

HOUSE BILL NO. 830

Introduced: 02/15/83

Referred to Committee on Local Government: 02/15/83

Hearing: 2/18/83

Report: 02/21/83, Do Pass, As Amended

2nd Reading: 02/22/82, Do Pass

3rd Reading: 02/23/83, Do Pass

Transmitted to Senate: 02/23/83

Referred to Committee on Local Government: 3/1/83

Hearing: 3/15/83

Report: 03/21/83, Be Not Concurred In. Report Adopted.

Bill Killed

1 House BILL NO. 830
2 INTRODUCED BY Stella Jean Hansen Kadha
3 Walton
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A LOCAL
5 GOVERNMENT TO ESTABLISH AND CHARGE A FEE FOR REVIEW OF A
6 MINOR SUBDIVISION; AMENDING SECTION 76-4-128, MCA."
7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
9 Section 1. Section 76-4-128, MCA, is amended to read:
10 "76-4-128. Delegation of department review to local
11 government. (1) The department shall delegate to a local
12 government the authority to review a subdivision under this
13 part when the subdivision involves five or fewer parcels and
14 the local government has qualified personnel to adequately
15 review the water supply and sewage and solid waste disposal
16 facilities proposed for the subdivision.
17 (2) When a local government has conducted a review of
18 a subdivision containing five or fewer parcels pursuant to
19 this section, it shall advise the department of its
20 recommendation for approval or disapproval of the
21 subdivision. The department shall, within 10 days after
22 receiving the recommendation of the local government, make a
23 final decision on the subdivision.
24 (3) In delegating authority pursuant to this section,
25 the department shall enter into an agreement with the local

1 government wherein the department shall agree to transfer
2 not less than \$15 of the fee per parcel collected pursuant
3 to 76-4-105 to the local government for the review of
4 subdivisions containing five or fewer parcels.
5 ~~(4) In addition to the fee transfer described in~~
6 ~~subsection (3), the local government may establish and~~
7 ~~collect a fee for such review commensurate with the cost of~~
8 ~~the review."~~

-End-

Approved by Comm.
on Local Government

HOUSE BILL NO. 830

INTRODUCED BY HANSEN, KADAS, WALDRON

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A LOCAL GOVERNMENT TO ESTABLISH AND CHARGE A FEE FOR REVIEW OF A MINOR SUBDIVISION; AMENDING SECTION 76-4-128, MCA."

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

Section 1. Section 76-4-128, MCA, is amended to read:

"76-4-128. Delegation of department review to local government. (1) The department shall delegate to a local government the authority to review a subdivision under this part when the subdivision involves five or fewer parcels and the local government has qualified personnel to adequately review the water supply and sewage and solid waste disposal facilities proposed for the subdivision.

(2) When a local government has conducted a review of a subdivision containing five or fewer parcels pursuant to this section, it shall advise the department of its recommendation for approval or disapproval of the subdivision. The department shall, within 10 days after receiving the recommendation of the local government, make a final decision on the subdivision.

(3) In delegating authority pursuant to this section, the department shall enter into an agreement with the local

government wherein the department shall agree to transfer not less than \$15 of the fee per parcel collected pursuant to 76-4-105 to the local government for the review of subdivisions containing five or fewer parcels.

~~(1) In addition to the fee transfer described in subsection (3), DOES NOT COVER ALL the local government COSTS. It may establish and collect an ADDITIONAL fee for such review, commensurate with the cost of the review TO COVER THE REMAINING COSTS."~~

-End-

HOUSE BILL NO. 830

INTRODUCED BY HANSEN, KADAS, WALORON

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A LOCAL GOVERNMENT TO ESTABLISH AND CHARGE A FEE FOR REVIEW OF A MINOR SUBDIVISION; AMENDING SECTION 76-4-128, MCA."

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

Section 1. Section 76-4-128, MCA, is amended to read:

"76-4-128. Delegation of department review to local government. (1) The department shall delegate to a local government the authority to review a subdivision under this part when the subdivision involves five or fewer parcels and the local government has qualified personnel to adequately review the water supply and sewage and solid waste disposal facilities proposed for the subdivision.

(2) When a local government has conducted a review of a subdivision containing five or fewer parcels pursuant to this section, it shall advise the department of its recommendation for approval or disapproval of the subdivision. The department shall, within 10 days after receiving the recommendation of the local government, make a final decision on the subdivision.

(3) In delegating authority pursuant to this section, the department shall enter into an agreement with the local

government wherein the department shall agree to transfer not less than \$15 of the fee per parcel collected pursuant to 75-4-105 to the local government for the review of subdivisions containing five or fewer parcels.

~~(4) In addition to IF the fee transfer described in subsection (3), DOES NOT COVER ALL the local government COSTS. It may establish and collect an ADDITIONAL fee for such review, commensurate with the cost of the review TO COVER THE REMAINING COSTS."~~

-End-