

MINUTES OF THE  
SENATE LONG RANGE PLANNING SUBCOMMITTEE

April 11, 1987

Chairman Van Valkenburg called the meeting to order at 8:00 a.m. in Room 410, State Capitol. All members were present.

Chairman Van Valkenburg stated that the purpose of the meeting was to take Executive Action on House Bills 894, 894 and 903. He stated that the question is whether or not there is any money to work with. He said that there had been testimony yesterday by the Department of Justice to the effect that the Motor Vehicle Account, which is the source of funding for the Academy, does not have sufficient funds in it. Mr. Robert Kuchenbrod, Administrator, Central Services Division, Justice Department, said the Motor Vehicle Account does not have sufficient money to spend for any of the proposals.

Mr. Clayton Schenck, Legislative Fiscal Analyst's Office, said the bottom line is there is no additional money in the Motor Vehicle Account for any of the three proposals.

Senator Williams said he doesn't like the idea that all the communities spent the time and money they did to come down to this. He questioned what happened to the money in the Motor Vehicle Account. Chairman Van Valkenburg said there had been no manipulation of the figures, but that the Legislature had spent the money elsewhere. Senator Aklestad asked if money had been set aside for the existing structure. Mr. Kuchenbrod answered that the monies for the lease (\$96,000), maintenance (\$55,000) and the ongoing expenses would amount to \$302,000 for the biennium, have already been appropriated in the budget for the Law Enforcement Academy.

Senator Walker asked Mr. Gomez if we let the lease go in 1988, are we free and clear of obligation? Mr. Gomez answered that when the lease expires, yes, but there might be a problem of where to go. There is a provision in the lease that would allow the Academy to lease additional time in one year increments, under the terms of the current lease. The lease payments will be higher after October 1, 1988 to cover the lessor's costs.

Senator Aklestad asked if there is a provision currently in the lease which says we're obligated to pick the lessor's delinquency on his payments. Mr. Gomez said that is true with respect to the purchase of the buildings. The owner has been paying the interest only, not paying on the principal. Mr. Ron Smith, Legislative Auditor's Office, said we can buy the buildings at \$442,500 less the amount the owner paid on the principal, \$145,400, which would end up being the amount of \$295,000 we

Minutes  
Senate Long Range Planning Subcommittee  
April 11, 1987  
page two

would owe to purchase the buildings. Senator Aklestad said then we are tied in to that indebtedness only if we purchase the buildings. Mr. Smith said that was correct.

Senator Walker asked someone from Architecture and Engineering to provide information about the code requirements concerning the Lewistown proposal. Mr. Tom O'Connell, Administrator, Architecture and Engineering Division, Department of Administration, answered that when the proposal was originally done, the hotel and the school were scheduled to be redone. The heating system and wiring needed to be extensively redone. In the current proposal, that is not the case. The hotel does have code problems. The Department would have to go back in now and re-evaluate the entire site.

Chairman Van Valkenburg asked Mr. Gomez what the maximum amount of money is that is available now. Mr. Gomez cited the last page of the Interim Study Report (attached to the first set of minutes as Exhibit 8). Mr. Gomez stated that there is \$127,000 in the Capital Projects Fund, \$116,000 from the funding for the first year of operation, plus \$55,000 for operation expenses. Rep. Thoft stated that the funding for the Academy is provided for in House Bill No. 2. Mr. Schenck stated that the language providing for the purchase of the buildings in Bozeman was struck in the Senate Finance and Claims Committee.

Senator Aklestad said that the bottom line is that there are no funds available, but perhaps we could get money back into House Bill No. 2. Chairman Van Valkenburg said money could be used from the Capitol Projects Fund.

Senator Walker said he can't see why we would want to purchase the mobile buildings in Bozeman. He doesn't think it makes sense. Senator Aklestad asked who dictates the purchase price? Mr. Kuchenbrod stated that the price possibly could be negotiated with the owner.

Senator Aklestad said that unless there is money for the purchase of a new facility, he sees no point in going on any further. He regrets that this has gone this far. There is no money now and we should not consider any of the proposals unless there is money available. If and when we find the money, then we can evaluate the proposals.

Senator Walker said the Great Falls proposal involves no new money, the lease agreement is the same as in House Bill No. 2

Minutes  
Senate Long Range Planning Subcommittee  
April 11, 1987  
page three

originally. He thinks we should keep this option open, even if it is for a short-term. Perhaps we shouldn't lock ourselves in, but for now Great Falls would meet all the needs of the Academy. Chairman Van Valkenburg asked Senator Walker where the money would come from to do that. Senator Walker said just let the lease at Boeaman run out, then move to Great Falls.

President Treadway, Western Montana College, stated that the Academy could operate tomorrow at Western without a firing range. He said it would cost the least amount of money now, and the improvements could be added later when money was available. He said that 85% of the specifications are met in the existing facilities at Dillon now.

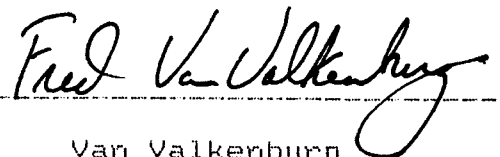
Senator Aklestad said that each proposal could make the same comment now. The point is that we do not have the money now.

Senator McLane said he agrees with Senator Aklestad. He thinks the Academy should stay where it is. He doesn't necessarily think that it is the best location, but in light of the finances, we really don't have much choice.

Senator Aklestad proposed taking time to check the figures on each proposal and come back later. He feels that the communities that spent the time and the money to put these proposals together deserve this.

Chairman Van Valkenburg stated that he will adjourn the Committee for now and reconvene after the session today. He urged everyone to think about getting additional money. He advised Ms. Quinlan to prepare a sheet comparing the costs at the three proposed sites.

The meeting adjourned at 1:35 p.m.



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Van Valkenburg  
Chairman

# STANDING COMMITTEE REPORT

April 13 1987

MR. PRESIDENT

## Senate Long Range Planning

We, your committee on

House Bill

No. 903

having had under consideration

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**GRINDE (Van Valkenburg)**

## RELOCATE THE LAW ENFORCEMENT ACADEMY TO LEWISTOWN

House Bill

No. 903

Respectfully report as follows: That

### Be Amended as Follows

House Bill 903, ~~Second~~ reading copy (blue)

Third

1. Page 3, Line 11

Strike: "\$200,000"

Insert: "\$73,000"

2. Page 3, Line 12

Following: "fund"

Insert: "and \$127,000 from the capital projects fund"

3. Page 3, Lines 19 through 31

Strike: Lines 19 through 31

Remember subsequent sections

AND AS AMENDED

BE NOT CONCURRED IN

XXXXXX AMENDS:mq.  
DO PASS

XXXXXXXXXX  
DO NOT PASS

Van Valkenburg

Chairman.

# STANDING COMMITTEE REPORT

April 13 19 87

MR. PRESIDENT

## Senate Long Range Planning

We, your committee on.....

having had under consideration..... **House Bill** No. **894**

**third** reading copy ( **blue** )

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**THOFT (Van Valkenburg)**

## LOCATE THE LAW ENFORCEMENT ACADEMY AT WESTERN MONTANA COLLEGE IN DILLOM

Respectfully report as follows: That..... **House Bill** No. **894**

### Be Amended as Follows

House Bill 894, ~~5<sup>th</sup>~~ reading copy (blue)

Third

1. Page 5, Line 8  
Following: "appropriated"  
Insert: "\$265,000 from the motor vehicle account of the state special revenue fund"
  
2. Page 6, Line 8  
Following: "justice"  
Strike: remainder of line 8 through "1989." on line 9
  
3. Page 8, lines 21 through 23  
Strike: lines 21 through 23 in their entirety  
  
Re-number subsequent sections
  
4. Page 7, line 6.  
Strike: "11"  
Insert: "10"

AND AS AMENDED

BE NOT CONCURRED IN

XXXXXXXX AMENDS:mq.  
DO PASS

XXXXXXXXXX  
DO NOT PASS

.....  
**Van Valkenburg**

Chairman.