67th Legislature LC 2972

1	BILL NO
2	INTRODUCED BY
3	(Primary Sponsor)
4	A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LEGISLATIVE APPROVAL OF NATIONAL
5	HERITAGE AREAS AND NATIONAL HISTORIC TRAILS IN MONTANA."
6	
7	WHEREAS, National Heritage Areas and National Historic Trails are designated by the United States
8	Congress as places where natural, cultural, and historic resources form a nationally important landscape; and
9	WHEREAS, the proposed boundaries for areas and trail designations can include federal, state, and
10	private property; and
11	WHEREAS, the State of Montana and private property owners have no ability to remove their property
12	from this designation; and
13	WHEREAS, a National Heritage Area or National Historic Trail designation is a federal legislative
14	process with no application or nomination process, and designations should instead be made through
15	grassroots, community-driven efforts; and
16	WHEREAS, there is significant opposition to including private property in a National Heritage Area, as it
17	will be managed or controlled by a private, unelected, unaccountable entity and will interfere with state and
18	private property rights; and
19	WHEREAS, National Heritage Areas are administered by the National Park Service, and National
20	Historic Trails are administered by the National Park Service, the United States Department of Agriculture
21	Forest Service, and the Bureau of Land Management, depending on the trail; and
22	WHEREAS, national designations can accept and administer money paid by the United States
23	Secretary of the Interior; and
24	WHEREAS, financial assistance components, legal agreements, accountability measures, and
25	performance requirements for National Heritage Areas and National Historic Trails can create undue burdens
26	for state and private property under federal oversight.
27	
28	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:



## **Unofficial Draft Copy**

67th Legislature LC 2972

1	
2	NEW SECTION. Section 1. Legislative approval of national designations. Any designation by the
3	United States national park service of a national heritage area or national historic trail, pursuant to 54 U.S.C.
4	300101 et seq., that extends beyond federal land requires the approval of the legislature.
5	
6	NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
7	integral part of Title 22, chapter 3, and the provisions of Title 22, chapter 3, apply to [section 1].
8	- END -

- 2 - LC 2972