

HOUSE BILL NO. 239

INTRODUCED BY BRANDEWIE, MARKS

IN THE HOUSE

JANUARY 16, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

JANUARY 28, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 29, 1987 PRINTING REPORT.

JANUARY 30, 1987 SECOND READING, DO PASS.

JANUARY 31, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 91; NOES, 3.

 TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 2, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON NATURAL RESOURCES.

MARCH 5, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 9, 1987 SECOND READING, CONCURRED IN.

MARCH 11, 1987 THIRD READING, CONCURRED IN.
 AYES, 49; NOES, 1.

 RETURNED TO HOUSE.

IN THE HOUSE

MARCH 12, 1987 RECEIVED FROM SENATE.

 SENT TO ENROLLING.

1 HOUSE BILL NO. 239
2 INTRODUCED BY Bruce Lewis Michael

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE USE OF
5 THE NATIONAL GEODETIC SURVEY 1983 COORDINATE SYSTEM FOR
6 DEFINING AND STATING POINTS ON THE FACE OF THE EARTH WITHIN
7 MONTANA; REQUIRING USE OF THE 1983 COORDINATE SYSTEM AFTER
8 JULY 1, 1993; AND AMENDING SECTIONS 70-22-201 THROUGH
9 70-22-209, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 70-22-201, MCA, is amended to read:
13 "70-22-201. Coordinate system systems adopted --
14 designation -- division of state into zones. (1) The North
15 American datum system systems of plane coordinates which has
16 that have been established by the national ocean
17 survey/national geodetic survey (formerly the United States
18 coast and geodetic survey) or a successor for defining and
19 stating the positions or locations of points on the surface
20 of the earth within the state of Montana is are hereafter to
21 be known and designated as the "Montana coordinate system
22 NAD 27" and the "Montana coordinate system NAD 83".

23 (2) For the purpose of the use of this the Montana
24 coordinate system NAD 27, the state is divided into a north
25 zone and a central zone and a south zone as provided in

1 subsections (3) through (5).

2 (3) The area now included in the following counties
3 shall constitute the north zone: Blaine, Chouteau, Daniels,
4 Flathead, Glacier, Hill, Liberty, Lincoln, Phillips,
5 Pondera, Roosevelt, Sheridan, Teton, Toole, and Valley.

6 (4) The area now included in the following counties
7 shall constitute the central zone: Cascade, Dawson, Fergus,
8 Garfield, Judith Basin, Lake, Lewis and Clark, McCone,
9 Meagher, Mineral, Missoula, Petroleum, Powell, Prairie,
10 Richland, Sanders, and Wibaux.

11 (5) The area now included in the following counties
12 shall constitute the south zone: Beaverhead, Big Horn,
13 Broadwater, Carbon, Carter, Custer, Deer Lodge, Fallon,
14 Gallatin, Golden Valley, Granite, Jefferson, Madison,
15 Musselshell, Park, Powder River, Ravalli, Rosebud, Silver
16 Bow, Stillwater, Sweet Grass, Treasure, Wheatland, and
17 Yellowstone.

18 (6) For the purpose of the use of the Montana
19 coordinate system NAD 83, the state is a single zone."

20 Section 2. Section 70-22-202, MCA, is amended to read:

21 "70-22-202. Designation of system by zone. (1) As
22 established for use in the north zone, the Montana
23 coordinate system NAD 27 shall be named and in any land
24 description in which it is used it shall be designated the
25 "Montana coordinate system NAD 27, north zone".



1 (2) As established for use in the central zone, the
2 Montana coordinate system NAD 27 shall be named and in any
3 land description in which it is used it shall be designated
4 the "Montana coordinate system NAD 27, central zone".

5 (3) As established for use in the south zone, the
6 Montana coordinate system NAD 27 shall be named and in any
7 land description in which it is used it shall be designated
8 the "Montana coordinate system NAD 27, south zone".

9 Section 3. Section 70-22-203, MCA, is amended to read:

10 "70-22-203. Use of x- and y-coordinates. The (1) For
11 the Montana coordinate system NAD 27, the plane coordinates
12 of coordinate values for a point on the earth's surface to
13 be used in-expressing to express the geographic position or
14 location of such point in the appropriate zone of this
15 system shall consist of two distances expressed in feet
16 terms of a United States survey foot and decimals of a foot.

17 (2) For the Montana coordinate system NAD 83, the
18 plane coordinate values for a point on the earth's surface
19 used to express the geographic position or location of such
20 point in the zone shall consist of two distances expressed
21 in either meters and decimals of a meter or in feet and
22 decimals of a foot. The international conversion value (1
23 foot equals 0.3048 meters exactly) shall be used. The unit
24 of measure shall be clearly stated when the coordinate
25 values are expressed.

1 (3) One of these the distances used to express a
2 position or location, to be known as the "x-coordinate",
3 shall give the position in an east-and-west direction; the
4 other, to be known as the "y-coordinate", shall give the
5 position in a north-and-south direction. These coordinates
6 shall be made to depend upon and conform to the--coordinates
7 on--the--Montana--coordinate-system-of-the-triangulation-and
8 traverse-stations-of-the-United-States--coast--and--geodetic
9 survey-within-the-state-of-Montana-as-those-coordinates-have
10 been--determined--by-the-survey plane rectangular coordinate
11 values for the monumented points of the North American
12 horizontal geodetic control network as published by the
13 national ocean survey/national geodetic survey or its
14 successors and whose plane coordinates have been computed on
15 the systems designated by this part. Any such station may
16 be used for establishing a survey connection to either
17 Montana coordinate system."

18 Section 4. Section 70-22-204, MCA, is amended to read:

19 "70-22-204. Description of tract--lying--across-zone
20 boundaries location. (1) For the purposes of describing the
21 location of any survey station in Montana, it is considered
22 a complete, legal, and satisfactory description of such
23 location to give the position of the survey station on the
24 system of plane coordinates designated in this part.

25 (2) When any tract of land to be defined by a single

1 description extends from one into another of the above NAD
 2 27 coordinate zones, the positions of all points on its
 3 boundaries may be referred to either of such zones, the zone
 4 which is used being specifically named in the description."

5 Section 5. Section 70-22-205, MCA, is amended to read:

6 "70-22-205. Technical description of zones --
 7 stations marked on ground. (1) For purposes of more
 8 precisely defining the Montana coordinate system systems NAD
 9 27 and NAD 83, the following description by the national
 10 ocean survey/national geodetic survey [formerly the United
 11 States coast and geodetic survey] is adopted:

12 (a)(1) The Montana coordinate system NAD 27, north
 13 zone, is a Lambert conformal projection of the Clarke
 14 spheroid of 1866, having standard parallels at north
 15 latitudes 47° 51' and 48° 43', along which parallels the
 16 scale shall be exact. The origin of coordinates is at the
 17 intersection of the meridian 109° 30' west of Greenwich and
 18 the parallel 44° 47' 00' north latitude. This origin is
 19 given the coordinates: x = 2,000,000 feet and y = 0 feet.

20 (b)(2) The Montana coordinate system NAD 27, central
 21 zone, is a Lambert conformal projection of the Clarke
 22 spheroid of 1866, having standard parallels at north
 23 latitudes 46° 27' and 47° 53', along which parallels the
 24 scale shall be exact. The origin of coordinates is at the
 25 intersection of the meridian 109° 30' west of Greenwich and

1 the parallel 45° 50' north latitude. This origin is given
 2 the coordinates: x = 2,000,000 feet and y = 0 feet.

3 (c)(3) The Montana coordinate system NAD 27, south
 4 zone, is a Lambert conformal projection of the Clarke
 5 spheroid of 1866, having standard parallels at north
 6 latitudes 44° 52' and 46° 24', along which parallels the
 7 scale shall be exact. The origin of coordinates is at the
 8 intersection of the meridian 109° 30' west of Greenwich and
 9 the parallel 47° 44' 00' north latitude. This origin is
 10 given the coordinates: x = 2,000,000 feet and y = 0 feet.

11 (4) The Montana coordinate system NAD 83 is a Lambert
 12 conformal conic projection of the GRS 80 (Geodetic Reference
 13 System 1980) ellipsoid, having standard parallels of north
 14 latitudes 45° 00' and 49° 00', along which parallels the
 15 scale shall be exact. The origin of coordinates is at the
 16 intersection of the meridian 109° 30' west of Greenwich and
 17 the parallel 44° 15' north latitude. This origin is given
 18 the coordinates: x = 600,000 meters and y = 0 meters.

19 (2) ~~The position of the Montana coordinate system~~
 20 ~~shall be as marked on the ground by triangulation or~~
 21 ~~traverse stations established in conformity with the~~
 22 ~~standards adopted by the United States coast and geodetic~~
 23 ~~survey for first order and second order work, whose~~
 24 ~~positions have been rigidly adjusted on the North American~~
 25 ~~datum of 1927 and whose coordinates have been computed on~~

1 ~~the system herein defined. Any such station may be used for~~
 2 ~~establishing a survey connection with the Montana coordinate~~
 3 ~~system."~~

4 Section 6. Section 70-22-206, MCA, is amended to read:

5 "70-22-206. Proximity to station Conformity to
 6 standards required for use of coordinates in recorded
 7 instrument. No coordinates based on the Montana coordinate
 8 system systems NAD 27 and NAD 83 purporting to define the
 9 position of a point on a land boundary shall be presented to
 10 be recorded in any public land records or deed records
 11 ~~unless such point is within one-half mile of a triangulation~~
 12 ~~or traverse station established in conformity with the~~
 13 ~~standards prescribed in 70-22-205, provided that said~~
 14 ~~one-half mile limitation may be modified by a duty~~
 15 ~~authorized state agency to meet local conditions. the~~
 16 coordinates have been established in conformity with the
 17 national prescribed standards for third-order class II
 18 horizontal control surveys and provided that these surveys
 19 have been tied to or originated from monumented first- or
 20 second-order horizontal control stations that are adjusted
 21 to and published in the national network of geodetic control
 22 and are within 3 miles of said land boundaries. Standards of
 23 accuracy and specifications apply for first-, second-, and
 24 third-order geodetic surveying as prepared and published by
 25 the federal geodetic control committee (FGCC) of the United

1 States department of commerce or its successors. Publication
 2 of the existing control stations or acceptance with intent
 3 to publish newly established control stations by the
 4 national ocean survey/national geodetic survey constitutes
 5 evidence of adherence to FGCC specifications."

6 Section 7. Section 70-22-207, MCA, is amended to read:

7 "70-22-207. Use of term Montana coordinate system
 8 limited. The use of the term "Montana coordinate system NAD
 9 27 north, central, or south zone" or "Montana coordinate
 10 system NAD 83" on a any map, report of survey, or other
 11 document shall be limited to coordinates based on the
 12 Montana coordinate system systems as defined in this part."

13 Section 8. Section 70-22-208, MCA, is amended to read:

14 "70-22-208. Public land survey description to prevail.
 15 Whenever coordinates based on the Montana coordinate system
 16 are used to describe any tract of land which in the same
 17 document is also described by reference to any subdivision,
 18 line, or corner of the United States public land surveys,
 19 the description by coordinates shall be construed as
 20 supplemental to the basic description of such subdivision,
 21 line, or corner contained in the official plats and field
 22 notes filed of record, ~~and in the event of any conflict, the~~
 23 ~~description by reference to the subdivision, line, or corner~~
 24 ~~of the United States public land surveys shall prevail over~~
 25 ~~the description by coordinates."~~

1 Section 9. Section 70-22-209, MCA, is amended to read:

2 "70-22-209. Purchaser or mortgagee not required to
3 rely on description using system systems. Nothing contained
4 in this part shall require any purchaser or mortgagee to
5 rely wholly on a description, any part of which depends
6 exclusively upon the Montana coordinate system systems."

7 NEW SECTION. Section 10. Limit on use of Montana
8 coordinate system NAD 27. The Montana coordinate system NAD
9 27 north, central, and south zone may not be used after July
10 1, 1993; the Montana coordinate system NAD 83 is the sole
11 system to be used after this date.

12 NEW SECTION. Section 11. Codification instruction.
13 Section 10 is intended to be codified as an integral part of
14 Title 70, chapter 22, part 2, and the provisions of Title
15 70, chapter 22, part 2, apply to section 10.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

HOUSE BILL NO. 239

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A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE USE OF THE NATIONAL GEODETIC SURVEY 1983 COORDINATE SYSTEM FOR DEFINING AND STATING POINTS ON THE FACE OF THE EARTH WITHIN MONTANA; REQUIRING USE OF THE 1983 COORDINATE SYSTEM AFTER JULY 1, 1993; AND AMENDING SECTIONS 70-22-201 THROUGH 70-22-209, MCA."

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"70-22-201. Coordinate ~~system~~ systems adopted -- designation -- division of state into zones. (1) The North American datum system systems of plane coordinates ~~which has~~ that have been established by the national ocean survey/national geodetic survey (formerly the United States coast and geodetic survey) or a successor for defining and stating the positions or locations of points on the surface of the earth within the state of Montana ~~is~~ are hereafter to be known and designated as the "Montana coordinate system NAD 27" and the "Montana coordinate system NAD 83".

(2) For the purpose of the use of ~~this~~ the Montana coordinate system NAD 27, the state is divided into a north zone and a central zone and a south zone as provided in

subsections (3) through (5).

(3) The area now included in the following counties shall constitute the north zone: Blaine, Chouteau, Daniels, Flathead, Glacier, Hill, Liberty, Lincoln, Phillips, Pondera, Roosevelt, Sheridan, Teton, Toole, and Valley.

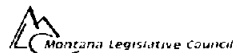
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(6) For the purpose of the use of the Montana coordinate system NAD 83, the state is a single zone.

Section 2. Section 70-22-202, MCA, is amended to read:

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1 (2) As established for use in the central zone, the
 2 Montana coordinate system NAD 27 shall be named and in any
 3 land description in which it is used it shall be designated
 4 the "Montana coordinate system NAD 27, central zone".

5 (3) As established for use in the south zone, the
 6 Montana coordinate system NAD 27 shall be named and in any
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9 Section 3. Section 70-22-203, MCA, is amended to read:

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 11 the Montana coordinate system NAD 27, the plane coordinates
 12 of coordinate values for a point on the earth's surface to
 13 be used in-expressing to express the geographic position or
 14 location of such point in the appropriate zone of this
 15 system shall consist of two distances expressed in feet
 16 terms of a United States survey foot and decimals of a foot.

17 (2) For the Montana coordinate system NAD 83, the
 18 plane coordinate values for a point on the earth's surface
 19 used to express the geographic position or location of such
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 7 on--the--Montana--coordinate-system-of-the-triangulation-and
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 10 been--determined--by-the-survey plane rectangular coordinate
 11 values for the monumented points of the North American
 12 horizontal geodetic control network as published by the
 13 national ocean survey/national geodetic survey or its
 14 successors and whose plane coordinates have been computed on
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 16 be used for establishing a survey connection to either
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 24 system of plane coordinates designated in this part.

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 13 zone, is a Lambert conformal projection of the Clarke
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 15 latitudes 47° 51' and 48° 43', along which parallels the
 16 scale shall be exact. The origin of coordinates is at the
 17 intersection of the meridian 109° 30' west of Greenwich and
 18 the parallel 44^e 47° 00' north latitude. This origin is
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 10 be recorded in any public land records or deed records
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 14 ~~one-half mile limitation may be modified by a duly~~
 15 ~~authorized state agency to meet local conditions. the~~
 16 coordinates have been established in conformity with the
 17 national prescribed standards for third-order class II
 18 horizontal control surveys and provided that these surveys
 19 have been tied to or originated from monumented first- or
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 21 to and published in the national network of geodetic control
 22 and are within 3 miles of said land boundaries. Standards of
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 24 third-order geodetic surveying as prepared and published by
 25 the federal geodetic control committee (FGCC) of the United

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13 Section 10 is intended to be codified as an integral part of
14 Title 70, chapter 22, part 2, and the provisions of Title
15 70, chapter 22, part 2, apply to section 10.

-End-

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2 INTRODUCED BY BRANDEWIE, MARKS

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14 location of such point in the appropriate zone of this
15 system shall consist of two distances expressed in feet
16 terms of a United States survey foot and decimals of a foot.

17 (2) For the Montana coordinate system NAD 83, the
18 plane coordinate values for a point on the earth's surface
19 used to express the geographic position or location of such
20 point in the zone shall consist of two distances expressed
21 in either meters and decimals of a meter or in feet and
22 decimals of a foot. The international conversion value (1
23 foot equals 0.3048 meters exactly) shall be used. The unit
24 of measure shall be clearly stated when the coordinate
25 values are expressed.

1 (3) One of these the distances used to express a
2 position or location, to be known as the "x-coordinate",
3 shall give the position in an east-and-west direction; the
4 other, to be known as the "y-coordinate", shall give the
5 position in a north-and-south direction. These coordinates
6 shall be made to depend upon and conform to the--coordinates
7 on--the--Montana--coordinate-system-of-the-triangulation-and
8 traverse-stations-of-the-United-States--coast--and--geodetic
9 survey-within-the-state-of-Montana-as-those-coordinates-have
10 been--determined--by-the-survey plane rectangular coordinate
11 values for the monumented points of the North American
12 horizontal geodetic control network as published by the
13 national ocean survey/national geodetic survey or its
14 successors and whose plane coordinates have been computed on
15 the systems designated by this part. Any such station may
16 be used for establishing a survey connection to either
17 Montana coordinate system."

18 Section 4. Section 70-22-204, MCA, is amended to read:

19 "70-22-204. Description of tract--tying--across-zone
20 boundaries location. (1) For the purposes of describing the
21 location of any survey station in Montana, it is considered
22 a complete, legal, and satisfactory description of such
23 location to give the position of the survey station on the
24 system of plane coordinates designated in this part.

25 (2) When any tract of land to be defined by a single

1 description extends from one into another of the above NAD
 2 27 coordinate zones, the positions of all points on its
 3 boundaries may be referred to either of such zones, the zone
 4 which is used being specifically named in the description."

5 Section 5. Section 70-22-205, MCA, is amended to read:
 6 "70-22-205. Technical description of zones --
 7 ~~stations--marked--on--ground.~~ (i) For purposes of more
 8 precisely defining the Montana coordinate system systems NAD
 9 27 and NAD 83, the following description by the national
 10 ocean survey/national geodetic survey (formerly the United
 11 States coast and geodetic survey) is adopted:

12 (a)(1) The Montana coordinate system NAD 27, north
 13 zone, is a Lambert conformal projection of the Clarke
 14 spheroid of 1866, having standard parallels at north
 15 latitudes 47° 51' and 48° 43', along which parallels the
 16 scale shall be exact. The origin of coordinates is at the
 17 intersection of the meridian 109° 30' west of Greenwich and
 18 the parallel 44° 47' 00" north latitude. This origin is
 19 given the coordinates: x = 2,000,000 feet and y = 0 feet.

20 (b)(2) The Montana coordinate system NAD 27, central
 21 zone, is a Lambert conformal projection of the Clarke
 22 spheroid of 1866, having standard parallels at north
 23 latitudes 46° 27' and 47° 53', along which parallels the
 24 scale shall be exact. The origin of coordinates is at the
 25 intersection of the meridian 109° 30' west of Greenwich and

1 the parallel 45° 50' north latitude. This origin is given
 2 the coordinates: x = 2,000,000 feet and y = 0 feet.

3 (c)(3) The Montana coordinate system NAD 27, south
 4 zone, is a Lambert conformal projection of the Clarke
 5 spheroid of 1866, having standard parallels at north
 6 latitudes 44° 52' and 46° 24', along which parallels the
 7 scale shall be exact. The origin of coordinates is at the
 8 intersection of the meridian 109° 30' west of Greenwich and
 9 the parallel 47° 44' 00" north latitude. This origin is
 10 given the coordinates: x = 2,000,000 feet and y = 0 feet.

11 (4) The Montana coordinate system NAD 83 is a Lambert
 12 conformal conic projection of the GRS 80 (Geodetic Reference
 13 System 1980) ellipsoid, having standard parallels of north
 14 latitudes 45° 00' and 49° 00', along which parallels the
 15 scale shall be exact. The origin of coordinates is at the
 16 intersection of the meridian 109° 30' west of Greenwich and
 17 the parallel 44° 15' north latitude. This origin is given
 18 the coordinates: x = 600,000 meters and y = 0 meters.

19 ~~(2)--The position of the Montana coordinate system~~
 20 ~~shall be as marked on the ground by triangulation or~~
 21 ~~traverse stations established in conformity with the~~
 22 ~~standards adopted by the United States coast and geodetic~~
 23 ~~survey for first order and second order work, whose~~
 24 ~~positions have been rigidly adjusted on the North American~~
 25 ~~datum of 1927 and whose coordinates have been computed on~~

1 ~~the system herein defined. Any such station may be used for~~
 2 ~~establishing a survey connection with the Montana coordinate~~
 3 ~~system."~~

4 Section 6. Section 70-22-206, MCA, is amended to read:

5 "70-22-206. Proximity to station Conformity to
 6 standards required for use of coordinates in recorded
 7 instrument. No coordinates based on the Montana coordinate
 8 system systems NAD 27 and NAD 83 purporting to define the
 9 position of a point on a land boundary shall be presented to
 10 be recorded in any public land records or deed records
 11 unless ~~such point is within one-half mile of a triangulation~~
 12 ~~or traverse station established in conformity with the~~
 13 ~~standards prescribed in 70-22-205, provided that said~~
 14 ~~one-half mile limitation may be modified by a duty~~
 15 ~~authorized state agency to meet local conditions. the~~
 16 coordinates have been established in conformity with the
 17 national prescribed standards for third-order class II
 18 horizontal control surveys and provided that these surveys
 19 have been tied to or originated from monumented first- or
 20 second-order horizontal control stations that are adjusted
 21 to and published in the national network of geodetic control
 22 and are within 3 miles of said land boundaries. Standards of
 23 accuracy and specifications apply for first-, second-, and
 24 third-order geodetic surveying as prepared and published by
 25 the federal geodetic control committee (FGCC) of the United

1 States department of commerce or its successors. Publication
 2 of the existing control stations or acceptance with intent
 3 to publish newly established control stations by the
 4 national ocean survey/national geodetic survey constitutes
 5 evidence of adherence to FGCC specifications."

6 Section 7. Section 70-22-207, MCA, is amended to read:

7 "70-22-207. Use of term Montana coordinate system
 8 limited. The use of the term "Montana coordinate system NAD
 9 27 north, central, or south zone" or "Montana coordinate
 10 system NAD 83" on a any map, report of survey, or other
 11 document shall be limited to coordinates based on the
 12 Montana coordinate system systems as defined in this part."

13 Section 8. Section 70-22-208, MCA, is amended to read:

14 "70-22-208. Public land survey description to prevail.
 15 Whenever coordinates based on the Montana coordinate system
 16 are used to describe any tract of land which in the same
 17 document is also described by reference to any subdivision,
 18 line, or corner of the United States public land surveys,
 19 the description by coordinates shall be construed as
 20 supplemental to the basic description of such subdivision,
 21 line, or corner contained in the official plats and field
 22 notes filed of record, ~~and in the event of any conflict, the~~
 23 ~~description by reference to the subdivision, line, or corner~~
 24 ~~of the United States public land surveys shall prevail over~~
 25 ~~the description by coordinates."~~

1 Section 9. Section 70-22-209, MCA, is amended to read:

2 "70-22-209. Purchaser or mortgagee not required to
3 rely on description using system systems. Nothing contained
4 in this part shall require any purchaser or mortgagee to
5 rely wholly on a description, any part of which depends
6 exclusively upon the Montana coordinate system systems."

7 NEW SECTION. Section 10. Limit on use of Montana
8 coordinate system NAD 27. The Montana coordinate system NAD
9 27 north, central, and south zone may not be used after July
10 1, 1993; the Montana coordinate system NAD 83 is the sole
11 system to be used after this date.

12 NEW SECTION. Section 11. Codification instruction.
13 Section 10 is intended to be codified as an integral part of
14 Title 70, chapter 22, part 2, and the provisions of Title
15 70, chapter 22, part 2, apply to section 10.

-End-

1 HOUSE BILL NO. 239

2 INTRODUCED BY BRANDEWIE, MARKS

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE USE OF
5 THE NATIONAL GEODETIC SURVEY 1983 COORDINATE SYSTEM FOR
6 DEFINING AND STATING POINTS ON THE FACE OF THE EARTH WITHIN
7 MONTANA; REQUIRING USE OF THE 1983 COORDINATE SYSTEM AFTER
8 JULY 1, 1993; AND AMENDING SECTIONS 70-22-201 THROUGH
9 70-22-209, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 70-22-201, MCA, is amended to read:

13 "70-22-201. Coordinate ~~system~~ systems adopted --
14 designation -- division of state into zones. (1) The North
15 American datum system systems of plane coordinates ~~which has~~
16 that have been established by the national ocean
17 survey/national geodetic survey (formerly the United States
18 coast and geodetic survey) or a successor for defining and
19 stating the positions or locations of points on the surface
20 of the earth within the state of Montana ~~is~~ are hereafter to
21 be known and designated as the "Montana coordinate system
22 NAD 27" and the "Montana coordinate system NAD 83".

23 (2) For the purpose of the use of ~~this~~ the Montana
24 coordinate system NAD 27, the state is divided into a north
25 zone and a central zone and a south zone as provided in

1 subsections (3) through (5).

2 (3) The area now included in the following counties
3 shall constitute the north zone: Blaine, Chouteau, Daniels,
4 Flathead, Glacier, Hill, Liberty, Lincoln, Phillips,
5 Pondera, Roosevelt, Sheridan, Teton, Toole, and Valley.

6 (4) The area now included in the following counties
7 shall constitute the central zone: Cascade, Dawson, Fergus,
8 Garfield, Judith Basin, Lake, Lewis and Clark, McCone,
9 Meagher, Mineral, Missoula, Petroleum, Powell, Prairie,
10 Richland, Sanders, and Wibaux.

11 (5) The area now included in the following counties
12 shall constitute the south zone: Beaverhead, Big Horn,
13 Broadwater, Carbon, Carter, Custer, Deer Lodge, Fallon,
14 Gallatin, Golden Valley, Granite, Jefferson, Madison,
15 Musselshell, Park, Powder River, Ravalli, Rosebud, Silver
16 Bow, Stillwater, Sweet Grass, Treasure, Wheatland, and
17 Yellowstone.

18 (6) For the purpose of the use of the Montana
19 coordinate system NAD 83, the state is a single zone."

20 Section 2. Section 70-22-202, MCA, is amended to read:

21 "70-22-202. Designation of system by zone. (1) As
22 established for use in the north zone, the Montana
23 coordinate system NAD 27 shall be named and in any land
24 description in which it is used it shall be designated the
25 "Montana coordinate system NAD 27, north zone".

1 (2) As established for use in the central zone, the
 2 Montana coordinate system NAD 27 shall be named and in any
 3 land description in which it is used it shall be designated
 4 the "Montana coordinate system NAD 27, central zone".

5 (3) As established for use in the south zone, the
 6 Montana coordinate system NAD 27 shall be named and in any
 7 land description in which it is used it shall be designated
 8 the "Montana coordinate system NAD 27, south zone".

9 Section 3. Section 70-22-203, MCA, is amended to read:

10 "70-22-203. Use of x- and y-coordinates. The (1) For
 11 the Montana coordinate system NAD 27, the plane coordinates
 12 of coordinate values for a point on the earth's surface to
 13 be used in-expressing to express the geographic position or
 14 location of such point in the appropriate zone of this
 15 system shall consist of two distances expressed in feet
 16 terms of a United States survey foot and decimals of a foot.

17 (2) For the Montana coordinate system NAD 83, the
 18 plane coordinate values for a point on the earth's surface
 19 used to express the geographic position or location of such
 20 point in the zone shall consist of two distances expressed
 21 in either meters and decimals of a meter or in feet and
 22 decimals of a foot. The international conversion value (1
 23 foot equals 0.3048 meters exactly) shall be used. The unit
 24 of measure shall be clearly stated when the coordinate
 25 values are expressed.

1 (3) One of these the distances used to express a
 2 position or location, to be known as the "x-coordinate",
 3 shall give the position in an east-and-west direction; the
 4 other, to be known as the "y-coordinate", shall give the
 5 position in a north-and-south direction. These coordinates
 6 shall be made to depend upon and conform to the--coordinates
 7 on--the--Montana--coordinate-system-of-the-triangulation-and
 8 traverse-stations-of-the-United-States--coast--and--geodetic
 9 survey-within-the-state-of-Montana-as-those-coordinates-have
 10 been--determined--by-the-survey plane rectangular coordinate
 11 values for the monumented points of the North American
 12 horizontal geodetic control network as published by the
 13 national ocean survey/national geodetic survey or its
 14 successors and whose plane coordinates have been computed on
 15 the systems designated by this part. Any such station may
 16 be used for establishing a survey connection to either
 17 Montana coordinate system."

18 Section 4. Section 70-22-204, MCA, is amended to read:

19 "70-22-204. Description of tract--lying--across-zone
 20 boundaries location. (1) For the purposes of describing the
 21 location of any survey station in Montana, it is considered
 22 a complete, legal, and satisfactory description of such
 23 location to give the position of the survey station on the
 24 system of plane coordinates designated in this part.

25 (2) When any tract of land to be defined by a single

1 description extends from one into another of the above NAD
 2 27 coordinate zones, the positions of all points on its
 3 boundaries may be referred to either of such zones, the zone
 4 which is used being specifically named in the description."

5 Section 5. Section 70-22-205, MCA, is amended to read:

6 "70-22-205. Technical description of zones --
 7 ~~stations--marked--on--ground.~~ (1) For purposes of more
 8 precisely defining the Montana coordinate system systems NAD
 9 27 and NAD 83, the following description by the national
 10 ocean survey/national geodetic survey (formerly the United
 11 States coast and geodetic survey) is adopted:

12 (a)(1) The Montana coordinate system NAD 27, north
 13 zone, is a Lambert conformal projection of the Clarke
 14 spheroid of 1866, having standard parallels at north
 15 latitudes 47° 51' and 48° 43', along which parallels the
 16 scale shall be exact. The origin of coordinates is at the
 17 intersection of the meridian 109° 30' west of Greenwich and
 18 the parallel 44° 47' 00' north latitude. This origin is
 19 given the coordinates: x = 2,000,000 feet and y = 0 feet.

20 (b)(2) The Montana coordinate system NAD 27, central
 21 zone, is a Lambert conformal projection of the Clarke
 22 spheroid of 1866, having standard parallels at north
 23 latitudes 46° 27' and 47° 53', along which parallels the
 24 scale shall be exact. The origin of coordinates is at the
 25 intersection of the meridian 109° 30' west of Greenwich and

1 the parallel 45° 50' north latitude. This origin is given
 2 the coordinates: x = 2,000,000 feet and y = 0 feet.

3 (c)(3) The Montana coordinate system NAD 27, south
 4 zone, is a Lambert conformal projection of the Clarke
 5 spheroid of 1866, having standard parallels at north
 6 latitudes 44° 52' and 46° 24', along which parallels the
 7 scale shall be exact. The origin of coordinates is at the
 8 intersection of the meridian 109° 30' west of Greenwich and
 9 the parallel 47° 44' 00' north latitude. This origin is
 10 given the coordinates: x = 2,000,000 feet and y = 0 feet.

11 (4) The Montana coordinate system NAD 83 is a Lambert
 12 conformal conic projection of the GRS 80 (Geodetic Reference
 13 System 1980) ellipsoid, having standard parallels of north
 14 latitudes 45° 00' and 49° 00', along which parallels the
 15 scale shall be exact. The origin of coordinates is at the
 16 intersection of the meridian 109° 30' west of Greenwich and
 17 the parallel 44° 15' north latitude. This origin is given
 18 the coordinates: x = 600,000 meters and y = 0 meters.

19 (2) ~~The position of the Montana coordinate system~~
 20 ~~shall be as marked on the ground by triangulation or~~
 21 ~~traverse stations established in conformity with the~~
 22 ~~standards adopted by the United States coast and geodetic~~
 23 ~~survey for first order and second order work, whose~~
 24 ~~positions have been rigidly adjusted on the North American~~
 25 ~~datum of 1927 and whose coordinates have been computed on~~

1 ~~the system herein defined. Any such station may be used for~~
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4 Section 6. Section 70-22-206, MCA, is amended to read:

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 6 standards required for use of coordinates in recorded
 7 instrument. No coordinates based on the Montana coordinate
 8 system systems NAD 27 and NAD 83 purporting to define the
 9 position of a point on a land boundary shall be presented to
 10 be recorded in any public land records or deed records
 11 ~~unless such point is within one-half mile of a triangulation~~
 12 ~~or traverse station established in conformity with the~~
 13 ~~standards prescribed in 70-22-205; provided that said~~
 14 ~~one-half mile limitation may be modified by a duly~~
 15 ~~authorized state agency to meet local conditions; the~~
 16 coordinates have been established in conformity with the
 17 national prescribed standards for third-order class II
 18 horizontal control surveys and provided that these surveys
 19 have been tied to or originated from monumented first- or
 20 second-order horizontal control stations that are adjusted
 21 to and published in the national network of geodetic control
 22 and are within 3 miles of said land boundaries. Standards of
 23 accuracy and specifications apply for first-, second-, and
 24 third-order geodetic surveying as prepared and published by
 25 the federal geodetic control committee (FGCC) of the United

1 States department of commerce or its successors. Publication
 2 of the existing control stations or acceptance with intent
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 4 national ocean survey/national geodetic survey constitutes
 5 evidence of adherence to FGCC specifications."

6 Section 7. Section 70-22-207, MCA, is amended to read:

7 "70-22-207. Use of term Montana coordinate system
 8 limited. The use of the term "Montana coordinate system NAD
 9 27 north, central, or south zone" or "Montana coordinate
 10 system NAD 83" on a any map, report of survey, or other
 11 document shall be limited to coordinates based on the
 12 Montana coordinate system systems as defined in this part."

13 Section 8. Section 70-22-208, MCA, is amended to read:

14 "70-22-208. Public land survey description to prevail.
 15 Whenever coordinates based on the Montana coordinate system
 16 are used to describe any tract of land which in the same
 17 document is also described by reference to any subdivision,
 18 line, or corner of the United States public land surveys,
 19 the description by coordinates shall be construed as
 20 supplemental to the basic description of such subdivision,
 21 line, or corner contained in the official plats and field
 22 notes filed of record, ~~and in the event of any conflict, the~~
 23 ~~description by reference to the subdivision, line, or corner~~
 24 ~~of the United States public land surveys shall prevail over~~
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1 Section 9. Section 70-22-209, MCA, is amended to read:

2 "70-22-209. Purchaser or mortgagee not required to
3 rely on description using system systems. Nothing contained
4 in this part shall require any purchaser or mortgagee to
5 rely wholly on a description, any part of which depends
6 exclusively upon the Montana coordinate system systems."

7 NEW SECTION. Section 10. Limit on use of Montana
8 coordinate system NAD 27. The Montana coordinate system NAD
9 27 north, central, and south zone may not be used after July
10 1, 1993; the Montana coordinate system NAD 83 is the sole
11 system to be used after this date.

12 NEW SECTION. Section 11. Codification instruction.
13 Section 10 is intended to be codified as an integral part of
14 Title 70, chapter 22, part 2, and the provisions of Title
15 70, chapter 22, part 2, apply to section 10.

-End-