

HOUSE BILL NO. 760

INTRODUCED BY Z. BROWN

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A STAKEHOLDER PANEL FOR MULTIPLE-USE TRAVEL ON STATE LANDS; PROVIDING PANEL DUTIES AND REQUIREMENTS; PROVIDING AN APPROPRIATION FOR PANEL FUNCTIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

WHEREAS, the 1889 Enabling Act provided Montana and the Department of Natural Resources and Conservation with 5.2 million acres of state trust lands, which is managed primarily to obtain the greatest benefit for the school trusts; and

WHEREAS, these state trust lands provide opportunities for farming, grazing, logging, mineral development, and recreation; and

WHEREAS, a 1990s-era agreement allowed Montanans to legally access these state trust lands while still fulfilling trust responsibilities outlined in the Montana Constitution; and

WHEREAS, management options have not evolved using the best available technology to inventory existing roads; and

WHEREAS, travel management issues have arisen largely due to an outdated roads inventory, often resulting in conflicts between lessees and recreationalists because of widespread use of GPS technology relying on inaccurate information; and

WHEREAS, the Montana Legislature recognizes this changing atmosphere and calls for a stakeholder panel to study efficiently updating road inventories using available GIS and GPS technology.

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

NEW SECTION. Section 1. Stakeholder panel for multiple-use travel on state lands. (1) There is a stakeholder panel for multiple-use travel on state lands.

(2) The senate president, the senate minority leader, the speaker of the house, and the house minority leader shall each appoint one legislative member from their respective parties to the stakeholder panel.

(3) The senate president and the senate minority leader shall jointly appoint seven members to the

1 stakeholder panel, including one representative from each of the following groups or areas:

2 (a) sportspersons, such as persons engaged in hunting or fishing;

3 (b) quiet recreation, such as hiking, mountain biking, skiing, or snowshoeing;

4 (c) county government, such as a county commissioner or a staff member of a statewide county
5 association;

6 (d) motorized use, such as off-highway vehicles or motorcycles;

7 (e) lessees of state lands for livestock grazing;

8 (f) lessees of state lands for other agricultural use; and

9 (g) the forest products industry.

10 (4) The legislative services division and a public lands access specialist from the department of natural
11 resources and conservation shall provide staff assistance to the stakeholder panel.

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13 **NEW SECTION. Section 2. Stakeholder panel duties.** (1) The stakeholder panel shall study issues
14 pertaining to the management of road inventories and multiple-use travel on state lands.

15 (2) The stakeholder panel shall:

16 (a) identify a mechanism for inventorying roads on state lands and creating geographic information
17 system layers for applications that will easily disseminate the status of roads as open or closed;

18 (b) review funding sources for state lands recreation, including but not limited to the fee for recreational
19 use on state trust land pursuant to 77-1-802 or wildlife conservation licenses pursuant to 87-2-201; and

20 (c) recommend updated management prescriptions for travel on state trust land using an efficient,
21 streamlined, and informed process for designating when roads are open or closed. These designations must be
22 based on lessee management needs, resource protection commitments, and recreational value.

23 (3) All aspects of the study must be concluded prior to September 15, 2020. The final results of the study,
24 including any findings, conclusions, recommendations, proposed legislation of the stakeholder panel, internet
25 links to public comments, relevant documents, and meeting records must be reported to the 67th legislature, in
26 accordance with 5-11-210.

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28 **NEW SECTION. Section 3. Appropriation.** (1) There is appropriated \$25,000 from the general fund
29 to the legislative services division for the biennium beginning July 1, 2019, to support the activities of the
30 stakeholder panel for multiple-use travel on state lands established in [section 1].

1 (2) There is appropriated \$75,000 from the general fund to the department of natural resources and
2 conservation for the biennium beginning July 1, 2019, to support the activities of the stakeholder panel for
3 multiple-use travel on state lands established in [section 1], including per diem and travel expenses for the panel.

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

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7 NEW SECTION. **Section 5. Termination.** [This act] terminates December 31, 2020.

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