

**HOUSE BILL NO. 5**  
**(Second Special Session)**  
**INTRODUCED BY MOORE**  
**BY REQUEST OF THE GOVERNOR**

**IN THE HOUSE**

June 21, 1982	Introduced and referred to Committee on Appropriations
June 22, 1982	Committee recommend bill do pass as amended. Report adopted.
June 23, 1982	Second reading, do pass as amended.  Considered correctly engrossed.  Third reading, passed. Ayes, 66; Noes, 29. Transmitted to Senate.

**IN THE SENATE**

June 24, 1982	Introduced and referred to Committee on Finance and Claims.
June 26, 1982	Committee recommend bill be concurred in as amended. Report adopted.  On motion rules suspended. Bill referred to second reading for consideration this day.

Second reading, concurred  
in.

On motion rules sus-  
pended. Bill placed on  
calendar for third  
reading this day.

Third reading, concurred  
in. Ayes, 46; Noes, 1.

#### IN THE HOUSE

June 26, 1982

Returned from Senate,  
amendments not concurred  
in.

On motion, Joint  
Conference Committee  
requested and appointed.

Joint Conference  
Committee dissolved.

On motion, Free Joint  
Conference Committee  
requested and appointed.

Free Joint Conference  
Committee reported.

Second reading, report  
adopted.

Third reading, report  
adopted.

Report adopted by Senate.

Sent to enrolling.

Reported correctly  
enrolled.



1	MONTANA STATE PRISON	
2	Security Improvements to Close I and	\$67,700
3	II	
4	Renovation in Administration Building	88,000
5	Dual Electronic Systems at Fence	197,000
6	Lighting	24,850
7	Chain Link Fence	2,870
8	Metal Detectors (3)	<del>16,680</del>
9	TOTAL MONTANA STATE PRISON	\$397,100

10 Section 7. Effective date. This act is effective on  
11 passage and approval.

-End-

Approved by Comm.  
on Appropriations

HOUSE BILL NO. 5 (2nd SS)  
INTRODUCED BY MOORE  
BY REQUEST OF THE GOVERNOR

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY FOR PRISON SECURITY IMPROVEMENT PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1983; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Definitions. For the purposes of this act, unless otherwise stated, the following definitions apply:

(1) "Capital project" means acquisition of land or improvements, planning, capital construction, renovation, furnishing, or major repair projects authorized in this act.

(2) "BPICA" means account number 06142 in the bond proceeds and insurance clearance fund; "FPRA" means federal and private revenue account; "ERA" means earmarked revenue account; and "other appropriated funds" means money other than general fund or BPICA money that accrues under provisions of law to an agency indicated herein.

(3) "Approved budget amendment" means approval by the budget director of a request submitted through the architecture and engineering division of the department of administration to transfer excess funds appropriated to a

capital project within that agency or to obtain financing to expand a project with funds that were not available for consideration by the legislature.

Section 2. Expansion required to be authorized. No existing capital project may be expanded beyond the scope of the project as approved by the 47th legislature unless the capital project expansion is authorized by an approved budget amendment.

Section 3. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 4. Total not appropriation. The total shown in this act is for informational purposes only and is not an appropriation.

Section 5. General fund appropriation. There is appropriated from the general fund to account number 06142 in the bond proceeds and insurance clearance fund \$397,100 to be used to support the project provided below.

~~SECTION 6. LONG-RANGE BUILDING REAPPROPRIATION. THE UNEXPENDED BALANCE OF THE APPROPRIATION FOR CONSTRUCTION OF A GUARD TOWER AT MONTANA STATE PRISON, IN HB 837, REGULAR SESSION OF THE 47TH LEGISLATURE, IS REAPPROPRIATED FOR~~

1 PURPOSES OF THIS ACT AND IS TO BE USED TO REDUCE THE GENERAL  
 2 FUND APPROPRIATION IN SECTION 5.

3 Section 7. Prison security construction appropriation.  
 4 The following money is appropriated from the bond proceeds  
 5 and insurance clearance fund to the director of the  
 6 department of administration:

7 MONTANA STATE PRISON

8	Security Improvements to Close I and	\$67,700
9	II	
10	Renovation in Administration Building	88,000
11	Dual Electronic Systems at Fence	197,000
12	Lighting	24,850
13	Chain Link Fence	2,870
14	Metal Detectors (3)	<del>16,680</del>
15	TOTAL MONTANA STATE PRISON	\$397,100

16 Section 8. Effective date. This act is effective on  
 17 passage and approval.

-End-

1 HOUSE BILL NO. 5 (2nd SS)

2 INTRODUCED BY MOORE

3 BY REQUEST OF THE GOVERNOR

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY  
6 FOR PRISON SECURITY IMPROVEMENT PROJECTS FOR THE BIENNIUM  
7 ENDING JUNE 30, 1983; AND PROVIDING AN IMMEDIATE EFFECTIVE  
8 DATE."

9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Definitions. For the purposes of this act,  
12 unless otherwise stated, the following definitions apply:

13 (1) "Capital project" means acquisition of land or  
14 improvements, planning, capital construction, renovation,  
15 furnishing, or major repair projects authorized in this act.

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17 proceeds and insurance clearance fund; "FPRA" means federal  
18 and private revenue account; "ERA" means earmarked revenue  
19 account; and "other appropriated funds" means money other  
20 than general fund or BPICA money that accrues under  
21 provisions of law to an agency indicated herein.

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23 budget director of a request submitted through the  
24 architecture and engineering division of the department of  
25 administration to transfer excess funds appropriated to a

1 capital project within that agency or to obtain financing to  
2 expand a project with funds that were not available for  
3 consideration by the legislature.

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5 existing capital project may be expanded beyond the scope of  
6 the project as approved by the 47th legislature unless the  
7 capital project expansion is authorized by an approved  
8 budget amendment.

9 Section 3. Severability. If a part of this act is  
10 invalid, all valid parts that are severable from the invalid  
11 part remain in effect. If a part of this act is invalid in  
12 one or more of its applications, the part remains in effect  
13 in all valid applications that are severable from the  
14 invalid applications.

15 Section 4. Total not appropriation. The total shown in  
16 this act is for informational purposes only and is not an  
17 appropriation.

18 Section 5. General fund appropriation. There is  
19 appropriated from the general fund to account number 06142  
20 in the bond proceeds and insurance clearance fund ~~\$397,100~~  
21 ~~\$579,100~~ to be used to support the project provided below.

22 SECTION 6. LONG-RANGE BUILDING REAPPROPRIATION. THE  
23 UNEXPENDED BALANCE OF THE APPROPRIATION FOR CONSTRUCTION OF  
24 A GUARD TOWER AT MONTANA STATE PRISON, IN HB 837, REGULAR  
25 SESSION OF THE 47TH LEGISLATURE, IS REAPPROPRIATED FOR

1 ~~PURPOSES OF THIS ACT AND IS TO BE USED TO REDUCE THE GENERAL~~  
 2 ~~FUND APPROPRIATION IN SECTION 5.~~

3 Section 7. Prison security construction appropriation.  
 4 The following money is appropriated from the bond proceeds  
 5 and insurance clearance fund to the director of the  
 6 department of administration:

7 MONTANA STATE PRISON

8	Security Improvements to Close I and	\$67,700
9	II	
10	Renovation in Administration Building	88,000
11	Dual Electronic Systems at Fence	197,000
12	Lighting	24,850
13	Chain Link Fence	2,870
14	Metal Detectors (3)	16,680
15	<u>INDUSTRIES FENCE SECURITY IMPROVEMENT</u>	<u>182,000</u>
16	TOTAL MONTANA STATE PRISON	\$397,100
17		<u>\$579,100</u>

18 ~~THE AMOUNT OF \$182,000 APPROPRIATED FOR THE INDUSTRIES~~  
 19 ~~FENCE SECURITY IMPROVEMENT IS FOR MATERIALS ONLY.~~  
 20 ~~CONSTRUCTION WILL BE ACCOMPLISHED UTILIZING PRISON LABOR.~~

21 Section 8. Effective date. This act is effective on  
 22 passage and approval.

-End-



# STANDING COMMITTEE REPORT

..... June 25, 1982 ..... 19.....  
Journal

MR. .... President.....

We, your committee on ..... Finance and Claims.....

having had under consideration ..... House..... Bill No. .... 5.....

(Keating)

Respectfully report as follows: That..... House..... Bill No. .... 5.....  
third reading bill, be amended as follows:

1. Page 2, line 21.F  
Following: Line 20  
Strike: "\$579,100"  
Insert: "\$587,100"

2. Page 3, line 15.  
Following: Line 14  
Strike: Line 15 in its entirety

3. Page 3  
Following: Line 15  
Insert: "Guard Tower 190,000"

4. Page 3, line 17.  
Strike: "\$579,100"  
Insert: "\$587,100"

House Bill 5  
Finance & Claims  
Page 2

.....June 25, 1982..... 19.....

5. Page 3, lines 18 through 20.

Following: line 17

Strike: lines 18 through 20 in their entirety

6. Page 3.

Following: line 20

Insert: "The amount of \$190,000 for construction of a guard tower and said guard tower shall be constructed only if no other appropriation shall be made for the construction of an additional maximum security facility at the state prison this special session of the legislature. There will be a reversion of any unexpended funds from this appropriation to the general fund."

And, as so amended,  
BE CONCURRED IN

1 HOUSE BILL NO. 5 (2nd SS)  
 2 INTRODUCED BY MOORE  
 3 BY REQUEST OF THE GOVERNOR  
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY  
 6 FOR PRISON SECURITY IMPROVEMENT PROJECTS FOR THE BIENNIUM  
 7 ENDING JUNE 30, 1983; AND PROVIDING AN IMMEDIATE EFFECTIVE  
 8 DATE."  
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 12 unless otherwise stated, the following definitions apply:

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 20 than general fund or BPICA money that accrues under  
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 23 budget director of a request submitted through the  
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 25 administration to transfer excess funds appropriated to a

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 10 invalid, all valid parts that are severable from the invalid  
 11 part remain in effect. If a part of this act is invalid in  
 12 one or more of its applications, the part remains in effect  
 13 in all valid applications that are severable from the  
 14 invalid applications.

15 Section 4. Total not appropriation. The total shown in  
 16 this act is for informational purposes only and is not an  
 17 appropriation.

18 Section 5. General fund appropriation. There is  
 19 appropriated from the general fund to account number 06142  
 20 in the bond proceeds and insurance clearance fund \$397,100  
 21 \$579,100 \$507,100 \$579,100 \$397,100 to be used to support  
 22 the project provided below.

23 ~~SECTION 6. LONG-RANGE BUILDING REAPPROPRIATION. THE~~  
 24 ~~UNEXPENDED BALANCE OF THE APPROPRIATION FOR CONSTRUCTION OF~~  
 25 ~~A GUARD TOWER AT MONTANA STATE PRISON, IN HB 837, REGULAR~~

1 ~~SESSION--OF--THE--4TH--LEGISLATURE--IS--REAPPROPRIATED--FOR~~  
 2 ~~PURPOSES--OF--THIS--ACT--AND--IS--TO--BE--USED--TO--REVOKE--THE--GENERAL~~  
 3 ~~FUND--APPROPRIATION--IN--SECTION--5.~~

4 Section 6. Prison security construction appropriation.  
 5 The following money is appropriated from the bond proceeds  
 6 and insurance clearance fund to the director of the  
 7 department of administration:

8 MONTANA STATE PRISON

9	Security Improvements to Close I and	\$ 67,700
10	II	
11	Renovation in Administration Building	88,000
12	Dual Electronic Systems at Fence	197,000
13	Lighting	24,850
14	Chain Link Fence	2,870
15	Metal Detectors (3)	16,680
16	<del>INDUSTRIES--FENCE--SECURITY--IMPROVEMENT</del>	<del>182,000</del>
17	<del>GUARD--TOWER</del>	<del>170,000</del>
18	TOTAL MONTANA STATE PRISON	\$397,100
19		<del>\$579,100</del>
20		<del>\$587,180</del>
21		<del>\$579,100</del>
22		\$397,100

23 ~~THE--AMOUNT--OF--\$182,000--APPROPRIATED--FOR--THE--INDUSTRIES~~  
 24 ~~FENCE--SECURITY--IMPROVEMENT--IS--FOR--MATERIALS--ONLY.~~  
 25 ~~CONSTRUCTION--WILL--BE--ACCOMPLISHED--UTILIZING--PRISON--LABOR.~~

1 THE--AMOUNT--OF--\$170,000--FOR--CONSTRUCTION--OF--A--GUARD  
 2 TOWER--AND--SAID--GUARD--TOWER--SHALL--BE--CONSTRUCTED--ONLY--IF--NO  
 3 OTHER--APPROPRIATION--SHALL--BE--MADE--FOR--THE--CONSTRUCTION--OF--AN  
 4 ADDITIONAL--MAXIMUM--SECURITY--FACILITY--AT--THE--STATE--PRISON  
 5 THIS--SPECIAL--SESSION--OF--THE--LEGISLATURE--THERE--WILL--BE--A  
 6 REVERSION--OF--ANY--UNEXPENDED--FUNDS--FROM--THIS--APPROPRIATION--TO  
 7 THE--GENERAL--FUND.

8 Section 7. Effective date. This act is effective on  
 9 passage and approval.

-End-