

HOUSE BILL NO. 496

INTRODUCED BY K. WHITE

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A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE TRANSFER OF PUBLIC LAND FEASIBILITY TASK FORCE TO STUDY THE FEASIBILITY OF STATE ASSUMPTION OF OWNERSHIP OR MANAGEMENT RESPONSIBILITY FOR PUBLIC LAND CURRENTLY ADMINISTERED BY THE UNITED STATES FOREST SERVICE AND THE BUREAU OF LAND MANAGEMENT, EXCEPT FOR CONGRESSIONALLY DESIGNATED WILDERNESS AREAS; REQUIRING A FINAL REPORT; APPROPRIATING FUNDS; PROVIDING EFFECTIVE DATES; AND PROVIDING A TERMINATION DATE."

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

NEW SECTION. Section 1. Transfer of public land feasibility task force -- membership. (1) There

is a transfer of public land feasibility task force.

(2) (a) 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. Legislative members are entitled to receive compensation and expenses as provided in 5-2-302.

(b) The state forester and the administrator for the trust land management division of the department of natural resources and conservation are nonvoting, ex officio members. These members are entitled to reimbursement for travel expenses as provided in 2-18-501 through 2-18-503.

(c) The senate president shall appoint the presiding officer of the task force, and the house minority leader shall appoint the vice presiding officer.

(3) The legislative services division shall provide staff assistance to the committee.

NEW SECTION. Section 2. Task force duties. (1) The task force shall study issues pertaining to

assumption by the state of ownership or management responsibility for public land currently administered by the United States forest service and the bureau of land management, except for congressionally designated wilderness areas.

(2) The task force shall conduct an economic analysis under the assumption that federal public land would remain in public ownership but under state control. The economic analysis must include:



1 (a) measures that could improve the cost-effectiveness of land management if federal land is transferred
2 to state control;

3 (b) options for funding land management activities, including the control of wildland fires;

4 (c) the estimated asset value of existing resources appurtenant to the land and sustained yield
5 production capacity;

6 (d) the reporting of current and historic high and low land management costs and revenue under federal
7 control and projected high and low land management costs and revenue under state control;

8 (e) the degree to which payments to counties from the federal payment in lieu of taxes program and the
9 federal secure rural schools program could be continued, replicated, or replaced; and

10 (f) a formula distributing revenue if revenue exceeds operating costs.

11 (3) The task force shall identify:

12 (a) safeguards that could protect or enhance public ownership, public access, existing uses, valid
13 existing rights, land-based livelihoods, conservation, and economic production of federal land if it is transferred
14 to state control;

15 (b) potential options for incremental transfers of federal land to state control over time, including pilot
16 projects, and consideration of criteria for establishing acquisition priorities; and

17 (c) entities best suited to carry out pertinent land management functions.

18 (4) The committee may contract with other entities as needed to obtain adequate and necessary
19 information and analysis.

20 (5) All aspects of the study, including presentation and review requirements, must be concluded prior
21 to September 15, 2016. The final results of the study, including any findings, conclusions, or recommendations
22 of the appropriate committee, and internet links to public comments, noteworthy documents, and meeting records
23 must be included in a report to the 65th legislature.

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25 **NEW SECTION. Section 3. Appropriation.** There is appropriated \$35,000 from the general fund to the
26 legislative services division for the biennium beginning July 1, 2015, to support the activities of the transfer of
27 public land feasibility task force established in [section 1].

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29 **NEW SECTION. Section 4. Effective dates.** (1) Except as provided in subsection (2), [this act] is
30 effective on passage and approval.

1 (2) [Section 3] is effective July 1, 2015.

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3 NEW SECTION. **Section 5. Termination.** [This act] terminates December 31, 2016.

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