

HOUSE BILL NO. 702

INTRODUCED BY HARBIN

BY REQUEST OF THE DEPARTMENT OF STATE LANDS

IN THE HOUSE

February 7, 1985	Introduced and referred to Committee on State Administration.
February 18, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 20, 1985	Second reading, do pass. Considered correctly engrossed.
February 21, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 22, 1985	Introduced and referred to Committee on Natural Resources.
March 19, 1985	Committee recommend bill be concurrred in. Report adopted.
March 22, 1985	Second reading, concurrred in.
March 25, 1985	Third reading, concurrred in. Ayes, 49; Noes, 0. Returned to House.

IN THE HOUSE

March 26, 1985	Received from Senate. Sent to enrolling. Reported correctly enrolled.
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1 (a) rejecting and dismissing the proposal if in the
2 judgment of the board the exchange is not in the public
3 interest; or

4 (b) accepting the proposal and ordering the exchange
5 to be made if in the judgment of the board the exchange is
6 in the public interest and should be made.

7 (3) An order accepting the proposal shall contain an
8 accurate description of all lands to be exchanged."

9 Section 4. Section 77-5-104, MCA, is amended to read:

10 "77-5-104. Firewardens. (1) The department shall
11 appoint firewardens in such number and localities as it
12 considers necessary.

13 (2) The supervisors and rangers of the federal forest
14 lands within this state, whenever they formally accept the
15 duties and responsibilities of firewardens, may be appointed
16 firewardens.

17 (3) The following are firewardens but may not receive
18 any additional compensation by reason of the duties hereby
19 imposed:

20 (a) sheriffs;

21 (b) undersheriffs;

22 (c) deputy sheriffs;

23 (d) state fish, wildlife, and parks wardens;

24 (e) the state fish, wildlife, and parks director;

25 ~~{f}--members--of--the--board--of--natural-resources--and~~

1 ~~conservation;~~

2 ~~{g}{f}~~ the ~~director-of-the-department~~ commissioner and
3 employees of the department designated by him;

4 ~~{h}{g}~~ officers of organized forest protection
5 districts;

6 ~~{i}{h}~~ members of the Montana highway patrol;

7 ~~{j}{i}~~ officers of the national park service residing
8 in Montana; and

9 ~~{k}{j}~~ officers of the bureau of Indian affairs.

10 (4) The firewardens shall promptly report all fires to
11 the department, take immediate and active steps toward their
12 extinguishment, report any violation of forest laws, and
13 assist in apprehending and convicting offenders."

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1 HOUSE BILL NO. 702
2 INTRODUCED BY Harkins
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5 A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING VARIOUS
6 FORESTRY FUNCTIONS FROM THE DEPARTMENT AND BOARD OF NATURAL
7 RESOURCES AND CONSERVATION TO THE DEPARTMENT OF STATE LANDS;
8 AMENDING SECTIONS 77-1-304, 77-2-213, 77-2-214, AND
9 77-5-104, MCA."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12 Section 1. Section 77-1-304, MCA, is amended to read:

13 "77-1-304. Selection and location of lands granted by
14 United States. Under the general direction of the board and
15 as rapidly as the appropriations for the work will permit,
16 the department shall select and locate all lands ~~except~~
17 ~~timberlands~~ granted to this state by the United States for
18 any purpose and not located by the grant itself. It shall
19 also select and locate lands in lieu of all those lands in
20 sections 16 and 36 and in the other federal land grants
21 which for any reason have been lost to the state. All
22 selections shall as far as possible be in legal
23 subdivisions. In the selection and location of these lands,
24 careful attention shall be given to the water available and
25 which may be appropriated for these lands for domestic use,

1 livestock, and irrigation."

2 Section 2. Section 77-2-213, MCA, is amended to read:
3 "77-2-213. Department ~~of natural resources and~~
4 ~~conservation~~ to investigate. When a proposal for an exchange
5 pursuant to 77-2-211 is made and the owners of the
6 respective tracts involved seem agreeable to negotiate such
7 exchanges, the proposal shall be referred to the department
8 ~~of natural resources and conservation~~ and that the
9 department shall thoroughly investigate all the lands
10 involved in the proposal and estimate the value of all of
11 the lands and consider every factor in connection with the
12 proposal as may affect the public interest."

13 Section 3. Section 77-2-214, MCA, is amended to read:
14 "77-2-214. Investigation and findings concerning
15 exchange of land. (1) The department ~~of natural resources~~
16 ~~and conservation~~ shall, as soon as it concludes its
17 investigation thereof, report to the board the facts
18 disclosed by its investigation and include in its report a
19 recommendation concerning the proposal, including its
20 reasons therefor in writing.

21 (2) After considering the report and recommendation
22 and making such further investigation as it considers
23 advisable, the board shall consider the entire matter, make
24 findings and conclusions concerning the proposal, and make
25 an order:



-2-
SECOND READING
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2 ~~{g}{f} the director-of-the-department commissioner and~~
3 ~~employees of the department designated by him;~~

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5 ~~districts;~~

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