

HOUSE BILL NO. 207

INTRODUCED BY K. WHITE

ABILL FOR ANACT ENTITLED: "AN ACT ALLOWING COUNTY COMMISSIONERS TO REVIEW PROPOSALS CONCERNING FEDERAL RIGHTS-OF-WAY; AND AMENDING SECTION 7-14-2103, MCA."

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

Section 1. Section 7-14-2103, MCA, is amended to read:

"7-14-2103. Duties of county commissioners concerning county roads -- federal rights-of-way.

(1) A board of county commissioners has general supervision over:

(a) the county roads within the county; and

(b) as provided in subsection (5), federal rights-of-way, including those under Revised Statute 2477, known as R.S. 2477, within the county.

(2) A board may survey, view, lay out, record, open, work, and maintain county roads that are established in accordance with this chapter. Guideposts must be erected.

(3) A board may discontinue or abandon county roads when freeholders properly petition for discontinuance or abandonment.

(4) A board of county commissioners may determine the level and scope of maintenance on a county road under its jurisdiction, and a local entity or the state may not withhold funds based on the board's maintenance determinations.

(5) A board may review any proposal concerning federal rights-of-way for consistency with the county growth policy or resource management plans pursuant to 76-1-606 and 76-1-607."

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