

1 House JOINT RESOLUTION NO. 65  
 2 INTRODUCED BY Brend Conroy  
 3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
 5 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE BOARD  
 6 OF LAND COMMISSIONERS TO TRANSFER THE OLD PRISON SITE TO THE  
 7 CITY OF DEER LODGE.

8  
 9 WHEREAS, a new prison has been built at Deer Lodge,  
 10 Montana; and

11 WHEREAS, the old prison, built in 1870, is soon to be  
 12 vacated; and

13 WHEREAS, the state of Montana and the Department of  
 14 Institutions have no plans to use the old prison as an  
 15 institutional facility; and

16 WHEREAS, the old prison has immense cultural,  
 17 educational, and recreational value to all Montanans and to  
 18 all out-of-state visitors; and

19 WHEREAS, the City of Deer Lodge, Montana, is willing  
 20 and eager to establish, maintain, and preserve the cultural  
 21 and historical value of the old prison; and

22 WHEREAS, the City of Deer Lodge has many grants pending  
 23 the outcome of the transfer of the old prison site to the  
 24 city; and

25 WHEREAS, the City of Deer Lodge and the Powell County

1 Museum and Arts Foundation are, pending the transfer of the  
 2 old prison site, prepared to acquire and lease numerous  
 3 exhibits of historical and cultural value; and

4 WHEREAS, a bill has been introduced in the United  
 5 States Congress to waive the appropriate section of the  
 6 Enabling Act and to thereby permit the transfer of the old  
 7 prison to the City of Deer Lodge, Montana.

8  
 9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
 10 OF REPRESENTATIVES OF THE STATE OF MONTANA:

11 That the State Board of Land Commissioners is directed,  
 12 under its authority prescribed in Section 81-803, R.C.M.  
 13 1947, to grant the City of Deer Lodge a right-of-way deeded  
 14 easement for the old prison site, specifically Blocks 52,  
 15 53, 62, 63, 66, and 67 of the original townsite to the City  
 16 of Deer Lodge according to the official map adopted on  
 17 February 26, 1912.

18 BE IT FURTHER RESOLVED, that the State Board of Land  
 19 Commissioners establish the conditions of the easement in  
 20 consultation with representatives of the City of Deer Lodge.

21 BE IT FURTHER RESOLVED, that the Secretary of State  
 22 send a copy of this resolution to each member of the Montana  
 23 Congressional Delegation and to each member of the State  
 24 Board of Land Commissioners.

25 BE IT FURTHER RESOLVED, that the State Board of Land

LC 1374/01

1 Commissioners affect the transfer of the old prison site to  
2 the City of Deer Lodge as soon as possible following the  
3 vacating of the old prison by the Department of  
4 Institutions.

-End-

Approved by Committee  
on Appropriations

House JOINT RESOLUTION NO. 65

INTRODUCED BY Brand Casney

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE BOARD OF LAND COMMISSIONERS TO TRANSFER THE OLD PRISON SITE TO THE CITY OF DEER LODGE.

WHEREAS, a new prison has been built at Deer Lodge, Montana; and

WHEREAS, the old prison, built in 1870, is soon to be vacated; and

WHEREAS, the state of Montana and the Department of Institutions have no plans to use the old prison as an institutional facility; and

WHEREAS, the old prison has immense cultural, educational, and recreational value to all Montanans and to all out-of-state visitors; and

WHEREAS, the City of Deer Lodge, Montana, is willing and eager to establish, maintain, and preserve the cultural and historical value of the old prison; and

WHEREAS, the City of Deer Lodge has many grants pending the outcome of the transfer of the old prison site to the city; and

WHEREAS, the City of Deer Lodge and the Powell County

Museum and Arts Foundation are, pending the transfer of the old prison site, prepared to acquire and lease numerous exhibits of historical and cultural value; and

WHEREAS, a bill has been introduced in the United States Congress to waive the appropriate section of the Enabling Act and to thereby permit the transfer of the old prison to the City of Deer Lodge, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the State Board of Land Commissioners is directed, under its authority prescribed in Section 81-803, R.C.M. 1947, to grant the City of Deer Lodge a right-of-way deeded easement for the old prison site, specifically Blocks 52, 53, 62, 63, 66, and 67 of the original townsite to the City of Deer Lodge according to the official map adopted on February 26, 1912.

BE IT FURTHER RESOLVED, that the State Board of Land Commissioners establish the conditions of the easement in consultation with representatives of the City of Deer Lodge.

BE IT FURTHER RESOLVED, that the Secretary of State send a copy of this resolution to each member of the Montana Congressional Delegation and to each member of the State Board of Land Commissioners.

BE IT FURTHER RESOLVED, that the State Board of Land

HJR 65

LC 1374/01

1 Commissioners affect the transfer of the old prison site to  
2 the City of Deer Lodge as soon as possible following the  
3 vacating of the old prison by the Department of  
4 Institutions.

-End-

1                   HOUSE JOINT RESOLUTION NO. 65  
2                   INTRODUCED BY BRAND, COONEY  
3  
4   A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
5   REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE BOARD  
6   OF LAND COMMISSIONERS TO TRANSFER THE OLD PRISON SITE TO THE  
7   CITY OF DEER LODGE.  
8  
9       WHEREAS, a new prison has been built at Deer Lodge,  
10   Montana; and  
11       WHEREAS, the old prison, built in 1870, is soon to be  
12   vacated; and  
13       WHEREAS, the state of Montana and the Department of  
14   Institutions have no plans to use the old prison as an  
15   institutional facility; and  
16       WHEREAS, the old prison has immense cultural,  
17   educational, and recreational value to all Montanans and to  
18   all out-of-state visitors; and  
19       WHEREAS, the City of Deer Lodge, Montana, is willing  
20   and eager to establish, maintain, and preserve the cultural  
21   and historical value of the old prison; and  
22       WHEREAS, the City of Deer Lodge has many grants pending  
23   the outcome of the transfer of the old prison site to the  
24   city; and  
25       WHEREAS, the City of Deer Lodge and the Powell County

1   Museum and Arts Foundation are, pending the transfer of the  
2   old prison site, prepared to acquire and lease numerous  
3   exhibits of historical and cultural value; and  
4       WHEREAS, a bill has been introduced in the United  
5   States Congress to waive the appropriate section of the  
6   Enabling Act and to thereby permit the transfer of the old  
7   prison to the City of Deer Lodge, Montana.  
8  
9   NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
10   OF REPRESENTATIVES OF THE STATE OF MONTANA:  
11       That the State Board of Land Commissioners is directed,  
12   under its authority prescribed in Section 81-803, R.C.M.  
13   1947, to grant the City of Deer Lodge a right-of-way deeded  
14   easement for the old prison site, specifically blocks 52,  
15   53, 62, 63, 66, and 67 of the original townsite to the City  
16   of Deer Lodge according to the official map adopted on  
17   February 26, 1912.  
18       BE IT FURTHER RESOLVED, that the State Board of Land  
19   Commissioners establish the conditions of the easement in  
20   consultation with representatives of the City of Deer Lodge.  
21       BE IT FURTHER RESOLVED, that the Secretary of State  
22   send a copy of this resolution to each member of the Montana  
23   Congressional Delegation and to each member of the State  
24   Board of Land Commissioners.  
25       BE IT FURTHER RESOLVED, that the State Board of Land

HJR 0065/02

1 Commissioners effect ~~EFFECI~~ the transfer of the old prison  
2 site to the City of Deer Lodge as soon as possible following  
3 the vacating of the old prison by the Department of  
4 Institutions.

-End-

March 29, 1977

STANDING COMMITTEE REPORT  
Senate Committee on State Administration

That House Joint Resolution No. 65 be amended as follows:

1. Amend page 2, line 13.

Following: "Lodge"

Strike: "a right-of-way deeded"

Insert: "an"

2. Amend page 2, line 17.

Following: "1912."

Insert: "The transfer is subject to the old prison being no longer  
needed by the state of Montana."

April 2, 1977

SENATE  
COMMITTEE OF THE WHOLE

That House Joint Resolution No. 65 be amended as follows:

1. Amend page 2, line 11.

Following: "Commissioners"

Strike: "is directed,"

Insert: "may, under appropriate conditions in the interest of the state which conditions shall include a provision that a reasonable provision for nonassignability and assumption of maintenance and insurance costs by the city of Deer Lodge; and for indemnifying the State of Montana for all claims for damages and other liability arising out of the use and possession by the city of Deer Lodge and"

2. Amend page 2, line 13.

Following: "1947"

Strike: "to"

3. Amend page 3, line 1.

Following: "affect"

Strike: "EFFECT the transfer of"

Insert: "consider executing an easement for"

1 HOUSE JOINT RESOLUTION NO. 65  
 2 INTRODUCED BY BRAND, COONEY  
 3  
 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
 5 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE BOARD  
 6 OF LAND COMMISSIONERS TO TRANSFER THE OLD PRISON SITE TO THE  
 7 CITY OF DEER LODGE.

8  
 9 WHEREAS, a new prison has been built at Deer Lodge,  
 10 Montana; and

11 WHEREAS, the old prison, built in 1870, is soon to be  
 12 vacated; and

13 WHEREAS, the state of Montana and the Department of  
 14 Institutions have no plans to use the old prison as an  
 15 institutional facility; and

16 WHEREAS, the old prison has immense cultural,  
 17 educational, and recreational value to all Montanans and to  
 18 all out-of-state visitors; and

19 WHEREAS, the City of Deer Lodge, Montana, is willing  
 20 and eager to establish, maintain, and preserve the cultural  
 21 and historical value of the old prison; and

22 WHEREAS, the City of Deer Lodge has many grants pending  
 23 the outcome of the transfer of the old prison site to the  
 24 city; and

25 WHEREAS, the City of Deer Lodge and the Powell County

1 Museum and Arts Foundation are, pending the transfer of the  
 2 old prison site, prepared to acquire and lease numerous  
 3 exhibits of historical and cultural value; and

4 WHEREAS, a bill has been introduced in the United  
 5 States Congress to waive the appropriate section of the  
 6 Enabling Act and to thereby permit the transfer of the old  
 7 prison to the City of Deer Lodge, Montana.

8  
 9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
 10 OF REPRESENTATIVES OF THE STATE OF MONTANA:

11 That the State Board of Land Commissioners ~~is directed~~  
 12 MAY, UNDER APPROPRIATE CONDITIONS IN THE INTEREST OF THE  
 13 STATE WHICH CONDITIONS SHALL INCLUDE A PROVISION THAT A  
 14 REASONABLE PROVISION FOR NONASSIGNABILITY AND ASSUMPTION OF  
 15 MAINTENANCE AND INSURANCE COSTS BY THE CITY OF DEER LODGE;  
 16 AND FOR INDEMNIFYING THE STATE OF MONTANA FOR ALL CLAIMS FOR  
 17 DAMAGES AND OTHER LIABILITY ARISING OUT OF THE USE AND  
 18 POSSESSION BY THE CITY OF DEER LODGE AND under its authority  
 19 prescribed in Section 81-803, R.C.M. 1947, to grant the  
 20 City of Deer Lodge ~~a right-of-way-deeded~~ an easement for the  
 21 old prison site, specifically Blocks 52, 53, 62, 63, 66, and  
 22 67 of the original townsite to the City of Deer Lodge  
 23 according to the official map adopted on February 26, 1912.  
 24 THE TRANSFER IS SUBJECT TO THE OLD PRISON BEING NO LONGER  
 25 NEEDED BY THE STATE OF MONTANA.

REFERENCE BILL

HJR 0065/03

1           RE IT FURTHER RESOLVED, that the State Board of Land  
2   Commissioners establish the conditions of the easement in  
3   consultation with representatives of the City of Deer Lodge.

4           BE IT FURTHER RESOLVED, that the Secretary of State  
5   send a copy of this resolution to each member of the Montana  
6   Congressional Delegation and to each member of the State  
7   Board of Land Commissioners.

8           BE IT FURTHER RESOLVED, that the State Board of Land  
9   Commissioners effect ~~EEEEET~~ ~~the transfer~~ of CONSIDER  
10 EXECUTING AN EASEMENT FOR the old prison site to the City of  
11 Deer Lodge as soon as possible following the vacating of the  
12 old prison by the Department of Institutions.

-End-