

SENATE BILL NO. 308

INTRODUCED BY REGAN, BLAYLOCK, ELLIOTT,
RAMIREZ, KOLSTAD, ETCHART, WALDRON

IN THE SENATE

January 27, 1983	Introduced and referred to Committee on Education and Cultural Resources.
February 17, 1983	Committee recommend bill do pass as amended. Report adopted.
February 18, 1983	Bill printed and placed on members' desks.
February 19, 1983	Second reading, do pass.
February 21, 1983	Correctly engrossed.
February 22, 1983	Third reading, passed. Ayes, 48; Noes, 1. Transmitted to House.

IN THE HOUSE

February 23, 1983	Introduced and referred to Committee on Education and Cultural Resources.
March 10, 1983	Committee recommend bill be concurred in. Report adopted.
March 11, 1983	Second reading, concurred in.
March 12, 1983	Third reading, concurred in.

IN THE SENATE

March 14, 1983	Returned to Senate. Sent to enrolling. Reported correctly enrolled.
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1 *Sen. Smith* BILL NO. *308* *Elliot*
 2 INTRODUCED BY *Rep. Blaylock*
 3 *Robert Elbert* *Walden*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE CONCURRENCE
 5 BY A MAJORITY OF THE PROPERTY OWNERS IN A HISTORIC DISTRICT
 6 FOR NOMINATION OF THE DISTRICT TO THE NATIONAL REGISTER OF
 7 HISTORIC PLACES; AMENDING SECTION 22-3-431, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 22-3-431, MCA, is amended to read:

11 "22-3-431. Registration of heritage properties. (1)

12 Any citizen of Montana may submit to the historic
 13 preservation officer for his consideration the necessary
 14 forms to nominate heritage properties to the register.

15 (2) For properties not owned by the state, the
 16 historic preservation officer may, upon approval by the
 17 preservation review board and ~~after written approval by the~~
 18 ~~landowner with the written concurrence of the owner or~~
 19 ~~owners of the property,~~ nominate heritage properties to the
 20 register. ~~In the case of a historic district, the historic~~
 21 ~~preservation officer may nominate the property only with the~~
 22 ~~concurrence of a majority of the property owners of the~~
 23 ~~district.~~

24 (3) For lands owned by the state, the historic
 25 preservation officer may, upon approval by the preservation

1 review board, nominate heritage properties to the register.
 2 The historic preservation officer shall notify the
 3 appropriate state agency and give public notice when any
 4 property is being considered for nomination. Unless state
 5 agency or public objections are submitted in writing within
 6 30 days after notification, the historic preservation
 7 officer shall complete the nominations. When a state agency
 8 or any citizen of Montana submits written objections, the
 9 historic preservation officer shall consider the objections
 10 and may conduct a public hearing. If a hearing is held, it
 11 shall be commenced within 30 days after the final date for
 12 submission of written objections. Within 60 days after
 13 submission of the objections or after the public hearing,
 14 the historic preservation officer shall make a final
 15 decision on the proposed registration and prepare a
 16 statement responsive to the objections submitted."

-End-

INTRODUCED BILL

-2-

SB 308

App. by comm. on education
and cultural resources

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register. ~~In the case of a historic district, the historic~~
~~preservation officer may nominate the property only with the~~
~~concurrence of:~~

~~(A) a majority of the property owners of the district;~~

AND

~~(B) the owners of more than one-half of the property
in the district.~~

(3) For lands owned by the state, the historic
preservation officer may, upon approval by the preservation
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appropriate state agency and give public notice when any
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