

1 *House* BILL NO. *556*
 2 INTRODUCED BY *Brady* ~~Stacy~~ *Ferland*
 3 *Thomas* *Orin* *Confield* *Hibbard*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP REQUIREMENTS FOR JOINT OR
 5 CONSOLIDATED CITY-COUNTY PLANNING BOARDS; AMENDING SECTION 76-1-112, MCA; AND
 6 PROVIDING AN EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."
 7

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

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

11 **"76-1-112. Joint or consolidated planning boards.** (1) Any existing city, county, or city-county
 12 planning board may form a joint or consolidated planning board with any other existing city, county, or
 13 city-county planning board or with any combination of these boards.

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

16 (3) The interlocal agreement ~~shall~~ must:

- 17 (a) state the name of the combined board;
- 18 (b) specify whether a joint or combined board is formed;
- 19 (c) specify the representation, means and manner of appointment, membership duties, and manner
 20 of sharing costs of the combined board which may, subject to subsection (6), be on any basis agreeable
 21 to the governing bodies of the cities, counties, and towns represented on the existing planning boards.

22 (4) If a consolidated board is formed, the existing city, county, and city-county planning boards
 23 ~~shall~~ must be dissolved and the consolidated board ~~shall have all of~~ has the rights, duties, powers, and
 24 obligations of the existing planning boards.

25 (5) If a joint board is formed, the existing planning boards ~~shall~~ may not be dissolved and the joint
 26 board ~~shall have such~~ has the rights, duties, powers, and obligations ~~as that~~ as that are ~~set forth~~ contained in the
 27 interlocal agreement.

28 (6) Membership of any city-county board formed pursuant to this section must have representation
 29 consistent with the requirements of part 2 of this chapter.
 30

1 NEW SECTION. **Section 2. Retroactive applicability.** [This act] applies retroactively, within the
2 meaning of 1-2-109, to all joint or consolidated city-county planning boards created after July 1, 1985,
3 which are still in existence. [This act] does not affect any action taken by a joint or consolidated planning
4 board prior to the effective date of [this act].

5

6 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 1997.

7

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0556, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act revising the membership requirements for joint or consolidated city-county planning boards.

ASSUMPTIONS:

Department of Commerce/Local Government Assistance Division/Community Development:

1. There would be no fiscal impact to the state as a result of passage of HB 556.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

There would be no fiscal impact to local governments as a result of passage of HB 556.

Dave Lewis 2-15-97
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Rep. Grady 2-15-97
ED GRADY, PRIMARY SPONSOR DATE

Fiscal Note for HB0556, as introduced
HB 556

APPROVED BY COM ON LOCAL GOVERNMENT

House BILL NO. 556

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INTRODUCED BY

~~Brady~~ ~~Finley~~ ~~Fitzland~~
~~Monroe~~ ~~Orin~~ ~~Conrad~~ ~~Alford~~

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MEMBERSHIP REQUIREMENTS FOR JOINT OR CONSOLIDATED CITY-COUNTY PLANNING BOARDS; AMENDING SECTION 76-1-112, MCA; AND PROVIDING AN EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

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(6) Membership of any city-county board formed pursuant to this section must have representation consistent with the requirements of part 2 of this chapter."

1 **NEW SECTION. Section 2. Retroactive applicability.** [This act] applies retroactively, within the
2 meaning of 1-2-109, to all joint or consolidated city-county planning boards created after July 1, 1985,
3 which are still in existence. [This act] does not affect any action taken by a joint or consolidated planning
4 board prior to the effective date of [this act].

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-END-

House BILL NO. 556

INTRODUCED BY

Brady *Stevens* *Fitzland*
Monroe *De* *Confield* *Holland*

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House BILL NO. 556
INTRODUCED BY Brady Stevens Ferland
Thomas De Groot Wheeler

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HOUSE BILL NO. 556

INTRODUCED BY GRADY, STORY, FELAND, MESAROS, OHS, GROSFIELD, HIBBARD

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