

1 HOUSE BILL NO. 320

2 INTRODUCED BY S. GUNDERSON

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING FUTURE SALES OF LAND GRANTED OR
5 TRANSFERRED TO THE STATE; AMENDING SECTION 77-2-302, MCA; AND PROVIDING AN IMMEDIATE
6 EFFECTIVE DATE."

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

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10 **Section 1.** Section 77-2-302, MCA, is amended to read:

11 **"77-2-302. Disposition of former institutions and certain federal land grants.** (1) Notwithstanding
12 any other section in this chapter, any lands, including buildings, that were formerly used as or by a state
13 institution and that are no longer used for institutional purposes may be disposed of in whole or in part on the
14 terms and in the manner that the board, after consultation with the appropriate legislative committee, may
15 determine to be in the state's best interest, subject to The Enabling Act and constitutional restrictions. Disposal
16 of the property may not be finally concluded until 60 days' public notice of the terms of the proposed disposal
17 has been given.

18 (2) Notwithstanding any other section in this chapter, any lands, including buildings, granted to the
19 state by the United States pursuant to the Comprehensive Environmental Response, Compensation, and
20 Liability Act of 1980, 42 U.S.C. 9601, et seq., or acquired by the state as remedial action pursuant to 75-10-
21 704, 75-10-711, or 75-10-712 may be disposed of in whole or in part on the terms and in the manner that the
22 board, after consultation with the director of the department of environmental quality, determines to be in the
23 state's best interest.

24 (3) The state may not sell title in fee simple to land granted or transferred by the United States to the
25 state by an act of congress, a court decision, or another operation of law that occurs on or after [the effective
26 date of this act]."

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

