

SENATE BILL NO. 197  
INTRODUCED BY G. PERRY

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT A MAYOR MAY NOT REJECT OR REFUSE TO APPOINT TO THE CITY PLANNING BOARD A COUNTY REPRESENTATIVE WHO HAS BEEN DESIGNATED BY A BOARD OF COUNTY COMMISSIONERS; AND AMENDING SECTION 76-1-223, MCA."

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

**Section 1.** Section 76-1-223, MCA, is amended to read:

**"76-1-223. County representative for city planning board.** ~~As soon as~~ When a city council has enacted an ordinance creating a city planning board or when a vacancy occurs in the county's membership on the city planning board, the board of county commissioners of the county ~~wherein in which~~ the city is located shall within 45 days designate a representative of the county to the mayor of the city for appointment to the city planning board. This representative may be a member of the board of county commissioners or an officeholder or employee of the county. ~~In the event of the failure of~~ The mayor may not reject or refuse to appoint to the city planning board a representative designated by a board of county commissioners as provided in this section, but if the county fails to so designate such member, a representative, then the mayor may appoint as a representative of the county a person of ~~his~~ the mayor's own choosing and at ~~his~~ the mayor's sole discretion ~~as a representative of the county.~~"

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