

HOUSE BILL NO. 436

INTRODUCED BY LORY

IN THE HOUSE

January 23, 1985	Introduced and referred to Committee on Local Government.
February 4, 1985	Committee recommend bill do pass as amended. Report adopted.  Bill printed and placed on members' desks.
February 6, 1985	Second reading, do pass.  Considered correctly engrossed.
February 7, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

February 8, 1985	Introduced and referred to Committee on Local Government.
March 18, 1985	Committee recommend bill be concurrent in as amended. Report adopted.
March 21, 1985	Second reading, concurred in.
March 23, 1985	Third reading, concurred in. Ayes, 46; Noes, 3.  Returned to House with amendments.

IN THE HOUSE

March 25, 1985

Received from Senate.

April 5, 1985

Second reading, amendments  
concurred in.

April 8, 1985

Third reading, amendments  
concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 436  
2 INTRODUCED BY Ray

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING MEMBERSHIP OF  
5 ONE CONSERVATION DISTRICT BOARD MEMBER ON EACH CITY-COUNTY  
6 PLANNING BOARD IN THE STATE; AMENDING SECTION 76-1-201,  
7 MCA."

8  
9 WHEREAS, House Bill 275, Chapter 349, Laws of 1973,  
10 amended section 11-3810(2), R.C.M. 1947, to require  
11 membership of conservation district board members in Montana  
12 on all county planning boards; and

13 WHEREAS, most subdivisions are close to the major  
14 metropolitan areas or within the 4.5-mile limits; and

15 WHEREAS, conservation districts are charged with  
16 stopping erosion caused by either runoff or wind erosion;  
17 and

18 WHEREAS, many states require a sign-off of subdivision  
19 plats by the conservation district boards.

20 THEREFORE BE IT RESOLVED, that section 76-1-201, MCA,  
21 be amended to require membership of a conservation district  
22 board member on each city-county planning board.

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

25 Section 1. Section 76-1-201, MCA, is amended to read:

1 "76-1-201. Membership of city-county planning board.  
2 A city-county planning board shall consist of not less than  
3 nine 10 members to be appointed as follows:

4 (1) two official members who reside outside the city  
5 limits but within the jurisdictional area of the city-county  
6 planning board to be appointed by the board of county  
7 commissioners, who may in the discretion of the board of  
8 county commissioners be employed by or hold public office in  
9 the county;

10 (2) two official members who reside within the city  
11 limits to be appointed by the city council, who may in the  
12 discretion of the city council be employed by or hold public  
13 office in the city;

14 (3) two citizen members who reside within the city  
15 limits to be appointed by the mayor of the city;

16 (4) two citizen members who reside within the  
17 jurisdictional area of the city-county planning board to be  
18 appointed by the board of county commissioners;

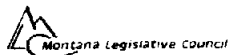
19 (5) one member of the governing board of a  
20 conservation district provided for in chapter 15 of this  
21 title;

22 (5)(6) the ninth 10th member to be selected by the  
23 eight nine officers and citizen members hereinabove provided  
24 for with the consent and approval of the board of county  
25 commissioners and the city council."

-End-

-2-

INTRODUCED BILL  
HB 436



APPROVED BY COMM.  
ON LOCAL GOVERNMENT

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10 in the county;

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22 title TO BE APPOINTED BY THE CONSERVATION DISTRICT GOVERNING  
23 BOARD;

24 ~~(5)~~~~(6)~~(F) the ninth 10th member to be selected by the  
25 eight nine officers and citizen members hereinabove provided

1 for with the consent and approval of the board of county  
2 commissioners and the city council.

3 (2) SUBSECTION (1)(E) DOES NOT APPLY IF THERE IS NO  
4 MEMBER OF THE GOVERNING BOARD OF THE CONSERVATION DISTRICT  
5 WHO IS ABLE OR WILLING TO SERVE ON THE CITY-COUNTY PLANNING  
6 BOARD. IN SUCH CASE, THE CITY-COUNTY PLANNING BOARD SHALL  
7 CONSIST OF NOT LESS THAN NINE MEMBERS."

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SENATE

STANDING COMMITTEE REPORT

HOUSE BILL 436  
Page 1 of 2 Pages

MARCH 18 19 85

HOUSE BILL 436  
Page 2 of 2 Pages

MARCH 18 19 85

MR. PRESIDENT

LOCAL GOVERNMENT

We, your committee on

HOUSE BILL

No. 436

having had under consideration

THIRD

reading copy ( BLUE )  
color

(NEUMAN WILL CARRY)

REQUIRE CONSERVATION DISTRICT BOARD MEMBERS ON CITY-COUNTY  
PLANNING BOARD

Respectfully report as follows. That HOUSE BILL No. 436

be amended as follows:

1. Page 2, line 3.  
Following: "nine"  
Strike: "10"  
Insert: "nine"
2. Page 2, lines 20 through 23.  
Strike: subsection (E) in its entirety  
Renumber: subsequent subsection
3. Page 2, line 24.  
Following: "ninth"  
Strike: "10th"  
Insert: "ninth"
4. Page 2, line 25.  
Following: "eight"  
Strike: "nine"  
Insert: "eight"
5. Page 3, lines 1 and 2.  
Following: "for" in line 1  
Strike: remainder of line 1 through "council" in line 2  
Insert: "from the members of the board of supervisors of a  
conservation district provided for in 76-15-311"
6. Page 3, line 4.  
Following: "MEMBER OF THE"  
~~XXXXXXXX~~ Strike: "GOVERNING BOARD OF THE"  
~~XXXXXXXX~~ Insert: "board of supervisors of a"

7. Page 3, line 6.  
Following: "THE"  
Insert: "ninth member of the"
8. Page 3, line 7.  
Following: Line 6  
Strike: "CONSIST OF NOT LESS THAN NINE MEMBERS"  
Insert: "be selected by the eight officers and citizen members  
hereinabove provided for with the consent and approval  
of the board of county commissioners and the city council"

KB AND AS AMENDED  
BE CONCURRED IN

CONTINUED

*DEF*

Chairman.

*Senator Dave Fuller*  
Senator Dave Fuller, Chairman



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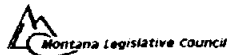
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23 ~~BOARD;~~

24 ~~(5)~~(6)(F)(E) the ninth ~~10th~~ NINTH member to be  
25 selected by the eight ~~nine~~ EIGHT officers and citizen



1 members hereinabove provided for ~~with--the--consent--and~~  
2 ~~approval-of-the-board-of-county-commissioners-and--the--city~~  
3 ~~council~~ FROM THE MEMBERS OF THE BOARD OF SUPERVISORS OF A  
4 CONSERVATION DISTRICT PROVIDED FOR IN 76-15-311.

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10 ~~NOT-LESS-THAN-NINE-MEMBERS~~ BE SELECTED BY THE EIGHT OFFICERS  
11 AND CITIZEN MEMBERS HEREINABOVE PROVIDED FOR WITH THE  
12 CONSENT AND APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS  
13 AND THE CITY COUNCIL."

-End-