

SENATE BILL NO. 70

INTRODUCED BY P. FLOWERS

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

A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING HEADWATERS STATE PARK AS A PRIMITIVE PARK; AND AMENDING SECTIONS 23-1-116 AND 23-1-118, MCA."

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

Section 1. Section 23-1-116, MCA, is amended to read:

"23-1-116. Primitive parks established. Because of their unique and primarily undeveloped character, the following state parks and management areas are designated as primitive parks and are subject to the provisions of 23-1-115 through 23-1-118:

- (1) Wild Horse Island state park;
- (2) Big Pine management area;
- (3) Sluice Boxes state park;
- ~~(4) Headwaters state park;~~
- ~~(5)~~(4) Pirogue Island state park;
- ~~(6)~~(5) Medicine Rocks state park;
- ~~(7)~~(6) Council Grove state park;
- ~~(8)~~(7) Beaverhead Rock state park;
- ~~(9)~~(8) Tower Rock state park; and
- ~~(10)~~(9) Madison Buffalo Jump state park."

Section 2. Section 23-1-118, MCA, is amended to read:

"23-1-118. Elimination of resident user fee -- fee for nonresident use -- penalty. (1) In recognition of the right of Montana residents to use primitive parks without regard to their ability to pay, a Montana resident is not required to pay a user fee for the use of any primitive park designated in 23-1-116, ~~except that the department may charge camping fees at Headwaters state park.~~

(2) A nonresident who wishes to use a primitive park is required to pay the state park user fees

1 chargeable under 23-1-105."

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