

HB 394 INTRODUCED BY MENAHAN, ET AL.  
PROVIDE THAT STATE PRISON RANCH LAND NOT SOLD OR  
LEASED WITHOUT RESTRICTIONS

1/22 INTRODUCED  
1/22 REFERRED TO FISH & GAME  
2/03 HEARING  
2/10 TABLED IN COMMITTEE

House BILL NO. 394

INTRODUCED BY Menchaca Ream W. H. Davis Julie Keenan

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT STATE LAND NOW OPERATED AS THE MONTANA STATE PRISON RANCH MAY NOT BE SOLD OR LEASED UNLESS A PERMANENT RIGHT OF PUBLIC ACCESS AND CONTINUED MAINTENANCE OF THE ELK WINTER RANGE IS GUARANTEED; AMENDING SECTIONS 53-1-202 AND 77-2-302, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 77-2-302, MCA, is amended to read:

"77-2-302. Disposition of former institutions. (1)

Notwithstanding any other section in this chapter, any lands, including buildings, formerly used as or by a state institution which are no longer used for institutional purposes may be disposed of in whole or in part on such terms and in such manner as the board, after consultation with the appropriate legislative committee, may determine to be in the state's best interest, subject to The Enabling Act and constitutional restrictions. Disposal of such property shall not be finally concluded until 60 day.' public notice of the terms of the proposed disposal shall have been given.

(2) If land now owned by the state and operated as the Montana state prison ranch ceases to be used for ranching

purposes, the land may not be sold or leased unless a permanent, unrestricted right of access for recreational purposes and continued maintenance of the elk winter range is guaranteed."

Section 2. Section 53-1-202, MCA, is amended to read:

"53-1-202. Institutions in department. (1) The following institutions are in the department:

- (a) Montana state hospital;
- (b) Montana veterans' home;
- (c) State prison;
- (d) Mountain View school;
- (e) Pine Hills school;
- (f) Montana developmental center;
- (g) Montana center for the aged;
- (h) Swan River youth forest camp;
- (i) Eastmont human services center; and
- (j) Any other institution which provides care and

services for juvenile delinquents, including but not limited to youth forest camps and juvenile reception and evaluation centers.

(2) A state institution may not be moved, discontinued, or abandoned without prior consent of the legislature, subject to the restrictions of 77-2-302."

NEW SECTION. Section 3. Effective date. This act is effective on passage and approval.

-End-  
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**INTRODUCED BILL**  
**HB-394**

