

HOUSE BILL NO. 82

INTRODUCED BY G. HERTZ

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING DEVELOPMENT OF A BOAT DOCK AT WILD HORSE ISLAND STATE PARK; AND AMENDING SECTION 77-1-405, MCA."

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

**Section 1.** Section 77-1-405, MCA, is amended to read:

**"77-1-405. Island parks established -- development limited.** (1) In order to retain the integrity of the recreational experience associated with Montana's river and lake islands, development of undisputed state-owned or state-leased island property, which is hereby designated as island parks, including islands designated as state property under 70-18-203, lying within and surrounded by a navigable river, stream, or lake is limited, after April 30, 1997, to:

(a) the installation of minimal signage indicating that the island is a designated island park in which development has been limited and encouraging the public to help in maintaining the island park's primitive character by packing out trash;

(b) necessary latrine facilities if approved by the state parks and recreation board established in 2-15-3406;

(c) footings or pilings necessary for the construction of a bridge; ~~and~~

(d) oil and gas leasing; and

(e) development of a boat dock at Wild Horse Island state park.

(2) Improvements made to and agricultural operations on state-owned or state-leased island property prior to April 30, 1997, may be maintained or continued, but further development is limited as provided in this section.

(3) Notwithstanding the provisions of 77-1-203 regarding multiple-use management, the legislature finds that the highest and best use of island property administered as school trust land, except islands designated as natural areas pursuant to Title 76, chapter 12, is for recreation and grazing and that those islands should be left in as primitive a state as possible to protect from the loss of potential future revenue that could result from the

1 failure to leave the islands in an undeveloped condition.

2 (4) For purposes of this section, state ownership or state lease of island property is disputed if the  
3 dispute arises before, on, or after April 30, 1997."

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