

SENATE BILL NO. 348

INTRODUCED BY J. FIELDER

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING STATE CONSENT FOR THE PURCHASE OF LAND FOR NATIONAL FOREST PURPOSES; REQUIRING COUNTY AND LEGISLATIVE APPROVAL; AMENDING SECTION 2-1-210, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 2-1-210, MCA, is amended to read:

"2-1-210. Consent to purchase of lands by United States for national forest purposes -- jurisdiction. (1) ~~For Pursuant to the requirements of subsection (2),~~ for the purpose of more effectively cooperating with the United States in the consolidating and rounding out of national forests in accordance with land use plans and to facilitate the placing of forest lands other than national forest but which are integral with national forest lands under stable protection and administration to the end of public benefit and to help landowners, including the counties of the state in their discretion, to dispose of such of their lands as may be needed for national forest purposes, consent of the state of Montana is hereby given to the purchase by the United States of such lands in the state of Montana as in the opinion of the secretary of agriculture are needed for the purposes contemplated in section 6 of the act of congress approved March 1, 1911, commonly known as and called the Weeks law, and/or section 6 of the act of congress approved June 7, 1924, commonly known as the Clarke-McNary law, and/or any other provisions of any act of congress authorizing the purchase of land for national forest purposes.

(2) (a) A proposed purchase under the authority granted in subsection (1) must be approved by the legislature and the county commission of any county which contains part of the purchase.

(b) Prior to the votes required by subsection (2)(a), the department of revenue shall quantify and report the reduction in property tax revenue that will affect state and local governments if the land is purchased for national forest purposes.

~~(2)~~(3) The jurisdiction of the state of Montana, both civil and criminal, over persons upon areas acquired under this section shall not be affected or changed by reason of their acquisition and administration by the United



1 States, except so far as the punishment of offenses against the United States is concerned.

2 ~~(3)~~(4) The state shall have the same jurisdiction in respect to such lands as it has in respect to other
3 national forest lands within the state.

4 ~~(4)~~(5) All property rights, easements, and benefits retained by or reserved to owners of lands purchased
5 by the United States shall be subject to the tax laws of the state."

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7 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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9 NEW SECTION. **Section 3. Applicability.** [This act] applies to purchases for which a buy-sell
10 agreement is signed on or after [the effective date of this act].

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