

1 HOUSE BILL NO. 22

2 INTRODUCED BY F. GARNER

3 BY REQUEST OF THE DEPARTMENT OF MILITARY AFFAIRS

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE ACCEPTANCE OF IN-KIND SERVICES OR
6 MATERIALS IN EXCHANGE FOR EASEMENTS ON STATE LANDS USED FOR ARMORIES OR OTHER
7 MILITARY FACILITIES; AMENDING SECTION 10-1-108, MCA; AND PROVIDING AN IMMEDIATE
8 EFFECTIVE DATE."

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

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12 **Section 1.** Section 10-1-108, MCA, is amended to read:

13 **"10-1-108. Armories -- acquisition and sale -- proceeds -- account -- easements.** (1) A county,
14 city, or town may convey or lease real property to the state for armories or other military facilities.

15 (2) A county, city, or town in which a unit of the national guard is organized and regularly stationed
16 may provide any part of the funds to build an armory. The armory must be of sufficient size and suitable for the
17 drill of the unit.

18 (3) (a) There is a Montana national guard land purchase account in the state special revenue fund. If
19 the state sells an armory, the money from the sale must be deposited in the account.

20 (b) Money in the account is statutorily appropriated, as provided in 17-7-502, for the purposes
21 described in subsection (4).

22 (c) Any interest and income accruing on the account must be deposited in the state general fund.

23 (4) (a) Money in the account may be used for preparations to purchase or the purchase of land
24 necessary for the Montana national guard's mission and is expendable solely upon the authorization of the
25 governor.

26 (b) Money in the account may be used for the construction of facilities necessary for the Montana
27 national guard's mission subject to the provisions of the state long-range building program and 18-2-102.

28 Money in the account may not be expended for construction unless the balance of the account, after any

1 proposed construction expenses are deducted, is at least \$250,000.

2 (5) The department may accept the in-kind provision of services or materials, or both, as
3 consideration equal to or exceeding the full market value of any easement on real property used by the
4 department for an armory or military facility."

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

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