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## Liberty Matters News Service

May 13, 2003

### *Feds Can't Buy Land In Montana*

Montana will no longer allow state land to be sold to the federal government or its agencies, thanks to an amendment by state Rep. Rick Maedje, (R-Fortune). Rep. Maedje recognized a golden opportunity to prevent the feds from acquiring any more Montana property with his amendment to HB 233, authorizing the state land board to sell unproductive school trust land. Maedje's inspiration came from Article 1, Section 8 of the U.S. Constitution, which restricts Congress "to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards and other needful buildings." Montana Code Annotated 77-2-306 now reads: "State land may not be sold to the federal government or to any agency of the federal government, except for the purpose of building federal facilities and structures." Rep. Chris Harris (D-Bozeman) angrily denounced the provision saying; "Iraq could buy this land. North Korea could buy this land, but our own red, white and blue federal government can't buy this land." Maedje said he doubted if the constitutional rights of Montanans could be abused any worse by a North Korean dictator than they are by our own federal agencies. "The constitution never intended the federal government to increase its land holdings or jurisdictional influence without the consent of the people of a state...we have intelligently arrived at the conclusion that federal agencies have little or no incentive to abide by the federal Constitution, so we're now going to help them get back on track."

Montana First To Ban Government Land Purchases