

HOUSE BILL NO. 199

INTRODUCED BY W. JONES, JACOBSON, BECKER, HEINERT, HENRY, KEANE, KLOCK, OLSON,
SMALL-EASTMAN, HAMILTON, WARD

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING ADDITIONAL REVENUE FOR WATER-BASED RECREATIONAL SITE ACQUISITION BY ALLOWING THE PUBLIC AND UNSUCCESSFUL WILDLIFE DRAWING LICENSE APPLICANTS TO DONATE MONEY FOR RECREATIONAL SITE ACQUISITION; ESTABLISHING AN ACCOUNT FOR PUBLIC DONATIONS DEDICATED TO RECREATIONAL SITE ACQUISITION AND DIRECTING EXPENDITURES FROM THE ACCOUNT; PROVIDING THAT PERSONS WHO DONATE RECREATIONAL OR PARK PROPERTY TO THE STATE MAY BE RECOGNIZED THROUGH PLACEMENT OF A MARKER AT THE SITE OF THE DONATED PROPERTY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, the number of available potential public water-based recreational access sites is dwindling because of the rapid development of desirable sites by the private sector; and

WHEREAS, the Legislature recognizes the benefit to the people of Montana of acquiring water-based recreational access sites and the need to maintain adequate and available funds for recreational access acquisition as those sites become available.

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

NEW SECTION. Section 1. Recreational site acquisition account -- expenditure of funds -- recognition of public donor of park or recreational property. (1) There is an account in the state special revenue fund to the credit of the department for donations collected pursuant to this section. Funds in the account must be used by the department for the acquisition of water-based recreational sites and fishing and boat access sites. Funds in the account may not be used to acquire property through eminent domain proceedings.

(2) The department shall accept public donations to the account established in subsection (1) and shall establish a method by which a person who is entitled to a refund of an unsuccessful wildlife drawing license fee may donate the refund to the account for the purposes established in subsection (1).

(3) When the department accepts public donations of real property for water-based recreational sites, fishing and boat access sites, state parks, or other outdoor recreational sites pursuant to 87-1-209(1)(e), the

donor ~~must~~ MAY, AT THE DONOR'S OPTION, be recognized through placement of a permanent marker at the site.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 23, chapter 2, part 5, and the provisions of Title 23, chapter 2, part 5, apply to [section 1].

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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