

House Joint Resolution 13

In The House

January 20, 1981	Introduced and referred to Committee on Rules.
January 22, 1981	Rereferred to Committee on Natural Resources.
February 21, 1981	Committee recommend bill do not pass.

HOUSE JOINT RESOLUTION NO. 73

INTRODUCED BY *Herwitz Manuel Roth Moore Kessler*

JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA SUPPORTING ACTIONS

BY WESTERN STATES TO GAIN CONTROL OF CERTAIN PUBLIC LANDS WITHIN THEIR BOUNDARIES.

WHEREAS, the intent of the framers of the constitution of the United States was to guarantee to each of the states sovereignty over all matters within its boundaries except for those powers specifically granted to the United States as agent of the states; and

WHEREAS, the attempted imposition upon the state of Montana by the Congress of the United States of a requirement in the Statehood Act that the state of Montana and its people "disclaim all right and title to the unappropriated public lands lying within (its) boundaries" as a condition precedent to acceptance of Montana into the Union was an act beyond the power of the Congress of the United States and is thus void; and

WHEREAS, of all the land controlled by the federal government, over 90% is located in 13 western states; and

WHEREAS, the historical process of land disposal by the federal government which resulted in private ownership and

productive development of the Southern and Midwest regions of the United States stopped at the Rocky Mountains; and

WHEREAS, federal land policies affecting the West have become increasingly restrictive in this century, culminating with the Federal Land Policy and Management Act of 1976, which declared Congress' intent to hold the public lands in federal control in perpetuity; and

WHEREAS, at the same time that the public lands are restricted from development, the nation is turning to the fossil fuel, solar, and geothermal resources of the West to gain energy independence; and

WHEREAS, in the name of environmentalism and conservation, vast areas of the West are being placed in wilderness categories that prevent exploration for energy and mineral resources or agricultural development; and

WHEREAS, the future development of the communities and economies of the western states is being dictated from Washington, D.C.; and

WHEREAS, national energy demands require that the abundant fuel resources of the West be developed in an orderly and environmentally sound manner; and

WHEREAS, control and management of the public lands by the states will allow responsible development of badly needed energy and mineral resources.

Winter
Conroy
Harold
Bevin
Johnson
Smith
Edwards
Alison

INTRODUCED BILL
-2- HJR 13

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
2 OF REPRESENTATIVES OF THE STATE OF MONTANA:

3 (1) That this Legislature endorses and supports the
4 efforts of the western states, known as the "Sagebrush
5 Rebellion", to gain the equality guaranteed to all states in
6 the Constitution;

7 (2) That it is in the national interest that the
8 resources of the West be responsibly developed and that such
9 development will be most efficient, responsive to local
10 communities, and environmentally responsible if the
11 unappropriated public lands are placed in state ownership
12 and control;

13 (3) That support is specifically extended for the
14 Sagebrush Rebellion Act, which asserts state control over
15 the unappropriated public lands, as well as for
16 congressional efforts, such as S. 1680, to return the lands
17 to the states;

18 (4) That a copy of this resolution be transmitted by
19 the Secretary of State to the President of the United
20 States, the President of the United States Senate, the
21 Speaker of the House of Representatives of the United
22 States, and to each member of the Congress of the United
23 States; and

24 (5) That a copy of this resolution be sent by the
25 Secretary of State to the presiding officers of the

1 Legislatures of the States of Alaska, Arizona, California,
2 Colorado, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah,
3 Washington, and Wyoming.

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