## HOUSE BILL NO. 132

## INTRODUCED BY WYATT, MCCAFFREE, ENDY, GRADY, PECK, REAM, BRANDEWIE

IN THE HOUSE

JANUARY 9, 1993

INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.

FIRST READING.

PRINTING REPORT.

- JANUARY 20, 1993
- JANUARY 21, 1993
- JANUARY 22, 1993
- JANUARY 23, 1993 ENGROSSING REPORT.
- JANUARY 25, 1993 THIRD READING, PASSED. AYES, 97; NOES, 0.

TRANSMITTED TO SENATE.

COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

SECOND READING, DO PASS.

IN THE SENATE

JANUARY 27, 1993

MARCH 26, 1993

MARCH 27, 1993

MARCH 29, 1993

INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.

FIRST READING.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 47; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 30, 1993

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 0720/01

LC 0720/01

e BILL NO. 132 1 INTRODUCED BY /// 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING THE SALE OR 4 5 LEASE OF MUNICIPAL PROPERTY ACQUIRED BY TAX DEED FROM THE 6 REQUIREMENT THAT A CITY OR TOWN COUNCIL MUST OBTAIN VOTER 7 APPROVAL BEFORE AUTHORIZING THE SALE OR LEASE OF ANY MUNICIPAL PROPERTY HELD IN TRUST FOR A SPECIFIC PURPOSE; AND 8 AMENDING SECTION 7-8-4201, MCA." 9

10

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

Section 1. Section 7-8-4201, MCA, is amended to read: "7-8-4201. Disposal or lease of municipal property. (1) Subject to the provisions of subsection (2), the city or town council may sell, dispose of, or lease any property belonging to the city or town.

17 (2) (a) Such <u>The</u> lease or transfer shall <u>must</u> be made
18 by an ordinance or resolution passed by a two-thirds vote of
19 all the members of the council.

20 (b) If Except for property acquired by tax deed, if the 21 property is held in trust for a specific purpose, the sale 22 or lease thereof must be approved by a majority vote of the 23 electors of the municipality voting at an election called 24 for that purpose.

25 (3) Nothing--contained--herein This section may not be

na Legislative Council

1 construed to abrogate the power of the board of park 2 commissioners to lease all lands owned by city 3 heretofore that were acquired for parks within the limitations prescribed by 7-16-4223,"

-End-

-2-

INTRODUCED BILL

## LC 0720/01 APPROVED BY COMM. ON LOCAL GOVERNMENT

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21 property is held in trust for a specific purpose, the sale 22 or lease thereof must be approved by a majority vote of the 23 electors of the municipality voting at an election called 24 for that purpose.

25 (3) Nothing--contained--herein This section may not be



construed to abrogate the power of the board of park
 commissioners to lease all lands owned by the city
 heretofore that were acquired for parks within the
 limitations prescribed by 7-16-4223."

-End-

-2-

HB 132 SECOND READING

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AMENDING SECTION 7-8-4201, MCA."

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16 belonging to the city or town.

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18 by an ordinance or resolution passed by a two-thirds vote of
19 all the members of the council.

(b) If Except for property acquired by tax deed, if the
property is held in trust for a specific purpose, the sale
or lease thereof must be approved by a majority vote of the
electors of the municipality voting at an election called
for that purpose.

25 (3) Nothing--contained--herein This section may not be

construed to abrogate the power of the board of park commissioners to lease all lands owned by the city heretofore that were acquired for parks within the limitations prescribed by 7-16-4223."

-End-

- 2 -

HB 132 THIRD READING

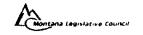
HB 0132/02

1 HOUSE BILL NO. 132 INTRODUCED BY WYATT, MCCAFFREE, ENDY, GRADY, 2 PECK, REAM, BRANDEWIE 3 4 5 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING THE SALE OR LEASE OF MUNICIPAL PROPERTY ACQUIRED BY TAX DEED FROM THE 6 7 REQUIREMENT THAT A CITY OR TOWN COUNCIL MUST OBTAIN VOTER APPROVAL BEFORE AUTHORIZING THE SALE OR LEASE OF ANY 8 MUNICIPAL PROPERTY HELD IN TRUST FOR A SPECIFIC PURPOSE; AND 9 AMENDING SECTION 7-8-4201, MCA." 10 11 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13 Section 1. Section 7-8-4201, MCA, is amended to read: "7-8-4201. Disposal or lease of municipal property. (1) 14

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19 by an ordinance or resolution passed by a two-thirds vote of
20 all the members of the council.

21 (b) <u>If Except for property acquired by tax deed, if</u> the 22 property is held in trust for a specific purpose, the sale 23 or lease thereof must be approved by a majority vote of the 24 electors of the municipality voting at an election called 25 for that purpose.



1 (3) Nothing--contained--herein This section may not be 2 construed to abrogate the power of the board of park 3 commissioners to lease all lands owned by the city 4 heretofore that were acquired for parks within the 5 limitations prescribed by 7-16-4223."

-End-

-2-

REFERENCE BILL.