



AN ACT REQUIRING THE ATTORNEY GENERAL TO PURSUE REIMBURSEMENT OF MONEY OWED TO MONTANA PURSUANT TO THE ENABLING ACT; DEPOSITING RECOVERED FUNDS IN THE PERMANENT FUND FOR THE SUPPORT OF COMMON SCHOOLS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Enabling Act enforcement -- findings. (1) The legislature finds that:

(a) section 13 of The Enabling Act requires that 5% of the proceeds from public lands in Montana sold by the United States, after deduction of expenses, must be paid to the state for the support of the common schools;

(b) the United States incorrectly interprets The Enabling Act provision cited in subsection (1)(a) to only include the sale of lands managed by the secretary of the interior; and

(c) the United States owes Montana 5% of the proceeds of all public land in Montana sold by the United States government since November 8, 1889.

(2) The attorney general shall pursue, to the extent feasible using available state resources, payment of the funds owed to Montana pursuant to subsection (1).

(3) Any money paid to the state pursuant to this section must be deposited in the permanent fund for the support of common schools as referenced in section 13 of The Enabling Act.

Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 77, chapter 1, part 1, and the provisions of Title 77, chapter 1, part 1, apply to [section 1].

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

- END -

I hereby certify that the within bill,
SB 0298, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2015.

Speaker of the House

Signed this _____ day
of _____, 2015.

SENATE BILL NO. 298

INTRODUCED BY J. FIELDER

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