

HOUSE BILL 772

IN THE HOUSE

February 13, 1979

Introduced and referred to  
Committee on Agriculture,  
Livestock and Irrigation.

February 20, 1979

Committee recommend bill, do  
not pass.

February 21, 1979

Report adopted.

1 House BILL NO. 772  
2 INTRODUCED BY McDade Democrat

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTIONS  
5 77-2-306 AND 77-2-307, MCA, TO ALLOW MONTANA INDIAN TRIBES  
6 TO PURCHASE STATE LANDS LOCATED WITHIN THE EXTERIOR  
7 BOUNDARIES OF AN INDIAN RESERVATION."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 77-2-306, MCA, is amended to read:

11 "77-2-306. Who may purchase. (1) State lands shall be  
12 sold only to citizens of the United States or to persons who  
13 have declared their intentions to become citizens or to  
14 corporations organized under the laws of this state ~~or to~~  
15 Montana Indian tribes. No person shall be qualified to  
16 purchase state land who has not reached the age of 18 years.  
17 As far as possible to determine, the lands shall be sold  
18 only to actual settlers or to persons who will improve the  
19 same and not to persons who are likely to hold such lands  
20 for speculative purposes intending to resell the same at a  
21 higher price without having added anything to their value.

22 (2) State lands may be sold to any sovereign state of  
23 the United States or to any board of trustees or public  
24 corporation or agency of such state created by such state as  
25 an agency or political subdivision thereof. Said lands may

1 be purchased in the quantities set forth in 77-2-307 for use  
2 by such state, board of trustees, public corporation,  
3 agency, or political subdivision for educational or  
4 scientific purposes."

5 Section 2. Section 77-2-307, MCA, is amended to read:

6 "77-2-307. Limitation on acreage. No person or  
7 corporation shall be entitled to purchase more than one  
8 section of state land, and this area shall not include more  
9 than 160 acres of land susceptible of irrigation. These  
10 limitations as to area and irrigability shall not apply to:

11 (a) lands within a federal irrigation project wherein  
12 the Congress of the United States of America authorizes  
13 water to be furnished to an area exceeding 160 irrigable  
14 acres; or

15 (b) lands purchased by Montana Indian tribes whenever  
16 it is determined that the sale of a greater amount of  
17 acreage is in the best interest of the state of Montana."

-End-

-2- HB 772  
INTRODUCED BILL