

1 *House* BILL NO. *263*
 2 INTRODUCED BY *CURTIS S.*
 3 *M. Hanson* *Boisard*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE TRUST RESPONSIBILITIES OF THE BOARD
 5 OF LAND COMMISSIONERS; AND AMENDING SECTION 77-1-202, MCA."

6
 7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 8

9 **Section 1.** Section 77-1-202, MCA, is amended to read:

10 **"77-1-202. Powers and duties of board.** (1) The board shall exercise general authority, direction,
 11 and control over the care, management, and disposition of state lands and, subject to the investment
 12 authority of the board of investments, the funds arising from the leasing, use, sale, and disposition of those
 13 lands or otherwise coming under its administration. In the exercise of these powers, the guiding ~~rule and~~
 14 principle is that these lands and funds are held in trust for the support of education and for the attainment
 15 of other worthy objects helpful to the well-being of the people of this state as provided in sections 15
 16 through 17 of The Enabling Act. The board shall administer this trust to secure the largest measure of
 17 legitimate and reasonable advantage to the state.

18 (2) It is consistent with the powers and duties provided in subsection (1) that the people are
 19 entitled to general recreational use of state lands to the extent that the trusts are compensated for the value
 20 of the recreation.

21 (3) When acquiring land for the state, the board shall determine the value ~~thereof~~ of the land after
 22 an appraisal by a qualified land appraiser."
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