

1 *House* BILL NO. *184*
 2 INTRODUCED BY *Liam Smith, Kummerfeldt*
 3 *By request of Department of Lands*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE *Member* BOARD
 5 OF LAND COMMISSIONERS TO EXCHANGE STATE LAND FOR PRIVATE *Casey*
 6 LAND SUBJECT TO CERTAIN REQUIREMENTS."

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

9 Section 1. There is a new R.C.M. section that reads as
10 follows:

11 Exchange of state land for private land. (1) The
12 board is authorized to exchange state land for private land,
13 provided that the private land is of equal or greater value
14 than the state land and the exchange will result in the
15 consolidation of state lands into more compact bodies. This
16 section does not apply to exchanges undertaken under section
17 81-2704, R.C.M. 1947.

18 (2) Prior to completing any such exchange, a public
19 hearing shall be held in the county containing the state
20 land to be exchanged.

21 (3) If the requirements of subsections (1) and (2) are
22 met, state lands bordering on navigable lakes and streams or
23 other bodies of water with significant public use value may
24 be exchanged for private land if the private land borders on
25 similar navigable lakes, streams, or other bodies of water.

-End-

INTRODUCED BILL

HB184

Approved by Committee
on State Administration

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-End-

SECOND READING

HB 184

HOUSE BILL NO. 184

INTRODUCED BY LIEN, SMITH, KUMMERFELDT, HUENNEKENS, CASEY

(BY REQUEST OF DEPARTMENT OF LANDS)

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE BOARD OF LAND COMMISSIONERS TO EXCHANGE STATE LAND FOR PRIVATE LAND SUBJECT TO CERTAIN REQUIREMENTS."

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

Section 1. There is a new R.C.M. section that reads as follows:

Exchange of state land for private land. (1) The board is authorized to exchange state land for private land, provided that the private land is of equal or greater value than the state land and the--exchange--will--result--in--the consolidation--of--state--lands--into--more--compact--bodies AS CLOSELY AS POSSIBLE, EQUAL IN AREA. THE BOARD SHALL PLACE PRIORITY ON EXCHANGES WHICH RESULT IN CONSOLIDATION OF STATE LANDS INTO MORE COMPACT BODIES. This section does not apply to exchanges undertaken under section 81-2704, R.C.M. 1947.

(2) Prior to completing any such exchange, a public hearing shall be held in the county containing the state land to be exchanged. WHEN SPECIFIC OBJECTIONS TO THE PROPOSED EXCHANGE ARE RAISED DURING ANY SUCH HEARING, THE BOARD SHALL MAKE FINDINGS OF FACT RESPONDING TO SUCH

OBJECTIONS AND EXPLAINING THEIR ACTION. ANY INTERESTED PARTY MAY SEEK JUDICIAL REVIEW OF THE BOARD'S ACTION.

(3) If the requirements of subsections (1) and (2) are met, state lands bordering on navigable lakes and streams or other bodies of water with significant public use value may be exchanged for private land if the private land borders on similar navigable lakes, streams, or other bodies of water.

(4) NO SUCH EXCHANGE SHALL BE MADE WHICH WILL INDUCE OR ENCOURAGE LARGE-SCALE COMMERCIAL, INDUSTRIAL, OR RESIDENTIAL DEVELOPMENT UNLESS THE VALUE OF SUCH DEVELOPMENT IS CONSIDERED IN DETERMINING THE FAIR MARKET VALUE AND UNLESS THE PROPOSED DEVELOPMENT WILL NOT ADVERSELY AFFECT THE RESOURCES OF THE EXISTING STATE TRACTS OR THOSE TRACTS WHICH THE STATE WOULD RECEIVE UNDER THE PROPOSED EXCHANGE.

-End-

March 6, 1975

SENATE COMMITTEE OF THE WHOLE
AMENDMENTS TO HOUSE BILL NO. 195

That House Bill No. 195 be amended as follows:

1. Amend amendment No. 2, insertion paragraph, line 13.
Following: "landowners"
Insert: ", lessees,"
2. Amend amendment No. 2, insertion paragraph, line 15.
Following: "landowners"
Insert: ", lessees,"

March 17, 1975

SENATE COMMITTEE ON STATE ADMINISTRATION

AMENDMENTS TO HOUSE BILL NO. 184

That House Bill No. 184, third reading, be amended as follows:

1. Amend page 2, section 1, lines 1 through 2.

Following: "ACTION."

Strike: "ANY INTERESTED PARTY MAY SEEK JUDICIAL REVIEW
OF THE BOARD'S ACTION."

HOUSE BILL NO. 184

INTRODUCED BY LIEN, SMITH, KUMMERFELDT, HUENNEKENS, CASEY

(BY REQUEST OF DEPARTMENT OF LANDS)

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE BOARD OF LAND COMMISSIONERS TO EXCHANGE STATE LAND FOR PRIVATE LAND SUBJECT TO CERTAIN REQUIREMENTS."

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

Section 1. There is a new P.C.M. section that reads as follows:

Exchange of state land for private land. (1) The board is authorized to exchange state land for private land, provided that the private land is of equal or greater value than the state land and ~~the exchange will result in the consolidation of state lands into more compact bodies AS CLOSELY AS POSSIBLE, EQUAL IN AREA. THE BOARD SHALL PLACE PRIORITY ON EXCHANGES WHICH RESULT IN CONSOLIDATION OF STATE LANDS INTO MORE COMPACT BODIES.~~ This section does not apply to exchanges undertaken under section 81-2704, R.C.M. 1947.

(2) Prior to completing any such exchange, a public hearing shall be held in the county containing the state land to be exchanged. WHEN SPECIFIC OBJECTIONS TO THE PROPOSED EXCHANGE ARE RAISED DURING ANY SUCH HEARING, THE BOARD SHALL MAKE FINDINGS OF FACT RESPONDING TO SUCH

OBJECTIONS AND EXPLAINING THEIR ACTION. ANY-INTERESTED PARTY-MAY-SEEK-JUDICIAL-REVIEW-OF-THE-BOARD'S-ACTION.

(3) If the requirements of subsections (1) and (2) are met, state lands bordering on navigable lakes and streams or other bodies of water with significant public use value may be exchanged for private land if the private land borders on similar navigable lakes, streams, or other bodies of water.

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-End-