

HOUSE BILL NO. 500

INTRODUCED BY WHALEN, FRITZ

IN THE HOUSE

JANUARY 31, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

 FIRST READING.

FEBRUARY 16, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 18, 1991 PRINTING REPORT.

FEBRUARY 26, 1991 SECOND READING, DO PASS AS AMENDED.

FEBRUARY 27, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 95; NOES, 5.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 4, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

 FIRST READING.

MARCH 27, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

APRIL 1, 1991 SECOND READING, CONCURRED IN.

APRIL 2, 1991 THIRD READING, CONCURRED IN.
AYES, 44; NOES, 5.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 8, 1991 RECEIVED FROM SENATE.

 ON MOTION, CONSIDERATION PASSED.

APRIL 10, 1991 SECOND READING, AMENDMENTS NOT
CONCURRED IN.

APRIL 12, 1991

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 16, 1991

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 18, 1991

FREE CONFERENCE COMMITTEE REPORTED.

APRIL 19, 1991

SECOND READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

APRIL 19, 1991

THIRD READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

IN THE SENATE

APRIL 20, 1991

FREE CONFERENCE COMMITTEE REPORT ADOPTED.

IN THE HOUSE

APRIL 22, 1991

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 500
 2 INTRODUCED BY Whalen-Fitz
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A CAPITOL
 5 RESTORATION COMMISSION TO RAISE MONEY FOR THE ONGOING
 6 RESTORATION OF THE CAPITOL, TO SUGGEST CAPITOL IMPROVEMENTS,
 7 AND TO PLAN CAPITOL CENTENNIAL EVENTS."

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

10 NEW SECTION. Section 1. Definitions. As used in
 11 [sections 1 through 6], "commission" means the capitol
 12 restoration commission established in [section 2].

13 NEW SECTION. Section 2. Capitol restoration commission
 14 -- composition -- allocation. (1) There is a capitol
 15 restoration commission consisting of:

16 (a) the governor, lieutenant governor, secretary of
 17 state, attorney general, superintendent of public
 18 instruction, and state auditor, who are ex officio members
 19 of the commission; and

20 (b) up to 20 members from the public sector or private
 21 sector whom the ex officio members shall appoint and who
 22 shall serve for 4 years.

23 (2) The governor is the president, and the secretary of
 24 state is the secretary of the commission. In the absence of
 25 either the president or the secretary, an officer pro

1 tempore may be elected from the ex officio members.

2 (3) (a) The meetings of the commission are held at the
 3 call of the president.

4 (b) If an ex officio member is unable to attend a
 5 meeting of the commission, he may designate another
 6 individual to attend and represent him.

7 (4) The commission is allocated to the department of
 8 administration for administrative purposes only as
 9 prescribed in 2-15-121.

10 NEW SECTION. Section 3. Authority to incorporate as
 11 nonprofit organization. The commission may incorporate as a
 12 nonprofit organization subject to the provisions of Title
 13 35.

14 NEW SECTION. Section 4. Commission activities --
 15 authority. The commission may:

16 (1) raise money from the private sector for the ongoing
 17 historical restoration and preservation of the capitol;

18 (2) suggest capitol improvements; and

19 (3) plan for the capitol centennial event.

20 NEW SECTION. Section 5. Account established -- use of
 21 funds. (1) An account is established in the state special
 22 revenue fund, as provided in 17-2-102, into which all money
 23 raised by the commission must be deposited.

24 (2) The money deposited in the account must be used
 25 only for the historical restoration and preservation of the

1 capitol upon the commission's approval and for the
2 administrative expenses of the commission.

3 NEW SECTION. **Section 6. Compensation and expenses for**
4 **members.** (1) Except as provided in subsection (2), each
5 commission member is entitled to compensation in the amount
6 determined by the commission president, not to exceed \$25
7 for each day in which the commission member is actually and
8 necessarily engaged in the performance of commission duties.
9 A commission member is also entitled to travel expense
10 reimbursement as provided in 2-18-501 through 2-18-503.

11 (2) Members of the commission who are full-time
12 salaried officers or employees of the state or any political
13 subdivision of the state are not entitled to compensation
14 for their services as members of the commission but are
15 entitled to reimbursement for travel expenses, as provided
16 in 2-18-501 through 2-18-503, when engaged in commission
17 activities.

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0500, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act creating a capitol restoration commission to raise money for the ongoing restoration of the capitol, to suggest capitol improvements, and to plan capitol centennial events.


ASSUMPTIONS:

1. The proposed commission will consist of 20 members from the public and private sector, five of whom will be from the Helena area.
2. There will be a \$25 per day honorarium for each day a commission member is actually and necessarily engaged in the performance of commission duties.
3. The proposed commission will meet four times per year. The travel, meals and lodging reimbursement rates will apply for commissioners and ex-official members attending the meetings.
4. The proposed commission is allocated to the Department of Administration for administrative purposes only.
5. The commission will raise money from the private sector for its administrative expenses.

FISCAL IMPACT:

Department of Administration, Management Support Bureau:

	FY 92			FY 93		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
<u>Expenditures:</u>						
Personal Services (perdiem)	0	11,634	11,634	0	11,634	11,634
<u>Funding:</u>						
Nonstate State Special (02)	0	11,634	11,634	0	11,634	11,634


ROD SUNDSTED, BUDGET DIRECTOR 2-4-91 DATE
Office of Budget and Program Planning

 2/4/91
TIMOTHY J. WHALEN, PRIMARY SPONSOR DATE

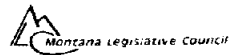
Fiscal Note for HB0500, as introduced.

HB 500

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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 2 INTRODUCED BY WHALEN, FRITZ
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 7 AND TO PLAN CAPITOL CENTENNIAL EVENTS."
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 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 NEW SECTION. Section 1. Definitions. As used in
 11 [sections 1 through 6], "commission" means the capitol
 12 restoration commission established in [section 2].
 13 NEW SECTION. Section 2. Capitol restoration commission
 14 -- composition -- allocation. (1) There is a capitol
 15 restoration commission consisting of
 16 (a) the governor, lieutenant governor, secretary of
 17 state, attorney general, superintendent of public
 18 instruction, and state auditor, STATE ARCHITECT, AND THE
 19 DIRECTOR OF THE MONTANA HISTORICAL SOCIETY, who are ex
 20 officio members of the commission;--and. EACH EX OFFICIO
 21 MEMBER MAY APPOINT
 22 (b) up to ~~20~~ TWO members from the public sector or
 23 private sector whom the ex officio members shall appoint and
 24 who shall serve for 4 years.
 25 (2) The governor is the president, and the secretary-of

1 state DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION is the
 2 secretary of the commission. In the absence of either the
 3 president or the secretary, an officer pro tempore may be
 4 elected from the ex officio members.
 5 (3) (a) The meetings of the commission are held at the
 6 call of the president.
 7 (b) If an ex officio member is unable to attend a
 8 meeting of the commission, he may designate another
 9 individual to attend and represent him.
 10 (4) The commission is allocated to the department of
 11 administration for administrative purposes only as
 12 prescribed in 2-15-121.
 13 NEW SECTION. Section 3. Authority to incorporate as
 14 nonprofit organization. The commission may incorporate as a
 15 nonprofit organization subject to the provisions of Title
 16 35.
 17 NEW SECTION. Section 4. Commission activities --
 18 authority. The commission may:
 19 (1) raise money from the private sector for the ongoing
 20 historical restoration and preservation of the capitol;
 21 (2) suggest capitol improvements; and
 22 (3) plan for the capitol centennial event.
 23 NEW SECTION. Section 5. Account established -- use of
 24 funds. (1) An account is established in the state special
 25 revenue fund, as provided in 17-2-102, into which all money



1 raised by the commission must be deposited.

2 (2) The money deposited in the account must be used
3 only for the historical restoration and preservation of the
4 capitol upon the commission's approval and for the
5 administrative expenses of the commission.

6 NEW SECTION. **Section 6. Compensation and expenses for**
7 **members.** (1) Except as provided in subsection (2), each
8 commission member is entitled to compensation in the amount
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11 necessarily engaged in the performance of commission duties.
12 A commission member is also entitled to travel expense
13 reimbursement as provided in 2-18-501 through 2-18-503.

14 (2) Members of the commission who are full-time
15 salaried officers or employees of the state or any political
16 subdivision of the state are not entitled to compensation
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18 entitled to reimbursement for travel expenses, as provided
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20 officio members of the commission; and. EACH EX OFFICIO
21 MEMBER MAY APPOINT

22 (b) up to 20 TWO members from the public sector or
23 private sector ~~whom the ex-officio members shall appoint and~~
24 who shall serve for 4 years.

25 (B) THE DIRECTOR OF THE MONTANA HISTORICAL SOCIETY AND

1 THE STATE ARCHITECT, WHO SHALL SERVE ON THE COMMITTEE AND
2 ASSIST THE COMMITTEE WITH TECHNICAL SUPPORT.

3 (2) The governor is the president, AND IN HIS ABSENCE
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6 secretary of the commission. In the absence of either the
7 president or the secretary, an officer pro tempore may be
8 elected from the ex officio members.

9 (3) (a) The meetings of the commission are held at the
10 call of the president.

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24 activities.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
March 26, 1991

MR. PRESIDENT:

We, your committee on State Administration having had under consideration House Bill No. 500 (third reading copy -- blue), respectfully report that House Bill No. 500 be amended and as so amended be concurred in:

1. Page 2, line 25.

Following: "improvements"

Insert: ", except changes in the location of the Montana senate chambers"

Signed: Eleanor Vaughn
Eleanor Vaughn, Chairman

LB 3/26/91
Amd. Coord.

JB 3/26 3:25
Sec. of Senate

HB 500

SENATE

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-End-

-3-

HB 500

Free Conference Committee
on House Bill 500
Report No. 1, April 18, 1991

4-18-91
3:25 pm
J. B. H.

Page 1 of 1

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered House Bill 500 and recommend that House Bill 500 (reference copy -- salmon) as follows:

1. Page 1, line 11.
Following: "through"
Strike: "6"
Insert: "7"

2. Page 2.
Following: line 16
Insert:

"NEW SECTION. Section 3. Legislative membership on commission. The president of the senate and the speaker of the house of representatives are ex officio members of the commission. Each may appoint up to two members from the public or private sector who shall serve for 2 years."
Re-number: subsequent sections

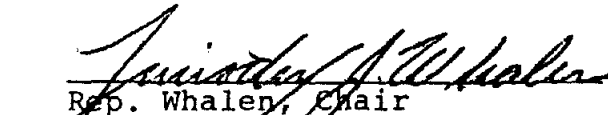
3. Page 3.
Following: line 25
Insert:

"NEW SECTION. Section 8. 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."

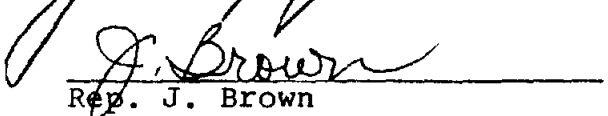
And this Free Conference Committee report be adopted.

For the House:

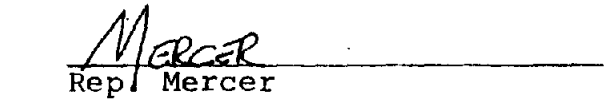
For the Senate:

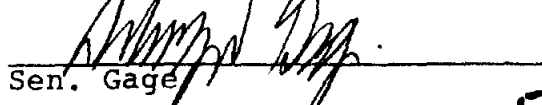

Rep. Whalen, Chair


Sen. Blaylock, Chair


Rep. J. Brown


Sen. Fritz


Rep. Mercer


Sen. Gage

ADOPT
REJECT

FCC # 1
HB 500
831333CC.HSF

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 18 COMMISSION. THE PRESIDENT OF THE SENATE AND THE SPEAKER OF
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 20 COMMISSION. EACH MAY APPOINT UP TO TWO MEMBERS FROM THE
 21 PUBLIC OR PRIVATE SECTOR WHO SHALL SERVE FOR 2 YEARS.
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6 NEW SECTION. SECTION 8. SEVERABILITY. IF A PART OF
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9 ACT] IS INVALID IN ONE OR MORE OF ITS APPLICATIONS, THE PART
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-End-