

HOUSE BILL NO. 122
INTRODUCED BY J. KEANE
BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE DEPARTMENT OF TRANSPORTATION'S AUTHORIZED LEASE TERM FROM 10 YEARS TO 40 YEARS ON LEASES FOR SPACE, IMPROVEMENTS, OR EQUIPMENT IN STATE AIRPORTS; AND AMENDING SECTION 67-2-302, MCA."

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

Section 1. Section 67-2-302, MCA, is amended to read:

"67-2-302. State airports -- operation. (1) The department may:

(a) lease, for a term not exceeding 40 years, airports or other air navigation facilities or real property acquired or set apart for airport purposes to private parties, a municipal or state government or the national government, or a department of either for operation;

(b) lease or assign, for a term not exceeding ~~40~~ 40 years, space, area, improvements, or equipment on those airports to private parties, a municipal or state government or the national government, or a department of either for operation or use consistent with the purposes of this title;

(c) sell any part of those airports, other air navigation facilities, or real property to a municipal or state government or to the United States or a department or instrumentality of the United States for purposes incidental to or for aeronautical purposes; and

(d) confer the privilege of concessions for supplying goods, commodities, things, services, and facilities upon the premises of those airports. However, in conferring the concessions, the public may not be deprived of its rightful, equal, and uniform use of the subject of the concessions.

(2) The department may determine the charges or rental for the use of state airports, the charges for service or accommodations under its control, and the terms and conditions under which the property may be used. However, the public may not be deprived of its rightful, equal, and uniform use of the property. Charges must be reasonable and uniform for the same class of service and established with due regard to the property and improvements used and the expenses of operation to the state.

(3) The state has, and the department may enforce, agisters' liens as provided by law for repair, improvement, storage, or care of any personal property.

(4) The department may employ persons or contract with persons or firms to provide law enforcement in and around state airports whenever required by federal aviation regulations."

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