway now included or which may hereafter be included  
26 as a part of the national system of interstate and defense highways provided for in Title 23, U.S.C."  
2728 **Section 2.** Section 60-4-403, MCA, is amended to read:29 **"60-4-403. Relocation -- costs.** Seventy-five percent of all costs of relocation, including the costs  
30 of acquisition of new right-of-way, of dismantling, and of removal, ~~shall~~ must be paid by the department



1 as a cost of highway federal-aid systems construction."

2 -END-