

HOUSE BILL NO. 633

INTRODUCED BY LORY, HARPER, COHEN, MILES, FRITZ, ECK,
REAM, KADAS, IVERSON, HANSEN, MOHAR, CHRISTIAENS, MONTAYNE,
CONNELLY, EUDAILY

IN THE HOUSE

February 2, 1985	Introduced and referred to Committee on Natural Resources.
February 9, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 11, 1985	Second reading, do pass as amended.
February 12, 1985	Correctly engrossed. On motion, taken from engrossing and rereferred to Committee on Appropriations.
March 22, 1985	Committee recommend bill do pass as amended. Report adopted.
March 23, 1985	Bill printed and placed on members' desks.
March 26, 1985	Motion pass consideration.
March 30, 1985	Second reading, do pass as amended. Correctly engrossed.
April 1, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

April 3, 1985 Introduced and referred to
 Committee on Finance and Claims.

April 19, 1985 Committee recommend bill be
 concurred in. Report adopted.

April 22, 1985 Second reading, concurred in as
 amended.

April 23, 1985 Third reading, concurred in.
 Ayes, 47; Noes, 2.

 Returned to House with
 amendments.

IN THE HOUSE

April 23, 1985 Received from Senate.

 Second reading, amendments
 concurred in.

 Third reading, amendments
 concurred in.

 Sent to enrolling.

 Reported correctly enrolled.

HOUSE BILL NO. 6334

INTRODUCED BY

Tom H. ...
Beane Radas Janet Christianson Mark ... Connelly

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS
RELATING TO SANITATION IN SUBDIVISIONS BY REQUIRING DEPOSIT
OF SUBDIVISION FEES IN THE STATE GENERAL FUND AND REQUIRING
THAT FUNDING FOR SUBDIVISION REVIEW BE ALLOCATED FROM THE
STATE GENERAL FUND; PROVIDING AN APPROPRIATION; AMENDING
SECTION 76-4-105, MCA; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, current law provides that the review of
subdivisions conducted by the Department of Health and
Environmental Sciences is funded entirely through the
collection of lot fees paid on subdivisions; and

WHEREAS, a marked decline in the number of subdivision
parcels created has resulted in a level of funding
inadequate to maintain a core staff capable of fulfilling
the requirements of Title 76, chapter 4, on an ongoing
basis; and

WHEREAS, it is necessary to provide adequate funding to
insure retention of a well-qualified staff to review
subdivisions as the statutes require; and

WHEREAS, it is in the public interest to require
subdividers to financially support the review process.

THEREFORE, the Legislature intends that a biennial

appropriation from the general fund be made to support a
well-qualified core staff to review subdivisions and that
reimbursement to the general fund be made to the greatest
extent possible by the collection of lot fees that
adequately cover the cost of review.

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

Section 1. Section 76-4-105, MCA, is amended to read:

"76-4-105. Lot fees. (1) The department shall adopt
reasonable rules setting forth fees, not to exceed \$48 per
parcel, for services rendered in the review of plats and
subdivisions. The rules shall provide for a schedule of fees
to be paid by the applicant for plat or subdivision review
to the department for deposit in the state ~~special--revenue~~
~~fund--provided--for-in-17-2-102~~ general fund. The fees shall
be ~~used-for-review-of-plats-and-subdivisions~~ based on the
complexity of the subdivision, including but not limited to:

- (a) number of lots in the subdivision;
- (b) the type of water system to serve the development;
- (c) the type of sewage disposal to serve the
development; and
- (d) the degree of environmental research necessary to
supplement the review procedure.

(2) The department shall adopt rules to determine the
distribution of lot fees between the local governing body



1 and the department state general fund as provided in
 2 76-4-128. When a subdivision is reviewed under the master
 3 plan provisions of 76-4-124, the local governing body shall,
 4 within 20 days after receiving an application under the
 5 Montana Subdivision and Platting Act, distribute the lot
 6 fees as determined by this subsection.

7 (3) A fee as described in this section is not required
 8 for the review of subdivisions in which divisions are made
 9 for the purpose of relocating common boundary lines unless
 10 the division will result in the installation of additional
 11 water supply or sewage disposal facilities."

12 NEW SECTION. Section 2. General fund support for
 13 subdivision review. Costs of implementing this part must be
 14 paid from the state general fund as provided by legislative
 15 appropriation.

16 NEW SECTION. Section 3. Appropriation. There is
 17 appropriated from the general fund \$202,595 for fiscal year
 18 1986 and \$212,725 for fiscal year 1987 to the Department of
 19 Health and Environmental Sciences for the subdivision review
 20 required by Title 76, chapter 4, part 1.

21 NEW SECTION. Section 4. Codification instruction.
 22 Section 2 is intended to be codified as an integral part of
 23 Title 76, chapter 4, part 1, and the provisions of Title 76,
 24 chapter 4, part 1, apply to section 2.

25 NEW SECTION. Section 5. Extension of authority. Any

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 2 environmental sciences to make rules on the subject of the
 3 provisions of this act is extended to the provisions of this
 4 act.

5 NEW SECTION. Section 6. Effective date. This act is
 6 effective July 1, 1985.

-End-

APPROVED BY COMM. ON NATURAL RESOURCES

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 2 INTRODUCED BY Tom Hansen, Mike Miller, Jack Eide
 3 Beann, Kadas, Scott Christianson, Morten, Connelly
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RE-REFERRED AND APPROVED BY COMMITTEE ON APPROPRIATIONS

AS AMENDED

HOUSE BILL NO. 633

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THIRD READING



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COMMITTEE OF THE WHOLE AMENDMENT

SENATE

4-22-85

DATE

1:45

TIME

MR. CHAIRMAN: I MOVE TO AMEND

HOUSE BILL

No. 633

third reading copy (blue) as follows:
Color

1. Page 2, line 1.
Following: "financially"
Strike: "support"
Insert: "contribute to"

2. Page 2, line 13.
Following: "~~COST~~"
Insert: ", not to exceed \$48 per parcel"

3. Page 2, line 19.
Following: "~~subdivision~~"
Insert: "used for review of plats and subdivisions"

fe
ADOPT

REJECT

M. Callum
MCCALLUM

HOUSE BILL NO. 633

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REFERENCE BILL

HB 633



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