

HOUSE BILL NO. 154

INTRODUCED BY SPAETH, SAUNDERS, SCHYE

BY REQUEST OF THE DEPARTMENT OF STATE LANDS

IN THE HOUSE

January 11, 1983	Introduced and referred to Committee on State Administration.
January 18, 1983	Committee recommend bill do pass as amended. Report adopted.
	Bill printed and placed on members' desks.
January 20, 1983	Second reading, do pass.
	Considered correctly engrossed.
January 22, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 24, 1983	Introduced and referred to Committee on Natural Resources.
February 7, 1983	Committee recommend bill be concurred in. Report adopted.
February 10, 1983	Second reading, concurred in.
February 12, 1983	Third reading, concurred in. Ayes, 46; Noes, 1.

IN THE HOUSE

February 12, 1983	Returned to House.
February 14, 1983	Sent to enrolling.
	Reported correctly enrolled.

House BILL NO. 154

INTRODUCED BY Spencer Sanders Schye
BY REQUEST OF THE DEPARTMENT OF STATE LANDS

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT THE COMMISSIONER OF STATE LANDS MAY APPOINT AN ARBITRATOR TO ASCERTAIN THE VALUE OF IMPROVEMENTS ON STATE LAND WHEN ANY PARTY REFUSES TO DO SO; AMENDING SECTION 77-6-306, MCA."

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

Section 1. Section 77-6-306, MCA, is amended to read:

"77-6-306. Arbitrators to fix value of improvements.

(1) If the owner of any improvements on state lands of the type authorized by law at the time they were placed thereon desires to sell these improvements to the new lessee and they are unable to agree on the value thereof, the value shall be ascertained and fixed by three arbitrators, one of whom shall be appointed by the owner of the improvements, one by the new lessee, and the third by the two arbitrators so appointed. If any party refuses to appoint an arbitrator within 15 days of being requested to do so by the commissioner, the commissioner may appoint an arbitrator for that party. An arbitrator appointed by the commissioner has the same duties and powers as if appointed by one of the parties. The value of the improvements shall be ascertained

and fixed as this part provides.

(2) The reasonable compensation that the arbitrators may fix for their services shall be paid in equal shares by the owner of the improvements and the new lessee.

(3) The value of the improvements so ascertained and fixed is binding on both parties, however, if either party is dissatisfied with the valuation so fixed, he may within 10 days appeal from their decision to the department which shall examine the improvements, and its decision shall be final. The department shall charge and collect the actual cost of the reexamination to the owner and the new lessee in such proportion as in its judgment justice may demand."

-End-

INTRODUCED BILL

-2-

HB 154

Rereferred and

Approved by Comm.
on AppropriationsHOUSE BILL NO. 153
INTRODUCED BY KITSELMAN

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES TO CONTRACT WITH A SENIOR CITIZENS' ORGANIZATION TO ESTABLISH A MOCK LEGISLATURE; APPROPRIATING MONEY FOR THE CONTRACT ON A MATCHING BASIS; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, Montana's senior citizens are a vital source of information, answers, and solutions for problems and concerns facing the entire state of Montana; and

WHEREAS, Montana's senior citizens are leaders in the field of volunteerism, dedicating their time, money, and expertise to the task of solving Montana's economic and social problems; and

WHEREAS, ideas originating from Montana senior citizens have often been enacted into law by the Montana Legislature.

THEREFORE, it is the intent of this bill to direct the Department of Social and Rehabilitation Services to cooperate with senior citizens in providing for the sponsorship of a senior citizens' mock legislature.

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

Section 1. Senior citizens' legislature. (1) The

department of social and rehabilitation services may contract with a senior citizens' organization for the purpose of establishing a mock legislature to be held in the year preceding the legislative session.

(2) The department of social and rehabilitation services shall cooperate with the department of administration in assisting the senior citizens' organization designated to establish the mock legislature.

Section 2. Appropriation. (1) There is appropriated ~~\$5,000~~ ~~\$10,000~~ \$1,000 from the general fund to the budget and contracts bureau of the community services division of the department of social and rehabilitation services for purposes of funding the senior citizens' legislature provided for in section 1.

(2) The contract entered into with the senior citizens' organization must provide that such organization match on a one-to-one ONE-TO-TWO ~~(ORGANIZATION TO DEPARTMENT)~~ ratio any amount contracted for.

Section 3. Effective date. This act is effective July 1, 1983.

-End-

HOUSE BILL NO. 153

INTRODUCED BY KITSELMAN

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

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~~that party. An arbitrator appointed by the commissioner has the same duties and powers as if appointed by one of the parties.~~ The value of the improvements shall be ascertained and fixed as this part provides.

(2) The reasonable compensation that the arbitrators may fix ~~for their services~~ shall be paid in equal shares by the owner of the improvements and the new lessee.

(3) The value of the improvements so ascertained and fixed is binding on both parties, however, if either party is dissatisfied with the valuation so fixed, he may within 10 days appeal from their decision to the department which shall examine the improvements, and ~~EXCEPT AS PROVIDED IN SUBSECTION (4),~~ its decision shall be final. The department shall charge and collect the actual cost of the reexamination to the owner and the new lessee in such proportion as in its judgment justice may demand.

~~(4) IF EITHER PARTY IS DISSATISFIED WITH VALUATION FIXED BY THE DEPARTMENT, HE MAY WITHIN 30 DAYS AFTER RECEIPT OF THE DEPARTMENT'S DECISION PETITION THE DISTRICT COURT IN THE COUNTY IN WHICH THE MAJORITY OF THE STATE LAND IS LOCATED OR THE DISTRICT COURT OF LEWIS AND CLARK COUNTY FOR JUDICIAL REVIEW OF THE DECISION."~~

-End-