

SENATE BILL NO. 462

INTRODUCED BY HAGER

BY REQUEST OF THE SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

IN THE SENATE

February 13, 1981	Introduced and referred to Committee on Highways and Transportation.
February 21, 1981	Committee recommend bill do pass as amended. Report adopted.
February 23, 1981	Bill printed and placed on members' desks.
February 24, 1981	Second reading, do pass.
February 25, 1981	On motion rules suspended. Bill placed on calendar for third reading this day.
	Third reading, passed. Ayes, 48; Noes, 0. Transmitted to House.

IN THE HOUSE

March 3, 1981	Introduced and referred to Committee on Highways and Transportation.
March 12, 1981	Committee recommend bill be concurred in. Report adopted.
March 26, 1981	Second reading, concurred in.
March 28, 1981	Third reading, concurred in. Ayes, 93; Noes, 0.

IN THE SENATE

March 30, 1981	Returned from House. Concurred in. Sent to enrolling.
	Reported correctly enrolled.

1 *Senate* BILL NO. *462*  
 2 INTRODUCED BY *Hager*  
 3 BY REQUEST OF  
 4 THE SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

5  
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD  
 7 USED BY THE DEPARTMENT OF HIGHWAYS TO SELL AN INTEREST IN  
 8 REAL PROPERTY; AMENDING SECTIONS 60-4-202 AND 60-4-203,  
 9 MCA."

10  
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 60-4-202, MCA, is amended to read:

13 "60-4-202. Sale of interest in real property. The  
 14 department may sell an interest in real property, however  
 15 acquired by it, which it determines is not necessary to the  
 16 laying out, altering, construction, improvement, or  
 17 maintenance of a highway. If the interest is reasonably of a  
 18 value in excess of \$100, sale shall be made to the highest  
 19 bidder at public auction ~~or-by-sealed-bids-as-the-department~~  
 20 ~~decides~~. The sale shall be conducted as provided in ~~60-4-203~~  
 21 ~~77-2-321~~."

22 Section 2. Section 60-4-203, MCA, is amended to read:

23 "60-4-203. Conduct of sale. (1) The department shall  
 24 publish notice of the sale in a newspaper published in the  
 25 county in which the interest is located once a week for 2 4

1 successive weeks. ~~The notice of sale shall contain the~~  
 2 ~~information required by 77-2-322~~. Sale shall be held in the  
 3 county wherein the property is located ~~unless-the-department~~  
 4 ~~finds-it-impractical-in-which-case-the-sale-shall-be-held~~  
 5 ~~at-the-office-of-the-department~~.

6 (2) Before the sale of an interest having a value in  
 7 excess of \$100, the department shall have it appraised at a  
 8 price representing a fair market value. The appraised value  
 9 shall be stated in the published notice.

10 (3) A sale of an interest may not be made unless it  
 11 has been appraised within 3 months prior to the date of the  
 12 sale. A sale may not be made for less than 90% of the  
 13 appraised value.

14 (4) Title to an interest may not pass from the state  
 15 until the purchaser has paid the full amount of the purchase  
 16 price into the state treasury to the credit of the  
 17 department."

-End-

Approved by Committee  
on Highways & Transportation

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18 SECTION 3. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON  
19 PASSAGE AND APPROVAL.

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SECOND READING

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