

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 51st LEGISLATURE - REGULAR SESSION

SUBCOMMITTEE ON LONG RANGE PLANNING

Call to Order: By Chairperson Connelly, on January 16,
1989, at 7:30 a.m.

ROLL CALL

Members Present: All

Members Excused: None

Members Absent: None

Staff Present: Claudia Montagne, Secretary; Carroll South,
Staff Researcher, Legislative Fiscal Analyst's Office.

Announcements/Discussion: None

LONG RANGE BUILDING PROGRAM

Tape 5:B:325

DEPARTMENT OF FISH, WILDLIFE AND PARKS: Don Hyypa, Administrator of the Parks Division of the Department of Fish, Wildlife and Parks (FWP) presented the remainder of the Parks Program, and expressed the need for an amendment to the Parks portion of the Capital Construction Program as originally presented in the Governor's budget. He stated that since 1983, due to the tightening of funds, there had been no further purchases of additional land, and no capital improvement projects save the one at Spring Meadow Lake in Helena (due to heavy use and liability risks). Therefore, there are a number of sites acquired previously, but not improved and thus not available to the public. Mr. Hyypa said they also cut down on cyclic maintenance, size of staff, and are now proposing giving up federal sites; namely, Lost Creek, Nelson Reservoir, James Kipp State Park, Hell Creek on Fort Peck, and Canyon Ferry.

MR. HYYPPA (5:B:395) stated that the public has elevated their complaints regarding the lack of maintenance and services at the state facilities. He said that the Department concluded that they should not try to take on the responsibility of sites belonging to the federal government. The public is opposed to this as well. The department began to receive input that a look at users' fees was appropriate,

and this idea has been taken to the public. He said that there appears to be a willingness to pay users' fees if the money goes back into the particular site. A fee proposal developed by the Fish and Game Commission has been aired with the public, feedback is being evaluated, and this evaluation will be presented to the Fish and Game Commission on January 21, 1989. If this rule is adopted, it is expected to generate \$400,000 to \$500,000 per year for the Park Service Revenue Account, which would double the size of that account.

MR. HYYPPA (5:B:450) said that the department is requesting the authority from the Legislature to spend that money right now, prior to the adoption of that rule, because of the compressed time schedule. They would plan to spend it between 3 management areas: 1. Day to day site care; 2. Cyclic maintenance; 3. Creation of one or two demonstration areas that would demonstrate bringing up an area to standards to show that this would bring in more revenues. Mr. Hyyppa referred to the yellow brochure distributed on January 13, the Parks User Survey results, and the nine point self help program (EXHIBITS 1 AND 2).

REP. BARDANOUE (5:B:567) asked about the cost of fee collection, and Mr. Hyyppa answered that fee systems generate twice what they cost to collect. He stated that there would be an entrance gate and attendants at heavy visitation sites, a self-service gate (iron ranger) at areas of moderate use, and at limited use sites, a sign with collection by a regular maintenance person during times of heavy use such as weekends. Rep. Bardenoue (5:B:629) suggested that we can't use the same figures as national parks to figure out our costs of collections, and Mr. Hyyppa said that the department could collect their fees for less than what they propose. Rep. Bardenoue (5:B:661) asked if they had considered seasonal fees, and Mr. Hyyppa said yes, that they had considered 3 options: 1. Seasonal pass; 2. Single day fees; and 3. A combination of the two. He said that the department is in favor of the combination - a \$20.00 per year family passport for any of the parks for a calendar year. This would be in combination with the option of a \$1/person or \$4/car daily fee.

SEN. HIMSL (5:B:716) asked if this is to be determined by the Fish and Game Commission or by rule, and Mr. Hyyppa answered that it would be set by rule, but that the Commission has the authority to adopt the rule based on the department's recommendation. There is new membership on the Commission, but Mr. Hyyppa was hopeful that the decision could be taken on January 26, 1989.

MR. HYYPPA (6:A:000) went through the spread sheet of the

revised Parks Capital Proposal (EXHIBIT 3). He then described each of the proposed Parks projects as contained within the remaining pages of Exhibit 3. These are State Park System Maintenance and Development, East Gallatin State Recreation Area (Glen Lake), Lewis and Clark Caverns, and the two Model Parks projects. These projects would consist of improvements to Makoshika, near Glendive in the Badlands, and several sites on Flathead Lake (Wayfarer's at Big Fork, Big Arm near Elmo, and other sites such as those on the west shore near Lakeside). Rep. Bardenouve (6:A:187) asked if the state hadn't already put monies into the roads in the Makoshika area. Mr. Hyyppa responded that the Division had paved a segment of road from town to the first campground, and the switchbacks. Other roads are gumbo and gravel, and wash out regularly.

REP. THOFT (6:A:211) commented that with a \$14,000,000 capital expenditure proposed by FWP, he couldn't understand the department proposing to charge the public. Rep. Bardenouve (6:A:223) asked if, under this new program, federal facilities would be kept or turned over, and Mr. Hyyppa said that although their recommendation is to turn them over, the status of those is up to the Legislature. He admitted that there was opposition from legislators to turning these sites over.

MR. HYYPPA (6:A:232) summarized that situation, addressing each of the sites in question. They are Lost Creek, which the department hates to give up. He said that it is not expensive to operate, but that the Forest Service is ready to take it over, incorporating it into their Flint Creek facilities. He said that people in Anaconda are split over the issue, and that it would happen in July of 1989. Regarding Canyon Ferry (6:A:255), there is much discussion. He said that the proposed transfer would occur in October of 1989, and during the week of February 6, there would be public meetings to explain why the department feels it has to make the transfer and to allow the federal agencies to explain their plans, were they to take it back. Regarding Hell Creek (6:A:271) on Fort Peck, he said there had been public meetings. The Corps of Engineers stated that they would have to close the facility if they were to take it over. Mr. Hyyppa stated that the people prefer the state to manage the site and for it to remain open. Regarding James Kipp (6:A:286) on the Missouri River, he said the logical management agency is the Bureau of Land Management, since they manage the Wild and Scenic Missouri, and this is the terminus of that segment of the Missouri River. In the case of Nelson Reservoir (6:A:293), he stated that since it is a small site, the Bureau of Reclamation would keep it open. He summarized, stating that Canyon Ferry and Hell Creek are issues.

HOUSE SUBCOMMITTEE ON LONG RANGE PLANNING

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REP. BARDANOUVE (6:A:300) asked for a breakdown of what it costs to maintain these sites, and Mr. Hyyppa said yes, the department would. Rep. Hims1 (6:A:311) asked who had the authority to make these decisions, and Mr. Hyyppa said that ultimately, with Canyon Ferry, it was with the Fish and Game Commission and the federal agency, since the contract is up this summer. The federal agency has said that the status quo, or band aid approach to maintaining Canyon Ferry is no longer acceptable, in which case they could refuse to renew the contract with the state even if the Legislature voted to keep the area within the State Parks System. In the other cases, the state or the Legislature could choose to keep the sites, since the contracts are not ending.

REP. BARDANOUVE (6:A:340) asked if the projected \$500,000 from the fee system would be based on turning these parks over or retaining them, and Mr. Hyyppa said their revenue estimate was based on turning them over. He added that the department had maintained a parallel set of books based on retaining the sites. He said that if Canyon Ferry were to be retained, it would provide an additional \$110,000 - \$120,000. He added that in the case of other sites, the additional revenues wouldn't be much more. In all cases, he said that the new fees would sustain the day to day operations, but would not be enough for capital improvements. Rep. Hims1 (6:A:392) asked how the department proposed to address this, and Mr. Hyyppa said that the Appropriations Subcommittee and this committee would house the discussion and determine the direction. Sen. Manning (6:A:410) asked about the fate of the leases of cabins on Canyon Ferry that are on federal land, and Mr. Hyyppa said that these leases would continue and that the Bureau of Reclamation would stand in the stead of the Fish and Game Commission.

CARROLL SOUTH (6:A:425) stated that this revised spread sheet offered by the Parks Division would have to correspond to the fiscal proposal in the bill, and asked what priority the Model Parks Program would be in the Executive Budget. Mr. Hyyppa said that it was not in the Executive Budget and was a brand new proposal. Mr. Marcoux said that in visits with the new administration regarding the new proposal, they had not received any indications of a change in direction. Rep. Bardenouve (6:A:470) asked if the Fish and Game Commission could change or override the department's recommendation, and Mr. Marcoux responded that the revised proposal had not been presented to the commission. He added that they have approved portions of it, but that with new commission members coming on, it was difficult to predict the final outcome.

MR. MARCOUX (6:A:593) stated that the key issues are whether to turn the four sites over to the federal government and whether to embark on a Model Parks program effort. If the Model Parks Program were not to be enacted, the funds could be redirected to the rest of the park system. He stated that the capital needs of the parks are extensive, and need to be addressed. He then distributed information to the committee that they had requested at the previous hearing; namely, a breakdown of the different funds available to FWP (EXHIBIT 4). Rep. Bardenouve (6:A:638) asked what the committee had done wrong when buying some of these facilities in the past years, and Mr. Hyyppa said that the unfortunate occurrence was that the Parks Coal Tax Trust had been cut back. He said that if it had been allowed to grow as originally intended, there would have been enough funds for all of the tasks of the Parks Program. He added that the Parks Coal Tax Trust was capped, and that the department anticipated that the cap would stay in place.

REP. THOFT (6:A:689) asked if the cap were to be removed, would the money gained be for acquisition or for any purpose. Mr. Hyyppa said the Legislature would have the discretion to say how the monies would be spent. Rep. Bardenouve (6:A:705) asked about Giant Springs at Great Falls, and Mr. Hyyppa said that it was a great success and is the second priority in the state for the importance of the resources, amount of visitation, revenue earning potential, importance to the community, and the beauty of the area.

REP. THOFT (6:B:012) countered with a question about the condition of the stack at Anaconda, and Mr. Hyyppa said that it was still standing, that the community had maintained interest, and that the Parks Division pays the light bill.

DEPARTMENT OF INSTITUTIONS: Curt Chisholm (6:B:034), Director of the Department of Institutions, opened with an overview of the process of setting priorities for the long range building needs of the department. Totally, the department entertained 81 projects, and after review by the department, a list was submitted to the Department of Administration, containing 23 projects totalling \$6,700,000. 21 of these projects were expected to be funded out of the cash program, and 2 projects were intended to be funded out of other than cash. 9 of the 21 were entered into the Capital Construction Program.

REP. THOFT (6:B:056) asked what was the balance in the cash fund, and how far down the ranking list that money went. Mr. O'Connell said that the amount was about \$4,400,000 and that the top 18 projects came to \$4,100,000. The last

project was one requested by the Department of State Lands for \$34,000. The remaining \$200,000 would not be appropriated at this time to allow for more cash revenue on hand. Carroll South presented a priority listing of Capital Construction Program Proposals, showing the top 18 projects in the Governor's Budget (EXHIBIT 5).

MR. CHISHOLM (6:B:110), continued with the presentation of the nine priority projects, 2 of which would be funded out of Special Revenue Funds. At the end of the discussion, Mr. Chisholm asked permission to raise 4 additional issues. He stated that the projects deal with the decaying nature of the infrastructure, and that there was no superficial projects. All dealt with life safety and major maintenance, and he added that the 23 the department submitted were of absolute priority.

MR. CHISHOLM (6:B:169) began with their number one priority and the Dept. of Administration's number one priority, the proposal to construct a 96 cell Low Security Housing Unit at Montana State Prison. These cells would be constructed with inmate labor and civilian supervision, a system they have used in the past. To present the proposal was Dan Russell, Administrator of the Corrections Division, Jack McCormick, Warden for the Montana State Prison, and Bill Thompson, who is responsible for maintenance of the physical plant.

DAN RUSSELL, (6:B:193) distributed a handout on selected prison population data (EXHIBIT 6), and explained the prison compound using an artist's rendering. The proposed addition would go in the area where the low security units A, B, and C are located. He went over the population figures and projections as outlined in Exhibit 6, and said that the overcrowding that existed because of the increased length of stay, increased population, and increased admissions was due to an increase in the severity of sentencing and parole practices. Projections indicated that by 1995, they would need 146 additional beds. He added that after the Criminal Justice and Corrections Advisory Council appointed by Governor Schwinden reviewed the Corrections System and made its recommendations, there were 12 recommendations, 3 of which had direct impact on prison overcrowding, and 3 of which had indirect impact on the same. The Governor accepted 2 of the 3 recommendations (an intensive electronic supervision program and an expanded sexual abuse treatment program), and recommended building the new low security unit. This would provide 146 more placements than the prison already has, and would address overcrowding until 1995. The prison would still be operating at maximum capacity in all departments.

MR. RUSSELL (6:B:402) continued, stating that the

Legislative Fiscal Analyst requested the consideration of construction of modular units, an analysis of which is contained in Exhibit 6. It was found that these require more space, have a short life expectancy, and raise problems with supervision. An analysis of costs for the preferred design is also included in this exhibit. In conclusion, Mr. Russell said that the prison population greatly exceeds the designed prison housing capacity, as well as their emergency capacity. The department has no authority to control the number of prison admissions or lengths of stay, he said, and there are no signs that the population would decline in the near future.

SEN. McLANE (6:B:437) asked about the competence level of the inmate labor force, and Mr. Russell said that they have done this before, and that Mr. Thompson has supervised before. Rep. Bardenouve (6:B:456) asked if they had touched base with the unions, and Mr. Chisholm said not directly, but they were relying on precedent. Some exemptions from current construction law would have to take place. Rep. Bardenouve asked (6:B:479) if the new administration had indicated any desire for any changes in the budget, and Mr. Chisholm said there hadn't been any notification as of yet. Mr. O'Connell, Architecture and Engineering Division (A&E) added that they had received notice from the new administration to proceed as the program was written.

SEN. HIMSL (6:B:562) asked about the steel building construction option selected, and Mr. Chisholm said that it was a steel frame, steel sided structure that would not be compatible architecturally with the other structures on the prison campus. Rep. Bardenouve (6:B:607) asked what impact the population increase would have on support services on the prison campus, and Mr. Russell replied that all support services were built for 1250 single bunked spaces. Even if the proposed 96 man unit were double bunked, this number still would not be exceeded ($1028 + 192 = 1220$). He stated that the prison was designed to handle 1250, and that it is hard to predict how far beyond this number support services could be stretched.

REP. BARDANOUVE (6:B:710) asked about the quality of the work force and the additional costs for the supervisor and inmate labor, and Mr. McCormick said that they did have the capabilities to do this job. Mr. Whaley replied that the cost estimates did not include these labor costs. Mr. Thompson stated that there was 100% employment at the present time, and that this labor force would transfer from one crew to another. Rep. Connelly asked about the pay schedule, and Mr. Thompson said that the rate of pay varies from \$1.10 per day to \$.25 per hour.

REP. BARDANOUE (7:A:045) asked specifically about the water supply, and Mr. McCormick said that the pump capacity (1000 gallons per minute) and storage capacity (148,000 gallons) were adequate, and that the sewer lagoon was designed for 1500 people.

MR. CHISHOLM (7:A:060) presented the other two projects that the department recommended for funding out of the State Special Revenue Funds. This would be the State Prison Ranch Supervisor Housing Units, A&E priority #42, and the Prison Ranch Irrigation System, A&E priority #43. Mr. Russell said that they wished to build three housing units for Supervisors on the Prison Ranch. The present buildings were over 50 years old and not suitable for remodelling. He stated that they had built one log home, and that these three would be 1500 sq feet each, 1 by 6 construction, and would cost @ \$45,000 each. The cost would come from the Prison Ranch Revolving Fund. He mentioned that the presence of civilian supervisory staff enhanced security on the ranch. He also said that the project was supported by the Ranch Advisory Committee.

REP. BARDANOUE (7:A:106) stated that he served on this advisory committee, and that the log home built with inmate labor was very fine. Mr. Russell said that the inmate with the experience with log home building was about to be paroled; therefore, without this skilled individual, more log buildings could not be built. These proposed buildings would be frame structures. Rep. Bardanoue clarified that these buildings would be built with the earnings from the Prison Ranch.

MR. RUSSELL (7:A:132) spoke regarding priority #43, the Tin Cup Joe Irrigation System, again to be constructed with inmate labor and civilian supervision. This would be a gravity flow, sprinkler irrigation system for approximately 740 acres, 410 of which would be new irrigated croplands. The total cost of the project would come from the Ranch Revolving Fund. This would be the last step in a long process of development of irrigation systems. This would be the third irrigation project completed on the ranch within the last 5 years. It had received support of the Ranch Advisory Committee. Rep. Bardanoue (7:A:168) stated that the Prison Ranch had one of the best ranch managers, that it had increased in value, and that it was now paying its own way with a surplus. The land had increased in value, and the ranch had a fine dairy. In short, he stated that the Prison Ranch had really turned around. He urged the committee's support for the proposal.

MR. CHISHOLM (7:A:205) presented on Executive priority #2, Building Modifications and Exterior Lighting at the Center

for the Aged, (page 37 of the Capital Construction Program). He stated that they had requested \$193,000, having incorporated one additional project, part of the department's project entitled Patient Safety and Resident Living Upgrade Project. Due to lack of funds, this portion was not recommended for funding.

REP. BARDANOUE (7:A:262) spoke in favor of this project from a personal experience with a neighbor. Rep. Connelly asked about the additional 8 FTE's, and Mr. Chisholm answered that they would not be required. Rep. Connelly asked if there was a fence, and Mr. Chisholm said that in 1987, \$21,000 was appropriated to improve the handicap access and to fence an area. He said that this project was in process. At the present time, there was no fence around the entire campus.

MR. CHISHOLM (7:A:313) presented Executive priority #3, Maintenance of Water Towers and Systems, Statewide (page 40, Capital Construction Program). Three of these 5 sites belong to the Dept. of Institutions (the Montana Veterans', Home, Montana State Hospital at Warm Springs and at Galen), and have towers in need of repair. The water tower at the Montana Developmental Center had been recently repaired and was therefore not on this list. He noted that Mountain View School and Pine Hills School were now within the Dept. of Family Services but were included within this budget request. He encouraged the committee and the department to look into the one time cost of attaching the various institutions to local city water since the maintenance of water towers was so expensive. He stated that the 1987 appropriation was for the inspection and evaluation of the water towers; the appropriation for this biennium would cover the draining, cleaning, scraping, pit welding, epoxy coating, and painting.

MR. CHISHOLM (7:A:412) presented Executive priority #6, Roof Replacement and Repairs at the Montana Developmental Center and Montana State Hospital (page 46, Capital Construction Program). Rep. Bardanoue asked what was the reasonable amount of time to expect the roof of the Boiler Plant at Galen to last, and Mr. Chisholm said that on a 70 year old building, with shoring up as well as roof repairs, another 20 years of life could be expected. Mr. Whaley said that the building did not meet the seismic requirements of the day, and that they wouldn't be bringing the building up to standard.

MR. CHISHOLM (7:A:549) presented Executive priority #11, Replacement of Boiler Room Water Softeners at the Galen Campus of Montana State Hospital (page 61, Capital Construction Program). He said that the replacements of the

boiler room softeners at Galen were essential to prolong the life of the boiler, since the water in the area is extremely corrosive.

MR. CHISHOLM (7:A:593) presented Executive priority #12, Equipment for Remodeled 16 A B & C Cottage, Montana Developmental Center (page 64, Capital Construction Program). He stated that it was an integral part of the remodel project which was funded in 1987. Rep. Bardanouve asked what type of equipment this was, and Mr. Chisholm said that \$50,000 of the \$88,000 was for mechanical bathtubs, and the rest was for bath and laundry accessories.

MR. CHISHOLM (7:A:681) presented Executive priority #13, Hospital Floor Replacement, Montana State Hospital, Galen, (page 67, Capital Construction Program).

MR. CHISHOLM (7:A:744) then discussed the 4 projects or issues not listed on the Executive list, or the Capital Construction Program. Two of these were for new funding, and two were not. The first project was a remodel of the wings housing Cottage 16 A B, and 16 C of the Montana Developmental Center. He stated that in 1987, \$1,038,000 was appropriated to remodel these areas into 4 bed wards, a federal requirement. The Center was also cited for infringing upon individual rights to privacy in these areas with regards to bathing and toileting. The project was ready to go out for bid, Mr. Chisholm said, but the projected costs were \$205,000 more than was appropriated in 1987. He added that there was a DNRC Energy Conservation Grant that is being used in this area as well, and in order to use these monies, the entire project has to be done. He stated that the South Wing could be excised from the request, but that it would affect certification and use of the DNRC monies. If it were to come between this project and the water towers, Mr. Chisholm said that he would recommend letting the towers go and finishing this with the projected supplemental \$205,000 to this project. The Energy Conservation Grant would supply \$102,000.

REP. BARDANOUVE (7:B:100) asked if there was any priority on the water towers, and Mr. O'Connell said that A&E could establish these if the committee were to get to that point. He added that the tower at Warm Springs would be the #1 priority.

MR. CHISHOLM (7:B:115) presented the second issue, which was the repair of ceiling tiles in various parts of the Galen facility. In October of 1988, the department was cited for being deficient in regards to ceiling tiles in the stairway of Crockett wing, and cork ceilings in other areas of the campus. The ceilings did not meet flame spread ratings, a

code requirement. He said that they were given 10 days to comply or to come up with a plan. The cost was estimated to be \$45,000, and this could not come out of the operational budget of the state hospital at this short notice. Mr. Chisholm presented 3 options: 1. Demolish ceilings and sheet rock - \$54,000; 2. Demolish the ceilings, point, patch and paint the concrete - \$33,000; 3. Use own maintenance staff to demolish ceilings, and point, patch and paint the concrete -\$7,700 (a lengthy procedure). Mr. Chisholm asked to be able to report back in one month with better information on the costs and alternative chosen. He stated that he wanted to get a better idea of what DHES was requiring with regards to flame spread ratings, and what exactly constituted inadequate ceiling tiles.

REP. THOFT (7:B:229) asked with whom the burden of proof should lie, and Mr. Chisholm said that the burden of proof was with the Department of Institutions. Rep. Thoft asked if A&E could research the material to determine it's flame spread rating, and Mr. O'Connell said that they could, but that it wouldn't mean much because DHES wants an Underwriter's Laboratory label indicating that this material meets certain standards. Mr. Chisholm added that the Administration needs to review the DHES survey process to avoid surprises such as this. He also said that the department would have to deal with the cork for sure, which would cost \$12,000 to replace with sheet rock. He felt that the jury was still out with respects to the other ceiling tiles of celotex, and that an attempt should be made to convince DHES to accept the Department of Institutions' unofficial flame test, and thus achieve a reduction in their costs.

Mr. Chisholm (7:B:302) then presented the third proposal, which the department would like to have considered only if it didn't dip into the cash fund or the general fund. It was the Department of Institutions' priority #17, but was not on the administration's priority listing. The project was for an Intake Unit at Montana State Hospital, Warm Springs, a 24 bed facility, primarily for reception and diagnostic services. The cost was estimated to be \$370,000 to \$400,000. He stated that once underway, the unit would generate \$312,000 annually if it were constructed to meet Psychiatric Hospital standards, and was certified and licensed. Mr. Chisholm stated that there were 8% loans available through the Department of Commerce's Health Care Financing Administration. The department needed permission in order to divert some of the reimbursement received from this unit to pay off the loan. Thereafter, all reimbursement revenues would be a contribution to the general fund. He stated that he would like the committee's concurrence conceptually to explore additional creative

financing possibilities, and then to come back in one month to present a more formalized proposal. The committee concurred.

REP. HIMSL (7:B:400) asked what were the problems making the facility out of compliance, and Mr. Chisholm said that the certification problems were at the Boulder facility and were now more program related than physical plant related.

MR. CHISHOLM (7:B:464) presented the fourth issue, which was problems with the Women's Correctional Center. He stated that the state could find itself needing space within this biennium. He said that they could relocate up to 10 inmates in the old Forensic Unit at Warm Springs with a \$40,000 physical plant upgrade.

REP. BARDANOUVE (7:B:496) said that he had visited the facility and that there was in fact no room in the inn and that it was a poor facility. Mr. Chisholm said that he would report back in February with more information on this with regards to new construction, remodeling or relocating. He would report at the same time on the Intake Unit and the ceiling tiles.

REP. BARDANOUVE (7:B:534) asked for a progress report on demolition of obsolete buildings on various campuses. Mr. Chisholm reported that there had been no progress, that no one was interested in coming in for salvage value only. Additional problems are that the old Administration Buildings at Boulder and at the Montana Veterans' Home were now on or recommended to go on the National Historic Register. Without an appropriation, he did not expect to see this project progress. Rep. Bardanouve stated that he had never received cost figures on demolishing the buildings. Mr. Chisholm said that he thought he had some figures on some of the major buildings, and that the costs of demolishing the buildings and reclaiming the land were extremely high (\$45,000 for one).

MR. CHISHOLM (7:B:594) added that the department had been given permission for two bienniums to sell land no longer needed by the State Prison at Deer Lodge, and that they had been partially successful, having had a sale in Deer Lodge. The land price had been inflated, which is why more had not sold. He stated that the department could furnish the committee with a written report. Mr. Russell reported on the land sale, and said that the remaining lands would go out for bid again in the spring with re-estimated fair market values.

MR. CHISHOLM (7:B:658) said that he had decided to leave out the permissive language in the bill regarding the

demolishing of buildings since there was no appropriation. Rep. Bardanoue recommended that he keep it in to keep the issue before the committee and to keep options open. Mr. O'Connell reminded the committee that the language would not appear in the bill, and that it would have to be added in the form of an amendment in committee. He said that he would prepare that amendment.

ADJOURNMENT

Adjournment At: 11:08 a.m.

M. E. Connelly

REP. CONNELLY, Chairperson

MEC/cm

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DAILY ROLL CALL

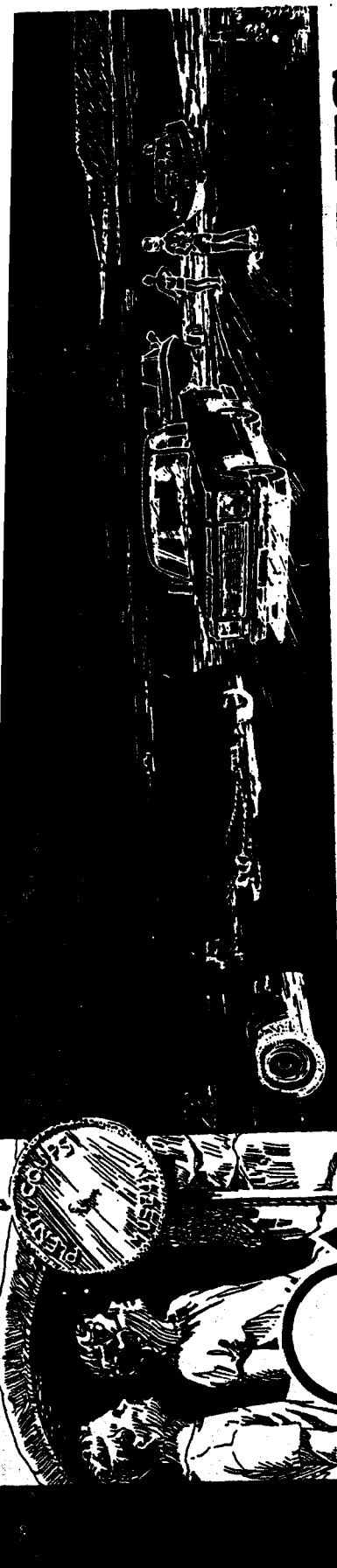
Long Range Planning

SUBCOMMITTEE

DATE 1-16-89

NAME	PRESENT	ABSENT	EXCUSED
Rep. Mary Ellen Connelly, Chair	✓		
Sen. Matt Himsl, Vice Chair	✓		
Rep. Francis Bardenouve	✓		
Sen. Harry McLane	✓		
Sen. Richard Manning	✓		
Rep. Bob Thoft	✓		

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MONTANA STATE PARKS

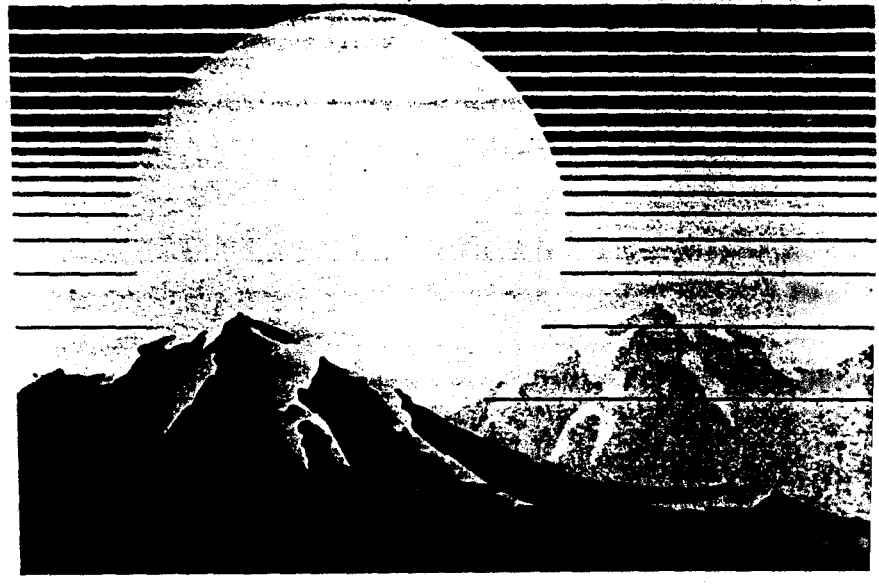
what? - when? - why?

Montana State Parks System Visitor Study

Prepared for
Parks Division

Montana Department of Fish,
Wildlife, and Parks

by
The Bureau of Business
and Economic Research
School of Business Administration
University of Montana
1989





MONTANA STATE PARKS AT THE CROSSROADS
Fact Sheet

HISTORY

- 1929 State Land Board authorized to set aside state lands for parks.
- 1936 Lewis and Clark Caverns donated as first state park.
- 1939 First comprehensive legislation establishes state park system and a separate State Park Commission.
- 1947 State parks receive first legislative appropriation.
- 1953 State parks transferred to Highway Commission with \$45,000 annual budget.
- 1963 Fish and Game Department appropriation includes legislative intent to allocate funds for development of fishing and boating facilities in state parks.
- Motorboat fuel tax separated from gas tax for state boat park creation, improvement, and maintenance (now 0.9%).
- 1964 Federal Land and Water Conservation Fund (LWCF) established to provide up to \$900 million annually for park development nationally.
- 1965 State parks and LWCF program given to Fish and Game Commission.
Montana Outdoor Recreation Advisory Committee established (eliminated by 1971 Executive Reorganization Act).
- 1975 Coal tax park acquisition trust fund established at 2.5% of coal tax receipts.
- 1982 LWCF funding for state and local park development projects in Montana reduced to \$0 from a maximum of \$3.4 million in 1979, now at \$157,000.
- 1986 All coal tax park tax earnings earmarked for parks trust diverted to General Fund until June 30, 1989; parks trust interest earnings diverted solely to park maintenance.
- 1987 All General Fund support of state park system eliminated.
Net loss of \$1 million per year since 1985 from Coal Tax and General Fund in state park repairs and improvements.
- 1989 Montana Centennial Celebration
State Park System Golden Anniversary

PRODUCTS AND SERVICES

- Parks -- 60 parks, 8 affiliated lands.
Visitation -- 2.9 million estimated in 1986.
Total park acreage -- 21,928 deeded; 8,800 leased.

Parks are classified under a variety of designations which are currently grouped as follows:

Natural Parks

5 - State Parks
10 - State Natural Parks

Cultural Parks

4 - State Historic Parks
11 - State Historic Sites

Recreation Parks

8 - State Recreation Areas
22 - State Recreation Sites

Affiliated Lands

8 - various designations

Largest state park -- Makoshika, 8,834 acres; smallest -- Granite, one building.

Most self-supporting park -- Lewis and Clark Caverns, \$152,230 (100%).

Most visited park -- Canyon Ferry, 623,600 visits in 1986.

Most popular activities -- camping, picnicking, fishing, hiking, swimming, boating, nature study.

Most needed facilities according to visitors -- campground improvements, boating and swimming facilities, comfort stations, drinking water, park roads.

Reasons given by former visitors for avoiding state parks -- too crowded, poorly designed or maintained.

Number of units operated by State Parks Division -- second in the nation, Minnesota is first.

Entrance fees -- unlimited free access to all but four of 60 parks (Lake Elmo--maximum \$1/person; Spring Meadow Lake--\$0.50/person; Wayfarers and Whitefish--\$2/car).

Camping fees -- charged at 25 parks, \$3 or \$5 per night, resident maximum of \$35 per year; only state in the nation which allows unlimited free camping for senior citizens, disabled persons, and their guests, an annual value of \$92,000.

FINANCING

Total operating budget of State Parks Division -- 48th in the nation, only Wyoming and North Dakota rank lower.

Operating costs per visitor -- Montana \$0.49; North Dakota \$1.67; National Park Service \$1.52.

Average park budget -- Montana \$25,000; North Dakota \$66,000; Colorado \$145,000.

	<u>Helena</u>	<u>Field</u>
Full time employees in 1988	6	34
Seasonal employees in 1988	0	140
State park buying power in constant 1977 dollars (total 1.858 inflation factor, 1977 through 1987):		

<u>1977 (FY78)</u>	<u>1987 (FY88)</u>	<u>in 1977 dollars</u>	
\$1,412,400	\$983,891		maintenance
\$ 799,946	0		repair and improvement
\$ 50,770	0		new parks and inholdings

State park funding in 1987 (FY88):

<u>DEPT TOTAL</u>	<u>OTHER DIV.</u>	<u>PARKS DIV.</u>	
\$1,321,446	\$399,622	\$921,824	coal tax
825,181	189,096	636,085	motorboat fuel tax
492,547	116,360	376,187	fees and charges
-0-	-0-	-0-	General Fund -
(\$640,618 in 1985)			
<u>2,639,174 (100%)</u>	<u>705,078 (27%)</u>	<u>1,934,096 (73%)</u>	

Deferred repair and improvement needs are extensive due to heavy, continual public use and previous growth of the system without accompanying financing to manage:

- \$60 million -- 1988 cost estimate
- 17 parks have never been developed for public use
- 19 other parks have critical renovation needs

Deferred repair and improvement projects:

Campgrounds -- campsites, tables, grills, etc.
68 projects - \$1,851,395

Grounds improvements -- picnic sites, water, utilities, fencing, misc.
86 projects - \$2,760,961

Buildings -- comfort stations, vault toilets, maintenance buildings, visitor centers.
52 projects - \$8,692,650

Boating and swimming facilities -- boat ramps, docks, beaches.
41 projects - \$1,846,000

Park roads and trails -- parking lots, roads, trails, signs
92 projects -- \$30,375,520

Park inholdings -- acquisitions, conservation easements, etc.
22 projects -- \$15,008,301

MANAGEMENT, PARTNERSHIP AND FINANCIAL INITIATIVES

1. We will focus our attention on state-owned lands. Therefore, we have proposed returning five state-operated parks on federal lands back to federal management.
2. We will continue to rely on the coal tax. The original concept is sound: through the use of one natural resource (coal), our heritage resources (state parks) are protected and made available for public enjoyment.
3. We will work with other state agencies to develop a proposal for a Montana Conservation Corps to work on park improvements while reducing unemployment and providing vital job training to economically disadvantaged Montanans.
4. We will redirect the state park program to provide more of what visitors want -- quality facilities, service and information programs funded by user fees and savings from the transfer of parks on federal lands.
5. We will work to create a state parks foundation for fund raising from private sources.
6. A non-profit association will sell interpretive items such as books and tapes to raise money for state parks.
7. We will accelerate and formalize cooperative programs with user groups, non-profit civic organizations, tourism councils, chambers of commerce, private business, other agencies and local historical societies.
8. We will explore ways of strengthening our alliance with the Montana tourism industry to make state parks major drawing cards.
9. A parks entrance fee system, through which users will be charged equitable fees, will be developed.

For more information see:

Great Escapes, Montana State Parks by Rick Newby, Falcon Press, 1988

Address inquiries to: Parks Division
Montana Dept. of Fish, Wildlife and Parks
1420 East Sixth Avenue
Helena, MT 59601 (406/444-3750)

rev 12/88
Conklin

dc:factsht

EXHIBIT 3

DATE 1-16-89

HB FWP Parks

REVISED PARKS CAPITAL PROPOSAL
REVISED

PROJECT NAME	PARK ERA	REAL PROPERTY TRUST	DJ WALLOP BREAUX	PARKS COAL TAX	FEDERAL LWCF	HIGHWAY GAS TAX	TOTAL
PARK MAINT STATEWIDE (AMENDED)	90,000			106,000			196,000
EAST GALLATIN (SAME)							0 (100,000) donation
L&C CAVERNS (AMENDED)				80,000			
MODEL PARKS (NEW)	500,000	100,000	250,000	162,000	320,000	168,000	1,500,000
TOTALS	590,000	100,000	(1)250,000(2)348,000	320,000	168,000		1,776,000

(1)Included in Department "Property Maintenance" project totals
 (2)Included in Department "Department" Boat facilities Acq.&Dev.project totals

EXHIBIT 3
 DATE 1-16-89
 HB FWVP

PROPOSAL # 14

STATE PARK SYSTEM MAINTENANCE
AND DEVELOPMENT

LOCATION

LOCATIONS STATEWIDE

FUNDING REQUEST

\$ 106,000	Coal Tax	02408
<u>90,000</u>	Earned Revenue	02411
\$ 196,000	Total	

PROPOSAL SUMMARY

Repair and improve state park system sites statewide.

BACKGROUND

- DFWP owns or controls over 60 state park system sites statewide.
- All of the sites have been identified by DFWP park managers and engineers during 1988 as needing maintenance and improvement.
- An accounting entity analysis is attached.
- Interest earnings from the coal tax trust funds are available for expenditure; 2/3 of the funding goes to DFWP and 1/3 goes to the Historical Society for cultural and aesthetic projects.
- The 1987 Legislature capped the trust fund, which resulted in interest earnings available for expenditure remaining steady unless interest rates increase or decrease.
- The coal tax trust funds are an uncertain source of funds, although sufficient funds will be available to cover this requested appropriation.
- Earned revenue is expected from the establishment of a new fee system for parks. Estimates have been very conservative.

NEED FOR PROJECT

- Basic improvement and heavy maintenance at sites is necessary to protect facilities and resources from deterioration.
- Improvements are often required for visitor safety.

PROJECT PROPOSAL

- Repair and improve state park system sites.
- Examples of work to be done are replacing comfort stations and latrines, stabilization of historic structures, improving roads, trails, sewer and water systems, expanding irrigation systems, and adding facilities to improve visitor service and enhance revenue collection.
- Sites will be selected by DFWP on a priority basis considering the following criteria: emergencies on existing facilities, protection of health and safety, protection of existing investment, enhancement of revenue production, and reduction of operation and maintenance costs.

PROPOSAL # 17
LOCATION

EAST GALLATIN SRA
BOZEMAN: GLEN LAKE

FUNDING REQUEST

\$ 0

PROPOSAL SUMMARY

Obtain approval to accept privately funded development of facilities and improvement of park resources.

BACKGROUND

- altogether, the East Gallatin State Recreation Area encompasses 84 acres located at Glen Lake and along the East Gallatin River two miles north of Bozeman
- 20 acres is lake area and there is 1600 ft. of river frontage
- the 1983 legislature authorized DFWP to acquire the Glen Lake area
- DFWP purchased 31 acres for \$420,000 in 1984 using coal tax park funds; 47 additional acres are leased from the City at \$1 per year; and 6 more acres were donated to DFWP by the County from its subdivision parklands
- a community task force has coordinated the site development and generated donations of funds and labor
- a master plan (see attached site plan) has been developed
- initial development in accordance with the plan has been completed and includes: some landscaping, shoreline contouring and reseeding, beach sand, road, parking area, latrine, some picnic tables, underground electricity, irrigation system, some fencing around the lake, signing and garbage cans
- initial work was done through a \$90,000 appropriation from the 1985 legislature (HB 928: \$45,000 in coal tax funds and \$45,000 in Land and Water Conservation Funds)
- additional improvements are needed to complete the development

NEED FOR PROJECT

- state law (Section 18-2-102, MCA) requires legislative approval to accept donations or do work in excess of \$25,000 at state-owned properties
- community participation in the project has been tremendous and additional improvements at East Gallatin are necessary to serve the public, protect the area and achieve a fully-developed park
- site receives high use; 40,000 visitors during summer 1988
- additional improvements needed at the site include: rehabilitation of old landfill site with topsoil, grading, vegetation and landscaping; river stabilization; additional parking and road improvements; group use shelter, individual shelters and additional picnic facilities; beach expansion; trail system across river, including interpretive signing; irrigation system expansion; and tree and shrub planting, particularly on the perimeter for screening

- Gallatin Conservation District submitted an application to the Department of Natural Resources and Conservation for \$100,000 to rehabilitate the landfill area. DNRC has ranked this request as the top proposal in its Renewable Resource Development Program, which will be submitted to the 1989 legislature for approval. This would be used in addition to donated funds and labor requested through this DFWP proposal.

PROJECT PROPOSAL

- authority is needed from the legislature to accept a privately funded completed project that will furnish up to \$100,000 of work on this state-owned area. No spending authority is needed.

December 22, 1988

PROPOSAL # 18

LEWIS AND CLARK CAVERNS

LOCATION

EAST OF CARDWELL, JEFFERSON COUNTY

FUNDING REQUEST

\$ 80,000 Coal Tax 02408

PROPOSAL SUMMARY

Renovate the concession building and add restroom facilities to it.

BACKGROUND

- DFWP received the Caverns site, including over 2,700 acres during 1937-1940 from the Northern Pacific Railroad, the U. S. Bureau of Land Management, and Jefferson County; an additional six acres has been leased since 1947 from a private individual.
- Area was developed and concession building was built by the original concessionaires, the Link brothers, in 1947; additions have been made periodically.
- Concessionaires enter into agreement with DFWP to provide services to public.
- A new concessionaire (James and Sheila Nave) was contracted with in 1987.
- New concessionaire spent nearly \$25,000 in remodeling and bringing it up to code during summer 1988; DFWP is forgiving their royalty payments until that amount is reached.

NEED FOR PROJECT

- Additional work is needed because concession building does not provide handicapped accessible restrooms, and because exterior needs renovation to improve aesthetics, make it weatherproof, and functional.

PROJECT PROPOSAL

- Complete building renovation started by the concessionaire, add restrooms, and complete minor utility work.

PROPOSAL # 19

MODEL PARKS

LOCATION

FLATHEAD LAKE - MAKOSHIKA

FUNDING REQUEST

\$ 500,000	Earned Revenue	02409
100,000	Land Trust	02410
250,000	Wallop-Breaux	03097
162,000	Coal Tax	02408
320,000	LWCF	03406
<u>168,000</u>	Gas Tax Road Fund	?
\$1,500,000	TOTAL	

PROPOSAL SUMMARY

Renovate selected parks to maximize revenue to establish desirable tourism destinations for residents and nonresidents.

BACKGROUND

- DFWP owns or controls over 60 state park system sites statewide.
- Sites have been prioritized as to need for development.
- Sites have been selected for their importance to visitors and to the park system.
- Land and Water Conservation Fund (LWCF) monies are received from the National Park Service and matched with state or local funds on a 50/50 basis.
- Earned revenue is expected from the establishment of a new fee system for parks. Estimates have been very conservative.
- Wallop-Breaux funding is derived from motorboat fuel tax on a national basis. The funding is administered by the Fish and Wildlife Service. Fund match is 25/75.
- Coal tax account money is derived from the coal tax trust account.
- Gas tax road fund money is derived from highway gas tax and is usable as provided in 23-1-104.

NEED FOR PROJECT

- The department proposes to make selected parks more desirable destination sites for resident and nonresident tourism. This requires development to a higher standard than utilized previously.
- Visitors have indicated higher quality services and facilities are necessary for user safety and enjoyment.
- Development would increase earning potential on developed sites.

PROJECT PROPOSAL

- Makoshika and Flathead Lake Sites - Develop two sites chosen for visitor destination potential, earning potential, and geographical distribution.
- Examples of work include new paved roads, modern comfort stations with showers, utilities, visitor contact and information centers, water recreation facilities, picnic

PROPOSAL # 19 (continued)

facilities, camping facilities, and other related amenities.

-Sites will be selected on a priority basis and will also consider how much of an impact can be made at a selected site for a given dollar amount.

EXHIBIT 4

DATE 1-16-89

HB Fish Wildlife & Parks

LICENSE ACCOUNT 02409
DEPARTMENT OF FISH WILDLIFE AND PARKS
ACCOUNTING ENTITY ANALYSIS

	FY88	FY89	FY90	FY91
Beginning Balance	\$8,078,611	\$7,791,227	\$4,347,033	\$3,007,858
Revenue Estimate	\$15,665,009	\$15,233,300	\$15,159,050	\$14,912,550
Bonding Interest (A)		\$750,000		\$750,000
TOTAL AVAILABLE	\$23,744,500	\$23,024,527	\$20,256,083	\$18,670,408

Expenditures

Capital Authorized				
Cash	\$836,338	\$3,340,397		
Bonding (B)	\$1,131,362	\$967,063	\$921,235	\$555,739
Requested Cash Bonding			\$505,885	\$593,003

Operations

Current Level (C)	\$13,985,573	\$14,370,034	\$14,495,404	\$14,160,210
Budget Modifications			\$732,618	\$731,699

TOTAL OUTLAYS

	\$15,953,273	\$18,677,494	\$17,248,225	\$16,040,731
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BALANCE FORWARD

	\$7,791,227	\$4,347,033	\$3,007,858	\$2,629,677
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Notes

A. Interest earnings have accrued on the bond issue authorized by the 83 and 85 Legislatures.

B. Except for \$44,000 due at 7/91, these bonds will be fully paid at 6/30/91.

C. - Assumes 4% vacancy savings and a funded 2% pay plan
- Assumes refunding of the Fisheries Division for \$600,000 per year

EXHIBIT 4
DATE 1-16-89
HB F W Parks

DINGELL/JOHNSON (FEDERAL)
 DEPARTMENT OF FISH WILDLIFE AND PARKS

	FY88	FY89	FY90	FY91
UNOBLIGATED BALANCE	\$3,271,779	\$4,094,106	\$4,751,506	\$2,797,784
Revenue Estimate	\$3,512,500	\$3,498,027	\$3,500,000	\$3,500,000
TOTAL AVAILABLE	\$6,784,279	\$7,592,133	\$8,251,506	\$6,297,784
Expenditures				
Capital				
Authorized				
Cash	\$566,529	\$716,221		
Bonding (a)	\$803,125	\$858,312	\$931,750	\$78,125
Requested			\$1,363,167	
Cash			\$629,000	\$629,000
Bonding				
Operations				
Current Level	\$1,320,519	\$1,266,094	\$2,107,332	\$2,176,410
Budget Modifications			\$422,473	\$388,170
TOTAL OUTLAYS	\$2,690,173	\$2,840,627	\$5,453,722	\$3,271,705
BALANCE FORWARD	\$4,094,106	\$4,751,506	\$2,797,784	\$3,026,079

Notes
 A. These bonds will be fully paid at 7/90

Finance

87-1-601. Use of fish and game money. (1) All money collected or received from the sale of hunting and fishing licenses or permits, from the sale of seized game or hides, or from damages collected for violations of the fish and game laws of this state, from appropriations, or received by the department from any other state source shall be turned over to the state treasurer and placed by him in the state special revenue fund to the credit of the department. Any money received from federal sources shall be deposited in the federal special revenue fund to the credit of the department.

(2) That money shall be exclusively set apart and made available for the payment of all salaries, per diem, fees, expenses, and expenditures authorized to be made by the department under the terms of this title. That money shall be spent for those purposes by the department, subject to appropriation by the legislature.

(3) Any reference to the fish and game fund in this code means fish and game money in the state special revenue fund and the federal special revenue fund.

(4) All money collected or received from fines and forfeited bonds, except money collected or received by a justice's court, relating to violations of state fish and game laws under Title 87 shall be deposited by the state treasurer and credited to the department of fish, wildlife, and parks in a state special revenue fund account for this purpose. Out of any fine imposed by a court for the violation of the fish and game laws, the costs of prosecution shall be paid to the county where the trial was held in any case where the fine is not imposed in addition to the costs of prosecution.

(5) Money received by the department from the sale of surplus real property; exploration or development of oil, gas, or mineral deposits from lands acquired by the department except royalties or other compensation based on production; and from leases of interests in department real property not contemplated at the time of acquisition shall be deposited in an account within the nonexpendable trust fund of the state treasury. The interest derived therefrom, but not the principal, may be used only for the purpose of operation, development, and maintenance of real property of the department, and only upon appropriation by the legislature. If the use of money as set forth herein would result in violation of applicable federal laws or state statutes specifically naming the department or money received by the department, then the use of this money must be limited in the manner, method, and amount to those uses that do not result in such violation.

History: En. Sec. 21, Ch. 193, L. 1921; re-en. Sec. 3670, R.C.M. 1921; amd. Sec. 32, Ch. 59, L. 1927; amd. Sec. 1, Ch. 53, L. 1933; amd. Sec. 2, Ch. 114, L. 1945; amd. Sec. 159, Ch. 147, L. 1963; amd. Sec. 17, Ch. 511, L. 1973; amd. Sec. 13, Ch. 417, L. 1977; R.C.M. 1947, 26-121; amd. Sec. 2, Ch. 640, L. 1979; amd. Sec. 1, Ch. 388, L. 1981; amd. Sec. 45, Ch. 281, L. 1983; amd. Sec. 62, Ch. 557, L. 1987.

Compiler's Comments

1987 Amendment: Near beginning of (4), after

Cross-References

Collection and disposition of fines, penalties, forfeitures, and fees. 3-10-601

COAL TAX 02408
 DEPARTMENT OF FISH WILDLIFE AND PARKS
 ACCOUNTING ENTITY ANALYSIS

	FY88	FY89	FY90	FY91
Beginning Balance	\$499,153	\$373,760	\$339,813	\$25,638
Revenue Estimate	\$1,163,815	\$1,187,000	\$1,220,000	\$1,220,000
TOTAL AVAILABLE	\$1,662,968	\$1,560,760	\$1,559,813	\$1,245,638
Expenditures				
Capital Authorized	\$85,749			
Requested			\$348,000	
Operations Current Level (a)	\$1,203,459	\$1,220,947	\$1,186,175	\$1,227,593
Budget Modifications				
TOTAL OUTLAYS	\$1,289,208	\$1,220,947	\$1,534,175	\$1,227,593
BALANCE FORWARD	\$373,760	\$339,813	\$25,638	\$18,045

Notes
 a. Assumes 4% vacancy savings and a 2% funded pay plan.

REAL PROPERTY TRUST INTEREST EARNINGS 02410
 DEPARTMENT OF FISH WILDLIFE AND PARKS
 ACCOUNTING ENTITY ANALYSIS

	FY88	FY89	FY90	FY91
Beginning Balance	\$133,220	\$163,128	(\$75,561)	(\$191,496)
Revenue Estimate	\$125,865	\$166,727	\$234,452	\$289,796
TOTAL AVAILABLE	\$259,085	\$329,855	\$158,891	\$98,300
Expenditures				
Capital Authorized	\$95,957	\$405,416		
Requested			\$265,037	
Operations Current Level			\$85,350	\$98,300
Budget Modifications				
TOTAL OUTLAYS	\$95,957	\$405,416	\$350,387	\$98,300
BALANCE FORWARD	\$163,128	(\$75,561)	(\$191,496)	\$0

PARKS USER FEES 02411
 DEPARTMENT OF FISH WILDLIFE AND PARKS
 ACCOUNTING ENTITY ANALYSIS

	FY88	FY89	FY90	FY91
Beginning Balance	\$162,374	\$184,727	\$178,180	(\$202,009)
Revenue Estimate Fee Proposal	\$507,100	\$486,000	\$489,000	\$379,400
	\$500,000		\$500,000	
TOTAL AVAILABLE	\$669,474	\$670,727	\$1,167,180	\$677,391
Expenditures				
Capital Authorized				
Requested		\$590,000		
Operations Current Level	\$484,747	\$492,547	\$574,189	\$464,589
Budget Modifications			\$205,000	\$205,000
TOTAL OUTLAYS	\$484,747	\$492,547	\$1,369,189	\$669,589
BALANCE FORWARD	\$184,727	\$178,180	(\$202,009)	\$7,802

FISHING ACCESS SITE 02415
 DEPARTMENT OF FISH WILDLIFE AND PARKS
 ACCOUNTING ENTITY ANALYSIS

	FY88	FY89	FY90	FY91
Beginning Balance	\$689,169	\$654,776	(\$61,014)	(\$298,769)
Revenue Estimate	\$396,794	\$382,000	\$385,000	\$385,000
TOTAL AVAILABLE	\$1,085,963	\$1,036,776	\$323,986	\$86,231
Expenditures				
Capital Authorized	\$336,168	\$1,001,540		
Requested			\$525,755	
Operations Current Level	\$95,019	\$96,250	\$97,000	\$97,000
Budget Modifications				
TOTAL OUTLAYS	\$431,187	\$1,097,790	\$622,755	\$97,000
BALANCE FORWARD	\$654,776	(\$61,014)	(\$298,769)	(\$10,769)

87-1-605. Fees used to purchase recreational facilities. (1) One dollar of the fee for Class A resident fishing license, \$1 of the fee for Class B-4 nonresident 5-day fishing license, and \$5 of the fee for the Class B nonresident fishing license shall be used for the purchase, operation, development, and maintenance of fishing accesses; stream, river, and lake frontages; and the land deemed necessary to provide recreational use thereof.

(2) The amount of funds used for operation, development, and maintenance may not exceed 25% of the moneys set aside each year under this section. The funds raised under this section may not be used in lieu of any funds or sources of funds currently being used for acquisition or purchase of fishing accesses, stream, river, or lake frontages and the land deemed necessary to provide recreational use thereof but serve in addition to those funds. The moneys used for operation, development, and maintenance may be used only for these purposes on lands acquired with funds under this section after April 30, 1974.

History: En. Sec. 3, Ch. 408, L. 1973; amd. Sec. 1, Ch. 82, L. 1977; R.C.M. 1947, 26-234; amd. Sec. 1, Ch. 461, L. 1981; amd. Sec. 6, Ch. 239, L. 1983.

Cross-References

Acquisition of recreational areas, 23-2-103.

Disposition of fees, 87-1-201, 87-1-701,

87-1-708, 87-1-710, 87-2-204, 87-4-602.

87-1-606. Fee limitation for multiple licenses. If a person is issued more than one license under part 4, 9, or 10 of chapter 4 of this title, the total assessment for initial fees or for renewal fees for all licenses issued to such person may not exceed the amount of the largest individual license fee.

History: En. Sec. 49, Ch. 570, L. 1983.

87-1-607 through 87-1-610 reserved.

87-1-611. Fish and wildlife mitigation trust fund created. (1) There is established, separate and apart from all public money or funds of this state, a fund to be known as the fish and wildlife mitigation trust fund. The fund must be administered by the department.

(2) The fund consists of:

(a) money received under written agreements, contracts, or authorizations with the department made for the purpose of fish and wildlife mitigation or enhancement;

(b) any gift, donation, grant, legacy, bequest, or devise made for the purpose of fish and wildlife mitigation or enhancement;

(c) any interest, earnings, or income of the fund; and

(d) any property or easements acquired through the expenditure of money from the fund.

History: En. Sec. 1, Ch. 445, L. 1987.

87-1-612. Purposes of the fish and wildlife mitigation trust fund. Expenditures may be made from the fish and wildlife mitigation trust fund for fish and wildlife mitigation or enhancement purposes pursuant to the written agreement, contract, authorization, or terms of a gift, donation, grant,

WATERFOWL STAMP 02085
 DEPARTMENT OF FISH WILDLIFE AND PARKS
 ACCOUNTING ENTITY ANALYSIS

	FY88	FY89	FY90	FY91
Beginning Balance	\$282,806	\$468,442	\$186,313	(\$117,987)
Revenue Estimate	\$271,206	\$170,000	\$170,000	\$170,000
TOTAL AVAILABLE	\$554,012	\$638,442	\$356,313	\$52,013
Expenditures				
Capital Authorized	\$37,781	\$387,129		
Requested			\$424,500	
Operations Current Level	\$47,789	\$65,000	\$49,800	\$49,800
Budget Modifications				
TOTAL OUTLAYS	\$85,570	\$452,129	\$474,300	\$49,800
BALANCE FORWARD	\$468,442	\$186,313	(\$117,987)	\$2,213

EXHIBIT 4 *Continued*
 DATE 1/16/89
Long Range Planning

WATERFOWL STAMP PROGRAM
 ADDITIONAL INFORMATION FOR LONG RANGE BUILDING COMMITTEE

Projects using Capital Appropriation from 1987 Legislature

PROJECT	LOCATION	COST	STATUS
<u>Island Construction</u>			
Big Lake WMA	Stillwater Co.	\$ 9,200	Complete
North Goose Lake	Sheridan Co.	29,800	In progress
State Line Pond	Sheridan Co.	23,000	In progress
Wildhorse Reservoir	Phillips Co.	30,000	Bid/Contracted
Joyes Pond	Sheridan Co.	10,000	Design
Sands Lake	Hill Co.	25,000	Design
<u>Peninsula Cut-Offs</u>			
Milton Ranch Reservoir	Musselshell Co.	6,100	Complete
Phantom Coulee Reservoir	Chouteau Co.	6,000	Design
<u>Pond Development</u>			
Canyon Ferry WMA	Broadwater Co.	22,400	Complete
Dyer Ranch	Pondera Co.	3,900	Complete
<u>Reservoir Enhancement</u>			
Milton Ranch Reservoir	Musselshell Co.	5,000	Complete
Hillcrest Ranch	Stillwater Co.	7,000	Design
<u>Comertown Prairie Joint Venture Contribution-- Combination of the above types of work</u>			
	Sheridan Co.	50,000	Proposed
<u>Acquisition</u>			
Fox Lake (91 acres)	Richland Co.	15,600	Complete
Lake Helena (157 acres)	Lewis & Clark Co.	<u>70,000</u>	Complete
SUBTOTAL		\$ 313,000	
Balance not yet designated		<u>112,000</u>	
TOTAL FY 87 ALLOCATION		\$ 425,000	

WMA = Wildlife Management Area
 January 14, 1989

(2) The fee for a wild turkey tag shall be \$3. Turkey tags shall be issued either by a drawing system or in unlimited number as authorized by department rules.

(3) Subject to the provisions of subsection (2), a person who is 62 years of age or older as provided in 87-2-801, certified as disabled under 87-2-803, or a resident minor as described in 87-2-805 may purchase a wild turkey tag upon presentation of his wildlife conservation license.

History: En. Sec. 1, Ch. 35, L. 1959; amd. Sec. 3, Ch. 148, L. 1963; amd. Sec. 13, Ch. 417, L. 1977; R.C.M. 1947, 26-510; amd. Sec. 5, Ch. 478, L. 1979; amd. Sec. 7, Ch. 554, L. 1981; amd. Sec. 3, Ch. 304, L. 1985; amd. Sec. 3, Ch. 598, L. 1987.

Compiler's Comments

1987 Amendment: In (2) inserted nonresident fee and made minor change in phraseology.

Cross-References

Portion of fee to fund wildlife habitat, 87-1-242.

Fixing of seasons and bag and possession limits, 87-1-304, 87-3-402.

Tagging turkeys, 87-3-404, 87-3-405.

87-2-404 through 87-2-410 reserved.

87-2-411. Stamp required to hunt waterfowl. (1) It is unlawful for any person 16 years of age or older to pursue, hunt, shoot, or kill waterfowl without first having obtained a valid waterfowl stamp from the department. The fee for such stamp is \$5.

(2) For the purpose of this section, the term "waterfowl" means wild ducks, wild geese, brant, and swans.

History: En. Sec. 1, Ch. 609, L. 1985.

87-2-412. Procurement and sale of artwork for waterfowl stamp — disposition of proceeds. (1) The department shall contract with an art publisher for the selection, by contest or other method, of a design for the annual waterfowl stamp required by 87-2-411 and for the production of the stamp and related artwork. The contract must provide that only designs submitted by Montana artists may be selected. The department shall provide for the sale of stamps exclusively by the department or its license agents, but may make such other arrangements for the sale of related artwork as it determines appropriate. The procurement and sale of the stamps and artwork are exempt from the provisions of Title 18, chapter 4, part 3.

(2) Money received from the sale of stamps and related artwork must be deposited in the state special revenue fund for the use of the department and may be expended only for the protection, conservation, and development of wetlands in Montana.

History: En. Sec. 2, Ch. 609, L. 1985.

Cross-References

Wetlands Protection Advisory Council to review use of money received under this section, 2-15-3405.

Aquatic ecosystem protections, Title 75, ch. 7.

MOUNTAIN SHEEP 02086
 DEPARTMENT OF FISH WILDLIFE AND PARKS
 ACCOUNTING ENTITY ANALYSIS

	FY88	FY89	FY90	FY91
Beginning Balance	\$153,697	\$48,422	\$107,022	(\$46,568)
Revenue Estimate	\$83,700	\$80,000	\$80,000	\$80,000
TOTAL AVAILABLE	\$237,397	\$128,422	\$187,022	\$33,432
Expenditures				
Capital Authorized	\$179,000			
Requested			\$211,600	
Operations Current Level	\$9,975	\$21,400	\$21,990	\$21,990
Budget Modifications				
TOTAL OUTLAYS	\$188,975	\$21,400	\$233,590	\$21,990
BALANCE FORWARD	\$48,422	\$107,022	(\$46,568)	\$11,442

87-2-722. Auction of mountain sheep license. (1) The commission may issue one male mountain sheep license each year through a competitive auction. The commission shall promulgate rules for the use of the license and conduct of the auction. A wildlife conservation organization involved in the conservation of mountain sheep may be authorized by the commission to conduct the license auction, in which case the authorized organization may retain proceeds of the sale, not to exceed 10%, to cover reasonable auction expenses.

(2) All proceeds remaining from the auction, whether conducted by the commission or as otherwise authorized by the commission, must be used by

the department for the substantial benefit of mountain sheep. The proceeds from the auction must be used in addition to any other funds the department uses for the management of mountain sheep. The department shall report to each legislature concerning the use or investment of auction proceeds.

History: En. Sec. 1, Ch. 414, L. 1985.

Cross-References

Adoption and publication of rules — Montana Administrative Procedure Act, Title 2, ch. 4, part 3.

87-2-723. Regulation of special wild buffalo licenses — fees used for management of Yellowstone national park wild buffalo herd. (1) The department shall adopt rules regulating special wild buffalo licenses. The rules shall provide for:

- (a) license drawing procedures based on a year-round season;
- (b) an entry fee for the drawing of a license, which must be a minimum of \$5;
- (c) notification of license recipients as to when and where they may hunt;
- (d) means of taking;
- (e) tagging requirements for carcasses, skulls, and hides;
- (f) possession limits; and
- (g) requirements for transportation and exportation.

(2) The money collected from drawing and license fees must be placed in a special fund to manage and control the wild buffalo entering Montana from the Yellowstone national park herd.

History: En. Secs. 3, 4, Ch. 568, L. 1985.

Cross-References

Adoption and publication of rules — Montana Administrative Procedure Act, Title 2, ch. 4, part 3.

87-2-724. Auction of Shiras moose license. (1) The commission may issue one male Shiras moose license each year through a competitive auction. The commission shall promulgate rules for the use of the license and conduct of the auction. A wildlife conservation organization involved in the conserva-

WILDLIFE HABITAT 02114
 DEPARTMENT OF FISH WILDLIFE AND PARKS
 ACCOUNTING ENTITY ANALYSIS

	FY88	FY89	FY90	FY91
Beginning Balance		\$2,061,993	\$740,293	(\$2,237,854)
Revenue Estimate	\$2,061,993	\$2,218,300	\$2,248,253	\$2,237,854
TOTAL AVAILABLE	\$2,061,993	\$4,280,293	\$2,988,546	\$0
Expenditures				
Capital Authorized				
Requested			\$5,226,400	
Operations Current Level		\$3,540,000		
Budget Modifications				
TOTAL OUTLAYS	\$0	\$3,540,000	\$5,226,400	\$0
BALANCE FORWARD	\$2,061,993	\$740,293	(\$2,237,854)	\$0

87-1-235 through 87-1-240 reserved.

87-1-241. (*Effective March 1, 1988, to March 1, 1994*) **Acquisition of wildlife habitat — rules.** (1) Before acquisition of any interest in land for the primary purpose of securing wildlife habitat the commission shall by rule establish a policy for making such acquisitions. With regard to any specific acquisition the policy shall provide for a comprehensive analysis of:

- (a) the wildlife populations and use currently associated with the property;
- (b) the potential value of the land for protection, preservation, and propagation of wildlife;
- (c) management goals proposed for the land and wildlife populations, and where feasible, any additional uses of the land such as livestock grazing or timber harvest;
- (d) any potential impacts to adjacent private land resulting from proposed management goals, and plans to address such impacts;
- (e) a land maintenance program to control weeds and maintain roads and fences; and
- (f) any other matter considered necessary or appropriate by the commission.

(2) The analysis made of any proposed acquisition must be made available for review by each owner of land adjacent to the property that is the subject of analysis, and to any member of the public. A public hearing must be held in the affected area after the analysis has been made available to the public. (*Terminates March 1, 1994—sec. 12, Ch. 598, L. 1987.*)

History: En. Sec. 1, Ch. 598, L. 1987.

87-1-242. (*Effective March 1, 1988, to March 1, 1994*) **Funding for wildlife habitat.** (1) The amount of money specified in this subsection from the sale of each hunting license or permit listed must be used exclusively by the commission to secure, develop, and maintain wildlife habitat, subject to appropriation by the legislature.

- (a) Class B-10, nonresident combination, \$77;
- (b) Nonresident antelope, \$20;
- (c) Nonresident moose, \$20;
- (d) Nonresident mountain goat, \$20;
- (e) Nonresident mountain sheep, \$20;
- (f) Class D-1, nonresident mountain lion, \$20;
- (g) Nonresident black bear, \$20;
- (h) Wild turkey nonresident, \$10;
- (i) Class AAA, sportsman's, \$7;
- (j) Class B-11 nonresident deer combination, \$200.

(2) Twenty percent of any increase after March 1, 1988, in the fee for the Class B-7 license or any license or permit listed in subsection (1) must be allocated for use as provided in subsection (1).

**WATER RIGHTS FOR FISH HATCHERIES:
ADDITIONAL INFORMATION FOR LONG RANGE BUILDING COMMITTEE**

Water rights are secure at the following fish hatcheries involving 1989 capital requests:

Washoe Park (Anaconda)

The Department of Fish, Wildlife and Parks received a "temporary preliminary decree" from the water rights court for five claims totalling 9.5 cubic feet per second (CFS). This amount of water is being utilized by the hatchery.

Jocko River (Arlee)

Water rights have been filed for and granted for 5000 gallons per minute (GPM). These rights date to pre-1973, and the Department utilizes this amount.

Big Springs (Lewistown)

The Department has a 99-year water rights and property lease from the City of Lewistown. About 50 years remain on this lease. The Department's use is second only to the City's.

January 14, 1989

SOUTH SANDSTONE DAM:

ADDITIONAL INFORMATION FOR LONG RANGE BUILDING COMMITTEE

Involvement of South Sandstone Water Spreading Group

When the dam was constructed in 1975, the South Sandstone Water Spreading Group, Little Beaver Conservation District, and Fallon County contributed funds for construction. In return, the Department of Fish, Wildlife and Parks (Department) agreed that the irrigators could use water above a certain level in the reservoir that would remain for recreation purposes. Since the irrigators helped pay for construction they are not charged for the use of the water. Since 750 acre feet of water is the amount normally in the reservoir, and 910 acre feet can reasonably be stored there, 60 acre feet is the amount of water released for use by the irrigators.

About \$23,000 of the \$1.6 million total cost for dam repair is associated with repairs to the irrigation structure. The proposed repairs involve removing the existing irrigation structure and replacing it with a new concrete emergency spillway that would also handle part of the flood. Since the engineering plans call for removal of their structure, the Department is obligated to pay for replacing it.

Siltation

Siltation is not anticipated to be a major problem here. Although it will occur to some extent, the reservoir has an adequate remaining life of over 20 years.

Responsibility to Repair

Since the Department is the owner of this dam it is responsible for its safety. Since the dam impounds 50 acre-feet or more of water and could cause loss of life downstream if it failed, it is a high hazard dam according to the definition of state law.

The Montana Dam Safety Act of 1985 requires that dam owners apply for a hazard classification prior to altering it. The Corps of Engineers initial inspection showed that it is safe; the Department by law still needs to obtain this hazard classification from the Department of Natural Resources and Conservation (DNRC).

State law also requires that a construction permit be obtained from DNRC prior to repairing or removing a high-hazard dam. Prior to operating it, the Department must also

receive an operation permit by July 1, 1995, to comply with the state dam safety law.

Unless the Department receives a hazard classification, construction permit, and operation permit by July 1, 1995, it will not be in compliance with state law. If this request is approved by the legislature, it would be 1990-1991 before construction would begin. Construction would take a year or two and could be completed along with required operation plans by the 1995 deadline.

Work Needed on the Dam and Associated Costs

The detailed study by HKM Associates engineers estimated a construction cost of \$1.44 million; the requested \$1.60 million should be sufficient to adjust for inflation anticipated by the time construction would occur in 1990 or 1991.

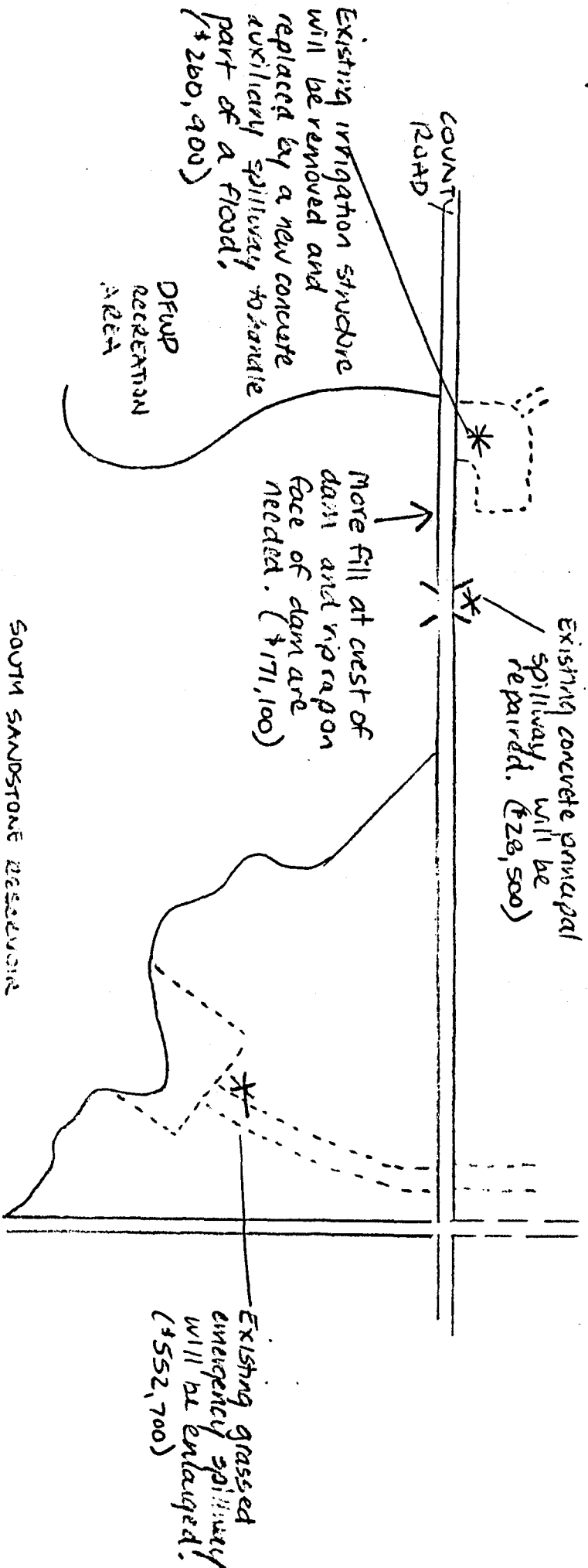
The attached sketch provides information on the work needed as well as the dam's present structures. The type of work needed and associated costs is as follows:

1. Mobilization of contractor	\$ 30,000
2. Dewatering of reservoir to lower water level so work can be done	15,000
3. Principal spillway repairs to inlet/outlet	28,500
4. New spillway and diversion to provide safe capacity to handle stormwater	
a. concrete auxiliary spillway/new diversion structure	260,900
b. grassed auxiliary spillway enlarged	552,700
5. Fill to crest of dam to bring it back up to design level (settling has occurred)	31,500
6. Add more riprap to face of dam	139,600
7. Emergency drain (siphon) to use in case of possible dam failure (so dam doesn't have to be breached)	<u>9,200</u>
SUBTOTAL (including 20% contingency)	\$ 1,067,400
Inflation (2 years at 6%)	128,000
Engineering and construction inspection (18%)	215,200
Survey and land acquisition (5 acres)	<u>25,000</u>
TOTAL HKM ESTIMATE	\$ 1,435,700
ESTIMATE INCLUDING INFLATION THROUGH 1991	\$ 1,600,000

January 15, 1989

TO PLEVNA
7 MILES NORTH
↑

↘ SOUTH SANDSTONE CREEK



Existing irrigation structure will be removed and replaced by a new concrete auxiliary spillway to handle part of a flood, (\$260,900)

DRUMP RECREATION AREA

More fill at crest of dam and riprap on face of dam are needed. (\$171,100)

Existing concrete principal spillway will be repaired. (\$28,500)

SOUTH SANDSTONE CREEK

DRUMP BOAT RAMP AND REC. AREA

Existing grassed emergency spillway will be enlarged. (\$552,700)

↑
N

500'

Sketch of dam showing location of existing structures and proposed improvements.

EX. 11107410

EXHIBIT 5

DATE 1-16-89

HS Long Range Planning

PRIORITY LISTING

CAPITAL CONSTRUCTION PROGRAM PROPOSAL
FUNDED WITH CURRENT REVENUES
1990 - 1991 BIENNIUM

Priority	AGENCY/PROJECT	Accounting Entity	Capital Projects Fund	State Special Revenue Fund	Federal Special Revenue Fund	Other Funds	TOTAL
1.	Construct Low Security Housing Unit, Montana State Prison <i>P. 35</i>	05007	\$1,184,600				\$1,184,600
2.	Building Modifications & Exterior Lighting, Center for the Aged <i>P. 37</i>	05007	\$45,396				\$45,396
3.	Maintain Water Towers and Systems, Statewide <i>P. 40</i>	05007	\$450,000				\$450,000
4.	Carpet Replacement, Administration Building, Missoula Vo Tech Center <i>P. 42</i>	05007	\$80,000				\$80,000
5.	Hazardous Material Abatement, 1989 Statewide <i>P. 44</i>	05007	\$200,000				\$200,000
6.	Roof Replacement/Repair, Department of Institutions <i>P. 44</i>	05007	\$352,500				\$352,500
7.	Replace/Repair Roof Custer Lodge, Pine Hills School	05007	\$155,000				\$155,000
8.	Replace Roofs, Montana University System <i>P. 51</i>	05007	\$394,900				\$394,900
9.	Roof Repair, Academic Building, Montana School for the Deaf and Blind <i>P. 55</i>	05007	\$10,000				\$10,000

EXHIBIT 5
DATE 1-16-89
HS Long Range Building

PRIORITY LISTING

CAPITAL CONSTRUCTION PROGRAM PROPOSAL
FUNDED WITH CURRENT REVENUES
1990 - 1991 BIENNIUM

Priority	AGENCY/PROJECT	Accounting Entity	Capital Projects Fund	State Special Revenue Fund	Federal Special Revenue Fund	Other Funds	TOTAL
10.	Modify Elevator AJM Johnson Hall, Montana State University	05007	\$93,200				\$93,200
11.	Boiler Room Water Softeners, Montana State Hospital, Galen	05007	\$45,000				\$45,000
12.	Equipment for Remodeled 16AB&C Cottage, Montana Developmental Center	05007	\$88,000				\$88,000
13.	Replace Hospital Floors, Montana State Hospital, Galen	05007	\$20,000				\$20,000
14.	Electrical Distribution System, Phase II, Montana State University	05007 07037	\$671,700			\$949,500	\$1,621,200
15.	Major Maintenance, Water Mains, University of Montana	05007	\$130,000				\$130,000
16.	Exterior Door and Vestibules, Western Montana College	05007	\$14,000				\$14,000
17.	Window Retrofit, Engineering Hall, Montana Tech	05007	\$132,750				\$132,750

PRIORITY LISTING

CAPITAL CONSTRUCTION PROGRAM PROPOSAL
FUNDED WITH CURRENT REVENUES
1990 - 1991 BIENNIUM

Priority	AGENCY/PROJECT	Accounting Entity	Capital Projects Fund	State Special Revenue Fund	Federal Special Revenue Fund	Other Funds	TOTAL
18.	Contingent on Available Funds, Maintenance and Improvement Projects, Statewide, Department of State Lands	05007	\$34,200				\$34,200
19.	Remodel Grain Laboratory, Great Falls	02453		\$45,500			\$45,500
20.	Kokanee Salmon Facility	27154 53197		\$225,000		\$291,560	\$516,560
21.	Yellowstone Road Improvement, Grand Teton	02409 03097		\$3,965	\$11,897		\$15,862
22.	Fishing Access Sites Improvement, Statewide	02409 03097		\$100,000	\$300,000		\$400,000
23.	Engineering Study, Bearpaw Dam, Havre	02409 03097		\$25,000	\$75,000		\$100,000
24.	Clearwater Fish Barrier Alterations, Seeley Lake	02409 03097		\$25,000	\$75,000		\$100,000
25.	Dam Inspection, Statewide	02409		\$30,000			\$30,000
26.	Construct Region 2 Headquarters Storage, Missoula	02409		\$25,920			\$25,920
27.	Wildlife Habitat Acquisition, Statewide	02409		\$5,226,400			\$5,226,400

PRIORITY LISTING

CAPITAL CONSTRUCTION PROGRAM PROPOSAL
FUNDED WITH CURRENT REVENUES
1990 - 1991 BIENNIUM

Priority	AGENCY/PROJECT	Accounting Entity	Capital Projects Fund	State Special Revenue Fund	Federal Special Revenue Fund	Other Funds	TOTAL
28.	Waterfowl Habitat Enhancement, Statewide	02085		\$424,500			\$424,500
29.	Bighorn Sheep Habitat Acquisition, Statewide	02086		\$211,600			\$211,600
30.	Boat Facilities, Statewide	02409 03097		\$300,423	\$901,270		\$1,201,693
31.	State Park Maintenance and Development, Statewide	02408 03098		\$160,000	\$160,000		\$320,000
32.	State Property Improvement, Statewide	02410		\$265,037			\$265,037
33.	Fishing Access Site Acquisition, Statewide	02415		\$525,755			\$525,755
34.	Donation Authority, East Gallatin Park, Bozeman	03098				\$100,000	\$100,000
35.	Construction Authority, Lewis and Clark Caverns, Whitehall	03098				\$75,000	\$75,000
36.	Maintenance Projects, Statewide	02422		\$750,000			\$750,000
37.	Maintenance Section Headquarters Complex, Bridger	02422		\$140,460			\$140,460

PRIORITY LISTING

CAPITAL CONSTRUCTION PROGRAM PROPOSAL
 FUNDED WITH CURRENT REVENUES
 1990 - 1991 BIENNIUM

Priority	AGENCY/PROJECT	Accounting Entity	Capital Projects Fund	State Special Revenue Fund	Federal Special Revenue Fund	Other Funds	TOTAL
38.	Construct Sandhouses at Helena Headquarters, Lincoln & Cascade Section	02422	\$118,800				\$118,800
39.	Land Acquisition, Kalispell	02422	\$80,000				\$80,000
40.	Headquarters Renovation, Glendive	02422	\$72,480				\$72,480
41.	Construct Equipment Storage Additions, Standford, Shelby, Lewistown, Miles City Wolf Point, and Alberton	02422	\$419,480				\$419,480
42.	Supervisor Housing Units, Montana State Prison Ranch	06533	\$135,000				\$135,000
43.	Tin Cup Joe Irrigation System, Montana State Prison Ranch	06533	\$200,000				\$200,000
44.	Acquisition of Arcade Building, Lower Level, Helena	02455	\$50,000				\$50,000
45.	Power Supply Project, Workers' Compensation, Helena	02455	\$26,000				\$26,000
46.	HVAC Replacement and Major Maintenance, Helena Job Service	03128			\$53,600		\$53,600

PRIORITY LISTING

CAPITAL CONSTRUCTION PROGRAM PROPOSAL
 FUNDED WITH CURRENT REVENUES
 1990 - 1991 BIENNIUM

Priority	AGENCY/PROJECT	Accounting Entity	Capital Projects Fund	State Special Revenue Fund	Federal Special Revenue Fund	Other Funds	TOTAL
47.	Repair Settling Damage, Great Falls Job Service	03128			\$50,000		\$50,000
48.	Heating Unit Replacement, Missoula Job Service	03128			\$50,000		\$50,000
49.	Construct/Purchase, Butte Job Service	03128			\$211,000		\$211,000
50.	Parking Lot Construction, Havre Job Service	03128			\$10,000		\$10,000
51.	Basement Renovation, Bozeman Job Service	03128			\$100,000		\$100,000
52.	Interagency Fire Center and Hanger, Helena	03068				\$54,800	\$54,800
53.	Nursery Freezer and Cooler, Missoula	02031		\$24,000			\$24,000
54.	Nursery Shop Building, Missoula	02031		\$101,000			\$101,000
55.	Nursery Storage Building, Missoula	02031		\$22,000			\$22,000
56.	Federal Spending Authority	05009			\$300,000		\$300,000
57.	Oil and Gas Division Addition, Billings	02432			\$116,950		\$116,950

PRIORITY LISTING

CAPITAL CONSTRUCTION PROGRAM PROPOSAL
 FUNDED WITH CURRENT REVENUES
 1990 - 1991 BIENNIUM

Priority	AGENCY/PROJECT	Accounting Entity	Capital Projects Fund	State Special Revenue Fund	Federal Special Revenue Fund	Other Funds	TOTAL
58.	Maintain Liquor Warehouse Roof	06005			\$170,000	\$170,000	\$170,000
59.	P.E. Roof Replacement, Western Montana College	05014			\$230,000	\$230,000	\$230,000
60.	SUB Remodeling, Western Montana College	05014			\$502,000	\$502,000	\$502,000
61.	Miscellaneous Projects, University of Montana	73100			\$172,900	\$172,900	\$172,900
62.	Centennial Mall, Montana State University	71213			\$650,000	\$650,000	\$650,000
TOTAL CASH PROJECTS			\$4,101,246	\$9,733,320	\$2,414,717	\$3,195,760	\$19,445,043

PRIORITY LISTING

CAPITAL CONSTRUCTION PROGRAM PROPOSAL
FUNDED WITH BONDED DEBT
1990 - 1991 BIENNIUM

Priority	AGENCY/PROJECT	Accounting Entity	Capital Projects Fund	State Special Revenue Fund	Federal Special Revenue Fund	Other Funds	TOTAL
63.	Region 7 Headquarters Construction, Fish, Wildlife & Parks, Miles City	02409		\$950,000			\$950,000
64.	Hatchery Construction and Renovations, Fish, Wildlife & Parks, Anaconda, Arlee, Lewistown	02409 03097		\$648,200	\$1,944,600		\$2,592,800
65.	Improve South Sandstone Dam, Fish, Wildlife & Parks, Plevna	02409 03097		\$400,000	\$1,200,000		\$1,600,000
<hr/>							
TOTAL BONDED PROJECTS			\$0	\$1,998,200	\$3,144,600	\$0	\$5,142,800
<hr/>							
TOTAL LONG RANGE BUILDING PROGRAM			\$4,101,246	\$11,731,520	\$5,559,317	\$3,195,760	\$24,587,843
<hr/>							

Invest-

DATE 1-16-89

#3 L.R.P. Dept. of Institutions

Long-Range Planning Subcommittee
Capital Construction Program

Agency/Project	A/E Div Project Ranking	Amount Recom'd	Revenue Source	Hearing Date	Subcommittee Action
Department of Institutions					
Construct Low Security Housing Unit, Montana State Prison	#1	\$1,184,600	Capital Projects Fund	1-16-89	
Building Modifications and Exterior Lighting, Center for the Aged	#2	\$45,396	Capital Projects Fund	1-16-89	
Roof Replacements and Repairs, Department of Institutions	#6	\$352,500	Capital Projects Fund	1-16-89	
Boiler Room Water Softeners, Galen	#11	\$45,000	Capital Projects Fund	1-16-89	
Equipment for Cottage 16 A,B,C Montana Developmental Center	#12	\$88,000	Capital Projects Fund	1-16-89	
Replace Hospital Floors, Galen	#13	\$20,000	Capital Projects Fund	1-16-89	
Supervisor Housing Units, Montana State Prison Ranch	#42	\$135,000	MSP Ranch Revolving Fund	1-16-89	

Long-Range Planning Subcommittee
 Capital Construction Program

Agency/Project -----	A/E Div Project Ranking -----	Amount Recom'd -----	Revenue Source -----	Hearing Date -----	Subcommittee Action -----
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Tin Cup Joe Irrigation System,
 Montana State Prison Ranch

#43 \$200,000 MSP Ranch Revolving Fund 1-16-89

Total Institutions

 \$2,070,496
 =====

EXHIBIT 4
DATE 1-16-89
HB Dept of Institutions

**SELECTED PRISON POPULATION
DATA**

**Long Range Building Program
Fiscal Year 1990 - 1991**

1/13/89

Montana State Prison Average Daily Populations
Fiscal Years 1980 - YTD 1989

<u>YTD 1989</u>	<u>1988</u>	<u>1987</u>	<u>1986</u>	<u>1985</u>	<u>1984</u>	<u>1983</u>	<u>1982</u>	<u>1981</u>	<u>1980</u>
1029.9	957.4	925.5	907.2	802.3	739.9	744.9	698.3	669.7	668.4

Montana State Prison Admissions
Fiscal Years 1980 - YTD 1989

<u>YTD 1989*</u>	<u>1988</u>	<u>1987</u>	<u>1986</u>	<u>1985</u>	<u>1984</u>	<u>1983</u>	<u>1982</u>	<u>1981</u>	<u>1980</u>
249	499	521	509	479	441	473	494	494	359

*12/31/88

Male Total Jurisdiction Average Length of Stay, in Months
Fiscal Years 1980 - 1988

<u>1988</u>	<u>1987</u>	<u>1986</u>	<u>1985</u>	<u>1984</u>	<u>1983</u>	<u>1982</u>	<u>1981</u>	<u>1980</u>
31.0	31.0	29.9	30.14	28.5	27.2	23.9	23.7	24.7

Projected Montana State Prison Populations and Prison Bed Capacity
Fiscal Years 1989 - 1995

	<u>1989</u>	<u>1990</u>	<u>1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>
Population	1022	1059	1095	1118	1139	1157	1174
Capacity	<u>1028</u>	<u>1028</u>	<u>1028</u>	<u>1028</u>	<u>1028</u>	<u>1028</u>	<u>1028</u>
Beds Needed	(6)	31	67	90	111	129	146

PRESENT MONTANA STATE PRISON CAPACITY

	<u>Design Capacity</u>	<u>Operational Capacity</u>	<u>Emergency Capacity</u>
Maximum Security	96	96	96
Close I	96	96	144
Close II	96	96	192
Close III	96	96	96
A Unit	96	108 ¹	132
B Unit	96	108 ¹	144
C Unit	96	108 ¹	144
Reception	42	42	50
Dairy Dorm	<u>30</u>	<u>45²</u>	<u>52</u>
	744	795	1050
Miscellaneous	<u>10³</u>	<u>10³</u>	<u>10³</u>
	754	805	1060
		Less	<u>(32)⁴</u>
			1028

¹ Twelve janitorial closets have had windows installed and are now considered housing.

² This unit is now adequate for 45 inmates.

³ These inmates are housed outside the double fenced compound at seven different locations and are included for housing capacity purposes.

⁴ These beds are in the maximum security unit and are not available to general population inmates for the following reasons:

10 beds - Death Row. This unit contains 16 cells; six inmates are currently sentenced to death. The remaining ten beds can only be used for inmates sentenced to death.

6 beds - Protective Custody. This unit contains 16 cells. Ten inmates are currently classified Protective Custody. The remaining six beds can only be used for Protective Custody inmates.

16 beds - Detention. There are 16 beds in the Detention Unit. Detention beds are not available for housing general population inmates. Inmates sent to detention cells maintain cells in the general population.

96-Man Low Security Housing Unit

Area requirements	Area SF
96 bedrooms @ 80 SF ea.	7,680
4 Toilet/Shower Room @ 1,000 SF ea.	4,000
2 Guard Station @ 120 SF	240
3 Counseling & Exam Rooms @ 100 SF	300
Conference Room	170
Recreation Area	1,450
Personal laundry	120
2 linen storage/JC @ 100 SF	200
ASSIGNABLE AREA	11,180
gross building factor 1.42	4,700
GROSS AREA	15,880

2 story steel frame structural system with concrete slab on grade and concrete/metal deck floors, 2 hour protection on structural steel. Exterior walls steel studs steel panel exterior and gypsum board interior. Metal sloped roof. Interior walls steel studs with gypsum board. Security screens on windows, fire sprinkler system throughout, and security alarm system.

Cost for completed project using inmate labor: \$1,184,600

Cost for completed project using contracted labor: \$2,610,000

ATCO
Aurora, Colorado
Rodger

Wood frame modular units: 2x4 exterior walls (R-11) with T-1-11 plywood or aluminum siding; 2x floor joists with 5/8" plywood sheathing, 4/12 asphalt shingle or low profile galvanized metal roof. Units have no sprinkler system. Cost based on single height units, multi-story structure would add \$10,000 (rough) to installation, add cost of stairwells, and increase square foot cost to beef up structure. Fire detectors & alarms, but no fire sprinkler or security alarms.

Cost: delivered to job site \$38-40/SF plumbed areas and living areas; \$30/SF conference/rec. areas.

Assignable area: 11,180 SF x 1.42 GBF
Gross Area: 15,880 SF

Plumbed areas	6,480 SF x \$40 =	259,200	
Standard areas	9,400 SF x \$30 =	<u>282,000</u>	
		541,200	FOB PRISON

Set up & Skirting	<u>75,000</u>
	616,200

Site Development

Sewer line	10,700
Underground Electrical service	10,080
Underground water service (inmate)	600
Underground gas service (inmate)	1,200
Site development & sidewalks (inmate)	<u>7,500</u>
	\$ 30,080*

*Note site costs are based on single, 2 story building concept. Prices will increase if multiple connections are required for modular units.

Project Cost

Modular delivery & installation	616,200
Site Development	30,080
Furnishings	66,950
10% Contingency	71,320
Inflation 1989 JAN-OCT 4/5 yr = 4%	31,380
Architect fees @ 4.5% (reduced from full fee)	<u>36,720</u>

TOTAL PROJECT COST	\$852,650
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ATCO

BESTEEL
Industry California
Rich Wood

Steel frame/shim modular units: floors steel joists, metal pan with 3-1/2" lightweight concrete. Standing seam exterior wall system with ribs at 16" O.C. to act as studs; R-11 insulation. Metal roof with R-19 insulation. Primary structure is 12" channel around base at perimeter, and square tube structural framing. Interior walls are steel stud with gypsum board. Cost includes sprinkler system, and security screens on windows, as required. Security system not confirmed. Units are 12' wide, 40-50' long and 12'-6" ht.

Cost: Single story units set up but not including utility hookup or site costs:

\$100/SF single story
\$130/135 two story

Assignable area: 11,180 SF x 1.42 GBF
15,880 SF

A. Single Story Project Cost:

Modular Cost set up	15,880 SF x \$100/SF =	\$1,588,000
Site Costs (refer to ATCO)		30,080
Furnishings		66,950
10% Contingency		68,500
Architect Fee @ 4.5% (reduced from full fee)		<u>83,400</u>

TOTAL PROJECT COST \$1,936,930

B. Two Story Project Cost

Modular Cost set up	15,880 SF x \$130/SF =	2,064,400
Site Costs		30,080
Furnishings		66,950
10% Contingency		216,140
Architect Fee @ 4.5%		<u>106,990</u>

TOTAL PROJECT COST \$2,484,560

BESTEEL

VISITOR'S REGISTER

Long Range Planning

SUBCOMMITTEE

AGENCY (S) _____

DATE 1-16-89

DEPARTMENT

Wild Wildlife & Park
Institutions

NAME	REPRESENTING	SUP- PORT	OP- POSE
Tom Cornell	A&E	✓	
Tom Marcoux	FWRP	✓	
Don Hyppa	FWRP	✓	
Jim Whaley	A&E	—	
Bobby Balaz	DFWP	✓	
Dave Mohr	DFWP	✓	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT.
IF YOU HAVE WRITTEN COMMENTS, PLEASE GIVE A COPY TO THE SECRETARY.