

Senate Bill 266

In The Senate

January 24, 1981	Introduced and referred to Committee on State Administration.
February 12, 1981	Committee recommend bill do not pass.
February 13, 1981	On motion Senate reconsider its action taken on Adverse Committee Report and order printed and placed on second reading. Motion adopted.
February 14, 1981	Bill printed and placed on members' desks.
February 16, 1981	Second reading pass consideration.
February 17, 1981	Second reading indefinitely psotponed as amended.

Senate BILL NO. *266*

INTRODUCED BY *Lee Howard Everett AKLESTAD Smith*
Hammond Sawyer, Hoffman J. O'Hanlon
Loggins O'Connell, Jochen

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE LEGISLATIVE APPROVAL FOR ACQUISITIONS OF REAL PROPERTY BY THE UNITED STATES GOVERNMENT OR BY AN AGENCY OF THE STATE GOVERNMENT."

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

Section 1. Definitions. As used in [section 2], the following definitions apply:

(1) "Real property" includes land surface or subsurface and property attached or affixed to land.

(2) "United States government" includes any branch, agency, or subdivision of the federal government except the state of Montana or any agency or subdivision of the state of Montana.

Section 2. Acquisition of real property by United States government -- legislative approval required. (1) The United States government may not acquire, by purchase or condemnation, real property or change the classification of real property held by it within the boundaries of the state of Montana without the prior approval of the legislature for each acquisition.

(2) Approval of the legislature must be by bill, in the same manner as statutes are enacted.

(3) This section does not apply to acquisitions of real property of 5 acres or less.

Section 3. Acquisition of real property by state agency -- specific appropriation. (1) No state agency may acquire real property, by purchase or condemnation, without a specific appropriation for each acquisition.

(2) Proposed acquisitions of real property must be included in the budget request for each agency submitted under 17-7-122. The budget request must include a description of the proposed acquisition and the purpose for which the real property is being acquired.

(3) The definitions of "real property" and "state agency" contained in 2-17-122 apply to this section.

Section 4. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

-End-

INTRODUCED BILL

SB 266

Committee
on State Administration
recommend do not pass
Objection Raised to
Adverse Committee Report

1 *Senate* BILL NO. *266*
2 INTRODUCED BY *Lee Harold Edmund AKKESTAD Smith*
3 *Hammond Sorenson, Hoffman J. Ottum, Wirtz*
4 *Gregory O'Connell, Latham*
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6 APPROVAL FOR ACQUISITIONS OF REAL PROPERTY BY THE UNITED
7 STATES GOVERNMENT OR BY AN AGENCY OF THE STATE GOVERNMENT."

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15 state of Montana or any agency or subdivision of the state
16 of Montana.

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18 States government -- legislative approval required. (1) The
19 United States government may not acquire, by purchase or
20 condemnation, real property or change the classification of
21 real property held by it within the boundaries of the state
22 of Montana without the prior approval of the legislature for
23 each acquisition.

24 (2) Approval of the legislature must be by bill, in
25 the same manner as statutes are enacted.

1 (3) This section does not apply to acquisitions of
2 real property of 5 acres or less.

3 Section 3. Acquisition of real property by state
4 agency -- specific appropriation. (1) No state agency may
5 acquire real property, by purchase or condemnation, without
6 a specific appropriation for each acquisition.

7 (2) Proposed acquisitions of real property must be
8 included in the budget request for each agency submitted
9 under 17-7-122. The budget request must include a
10 description of the proposed acquisition and the purpose for
11 which the real property is being acquired.

12 (3) The definitions of "real property" and "state
13 agency" contained in 2-17-122 apply to this section.

14 Section 4. Severability. If a part of this act is
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16 part remain in effect. If a part of this act is invalid in
17 one or more of its applications, the part remains in effect
18 in all valid applications that are severable from the
19 invalid applications.

-End-

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