



1 *HOUSE* BILL NO. *495*  
 2 INTRODUCED BY *Jay Hoffman Burdett*  
 3 *Randy W. Schmitt*

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A  
 5 MANAGEMENT SYSTEM FOR ADDRESSING IMPROVEMENTS IN STATE  
 6 PARKS; AND REQUIRING THE FISH AND GAME COMMISSION TO ADOPT  
 7 RULES TO IMPLEMENT THE SYSTEM."  
 8

9 WHEREAS, it is in the best interests of the State of  
 10 Montana that the state parks system have an improvement and  
 11 development policy that reflects the concerns of a majority  
 12 of the users of Montana's state parks.  
 13

14 STATEMENT OF INTENT

15 A statement of intent is required for this bill because  
 16 [section 1] requires the fish and game commission to adopt  
 17 rules establishing a policy for certain development of state  
 18 parks. It is intended that the policy address, at a minimum:

- 19 (1) the desires of park users and the public;
- 20 (2) the capacity of the park for development;
- 21 (3) environmental impacts associated with development;
- 22 (4) the long-range ability of the state to maintain the
- 23 improvements;
- 24 (5) the protection of natural, cultural, and historical
- 25 park features; and

1 (6) potential impacts on tourism.

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

4 NEW SECTION. **Section 1.** Improvement or development of  
 5 state park -- required hearing -- rules. (1) The fish and  
 6 game commission shall adopt rules establishing a system  
 7 whereby any proposed improvement or development of a state  
 8 park that exceeds a cost of \$25,000 is subject to public  
 9 hearing and input on the advisability and acceptability of  
 10 the proposal.

11 (2) The department shall prepare a public report  
 12 regarding any project that is subject to the provisions of  
 13 subsection (1). The report must include conclusions relating  
 14 to the following aspects of the proposal:

- 15 (a) the desires of the public as expressed at the
- 16 required hearing;
- 17 (b) the capacity of the park for development;
- 18 (c) environmental impacts associated with the
- 19 improvement or development;
- 20 (d) the long-range maintenance of the improvements;
- 21 (e) the protection of natural, cultural, and historical
- 22 park features; and
- 23 (f) potential impacts on tourism.

24 NEW SECTION. **Section 2.** Codification instruction.

25 [Section 1] is intended to be codified as an integral part



LC 0637/01

1 of Title 23, chapter 1, part 1, and the provisions of Title  
2 23, chapter 1, part 1, apply to [section 1].

-End-



APPROVED BY COMM.  
ON FISH AND GAME

HOUSE BILL NO. 495

INTRODUCED BY HARPER, HOFFMAN, BURNETT, R. DEBRUYCKER,  
GRINDE, RANEY, SCOTT, FORRESTER, SQUIRES

A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A  
MANAGEMENT-SYSTEM POLICY FOR ADDRESSING IMPROVEMENTS IN  
STATE PARKS AND FISHING ACCESS SITES; AND REQUIRING THE FISH  
AND GAME COMMISSION TO ADOPT RULES TO IMPLEMENT THE SYSTEM  
POLICY."

WHEREAS, it is in the best interests of the State of  
Montana that the state parks ~~system~~ AND FISHING ACCESS SITE  
SYSTEMS have an improvement and development policy that  
reflects the concerns of a majority of the users of  
Montana's state parks AND FISHING ACCESS SITES.

STATEMENT OF INTENT

A statement of intent is required for this bill because  
[section 1] requires the fish and game commission to adopt  
rules establishing a policy for certain development of state  
parks AND FISHING ACCESS SITES. It is intended that the  
policy address, at a minimum:

(1) the desires of park AND FISHING ACCESS SITE users  
and the public;

(2) the capacity of the park OR FISHING ACCESS SITE for

development;

(3) environmental impacts associated with development;

(4) the long-range ability of the state to maintain the  
improvements;

(5) the protection of natural, cultural, and historical  
park AND FISHING ACCESS SITE features; and

(6) potential impacts on tourism.

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

NEW SECTION. Section 1. Improvement or development of  
state park OR FISHING ACCESS SITE -- required hearing PUBLIC  
INVOLVEMENT -- rules. (1) The fish and game commission shall  
adopt rules establishing a system POLICY whereby any  
proposed improvement or development of a state park OR  
FISHING ACCESS SITE that ~~exceeds--a--cost---of---\$25,000~~  
SIGNIFICANTLY CHANGES PARK OR FISHING ACCESS SITE FEATURES  
OR USE PATTERNS is subject to ~~public--hearing--and--input~~  
NOTICE OF PROPOSED MODIFICATIONS, BOTH STATEWIDE AND  
LOCALLY, AND TO OPPORTUNITY FOR A PUBLIC MEETING AND PUBLIC  
COMMENT on the advisability and acceptability of the  
proposal.

(2) The department shall prepare a public report  
regarding any project that is subject to the provisions of  
subsection (1). The report must include conclusions relating  
to the following aspects of the proposal:

**SECOND READING**

1 (a) the desires of the public as expressed at-the  
2 required-hearing TO THE DEPARTMENT;

3 (b) the capacity of the park OR FISHING ACCESS SITE for  
4 development;

5 (c) environmental impacts associated with the  
6 improvement or development;

7 (d) the long-range maintenance of the improvements;

8 (e) the protection of natural, cultural, and historical  
9 park OR FISHING ACCESS SITE features; and

10 (f) potential impacts on tourism; AND

11 (G) SITE-SPECIFIC MODIFICATIONS AS THEY RELATE TO THE  
12 PARK OR FISHING ACCESS SITE SYSTEM AS A WHOLE.

13 NEW SECTION. Section 2. Codification instruction.

14 [Section 1] is intended to be codified as an integral part  
15 of Title 23, chapter 1, part 1, and the provisions of Title  
16 23, chapter 1, part 1, apply to [section 1].

-End-

HOUSE BILL NO. 495

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A  
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STATE PARKS AND FISHING ACCESS SITES; AND REQUIRING THE FISH  
AND GAME COMMISSION TO ADOPT RULES TO IMPLEMENT THE SYSTEM  
POLICY."

WHEREAS, it is in the best interests of the State of  
Montana that the state parks system AND FISHING ACCESS SITE  
SYSTEMS have an improvement and development policy that  
reflects the concerns of a majority of the users of  
Montana's state parks AND FISHING ACCESS SITES.

STATEMENT OF INTENT

A statement of intent is required for this bill because  
[section 1] requires the fish and game commission to adopt  
rules establishing a policy for certain development of state  
parks AND FISHING ACCESS SITES. It is intended that the  
policy address, at a minimum:

- (1) the desires of park AND FISHING ACCESS SITE users and the public;
- (2) the capacity of the park OR FISHING ACCESS SITE for

development;

- (3) environmental impacts associated with development;
- (4) the long-range ability of the state to maintain the improvements;
- (5) the protection of natural, cultural, and historical park AND FISHING ACCESS SITE features; and
- (6) potential impacts on tourism.

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

NEW SECTION. Section 1. Improvement or development of state park OR FISHING ACCESS SITE -- required hearing PUBLIC INVOLVEMENT -- rules. (1) The fish and game commission shall adopt rules establishing a system POLICY whereby any proposed improvement or development of a state park OR FISHING ACCESS SITE that ~~exceeds--a--cost---of---\$257000~~ SIGNIFICANTLY CHANGES PARK OR FISHING ACCESS SITE FEATURES OR USE PATTERNS is subject to ~~public--hearing--and--input~~ NOTICE OF PROPOSED MODIFICATIONS, BOTH STATEWIDE AND LOCALLY, AND TO OPPORTUNITY FOR A PUBLIC MEETING AND PUBLIC COMMENT on the advisability and acceptability of the proposal.

(2) The department shall prepare a public report regarding any project that is subject to the provisions of subsection (1). The report must include conclusions relating to the following aspects of the proposal:

THIRD READING



- 1 (a) the desires of the public as expressed ~~at-the~~  
2 ~~required-hearing~~ TO THE DEPARTMENT;
- 3 (b) the capacity of the park OR FISHING ACCESS SITE for  
4 development;
- 5 (c) environmental impacts associated with the  
6 improvement or development;
- 7 (d) the long-range maintenance of the improvements;
- 8 (e) the protection of natural, cultural, and historical  
9 park OR FISHING ACCESS SITE features; and
- 10 (f) potential impacts on tourism; AND
- 11 (G) SITE-SPECIFIC MODIFICATIONS AS THEY RELATE TO THE  
12 PARK OR FISHING ACCESS SITE SYSTEM AS A WHOLE.

13 NEW SECTION. Section 2. Codification instruction.  
14 [Section 1] is intended to be codified as an integral part  
15 of Title 23, chapter 1, part 1, and the provisions of Title  
16 23, chapter 1, part 1, apply to [section 1].

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8 AND GAME COMMISSION TO ADOPT RULES TO IMPLEMENT THE SYSTEM  
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12 Montana that the state parks ~~system~~ AND FISHING ACCESS SITE  
13 SYSTEMS have an improvement and development policy that  
14 reflects the concerns of a majority of the users of  
15 Montana's state parks AND FISHING ACCESS SITES.

## 16 STATEMENT OF INTENT

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22 policy address, at a minimum:

23 (1) the desires of park AND FISHING ACCESS SITE users  
24 and the public;

25 (2) the capacity of the park OR FISHING ACCESS SITE for

1 development;

2 (3) environmental impacts associated with development;

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4 improvements;

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10 NEW SECTION. Section 1. Improvement or development of  
11 state park OR FISHING ACCESS SITE -- required hearing PUBLIC  
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14 proposed improvement or development of a state park OR  
15 FISHING ACCESS SITE that ~~exceeds--a--cost---of---\$25,000~~  
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18 NOTICE OF PROPOSED MODIFICATIONS, BOTH STATEWIDE AND  
19 LOCALLY, AND TO OPPORTUNITY FOR A PUBLIC MEETING AND PUBLIC  
20 COMMENT on the advisability and acceptability of the  
21 proposal.

22 (2) The department shall prepare a public report  
23 regarding any project that is subject to the provisions of  
24 subsection (1). The report must include conclusions relating  
25 to the following aspects of the proposal:

REFERENCE BILL

1 (a) the desires of the public as expressed at-the  
2 required-hearing TO THE DEPARTMENT;

3 (b) the capacity of the park OR FISHING ACCESS SITE for  
4 development;

5 (c) environmental impacts associated with the  
6 improvement or development;

7 (d) the long-range maintenance of the improvements;

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11 (G) SITE-SPECIFIC MODIFICATIONS AS THEY RELATE TO THE  
12 PARK OR FISHING ACCESS SITE SYSTEM AS A WHOLE.

13 NEW SECTION. Section 2. Codification instruction.

14 [Section 1] is intended to be codified as an integral part  
15 of Title 23, chapter 1, part 1, and the provisions of Title  
16 23, chapter 1, part 1, apply to [section 1].

-End-