

1 ~~House~~ JOINT RESOLUTION NO. 29

2 INTRODUCED BY Chris Swanson Knox

3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
5 MONTANA REQUESTING THE ENVIRONMENTAL QUALITY COUNCIL TO APPOINT AN AD HOC  
6 COMMITTEE TO STUDY CERTAIN STATE LANDS MANAGEMENT ISSUES; AND REQUIRING A REPORT  
7 OF THE FINDINGS OF THE STUDY TO THE 55TH LEGISLATURE.

8

9 WHEREAS, Montana is fortunate to have a unique and valuable resource of over 5 million acres of  
10 state lands; and

11 WHEREAS, the people of Montana have decided through the state constitution that these state  
12 lands must be held in trust for the people but may be exchanged or disposed of for full market value and  
13 in accordance with state law; and

14 WHEREAS, the people of Montana have also decided through the state constitution that proceeds  
15 from the sale or management of state lands must be deposited into the inviolable public school fund; and

16 WHEREAS, the management of state lands has lately come under increasing scrutiny from  
17 concerned citizens; and

18 WHEREAS, differing perspectives on the proper management of state lands have led to controversial  
19 decisions by the Department of State Lands, the Board of Land Commissioners, and District Courts; and

20 WHEREAS, over 40 pieces of legislation regarding the management of state lands have been  
21 requested by members of the 54th Legislature to resolve the controversies; and

22 WHEREAS, no detailed analysis of overall state lands management is available to provide the proper  
23 context needed for reasoned decisions regarding state land management.

24

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

27 (1) That recreationists, landowners, lessees of state lands, educators, other Montanans, and local  
28 government officials be strongly urged to work together to address these issues for long-term benefits to  
29 the people of Montana.

30 (2) That the Environmental Quality Council be requested to convene an ad hoc committee of

1 affected parties to address issues regarding the management of state lands.

2 BE IT FURTHER RESOLVED, that this study include an analysis of:

3 (1) the impact of state lands on local governments, including the impacts on property taxes and  
4 the issue of payments in lieu of taxes to local governments;

5 (2) the long-term advisability of increased sales of state lands, including but not limited to:

6 (a) which state lands would be most advantageous to sell, e.g., isolated tracts, cabinsites,  
7 inholdings, or other types of state lands;

8 (b) what potential methods of state lands disposition are available and what their impacts are, e.g.,  
9 land exchanges, sales, land banking, or other methods of disposition; and

10 (c) what the impact would be to recreationists, landowners, lessees, other Montanans, and local  
11 governments from the increased sale of state lands; and

12 (3) the appropriate method to be used to establish fair and reasonable lease rates for state lands.

13 BE IT FURTHER RESOLVED, that:

14 (1) the ad hoc committee include the following representatives:

15 (a) two recreationists;

16 (b) two state lands lessees;

17 (c) two local government officials;

18 (d) one member of the general public; and

19 (e) four legislators;

20 (2) the ad hoc committee hold town meetings throughout Montana to provide a forum for a  
21 discussion of these issues; and

22 (3) the members of the ad hoc committee be selected on the basis of their willingness and ability  
23 to work cooperatively to solve problems.

24 BE IT FURTHER RESOLVED, that the ad hoc committee, through the Environmental Quality Council,  
25 make recommendations to the 55th Legislature regarding the management of state lands.

26 BE IT FURTHER RESOLVED, that any legislation introduced as a result of these recommendations  
27 reflect the mutual interests of recreationists, landowners, lessees, other Montanans, and local governments.

28 -END-