

HOUSE BILL NO. 554

INTRODUCED BY J. KASSMIER

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING LEGISLATIVE APPROVAL OF NATIONAL HERITAGE AREAS AND NATIONAL HISTORIC TRAILS IN MONTANA."

WHEREAS, National Heritage Areas and National Historic Trails are designated by the United States Congress as places where natural, cultural, and historic resources form a nationally important landscape; and

WHEREAS, the proposed boundaries for areas and trail designations can include federal, state, and private property; and

WHEREAS, the State of Montana and private property owners have no ability to remove their property from this designation; and

WHEREAS, a National Heritage Area or National Historic Trail designation is a federal legislative process with no application or nomination process, and designations should instead be made through grassroots, community-driven efforts; and

WHEREAS, there is significant opposition to including private property in a National Heritage Area, as it will be managed or controlled by a private, unelected, unaccountable entity and will interfere with state and private property rights; and

WHEREAS, National Heritage Areas are administered by the National Park Service, and National Historic Trails are administered by the National Park Service, the United States Department of Agriculture Forest Service, and the Bureau of Land Management, depending on the trail; and

WHEREAS, national designations can accept and administer money paid by the United States Secretary of the Interior; and

WHEREAS, financial assistance components, legal agreements, accountability measures, and performance requirements for National Heritage Areas and National Historic Trails can create undue burdens for state and private property under federal oversight.

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



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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.

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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].

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