

HOUSE JOINT RESOLUTION NO. 37

INTRODUCED BY NOENNIG, MCGEE, WANZENRIED, WHEAT

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM REVIEW OF THE MONTANA SUBDIVISION AND PLATTING ACT AND RECOMMENDATIONS FOR LEGISLATION TO REVISE THE ACT SO THAT IT IS CLEAR, CONCISE, LOGICALLY ORGANIZED, AND IN CONFORMANCE WITH THE BILL DRAFTING MANUAL; AND REQUESTING THAT THE FINAL RESULTS OF THE STUDY BE REPORTED TO THE 59TH LEGISLATURE.

WHEREAS, clear, concise, and logically organized laws benefit all Montanans by increasing efficiency, reducing confusion, minimizing litigation, and providing for consistent application of the laws; and

WHEREAS, in recent legislative sessions, sections of Title 76, chapter 3, MCA, the Montana Subdivision and Platting Act, have been amended several times; and

WHEREAS, this piecemeal approach to amendment of the Montana Subdivision and Platting Act has resulted in laws that are not always clear, concise, logically organized, or consistently applied; and

WHEREAS, for example, the procedures for review of minor subdivisions are codified in two different parts of Title 76, chapter 3, MCA; and

WHEREAS, for example, section 76-3-103, MCA, defines terms that are not used in the Montana Subdivision and Platting Act; and

WHEREAS, for example, the term "minor subdivision" is used and not defined in the Montana Subdivision and Platting Act.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to review Title 76, chapter 3, MCA, and make recommendations for legislation to facilitate the consistent application of the laws by revising that chapter in a way that is clear, concise, logically organized, and in conformance with the Bill Drafting Manual published by the Legislative Services Division.

BE IT FURTHER RESOLVED, that, if the review is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the review, including presentation and review requirements, be concluded prior to September 15, 2004.

BE IT FURTHER RESOLVED, that the final results of the review, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 59th Legislature.

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