

Senate Bill 236

In The Senate

January 22, 1981	Introduced and referred to Committee on Local Government.
February 4, 1981	Committee recommend bill do pass as amended.
February 25, 1981	Bill printed and placed on members' desks.
February 6, 1981	Second reading do pass.
February 7, 1981	Correctly engrossed.
February 9, 1981	Third reading passed.

In The House

February 10, 1981	Introduced and referred to Committee on Local Government.
March 18, 1981	Committee recommend bill not concurred.

In The Senate

March 19, 1981	Returned from House not concurred.
----------------	------------------------------------

1 *Senate* BILL NO. *236*
2 INTRODUCED BY *Conover Hagen Eck*

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE LAW
5 RELATING TO JOINT AND CONSOLIDATED PLANNING BOARDS AND TO
6 AUTHORIZE ANY GOVERNING BODY WHICH HAS THE POWER TO CREATE A
7 PLANNING BOARD TO FORM A JOINT OR CONSOLIDATED BOARD;
8 AMENDING SECTION 76-1-112, MCA."

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

11 Section 1. Section 76-1-112, MCA, is amended to read:

12 "76-1-112. Joint or consolidated planning boards. (1)
13 ~~Any-existing-city-county-or-city-county~~ Governing bodies
14 ~~that have the power to create a planning board or are~~
15 ~~represented on an existing~~ planning board may form or
16 convert to a joint or consolidated planning board with any
17 ~~other-existing-city-county-or-city-county-planning-board~~
18 ~~or-with-any-combination-of-these-boards~~ one another.

19 (2) The manner of combination joinder or consolidation
20 shall be by interlocal agreement ~~of-the-cities-counties~~
21 ~~and-towns-represented-on-the-existing-planning-boards~~
22 pursuant to Title 7, chapter 11, part 1.

23 (3) The interlocal agreement shall:

- 24 (a) state the name of the combined board;
- 25 (b) specify whether a joint or combined consolidated

1 board is formed;
2 (c) specify the ~~representation membership,~~ means and
3 manner of appointment, ~~membership----~~duties ~~powers,~~
4 organization, extent of rights and duties, and manner of
5 sharing costs of the combined boards, which may be on any
6 basis agreeable to the governing bodies ~~of-the-cities,~~
7 ~~counties-and-towns-represented-on-the-existing-planning~~
8 ~~boards.~~

9 (4) If a consolidated board is formed, the ~~any~~
10 existing ~~city-county-and-city-county~~ planning boards ~~board~~
11 shall be dissolved or reorganized and the consolidated board
12 shall have ~~all-of-the~~ such rights, duties, powers, and
13 obligations ~~of-the-existing-planning-boards~~ as are set
14 forth in the interlocal agreement.

15 (5) If a joint board is formed, the ~~no~~ existing
16 planning boards ~~shall-not~~ may be dissolved and the joint
17 board shall have such rights, duties, powers, and
18 obligations as are set forth in the interlocal agreement."

-End-

Approved by Comm.
on Local Government

SENATE BILL NO. 236

INTRODUCED BY CONOVER, HAGER, ECK

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE LAW RELATING TO JOINT AND CONSOLIDATED PLANNING BOARDS AND TO AUTHORIZE ANY GOVERNING BODY WHICH HAS THE POWER TO CREATE A PLANNING BOARD TO FORM A JOINT OR CONSOLIDATED BOARD AND RESERVE TO ITSELF CERTAIN POWERS AND DUTIES OF PLANNING BOARDS; AMENDING SECTION 76-1-112, MCA."

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

Section 1. Section 76-1-112, MCA, is amended to read:

"76-1-112. Joint or consolidated planning boards. (1) Any existing city, county, or city-county governing bodies that have the power to create a planning board or are represented on an existing planning board may form or convert to a joint or consolidated planning board with any other existing city, county, or city-county planning board or with any combination of these boards one another.

(2) The manner of combination, joinder, or consolidation shall be by interlocal agreement of the cities, counties, and towns represented on the existing planning boards pursuant to Title 7, chapter 11, part 1.

(3) The interlocal agreement shall:

(a) state the name of the combined board;

(b) specify whether a joint or combined consolidated board is formed;

(c) specify the representation, membership, means and manner of appointment, membership--duties, powers, organization, extent of rights and duties, and manner of sharing costs of the combined board, which may be on any basis agreeable to the governing bodies of the cities, counties, and towns represented on the existing planning boards.

{4} THE INTERLOCAL AGREEMENT MAY RESERVE TO ONE OR MORE OF THE PARTICIPATING GOVERNING BODIES ANY OF THE POWERS AND DUTIES WHICH THIS CHAPTER ASSIGNS TO PLANNING BOARDS.

{5} If a consolidated board is formed, the any existing city, county, and city-county planning boards board shall be dissolved or reorganized and the consolidated board shall have all of the such rights, duties, powers, and obligations of the existing planning boards as are set forth in the interlocal agreement.

{5} {6} If a joint board is formed, the no existing planning boards shall not may be dissolved and the joint board shall have such rights, duties, powers, and obligations as are set forth in the interlocal agreement."

-End-

SECOND READING

1 SENATE BILL NO. 236

2 INTRODUCED BY CONOVER, HAGER, ECK

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE LAW
5 RELATING TO JOINT AND CONSOLIDATED PLANNING BOARDS AND TO
6 AUTHORIZE ANY GOVERNING BODY WHICH HAS THE POWER TO CREATE A
7 PLANNING BOARD TO FORM A JOINT OR CONSOLIDATED BOARD AND
8 RESERVE TO ITSELF CERTAIN POWERS AND DUTIES OF PLANNING
9 BOARDS; AMENDING SECTION 76-1-112, MCA."

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

12 Section 1. Section 76-1-112, MCA, is amended to read:

13 "76-1-112. Joint or consolidated planning boards. (1)

14 ~~Any-existing-city,-county,-or-city-county~~ Governing bodies
15 that have the power to create a planning board or are
16 represented on an existing planning board may form or
17 convert to a joint or consolidated planning board with ~~any~~
18 ~~other-existing-city,-county,-or-city-county--planning--board~~
19 ~~or-with-any-combination-of-these-boards one another.~~

20 (2) The manner of ~~combination~~ joinder or consolidation
21 shall be by interlocal agreement ~~of-the-cities,-counties~~
22 ~~and--towns--represented--on--the--existing--planning--boards~~
23 pursuant to Title 7, chapter 11, part 1.

24 (3) The interlocal agreement shall:

25 (a) state the name of the ~~combined~~ board;

1 (b) specify whether a joint or ~~combined~~ consolidated
2 board is formed;

3 (c) specify the ~~representation~~ membership, means and
4 manner of appointment, ~~membership--duties~~ powers,
5 organization, extent of rights and duties, and manner of
6 sharing costs of the ~~combined board~~ which may be on any
7 basis agreeable to the governing bodies ~~of--the--cities~~
8 ~~counties--and--towns--represented--on--the--existing--planning~~
9 ~~boards.~~

10 (4) THE INTERLOCAL AGREEMENT MAY RESERVE TO ONE OR
11 MORE OF THE PARTICIPATING GOVERNING BODIES ANY OF THE POWERS
12 AND DUTIES WHICH THIS CHAPTER ASSIGNS TO PLANNING BOARDS.

13 ~~f4~~(5) If a consolidated board is formed, the ~~any~~
14 existing ~~city,-county,-and-city-county~~ planning boards ~~board~~
15 shall be dissolved or reorganized and the consolidated board
16 shall have ~~all-of--the~~ such rights, duties, powers, and
17 obligations ~~of--the--existing--planning--boards~~ as are set
18 forth in the interlocal agreement.

19 ~~f5~~(6) If a joint board is formed, the ~~no~~ existing
20 planning boards shall ~~not~~ may be dissolved and the joint
21 board shall have such rights, duties, powers, and
22 obligations as are set forth in the interlocal agreement."

-End-

THIRD READING