

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

#### JOINT SUBCOMMITTEE ON LONG-RANGE PLANNING

**Call to Order:** By CHAIRMAN ERNEST BERGSAGEL, on February 17,  
1995, at 7:00 A.M.

#### ROLL CALL

**Members Present:**

Rep. Ernest Bergsagel, Chairman (R)  
Sen. Ethel M. Harding, Vice Chairman (R)  
Sen. B.F. "Chris" Christiaens (D)  
Rep. Matt McCann (D)  
Rep. Tom Zook (R)

**Members Excused:** NONE

**Members Absent:** NONE

**Staff Present:** Nan LeFebvre, Office of the Legislative Fiscal  
Analyst  
Jane Hamman, Office of Budget & Program Planning  
Tracy Bartosik, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing: NONE  
Executive Action: HB 5

- DEPARTMENT OF MILITARY AFFAIRS
- DEPARTMENT OF ADMINISTRATION
- DEPARTMENT OF FAMILY SERVICES
- DEPARTMENT OF STATE LANDS
- DEPARTMENT OF CORRECTIONS AND HUMAN  
SERVICES
- DEPARTMENT OF NATURAL RESOURCES AND  
CONSERVATION
- MONTANA UNIVERSITY SYSTEM
- DEPARTMENT OF FISH WILDLIFE AND PARKS

**EXECUTIVE ACTION**  
**DEPARTMENT OF MILITARY AFFAIRS**

**BILLINGS ARMORY**

Lieutenant Colonel Allen Stricker provided the committee with a copy of an amendment to HB 5 for the Billings Armory. **EXHIBIT 1**

**Motion/Vote:** REP. TOM ZOOK moved to approve an amendment to HB 5 for the Billings Armory, on page 3, line 26, striking "12,009,800" and inserting "14,009,800." **Motion CARRIED unanimously.**

*{Tape: 1; Side: A; Approx. Counter: 67;}*

**CHAIRMAN ERNEST BERGSAGEL** stated he received a letter from the Billings Trade Port Authority indicating that they would pay approximately 50% of the heating costs for the Armory. **CHAIRMAN BERGSAGEL** indicated there is approximately \$80,000 worth of operational costs associated with the Armory, and the Billings Trade Port Authority stated they are willing to pick up approximately half of that. The Billings Trade Port Authority indicated that they would pick up those costs for approximately four years of operation. That amount would equal approximately \$42,000 over the biennium. **CHAIRMAN BERGSAGEL** also mentioned that operational costs are paid for by the state, not the federal government.

**Motion/Vote:** REP. ZOOK moved to approve the Billings Armory for the amount of \$14,009,800 in HB 5. **Motion CARRIED unanimously.**

**CHAIRMAN BERGSAGEL** stated that it is the intent of this committee that the Department of Administration look at the possibility of either liquidating the old Billings Armory when it is vacated, or finding another use for the building.

**Ms. Jane Hamman, Office of Budget and Program Planning,** stated she has talked with the Department on that issue and the plan is that the Department of State Lands would be involved in the sale of the old Billings Armory, and that the proceeds generated would be deposited into the general fund. **CHAIRMAN BERGSAGEL** indicated it is the committee's intent to request that be considered as an option.

*{Tape: 1; Side: A; Approx. Counter: 174;}*

**EXECUTIVE ACTION**  
**DEPARTMENT OF ADMINISTRATION**

**ADA ACCESSIBILITY**

**CHAIRMAN BERGSAGEL** stated there is an amendment to HB 5 from the Department of Administration. He stated the amendment would not change the amount in HB 5, but would show funding is proprietary rather than cigarette tax money. **EXHIBIT 2**

**Motion/Vote:** REP. ZOOK moved to approve the amendment to HB 5 from the Department of Administration. **Motion CARRIED unanimously.**

{Tape: 1; Side: A; Approx. Counter: 209}

**EXECUTIVE ACTION**  
**DEPARTMENT OF FAMILY SERVICES**

**PINE HILLS IMPROVEMENTS AND THE PINE HILLS LODGE**

**Motion/Vote:** REP. ZOOK moved to approve the Pine Hills Improvements for \$100,000 and the Pine Hills Lodge Planning for the \$100,000, for a total of \$200,000 from HB 5. **Motion CARRIED With REP. McCANN voting no.**

**Motion/Vote:** REP. ZOOK moved to approve a conceptual amendment to change the language in HB 5 from "lodge replacement planning" to "Pine Hills campus planning." **Motion CARRIED unanimously.**

{Tape: 1; Side: A; Approx. Counter: 482;}

**EXECUTIVE ACTION**  
**DEPARTMENT OF STATE LANDS**

**PLAINS UNIT OFFICE**

**Motion/Vote:** SEN. CHRIS CHRISTIAENS moved to approve the amendment to HB 5 for the Plains Unit Office, changing page 4, line 4 to read "Construct or Purchase." **Motion CARRIED unanimously. EXHIBIT 3**

{Tape: 1; Side: A; Approx. Counter: 530;}

**EXECUTIVE ACTION**  
**DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES**

**ROOF REPLACEMENTS, MONTANA STATE HOSPITAL**

SEN. CHRISTIAENS asked if there is another building on campus that could be used as a commissary. **Mr. Bob Anderson, Department of Corrections and Human Services**, stated that converting a building into a commissary would probably be more expensive than replacing the roof on the existing commissary.

**Motion/Vote:** REP. ZOOK moved to approve the roof replacements at the Montana State Hospital in Warm Springs in HB 5 for the amount of \$70,000. **Motion CARRIED unanimously.**

EXPANSION, SWAN RIVER BOOT CAMP

**Motion:** SEN. ETHEL HARDING moved to approve an amendment changing the language in HB 5 from "Swan River Correctional Training Center" to "Correctional Boot Camp." **EXHIBIT 4**

**Discussion:** SEN. CHRISTIAENS stated he was strongly opposed to the Department moving the Swan River Boot Camp from its current location.

**Vote:** Motion CARRIED unanimously.

{Tape: 1; Side: A; Approx. Counter: 815;}

EXECUTIVE ACTION

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

PETROLIA DAM REHABILITATION

**Motion:** SEN. CHRISTIAENS moved to approve an amendment to HB 5 for the Petrolia Dam Rehabilitation project. **EXHIBIT 5**

**Discussion:** Mr. Michael Taylor, Member of the Petrolia Water Association, stated that the water users are not objecting to taking over the dam, but they would like some questions addressed on the record. He stated the water users would like to call on the resources of the State to help make this transition. Mr. Taylor stated that the Petrolia Water Association is also in favor of some time restraints so the transition does not take place too rapidly. They are also concerned with potential liabilities and how some tax considerations would affect the association.

{Tape: 1; Side: B;}

CHAIRMAN BERGSAGEL stated it is the committee's intent that the Department of Natural Resources and Conservation work closely with the Petrolia Water Users Association in every way to address the issues associated with the land transfer.

Mr. Glenn McDonald, DNRC, indicated the Department would, in fact, work closely with the water users.

**Vote:** Motion CARRIED unanimously.

{Tape: 1; Side: B; Approx. Counter: 135;}

**EXECUTIVE ACTION**  
**MONTANA UNIVERSITY SYSTEM**

**UNIVERSITY OF MONTANA, AUTHORITY ONLY**

**Motion:** SEN. CHRISTIAENS moved to approve spending authority for the University of Montana in the amount of \$7,350,000.

**Discussion:** Mr. Jim Todd, University of Montana, reminded the committee of an amendment to HB 5 which he had previously handed out. EXHIBIT 6

**Vote:** Motion withdrawn.

**Motion:** SEN. CHRISTIAENS moved to approve an amendment to HB 5, page 5, line 2, deleting "\$6,450,000" and inserting "\$450,000." (See Exhibit 6)

**Discussion:** CHAIRMAN BERGSAGEL questioned what the \$450,000 in the amendment would be used for. Mr. Todd stated it would be used for the relocation of the Human Resources building and the relocation of Printing Services.

**Vote:** Motion CARRIED unanimously.

Ms. Nan LeFebvre, Office of the Legislative Fiscal Analyst, mentioned the committee had expressed interest in a committee bill for the Prescott House, and if the amount for that is included in HB 5, the committee could introduce a committee bill. She also stated the committee would have to do a committee bill in order to provide the University with the bidding and design exemptions they want to go with the spending authority.

*{Tape: 2; Side: A; Comments: Vote not recorded due to end of tape.}*

**Motion/Vote:** REP. ZOOK moved to approve spending authorization in HB 5 for the Prescott House in the amount of \$1,650,000, Student Building Fees projects for \$400,000, and Grant projects for \$500,000. Motion CARRIED 3 to 2, With REP. McCANN and CHAIRMAN BERGSAGEL voting no.

**MONTANA STATE UNIVERSITY, AUTHORITY ONLY**

Mr. Bob Lashaway, Director of Facilities for Montana State University, provided the committee with an overview of the requested authority only projects.

**Motion/Vote:** REP. MATT McCANN moved to approve spending authorization in HB 5 for the amount of \$760,000 for Montana State University, which includes all spending authority requests from Montana State University, with the exception of the Bioscience facility. Motion CARRIED unanimously.

**Motion:** SEN. HARDING moved to approve spending authorization in HB 5 for the amount of \$10,815,946 for Montana State University for the Bioscience Facility.

**Discussion:** REP. ZOOK said he felt the Bioscience Facility would be very valuable for both agriculture and the environment communities of the state.

REP. McCANN asked for clarification on the operations and maintenance costs of the Bioscience building. CHAIRMAN BERGSAGEL stated there is projected to be approximately \$800,000 of annual maintenance costs associated with the construction of this facility. The University System was asked to address this issue in order to mitigate the effects to the tax payers. The University system has come up with a rental assessment agreement that would charge for lab use, square footage, and other things associated with repairs and maintenance. The University's best estimate is that they would be able to come up with approximately 50% of the funding for those costs over the biennium, however, this is not a firm number.

**Vote:** Motion CARRIED unanimously.

CHAIRMAN BERGSAGEL presented the committee with an amendment to HB 5 repealing section 23, chapter 624 of the 1993 session laws. EXHIBIT 7 He stated the reason for the repealer was last session he included in HB 2 and HB 5 an amendment which stated that \$10 million of any revenue generated over \$30 million would be appropriated to maintenance. He stated the intent of the amendment is clear, however, the language is flawed, and in order to begin to work with a "clean slate" he is requesting the committee to approve the repealer.

**Motion/Vote:** REP. ZOOK moved to approve a amendment to HB 5 repealing section 23, chapter 624. Motion CARRIED unanimously.

{Tape: 2; Side: A; Approx. Counter: 390;}

**Motion:** SEN. CHRISTIAENS moved to approve an amendment to HB 5, for spending authorization for a new stadium at Montana State University - Bozeman, with the condition that the amendment read "seek and expend only private funds" rather than "any private funds." EXHIBIT 8

**Discussion:** Mr. Robert Specter, Vice President of Administration and Finance, Montana State University-Bozeman, provided the committee with a copy of the "Athletic Complex Proposal" for MSU-Bozeman. EXHIBIT 9 He stated that funding for this proposal, which is estimated to cost approximately \$12 million, would consist of private funds and donations only, with no obligation for operations and maintenance costs from the State. Mr. Specter asked the committee to assist the University with a committee bill which would offer exemption from the state bidding practices for the design and construction work associated with the

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DATE \_\_\_\_\_

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this specifically because the University they believe will be willing to donate the seating services, and a portion of the theater also provided the committee with a for this purpose. **EXHIBIT 10**

ed that the University states the initial facility will be 20,500. He then ional capacity is needed, would they ted that if a portion of the stadium site ilding, more seats could be placed there.

ed how the stadium would be made ADA indicated elevators, ramps appropriate sections in seating reserved for

o 2, with REP. McCANN and CHAIRMAN

ater: 800;}

ted the exemption from the bidding  
cott House at U of M - Missoula, and  
man be covered in the same committee

still.

**Motion/Vote:** SEN. CHRISTIAENS moved to include the Bozeman stadium in the committee bill, along with the Prescott House.  
**Motion CARRIED with CHAIRMAN BERGSAGEL voting no.**

{Tape: 2; Side: B}

#### EXECUTIVE ACTION

#### DEPARTMENT OF FISH, WILDLIFE, AND PARKS

#### SOUTH SANDSTONE DAM REHABILITATION

Mr. Pat Graham, Director of the Department of Fish, Wildlife, and Parks, provided the committee copies of an amendment to HB 5 which makes the expenditure of the South Sandstone Dam funds contingent upon the Department's divesture of the property.  
**EXHIBIT 11**

**Motion/Vote:** REP. ZOOK moved to approve amendments #1 and #2, to HB 5 from the Department of Fish, Wildlife, and Parks for the South Sandstone Dam Rehabilitation project. (See Exhibit 11)  
**Motion CARRIED unanimously.**

**Motion/Vote:** REP. ZOOK moved to approve \$264,000 from HB 5 for the South Sandstone Dam Rehabilitation project. **Motion CARRIED unanimously.**

ULM PISHKUN, PHASE I

**CHAIRMAN BERGSAGEL** reminded the committee of an amendment to HB 5 which corrects an error in the introduced version of the bill by including Federal funding for the Ulm Pishkun project in HB 5.

**Motion/Vote:** **REP. McCANN** moved to approve an amendment to HB 5 from the Department of Fish, Wildlife, and Parks, which would include Federal funding for the Ulm Pishkun project in HB 5. **Motion CARRIED unanimously.**

**Motion/Vote:** **REP. McCANN** moved to approve Phase I of the Ulm Pishkun project for the amount of \$1,063,000 in HB 5. **Motion CARRIED unanimously.**

{Tape: 2; Side: B; Approx. Counter: 115;}

SPRING MEADOW WILDLIFE AND EDUCATION CENTER

**Motion/Vote:** **REP. ZOOK** moved to approve \$625,000 in HB 5 for the Spring Meadow Wildlife and Education Center for the Department of Fish, Wildlife and Parks. **Motion CARRIED unanimously.**

**CHAIRMAN BERGSAGEL** stated it is this committee's understanding and intent that the property for the Spring Meadow Wildlife and Education Center has been acquired and will be transferred to the Department of Fish, Wildlife, and Parks. The \$625,000 that has been authorized for expenditure is for the construction of an animal shelter to be located on the Spring Meadow Lake complex, with the balance of those funds going toward planning and/or facility use. It is not the intent of this committee to in any way encumber the next legislature to any future action on this project, only to offer the Department an opportunity for the animal shelter. It is also the committee's understanding that there is a potential for private funds to be made available for the operations and maintenance of any future project that may be proposed at this complex. It would be the responsibility of the next legislature to consider any proposal that may come forth.

**Ms. LeFebvre, Office of the Legislative Fiscal Analyst,** presented the committee with an amendment to HB 5 concerning the Department of Fish, Wildlife, and Parks. **EXHIBIT 13 CHAIRMAN BERGSAGEL** stated that this amendment does not increase or reduce the funding sources, but identifies those funds already statutorily appropriated.

**Motion/Vote:** **SEN. CHRISTIAENS** moved to approve an amendment to HB 5 regarding identification of the funding source for the Department of Fish, Wildlife, and Parks. **(See Exhibit 13)** **Motion CARRIED unanimously.**

**Motion/Vote:** **REP. ZOOK** moved to approve HB 5 as amended. **Motion CARRIED unanimously.**



{Tape: 2; Side: B; Approx. Counter: 432;}

**CHAIRMAN BERGSAGEL** gave **REP. BOB RANEY** the opportunity to brief the committee on a bill which he is sponsoring, and how it would affect the committee's actions if it passed.

**REP. BOB RANEY** stated HB 349 deals with the reorganization of fisheries across the State of Montana. He also stated that HB 349 would take half of the money obtained by the Department of Fish, Wildlife and Parks from fishing license fees, and redirect it to provide for the protection and enhancement of Montana fisheries by upgrading the quality of spawning streams and other habitats for natural fish reproduction.

{Tape:3; Side: A;}

**REP. RANEY** also asked the committee to rethink their actions on Department of Fish, Wildlife, and Parks projects, in regard to fish hatcheries and the fish health laboratory.

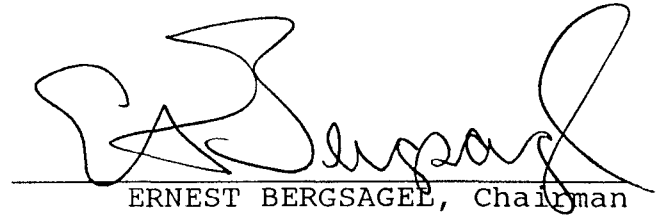
**CHAIRMAN BERGSAGEL** offered **Mr. Pat Graham, Director of the Department of Fish, Wildlife, and Parks**, the opportunity to respond to the comments made by **REP. RANEY**.

**Mr. Graham** stated that the passing of HB 349 would result in a major change in the way the Department runs its fish hatcheries. He stated he has asked his staff to look into what those changes would be and how they would be dealt with.

**CHAIRMAN BERGSAGEL** stated that if **REP. RANEY'S** bill passed both the House and the Senate, there would be a need to put contingency language in HB 5.

ADJOURNMENT

Adjournment: 10:00 a.m.



ERNEST BERGSAGEE, Chairman



TRACY BARTOSIK, Secretary

EB/tb

# LONG RANGE PLANNING

## Joint Appropriations Subcommittee

ROLL CALL

DATE 2-17-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Ernest Bergsagel, Chairman	X		
Rep. Matt McCann	X		
Rep. Tom Zook	X		
Sen. Ethel Harding, Vice Chairman	X		
Sen. Chris Christiaens	X		

Department of Military Affairs

EXHIBIT 1

DATE 2-17-95

HB 5

Amend House Bill 5, Introduced Reading Copy  
Long-Range Planning Joint Appropriations Subcommittee  
February 16, 1995

1. Page 3, line 26.  
Strike: "12,009,800"  
Insert: "14,009,800"

Prepared by the Office of Budget and Program Planning

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EXHIBIT 2  
DATE 2-17-95  
#B 5

## Amendment

House Bill 5 - Introduced Bill

Page 1, Line 26.

Under "LRBP"

Strike: "\$100,000"

Under "Other Funding Sources:

Insert: "\$100,000

Proprietary"

EXHIBIT 3  
DATE 2-17-95  
SB 5

## Amendment

House Bill 5 - Introduced Bill

Page 4, Line 4.

Following: "Construct"

Insert: "or Purchase"

Line 4 will then read:

"Construct or Purchase Unit Office, Plains 300,000"

EXHIBIT 4  
DATE 2-17-95  
HB 5

**Amendment**

House Bill 5 - Introduced Bill

Page 2, Line 10.

Strike: "Swann River Correctional Training Center"

Insert: "Correctional Boot Camp"

EXHIBIT 5  
DATE 2-17-95  
#B 5

## Amendment

House Bill 5 - Introduced Bill

Page 7, Following Line 18.

Insert: "For the appropriation in Section 6, for Petrolia Dam Rehabilitation, the legislature finds that the project is in need of costly repairs if operation of the project is to continue and that it is financially unsound for the State to continue to own the project. Any benefits to the public accruing from continued State ownership are outweighed by the cost of repairs and continued maintenance. The legislature finds that the useful life of the project as a state-owned water project, is at an end. The Department of Natural Resources and Conservation is directed to enter into an agreement for the project's disposition to the Petrolia Water Users' Association. The money appropriated herein is contingent upon the Petrolia Water Users' Association execution of a valid agreement to accept ownership of all property rights and liabilities associated with the project.



EXHIBIT 6  
DATE 2-17-95  
HB 5

Amendment 1

Amend House Bill 5, Introduced Reading Copy

Long Range Building Committee  
February 17, 1995

1. Page 5, line 2

Delete: "6,450,000"  
Insert: "\$450,000"

2. Page 7, line 17

Delete: "900,000"  
Insert: "\$2,550,000"

Explanations:

The tuition and mandatory fee proposals submitted to the Board of Regents and provided to the Education Subcommittee of the House Appropriations Committee excluded the establishment of a mandatory student fee for deferred maintenance/disability access projects. The exclusion of the fee is consistent with the commitment to limit tuition and mandatory fee increases. Therefore, the "authority-only" projects of The University of Montana, Missoula in Section 2 of HB 5 should be reduced by \$6,000,000. Of the \$6,000,000 deleted in Section 2 of HB 5, \$1,650,000 should be transferred to Section 6 to permit The University of Montana, Missoula to proceed with the restoration/remodeling of the Prescott House and the development of Campus Drive and related parking facilities. The Prescott House/Campus Drive project will be financed exclusively with private donations and University auxiliary revenues. The University of Montana, Missoula received Governor's interim authority of \$350,000 to renovate the Prescott House. This Amendment increases the authority to \$2,000,000 total to complete the Prescott House and Campus Drive.

EXHIBIT 7  
DATE 2-17-95  
#8.5

## Amendment

House Bill 5 - Introduced Bill

Page 8, Following Line 7.

Insert: "NEW SECTION. Section 10. Repealer. Section 23, Chapter 624,  
Laws of 1993."

Renumber: subsequent sections.

Section 23 reads:

Section 23. **Contingent transfer of funds.** If the fiscal year 1995 ending cash balance in the general fund is greater than \$30 million, then the amount of excess over \$30 million up to \$10 million is appropriated from the general fund to the capital projects fund.

**PROPOSED AMENDMENT  
HOUSE BILL No. 5**

EXHIBIT 8  
DATE 2-17-95  
HB 5

Montana State University - Bozeman is authorized to seek and expend <sup>only</sup> ~~any~~ private funds which may be available to construct a new athletic complex and/or renovate existing athletic facilities including a new football stadium with associated locker rooms, weight rooms, offices, and athlete study rooms, in addition to public facilities such as concessions areas, viewing booths, and restroom facilities.

EXHIBIT 9  
DATE 2-17-95  
\$B 5

## **ATHLETIC COMPLEX PROPOSAL**

### **Montana State University**

Montana State University hereby requests authority to construct and/or renovate athletic facilities at MSU - Bozeman.

#### **Background**

Montana State University - Bozeman participates in the Big Sky Athletic Conference and Division 1-AA of the National Collegiate Athletic Association, however, the existing stadium and support facilities are far below required standards for this participation.

Reno H. Sales Stadium, at MSU-Bozeman, was constructed in 1973, and consists of prefabricated steel bleacher seating on both sides of the football field. While the original facility was constructed without end zone seating, locker room facilities, or concessions space, the piecemeal addition of these facilities has not successfully met the need. In addition, the original prefabricated steel bleacher seating no longer meets building seismic code requirements, nor ADA accessibility requirements.

#### **Proposed Facility**

A special study committee of students, faculty, staff and community representatives is developing a plan for the improvement of athletic facilities at MSU-Bozeman. This project will construct a new athletic complex, including a new football stadium with associated locker rooms, weight rooms, offices, and athlete study rooms, in addition to public facilities such as concessions areas, viewing booths, and restroom facilities. The new stadium facility will be a "bowl" design, with an initial seating capacity of 20,500, and will include the installation of field lighting to accommodate night games. Elevators will provide access to public seating areas, sky boxes, press boxes, and service spaces. The new stadium is expected to be connected to the existing MSU Fieldhouse via a structure that would house an athletic academic center, coaches offices, a weight room, team meeting rooms, and other accessory facilities. The project will include necessary parking lots, landscaping, and site work.

The existing prefabricated steel bleachers are expected to be disassembled and sold for reconstruction in a lesser seismic zone. Funds from the sale of the existing seating will be used toward the project.

## **Project Authorization**

MSU is requesting the authority to proceed with this project based on the following specific representations:

1. MSU is requesting authority to seek and expend any private funds which may be available to construct this project. The estimated total project is anticipated to be \$12.0 million.
2. No State-appropriated funds will be used on this project for design, construction, operations, or maintenance.
3. The Board of Regents may lease the land or the land and its facilities to a private nonprofit organization to solicit, manage, and administer gifts and revenues on behalf of Montana State University for the purpose of completing this project, including gifts in kind for design and/or construction work.
4. The final terms, guarantees, and agreements relative to this project will be negotiated in the best interests of the State of Montana and will be subject to final review and approval by the Board of Regents.

## **Preliminary Project Estimate**

Design .....	\$ 1,080,000
Construction .....	10,570,000
Mobilization .....	\$ 300,000
Site Work .....	900,000
Stadium .....	6,970,000
Circulation .....	550,000
Support Facilities .....	1,750,000
Field Lighting .....	100,000
Contingency .....	\$ 350,000
<hr/>	
TOTAL ANTICIPATED PROJECT ESTIMATE .....	\$12,000,000
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EXHIBIT 10  
DATE 2-17-95  
SB 5

## PROPOSED MOTION FOR COMMITTEE BILL

The construction of athletic facilities at Montana State University - Bozeman, as authorized in HB 5, allows the Board of Regents to lease the land or the land and its facilities to a private non-profit organization to solicit, manage, and administer gifts and revenues on behalf of MSU - Bozeman for the purpose of completing the renovation and/or construction of a new athletic complex for MSU - Bozeman. The terms, guarantees, and agreements relative to this project must be negotiated in the best interests of the State, and will be subject to final review and approval by the Board of Regents, and must include guarantees that no commitment of state appropriated funds for either design, construction, operations or maintenance is expressed or implied.

The design and construction of these athletic facilities is not subject to the requirements of Title 18, Chapter 2 except that:

- (1) The Department of Administration shall execute the provisions of 18-2-103 (1) (a) and (1) (e);
- (2) the provisions of Title 18, Chapter 2, Part 4 applied to all labor except donated labor; and
- (3) such other provisions of law as may be required to protect the interests of the State of Montana.

HB5 -- Introduced Bill  
Long Range Building Committee

EXHIBIT 11  
DATE 2-17-95  
BB 5

*South Sandstone Dam*

AMENDMENT #1

This amendment makes the expenditure of the South Sandstone Dam funds contingent upon the department's (FWP) divestiture of the property. It is preferred the transfer of property include continued recreational access.

Page 6, following line 1

Insert: " Funds appropriated for the South Sandstone Dam are contingent upon the Department of Fish, Wildlife and Parks disposing of its ownership and liability responsibility of the property on which the South Sandstone Dam is located. The transfer of ownership should include continued public recreational access. The department is authorized to make the repairs or may pass the funds through to the new owner to reimburse project expenses and, if funds remain after completion of the project, to establish an operations and maintenance account for the project."

AMENDMENT #2

The department received word from the dam engineer the estimated project cost increased by \$14,000. This amendment adjusts the request from \$250,000 to \$264,000.

Page 5, line 28

Strike:

" \$250,000 "

Insert:

" \$264,000 "

## Amendment

EXHIBIT 12  
DATE 2-17-95  
HB 5

House Bill 5 - Introduced Bill

This amendment corrects an error in the introduced version of HB 5. Federal funding for the Ulm Pishkun project was omitted from the bill.

Page 2, Following Line 21.

Insert:                    "220,000                    Federal Special Revenue"



## Amendment

### House Bill 5 - Introduced Bill

1. Page 2, Line 21.

Strike: "843,000"

Insert: "818,000"

Page 2, Following Line 21.

Insert: "25,000 State Special Revenue\*"

2. Page 2, Line 24.

Strike: "300,000"

Insert: "275,000:"

Page 2, Following Line 24.

Insert: "25,000 State Special Revenue\*"

3. Page 3, Line 8.

Strike: "200,000"

Insert: "150,000"

Page 3, Following Line 8.

Insert: "50,000 State Special Revenue\*"

4. Page 5, Following Line 7.

Insert: "The funding provided to the projects in this section and identified by an asterisk (\*) represents lodging facilities use tax which is allocated to the Department of Fish, Wildlife and Parks and statutorily appropriated under 15-65-121, MCA, for maintenance of facilities in state parks. It is not intended for the project to be reduced by this amount."

# Long Range Learning

DATE 2-17-95

DIVISION

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