

House BILL NO. 489

INTRODUCED BY

Dusty Buck *Merrill*

GRINOE

James Foster *Hertz*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE SALE OF CERTAIN STATE LAND TO OR EXCHANGE OF CERTAIN STATELAND WITH A NONPROFIT CORPORATION; ALLOWING A COMMITMENT TO USE THE PROPERTY FOR A COMMUNITY SERVICE OR PUBLIC PURPOSE TO CONSTITUTE PARTIAL OR TOTAL CONSIDERATION FOR THE TRANSFER OF THE LAND; AND AMENDING SECTION 77-2-351, MCA."

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

Section 1. Section 77-2-351, MCA, is amended to read:

"77-2-351. Sale to or exchange of property with public entity or nonprofit corporation.

Notwithstanding any other section in this chapter, any lands may be sold to or exchanged for other land or for other consideration with another public entity or nonprofit corporation on terms and in a manner as that 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. In the case of land that is not granted to or held by the state in trust for the support of the common schools, for a state institution, or for another specific purpose, the board may accept as partial or total consideration for the transfer of the land a binding commitment by the transferee to use the property to provide a community service or a benefit that fulfills a public purpose. The sale or exchange of the property may not be finally concluded until 60 days' public notice of the terms of the proposed sale or exchange has been given."

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0489, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act allowing the sale of certain state land to or exchange of certain state land with a nonprofit corporation; allowing a commitment to use the property for a community service or public purpose to constitute partial or total consideration for the transfer of the land; and amending a MCA section.

FISCAL IMPACT:

There is no fiscal impact.

Dave Lewis 2-15-95
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Ed Grady
ED GRADY, PRIMARY SPONSOR DATE

Fiscal Note for HB0489, as introduced

HB 489

1 HOUSE BILL NO. 489

2 INTRODUCED BY GRADY, BECK, MENAHAN, GRINDE, GRIMES, FOSTER, HERTEL

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6 TO USE THE PROPERTY FOR A COMMUNITY SERVICE OR PUBLIC PURPOSE TO CONSTITUTE PARTIAL
7 OR TOTAL CONSIDERATION FOR THE TRANSFER OF THE LAND; AND AMENDING SECTION 77-2-351,
8 MCA."9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:11
12 **Section 1.** Section 77-2-351, MCA, is amended to read:13 **"77-2-351. Sale to or exchange of property with public entity ~~or nonprofit corporation~~.**14 Notwithstanding any other section in this chapter, any lands may be sold to or exchanged for other land
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21 benefit that fulfills a public purpose. The sale or exchange of the property may not be finally concluded until
22 60 days' public notice of the terms of the proposed sale or exchange has been given. AS USED IN THIS
23 SECTION, "PUBLIC ENTITY" MEANS ANY COUNTY, CITY, MUNICIPAL CORPORATION, SCHOOL
24 DISTRICT, OR SPECIAL IMPROVEMENT OR TAXING DISTRICT."

25 -END-

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