

SENATE BILL NO. 355

INTRODUCED BY MCGEE

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE PRESERVATION OF MONUMENTS FOR THE PURPOSES OF LAND SURVEYS."

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

NEW SECTION. Section 1. Monument preservation. (1) ~~Prior to the time that a~~ A public or private entity or person ~~engages~~ SHALL, BEFORE ENGAGING in activity that will or is likely to disturb or destroy a monument or the accessories to a monument, ~~the entity or person shall engage a registered surveyor to~~ REQUIRE THE FOLLOWING ACTIVITIES TO BE PERFORMED BY A PROFESSIONAL LAND SURVEYOR, AS DEFINED IN 37-67-101, OR A QUALIFIED PERSON UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL LAND SURVEYOR:

- (a) locate and reference the monument or the accessories to the monument; and
- (b) file a corner record showing the location of the references to the monument or to the accessories to the monument.

(2) ~~Within 30 days after an~~ A PUBLIC OR PRIVATE entity or person ~~has completed~~ SHALL, WITHIN 30 DAYS OF COMPLETING activity that has disturbed or destroyed a monument or the accessories to a monument, ~~the entity or person shall engage a registered surveyor to~~ REQUIRE THE FOLLOWING ACTIVITIES TO BE PERFORMED BY A PROFESSIONAL LAND SURVEYOR, AS DEFINED IN 37-67-101, OR A QUALIFIED PERSON UNDER THE DIRECT SUPERVISION OF A PROFESSIONAL LAND SURVEYOR:

- (a) restore or replace the monument or the accessories to the monument, using the references established in subsection (1)(b); and
- (b) file a new corner record as required in 70-22-104 AND 70-22-105.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 70, chapter 22, part 1, and the provisions of Title 70, chapter 22, part 1, apply to [section 1].

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