

1                    HOUSE    BILL NO. 48  
2    INTRODUCED BY BRADLEY

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4    A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY STATE POLICY  
5    ON THE MANAGEMENT OF STATE LANDS; DECLARING THAT STATE LANDS  
6    SHALL BE MANAGED TO YIELD A BROAD RANGE OF MONETARY AND  
7    NONMONETARY BENEFITS TO PRESENT AND FUTURE GENERATIONS OF  
8    MONTANANS; PROVIDING THAT ALL DECISIONS REGARDING STATE  
9    LANDS SHALL BE CONSISTENT WITH THE ENVIRONMENTAL POLICIES,  
10    REQUIREMENTS, AND PROCEDURES OF THIS STATE; AMENDING  
11    SECTIONS 81-103 AND 81-2401, R.C.M. 1947; AND PROVIDING AN  
12    IMMEDIATE EFFECTIVE DATE."

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

15            Section 1. Section 81-103, R.C.M. 1947, is amended to  
16    read as follows:

17            "81-103. Powers and duties of board. The board shall  
18    exercise general authority, direction, and control over the  
19    care, management, and disposition of state lands, and  
20    subject to the investment authority of the board of  
21    investments, the funds arising from the leasing, use, sale,  
22    and disposition of those lands or otherwise coming under its  
23    administration. In the exercise of these powers, the guiding  
24    rule and principle is that these lands and funds are held in  
25    trust for the people of this state pursuant to Article X,

1    section 11, of the Montana constitution, for the support of  
2    education, and for the attainment of other worthy objects  
3    helpful to the well-being of the people of this state; and  
4    the board shall administer this trust to secure the largest  
5    measure of legitimate and reasonable monetary and  
6    nonmonetary advantage to the state, consistent with the  
7    policies, statutes, and regulations of the state. The board  
8    shall manage these lands under the multiple-use management  
9    concept defined as: The management of all the various  
10    resources of the state lands so that they are utilized in  
11    that combination best meeting the needs of the people and  
12    the beneficiaries of the trust, making the most judicious  
13    use of the land for some or all of those resources or  
14    related services over areas large enough to provide  
15    sufficient latitude for periodic adjustments in use to  
16    conform to changing needs and conditions; that some land  
17    will be used for less than all of the resources, and  
18    harmonious and ~~co-ordinated~~ coordinated management of the  
19    various resources, each with the other, without impairment  
20    of the productivity of the land, with consideration being  
21    given to the relative values of the various resources.  
22    Management decisions concerning state lands shall comply  
23    fully with this section."

24            Section 2. Section 81-2401, R.C.M. 1947, is amended to  
25    read as follows:

1           "81-2401. Policy of state. It is in the best interest  
2 and to the great advantage of the state of Montana to seek  
3 and allow only the highest legitimate development of  
4 state-owned lands consistent with the multiple-use concept  
5 defined in 81-103 and with the policies, statutes, and  
6 regulations of this state in order that they might be placed  
7 to their ~~highest~~ and best ~~long-term~~ use and thereby derive  
8 yield greater revenue benefits for the support of the common  
9 schools, the university system, and other institutions,  
10 ~~benefiting therefrom or the other worthy purposes they may~~  
11 ~~serve, and--that--in--so--doing~~ thus the economy of the local  
12 community as well as the economy and environment of the  
13 state is ~~are~~ benefited as a result of the impact of such  
14 that development management. State lands shall be managed  
15 not only to secure reasonable financial returns for the  
16 state without impairment of their productivity, but also to  
17 attain other worthy objects helpful to the well-being of the  
18 people of this state."

19           Section 3. Effective date. This act is effective on  
20 its passage and approval.

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