

HOUSE BILL NO. 606
INTRODUCED BY ELLIS

IN THE HOUSE

FEBRUARY 12, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
	FIRST READING.
FEBRUARY 19, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 20, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
FEBRUARY 22, 1993	ENGROSSING REPORT.
FEBRUARY 23, 1993	THIRD READING, PASSED. AYES, 92; NOES, 7.
FEBRUARY 24, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 1, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
	FIRST READING.
MARCH 19, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 20, 1993	SECOND READING, CONCURRED IN.
MARCH 22, 1993	THIRD READING, CONCURRED IN. AYES, 39; NOES, 9.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 1, 1993	SECOND READING, AMENDMENTS CONCURRED IN.
APRIL 2, 1993	THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 606
2 INTRODUCED BY *Don Evans*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE WIDTH
5 RESTRICTIONS APPLICABLE TO HAY GRINDERS; AND AMENDING
6 SECTION 61-10-102, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 61-10-102, MCA, is amended to read:

10 "61-10-102. Width. (1) Except as provided in subsection
11 (2), no a vehicle, including a bus, unloaded or with load,
12 may not have a total outside width in excess of 102 inches.
13 This width for buses is allowed only on paved highways 20
14 feet or more in width.

15 (2) (a) Subsection (1) does not apply to an implement
16 of husbandry or a vehicle used for hauling hay, moved or
17 propelled upon the highway during daylight hours for a
18 distance of not more than 100 miles if the movement is
19 incidental to the farming operations of the owner of the
20 implement of husbandry or the vehicle used for hauling hay.
21 If the implement or vehicle is more than 12 feet wide, it
22 must be preceded by flagman flag vehicle escorts to warn
23 other highway users. This restriction does not apply to
24 dual-wheel tractors under 15 feet overall width that are
25 used in farming operations. Lights which meet the

1 requirements of 61-9-219(4) must be displayed on the rear of
2 the implement of husbandry or vehicle used for hauling hay.
3 However, if the highway passes through a hazardous area, the
4 implements or vehicles must be preceded and followed by
5 flagman flag vehicle escorts.

6 (b) A commercial vehicle that is hauling hay but does
7 not qualify under subsection (2)(a) may be granted a permit
8 subject to the provisions of 61-10-121 through 61-10-127 and
9 the following requirements:

10 (i) travel during daylight hours only for an oversize
11 shipment of large round bales of hay, whether the vehicle is
12 loaded or with an empty hay rack, up to 144 inches; when
13 empty, a square red or orange flag measuring 12 inches on
14 each side must be attached to each corner of the hay rack;
15 and

16 (ii) travel day or night for any other shipment of baled
17 hay, whether the vehicle is loaded or with an empty hay
18 rack, up to 114 inches.

19 (c) Subsection (1) does not apply to a hay grinder
20 moved or propelled upon the highway for a distance of not
21 more than 100 miles if the movement is incidental to
22 operations of the hay grinder. A hay grinder exceeding 102
23 inches in width must have a permit issued under 61-10-124.
24 If the hay grinder is more than 12 feet wide, it must be
25 preceded by flag vehicle escorts to warn other highway

1 users. Lights that meet the requirements of 61-9-219(4) must
2 be displayed on the rear of the hay grinder. However, if the
3 highway passes through a hazardous area, the hay grinder
4 must be preceded and followed by flag vehicle escorts.
5 Movement of a hay grinder that does not exceed 138 inches in
6 width may occur on any day of the week, including holidays,
7 and is not restricted to movement during daylight hours.
8 Movement of a hay grinder may not exceed the posted speed
9 limit, including the speed limit on an interstate highway.

10 (3) A safety device that the department determines by
11 rule adopted pursuant to 61-9-504 to be necessary for safe
12 and efficient operation of motor vehicles is not included in
13 the calculation of width provided in subsection (1)."

-End-

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

HOUSE BILL NO. 606

INTRODUCED BY ELLIS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE WIDTH RESTRICTIONS APPLICABLE TO COMMERCIAL HAY GRINDERS; AND AMENDING SECTION 61-10-102, MCA."

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

Section 1. Section 61-10-102, MCA, is amended to read:

"61-10-102. Width. (1) Except as provided in subsection (2), no a vehicle, including a bus, unloaded or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed only on paved highways 20 feet or more in width.

(2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling hay, moved or propelled upon the highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to the farming operations of the owner of the implement of husbandry or the vehicle used for hauling hay. If the implement or vehicle is more than 12 feet wide, it must be preceded by flagman flag vehicle escorts to warn other highway users. This restriction does not apply to dual-wheel tractors under 15 feet overall width that are used in farming operations. Lights which meet the

requirements of 61-9-219(4) must be displayed on the rear of the implement of husbandry or vehicle used for hauling hay. However, if the highway passes through a hazardous area, the implements or vehicles must be preceded and followed by flagman flag vehicle escorts.

(b) A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may be granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following requirements:

(i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag measuring 12 inches on each side must be attached to each corner of the hay rack; and

(ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with an empty hay rack, up to 114 inches.

(c) Subsection (1) does not apply to a COMMERCIAL hay grinder moved or propelled upon the highway DURING DAYLIGHT HOURS for a distance of not more than 100 miles if the movement is incidental to operations of the COMMERCIAL hay grinder. A COMMERCIAL hay grinder exceeding 102 inches in width must have a permit issued under 61-10-124. If the COMMERCIAL hay grinder is more than 12 feet wide, it must be

1 preceded by flag vehicle escorts to warn other highway
2 users. Lights that meet the requirements of 61-9-219(4) must
3 be displayed on the rear of the COMMERCIAL hay grinder.
4 However, if the highway passes through a hazardous area, the
5 COMMERCIAL hay grinder must be preceded and followed by flag
6 vehicle escorts. Movement of a COMMERCIAL hay grinder that
7 does not exceed 138 inches in width may occur on any day of
8 the week, including holidays, and is not restricted to
9 movement during daylight hours. Movement of a COMMERCIAL hay
10 grinder may not exceed the posted speed limit, including the
11 speed limit on an interstate highway.

12 (3) A safety device that the department determines by
13 rule adopted pursuant to 61-9-504 to be necessary for safe
14 and efficient operation of motor vehicles is not included in
15 the calculation of width provided in subsection (1)."

-End-

HOUSE BILL NO. 606

INTRODUCED BY ELLIS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE WIDTH RESTRICTIONS APPLICABLE TO COMMERCIAL HAY GRINDERS; AND AMENDING SECTION 61-10-102, MCA."

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

Section 1. Section 61-10-102, MCA, is amended to read:

"61-10-102. Width. (1) Except as provided in subsection (2), no a vehicle, including a bus, unloaded or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed only on paved highways 20 feet or more in width.

(2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling hay, moved or propelled upon the highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to the farming operations of the owner of the implement of husbandry or the vehicle used for hauling hay. If the implement or vehicle is more than 12 feet wide, it must be preceded by flagman flag vehicle escorts to warn other highway users. This restriction does not apply to dual-wheel tractors under 15 feet overall width that are used in farming operations. Lights which meet the

requirements of 61-9-219(4) must be displayed on the rear of the implement of husbandry or vehicle used for hauling hay. However, if the highway passes through a hazardous area, the implements or vehicles must be preceded and followed by flagman flag vehicle escorts.

(b) A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may be granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following requirements:

(i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag measuring 12 inches on each side must be attached to each corner of the hay rack; and

(ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with an empty hay rack, up to 114 inches.

(c) Subsection (1) does not apply to a COMMERCIAL hay grinder moved or propelled upon the highway DURING DAYLIGHT HOURS for a distance of not more than 100 miles if the movement is incidental to operations of the COMMERCIAL hay grinder. A COMMERCIAL hay grinder exceeding 102 inches in width must have a permit issued under 61-10-124. If the COMMERCIAL hay grinder is more than 12 feet wide, it must be

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 2 users. Lights that meet the requirements of 61-9-219(4) must
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 5 COMMERCIAL hay grinder must be preceded and followed by flag
 6 vehicle escorts. Movement of a COMMERCIAL hay grinder that
 7 does not exceed 138 inches in width may occur on any day of
 8 the week, including holidays, and is not restricted to
 9 movement during daylight hours. Movement of a COMMERCIAL hay
 10 grinder may not exceed the posted speed limit, including the
 11 speed limit on an interstate highway.

12 (3) A safety device that the department determines by
 13 rule adopted pursuant to 61-9-504 to be necessary for safe
 14 and efficient operation of motor vehicles is not included in
 15 the calculation of width provided in subsection (1)."

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 19, 1993

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration House Bill No. 606 (first reading copy -- blue), respectfully report that House Bill No. 606 be amended as follows and as so amended be concurred in.

Signed: Cecil Weeding
Senator Cecil Weeding, Chair

That such amendments read:

1. Page 3, lines 4 through 6.

Following: line 3

Strike: line 4 through "escorts." on line 6

-END-

SENATE

HB 606

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rn - Amd. Coord.
m Sec. of Senate

McChenain
Senator Carrying Bill

HOUSE BILL NO. 606

INTRODUCED BY ELLIS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE WIDTH RESTRICTIONS APPLICABLE TO COMMERCIAL HAY GRINDERS; AND AMENDING SECTION 61-10-102, MCA."

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

Section 1. Section 61-10-102, MCA, is amended to read:

"61-10-102. Width. (1) Except as provided in subsection (2), no a vehicle, including a bus, unloaded or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed only on paved highways 20 feet or more in width.

(2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling hay, moved or propelled upon the highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to the farming operations of the owner of the implement of husbandry or the vehicle used for hauling hay. If the implement or vehicle is more than 12 feet wide, it must be preceded by flagman flag vehicle escorts to warn other highway users. This restriction does not apply to dual-wheel tractors under 15 feet overall width that are used in farming operations. Lights which meet the

requirements of 61-9-219(4) must be displayed on the rear of the implement of husbandry or vehicle used for hauling hay. However, if the highway passes through a hazardous area, the implements or vehicles must be preceded and followed by flagman flag vehicle escorts.

(b) A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may be granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following requirements:

(i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag measuring 12 inches on each side must be attached to each corner of the hay rack; and

(ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with an empty hay rack, up to 114 inches.

(c) Subsection (1) does not apply to a COMMERCIAL hay grinder moved or propelled upon the highway DURING DAYLIGHT HOURS for a distance of not more than 100 miles if the movement is incidental to operations of the COMMERCIAL hay grinder. A COMMERCIAL hay grinder exceeding 102 inches in width must have a permit issued under 61-10-124. If the COMMERCIAL hay grinder is more than 12 feet wide, it must be

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 2 users. Lights that meet the requirements of 61-9-219(4) must
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 4 However, if the highway passes through a hazardous area, the
 5 COMMERCIAL hay grinder must be preceded and followed by flag
 6 vehicle escorts. Movement of a COMMERCIAL hay grinder that
 7 does not exceed 138 inches in width may occur on any day of
 8 the week, including holidays, and is not restricted to
 9 movement during daylight hours. Movement of a COMMERCIAL hay
 10 grinder may not exceed the posted speed limit, including the
 11 speed limit on an interstate highway.

12 (3) A safety device that the department determines by
 13 rule adopted pursuant to 61-9-504 to be necessary for safe
 14 and efficient operation of motor vehicles is not included in
 15 the calculation of width provided in subsection (1)."

-End-

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INTRODUCED BY

House BILL NO. 607
Montana *Harding*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF STATE LANDS TO LEASE CERTAIN STATE LANDS TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR PUBLIC RECREATION AREAS OR PUBLIC CAMPSITE PURPOSES; SETTING TERMS AND CONDITIONS FOR THE LEASE; AMENDING SECTION 77-6-109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, certain state lands have significant value as public recreation areas or public campsites and, if leased for those purposes, could contribute greatly to the highest and best use of state land and result in added benefits to the Montana education system; and

WHEREAS, it is in the interest and to the benefit of Montanans that recreation and campsite leases to the Department of Fish, Wildlife, and Parks be allowed in order to provide for long-term investment in public facilities on those state lands, to ensure that the public has ongoing and consistent access to public recreation and camping areas that are developed on state lands, and to generate maximum revenue for the school trust.

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



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NEW SECTION. Section 1. Lease to department of fish, wildlife, and parks for public recreation area or public campsite authorized -- terms and conditions of lease. (1) The department may classify as Class 4 lands state lands that are principally valuable for their use as public recreation areas or public campsites and lease those state lands to the department of fish, wildlife, and parks for public recreation and public campsite purposes, consistent with the conditions of this section.

(2) To allow for investment in capital improvements and to ensure the maximum return to the school trust, a recreation or campsite lease must be issued for a period of 20 years.

(3) (a) As payment for the lease, the board shall determine a reasonable amount that the department of fish, wildlife, and parks is required to pay, after taking into consideration:

(i) the historic recreational use of the area;

(ii) improvements made or to be made by the department of fish, wildlife, and parks during the term of the lease that could enhance the ultimate value of the lease; and

(iii) whether a percentage of receipts collected from the public in recreational use and camping fees for the leased lands would constitute a reasonable lease payment.

(b) Lease payments made under this section must be

1 invested in the same manner as other revenue received for
2 the lease of state lands.

3 (c) Lease payments made under this section constitute
4 fair market value for recreation or campsite leases to the
5 department of fish, wildlife, and parks for public purposes.

6 (4) A lease granted under this section is not subject
7 to competitive bidding requirements, renewal preference,
8 appraisal requirements, or termination in favor of a use
9 purporting to generate a greater monetary return.

10 (5) A lease granted under this section is considered to
11 meet the board's statutory trust responsibility in 77-1-202
12 and 77-1-204 by allowing the board to choose to maintain
13 school trust land through a lease for public purposes,
14 thereby maintaining the land until its value appreciates for
15 future use, and is consistent with the multiple-use
16 management concept mandated in 77-1-203.

17 **Section 2.** Section 77-6-109, MCA, is amended to read:

18 "77-6-109. Duration of lease. Except as provided in
19 77-6-116, a lease for agricultural or grazing lands may not
20 be for a period other than 5 or 10 years. Leases for city
21 lots, town lots, and lands valuable for commercial
22 development may not exceed 40 years. Leases to the
23 department of fish, wildlife, and parks for public
24 recreation or public campsite purposes must be issued for a
25 period of 20 years."

1 **NEW SECTION. Section 3.** Codification instruction.
2 [Section 1] is intended to be codified as an integral part
3 of Title 77, chapter 6, and the provisions of Title 77,
4 chapter 6, apply to [section 1].

5 **NEW SECTION. Section 4.** Effective date. [This act] is
6 effective on passage and approval.

-End-

APPROVED BY COMM.
ON FISH AND GAME

HOUSE BILL NO. 607

INTRODUCED BY ELLIOTT, MERCER, STANG, HARDING

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF STATE LANDS TO LEASE CERTAIN STATE LANDS TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR PUBLIC RECREATION AREAS OR PUBLIC CAMPSITE PURPOSES; SETTING TERMS AND CONDITIONS FOR THE LEASE; AMENDING SECTION 77-6-109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, certain state lands have significant value as public recreation areas or public campsites and, if leased for those purposes, could contribute greatly to the highest and best use of state land and result in added benefits to the Montana education system; and

WHEREAS, it is in the interest and to the benefit of Montanans that recreation and campsite leases to the Department of Fish, Wildlife, and Parks be allowed in order to provide for long-term investment in public facilities on those state lands, to ensure that the public has ongoing and consistent access to public recreation and camping areas that are developed on state lands, and to generate-maximum revenue-for-the FULLY MEET TRUST RESPONSIBILITIES FOR THE MANAGEMENT OF school trust LANDS.

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

NEW SECTION. Section 1. Lease to department of fish, wildlife, and parks for public recreation area or public campsite authorized -- terms and conditions of lease. (1) The department may classify as Class 4 lands state lands that are principally valuable for their use as public recreation areas or public campsites and lease those state lands to the department of fish, wildlife, and parks for public recreation and public campsite purposes, consistent with the conditions of this section.

(2) To allow for investment in capital improvements and to ensure the maximum return to the school trust, a recreation or campsite lease must MAY be issued for a period of 20 years.

(3) (a) As payment for the lease, the board shall determine a reasonable amount that the department of fish, wildlife, and parks is required to pay, after taking into consideration:

(i) the historic recreational use of the area;

(ii) improvements made or to be made by the department of fish, wildlife, and parks during the term of the lease that could enhance the ultimate value of the lease; and

(iii) whether a percentage of receipts collected from the public in recreational use and camping fees for the leased lands would constitute a reasonable lease payment.

(b) Lease payments made under this section must be invested in the same manner as other revenue received for the lease of state lands.

(c) Lease payments made under this section constitute fair market value for recreation or campsite leases to the department of fish, wildlife, and parks for public purposes.

(4) A lease granted under this section is not subject to competitive bidding requirements, renewal preference, appraisal requirements, or termination in favor of a use purporting to generate a greater monetary return.

(5) A lease granted under this section is considered to meet the board's statutory trust responsibility in 77-1-202 and 77-1-204 by allowing the board to choose to maintain school trust land through a lease for public purposes, thereby maintaining the land until its value appreciates for future use, and is consistent with the multiple-use management concept mandated in 77-1-203.

Section 2. Section 77-6-109, MCA, is amended to read:

"77-6-109. Duration of lease. Except as provided in 77-6-116, a lease for agricultural or grazing lands may not be for a period other than 5 or 10 years. Leases for city lots, town lots, and lands valuable for commercial development may not exceed 40 years. Leases to the department of fish, wildlife, and parks for public recreation or public campsite purposes must-be-issued-for-a

period-of MAY NOT EXCEED 20 years."

NEW SECTION. Section 3. Codification instruction.

[Section 1] is intended to be codified as an integral part of Title 77, chapter 6, and the provisions of Title 77, chapter 6, apply to [section 1].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

-End-

HOUSE BILL NO. 607

INTRODUCED BY ELLIOTT, MERCER, STANG, HARDING

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF STATE LANDS TO LEASE CERTAIN STATE LANDS TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS FOR PUBLIC RECREATION AREAS OR PUBLIC CAMPSITE PURPOSES; SETTING TERMS AND CONDITIONS FOR THE LEASE; AMENDING SECTION 77-6-109, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, certain state lands have significant value as public recreation areas or public campsites and, if leased for those purposes, could contribute greatly to the highest and best use of state land and result in added benefits to the Montana education system; and

WHEREAS, it is in the interest and to the benefit of Montanans that recreation and campsite leases to the Department of Fish, Wildlife, and Parks be allowed in order to provide for long-term investment in public facilities on those state lands, to ensure that the public has ongoing and consistent access to public recreation and camping areas that are developed on state lands, and to generate-maximum revenue-for-the FULLY MEET TRUST RESPONSIBILITIES FOR THE MANAGEMENT OF school trust LANDS.

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

NEW SECTION. Section 1. Lease to department of fish, wildlife, and parks for public recreation area or public campsite authorized -- terms and conditions of lease. (1) The department may classify as Class 4 lands state lands that are principally valuable for their use as public recreation areas or public campsites and lease those state lands to the department of fish, wildlife, and parks for public recreation and public campsite purposes, consistent with the conditions of this section.

(2) To allow for investment in capital improvements and to ensure the maximum return to the school trust, a recreation or campsite lease must MAY be issued for a period of 20 years.

(3) (a) As payment for the lease, the board shall determine a reasonable amount that the department of fish, wildlife, and parks is required to pay, after taking into consideration:

(i) the historic recreational use of the area;

(ii) improvements made or to be made by the department of fish, wildlife, and parks during the term of the lease that could enhance the ultimate value of the lease; and

(iii) whether a percentage of receipts collected from the public in recreational use and camping fees for the leased lands would constitute a reasonable lease payment.

(b) Lease payments made under this section must be invested in the same manner as other revenue received for the lease of state lands.

(c) Lease payments made under this section constitute fair market value for recreation or campsite leases to the department of fish, wildlife, and parks for public purposes.

(4) A lease granted under this section is not subject to competitive bidding requirements, renewal preference, appraisal requirements, or termination in favor of a use purporting to generate a greater monetary return.

(5) A lease granted under this section is considered to meet the board's statutory trust responsibility in 77-1-202 and 77-1-204 by allowing the board to choose to maintain school trust land through a lease for public purposes, thereby maintaining the land until its value appreciates for future use, and is consistent with the multiple-use management concept mandated in 77-1-203.

Section 2. Section 77-6-109, MCA, is amended to read:

"77-6-109. Duration of lease. Except as provided in 77-6-116, a lease for agricultural or grazing lands may not be for a period other than 5 or 10 years. Leases for city lots, town lots, and lands valuable for commercial development may not exceed 40 years. Leases to the department of fish, wildlife, and parks for public recreation or public campsite purposes must be issued for a

period of MAY NOT EXCEED 20 years."

NEW SECTION. Section 3. Codification instruction.

[Section 1] is intended to be codified as an integral part of Title 77, chapter 6, and the provisions of Title 77, chapter 6, apply to [section 1].

NEW SECTION. Section 4. Effective date. [This act] is effective on passage and approval.

-End-