

SENATE BILL 448

Introduced by Towe, et al.

2/20	Introduced
2/20	First Reading
2/20	Referred to State Administration
2/22	Hearing
2/22	Committee Report--Bill Passed as Amended
2/25	2nd Reading Passed
2/26	3rd Reading Passed
	Transmitted to House
3/04	First Reading
3/04	Referred to State Administration
3/13	Hearing
3/14	Fiscal Note Requested
3/14	Fiscal Note Received
3/19	Tabled in Committee

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Senate BILL NO. *448*
Don T. Bank

INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE MONTANA DEPARTMENT OF INSTITUTIONS TO TRANSFER THE BUILDINGS AND LAND OF THE OLD MONTANA STATE PRISON TO THE POWELL COUNTY MUSEUM AND ARTS FOUNDATION FOR CONTINUED OPERATION AS A MUSEUM."

WHEREAS, the State of Montana still owns the Montana Territorial Prison, more commonly known as the old Montana State Prison, in the City of Deer Lodge in Powell County, Montana; and

WHEREAS, since at least 1980, the Department of Institutions has leased the old Montana State Prison to the City of Deer Lodge, which has since 1980 assigned that lease to the Powell County Museum and Arts Foundation; and

WHEREAS, the Powell County Museum and Arts Foundation has maintained the old Montana State Prison as a museum and regional tourist attraction and has expended substantial sums of money for the operation and maintenance of the prison, all of which have benefited the prison structure and the economy of the City of Deer Lodge and have been made for the enjoyment of the public; and

WHEREAS, continued operation of the old Montana State

Prison as a museum by the Powell County Museum and Arts Foundation will fulfill a substantial governmental purpose by contributing to the local economies of the City of Deer Lodge and of Powell County and by providing for the care and upkeep of the prison without public expense; and

WHEREAS, the City of Deer Lodge, Powell County, the Powell County Museum and Arts Foundation, and the Department of Institutions desire to make the land available to the Foundation for museum purposes; and

WHEREAS, transfer of the prison to the Powell County Museum and Arts Foundation will recognize the consideration paid over the years by the Foundation in the form of the expenditure of funds for the maintenance and upkeep of the prison.

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

NEW SECTION. **Section 1.** Disposition of old Montana state prison to Powell County museum and arts foundation.
(1) The department of institutions is directed to transfer the interest of the state of Montana in the Montana territorial prison, commonly known as the old Montana state prison, which property is further described in subsection (2), by sale or by 99-year lease to the Powell County museum and arts foundation or its successor for operation as a museum.



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INTRODUCED BILL
SB 448

1 (2) The property is described as all the buildings
2 comprising the Montana state prison, which constitutes
3 blocks 52, 53, 62, 63, 66, and 67 of the original townsite
4 of the city of Deer Lodge, all situated in the northwest
5 quarter of section 4, township 6 north of the official plat
6 thereof on file at the Powell County courthouse.

7 (3) The department of institutions may establish
8 appropriate conditions to protect the interests of the state
9 on the transfer of the property, including a provision for
10 reversion should the property cease to be used for museum
11 purposes. The commitment to expend sums of money, the past
12 expenditure of money in the development of the property for
13 use for museum purposes, and the dedication of the property
14 as so developed for public use for the benefit of all
15 Montanans may be considered as a part or all of the
16 consideration necessary to constitute full market value if
17 it is determined that the state cannot transfer the property
18 without obtaining full market value for it.

19 (4) The provisions of Title 77, chapter 2, part 3, do
20 not apply to the transfer of land directed by this section.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

SENATE BILL NO. 448

INTRODUCED BY TOWE, T. BECK

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1 ADEQUATE SPACE FOR THE LAW ENFORCEMENT MUSEUM.

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