

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

#### JOINT SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: By CHAIRMAN ERNEST BERGSAGEL, on February 20, 1997, at 8:00 a.m., in Room 317 of the State Capitol.

#### ROLL CALL

##### Members Present:

Rep. Ernest Bergsagel, Chairman (R)  
Sen. Thomas A. "Tom" Beck, Vice-Chairman (R)  
Sen. John "J.D." Lynch (D)  
Rep. Matt McCann (D)  
Rep. Tom Zook (R)

Members Excused: none

Members Absent: none

Staff Present: Nan LeFebvre, Legislative Fiscal Division  
Debbie Rostocki, Committee Secretary

##### Committee Business Summary:

Hearing(s) & Date(s) Posted: none  
Executive Action: HOUSE BILLS 5, 14, 188: DO  
PASS AS AMENDED

An agenda was distributed. EXHIBIT 1 Information from the Legislative Auditor regarding the Dept. of Corrections inmate classification system was distributed. EXHIBIT 2

#### EXECUTIVE ACTION ON HOUSE BILLS 5 AND 14 UNIVERSITY SYSTEM LONG-RANGE BUILDING PROJECTS

Discussion: Code Compliance/Disability Access, Montana State University (MSU) and the University of Montana (UM), All Campuses  
CHAIRMAN BERGSAGEL recommended full funding. There was no discussion.

Discussion: Roof Replacements, Montana University System  
CHAIRMAN BERGSAGEL recommended full funding; there was no discussion.

Discussion: Replace HVAC System, Science Complex, UM-Missoula  
CHAIRMAN BERGSAGEL recommended full funding. SEN. LYNCH wanted to know how maintenance costs would be handled, stating

opposition to requiring the universities to pay all of their maintenance costs. He suggested that regardless of what the Committee decided to do, it should be uniform across the entire University System. **REP. MCCANN** suggested requiring all units to pay full maintenance. There was general agreement to treat all units consistently. **Mr. Hugh Jesse**, UM, stated there wouldn't be any additional maintenance costs associated with this project.

**Discussion: Boiler Plant and Utility Distribution - UM-Dillon**  
**CHAIRMAN BERGSAGEL** recommended full funding; there was no discussion.

**Discussion: Authority Only Projects - UM Campuses** **Mr. Tom O'Connell**, Department of Administration, Architecture and Engineering Division Administrator, explained that there were a variety of projects under this request, the biggest single one being a \$12 million project to construct an Alumni Center and a Foundation Art Museum Building. **CHAIRMAN BERGSAGEL** stated he had no recommendation for this project. It was stated that UM President **Dr. George Dennison** indicated there would be no request made for state appropriations for operations and maintenance (O & M).

**Discussion: Chemistry Building Renovation - UM-Montana Tech.**  
**CHAIRMAN BERGSAGEL** stated the project was not in HB 5 or the Governor's Budget Book and recommended that the project not be funded. **SEN. LYNCH** recommended funding. **Ms. LeFebvre** passed out an amendment requested by UM **EXHIBIT 3** which would provide an additional \$750,000 in authority for donations. She added it would augment the authorization of \$1,509,000 provided by the 54th legislature, for a total authorization of \$2,259,000 to be funded with private donations. **SEN. LYNCH** rose in support of the amendment.

**Motion/vote:** **SEN. BECK** moved to accept the amendment (see **EXH. 3**); motion carried with **CHAIRMAN BERGSAGEL** opposed.  
{**Tap: 1; Side: a; Approx. Time Count: 0.0-6.6**}

**Discussion: Rural Technological Center - UM-Dillon** **Ms. LeFebvre** passed out an amendment requested by UM **EXHIBIT 4** to include the project in **HB 14** for a total of \$6 million. **CHAIRMAN BERGSAGEL** stated he did not recommend adopting the amendment.

**Motion:** **SEN. LYNCH** moved to accept the amendment.

**Discussion:** **SEN. BECK** wanted to know what the impact on the general fund would be if the project was added. **Ms. LeFebvre** said that based on a 5.5% rate over a 20-year term, \$502,076 would be added to the general fund obligation.

**Vote:** The question was called for; motion failed with **SEN. LYNCH** voting "yes" and **CHAIRMAN BERGSAGEL** abstaining.

**Discussion:** Ms. LeFebvre explained that the University had requested that \$75,000 in Long-Range Building Program (LRBP) account money be inserted in HB 5 for planning of this project EXHIBIT 5, if the amendment to include the project in HB 14 (EXH. 4) was not accepted.

**Motion:** SEN. LYNCH moved to accept the amendment contained in EXH. 5.

**Discussion:** Discussion took place regarding where the funding request had originally been located.

**Vote:** The question was called for; motion failed on a tie vote, with SEN. LYNCH and REP. MCCANN voting "yes," SEN. BECK and REP. ZOOK opposed and CHAIRMAN BERGSAGEL abstaining.  
{Tape: 1; Side: a; Approx. Time Count: 6.7-10.2}

**Discussion:** Main Hall Auditorium renovation - UM-Dillon

**Motion/vote:** SEN. LYNCH moved to amend HB 5 to add \$1,250,000 of spending authority, all to come from donations EXHIBIT 6; motion carried with CHAIRMAN BERGSAGEL opposed.

**Discussion:** Primary Electrical Distribution replacement - MSU-Billings Ms. LeFebvre explained that the projects were already in HB's 5 and 14, but MSU was now asking for an increase in funding in HB 5 auxiliary money and a decrease in the bonding amount in HB 14: the total amount of the funding for the project would not change.

**Motion/vote:** SEN. LYNCH moved to amend HB's 5 and 14 as MSU had requested EXHIBIT 7; motion carried unanimously.

**Discussion:** Utility Tunnel Extension - MSU-Bozeman Ms. LeFebvre distributed some amendments EXHIBITS 8 and 9. CHAIRMAN BERGSAGEL recommended the bonding authority be reduced by \$1 million. Ms. LeFebvre explained that this amendment (p. 2, EXH. 9) would reduce the original request in HB 14 by \$232,887; this reduction would be increased to \$1 million if the University's requested increase in bonding (p. 2, EXH. 8) was adopted. She stated that the amendment to HB 5 (p. 1, EXH. 8) would also reduce the amount of auxiliary funding which the University had indicated they would need to go with the \$5.6 million.

CHAIRMAN BERGSAGEL recommended that the Committee approve the U System amendment increasing the spending authority and then reduce the amount of bonding by \$1 million. He explained that earlier in the project the University System had come up with additional auxiliary funds: the agreement with the Legislature had provided for a 60/40 match. In one section of the tunnels, the University had picked up more than that portion of the match: the amendments would get the ratio back on track. He added that in order to meet legislative funding targets, however, spending for the tunnels would need to be reduced by \$1 million. This

would allow the loop to be completed in the tunnel system but would not provide for additional lines.

Motion/vote: SEN. LYNCH moved to accept the amendments contained in EXH. 9; motion carried unanimously.

{Tape: 1; Side: a; Approx. Time Count: 10.3-17.3}

Discussion: Primary Electrical Distribution repair/replacement - MSU-Northern Ms. LeFebvre distributed an amendment proposed by MSU EXHIBIT 10 which would insert into HB 5 authority for the project to spend \$122,000 in auxiliary funding and would increase the bonding authority in HB 14 for the project by \$28,000.

Motion/vote: SEN. LYNCH moved to accept the amendment contained in EXH. 10; motion carried unanimously.

Discussion: Facility renovation/completion - MSU-COT-Great Falls CHAIRMAN BERGSAGEL recommended that the Committee reduce the authorization and bonding for the project to \$3,950,000 EXHIBIT 11; this would help achieve the debt service reduction target while continuing to provide for COT's ability to fund its nursing and automotive programs as well as bring MSU-Northern into the facility. What this would not provide for would be courtyard modifications, etc.

Motion: SEN. LYNCH moved to accept the amendment (EXH. 11).

Discussion: CHAIRMAN BERGSAGEL explained that the difficulty with the project had been that MSU-COT operating costs would have increased by about \$300,000 per year; this would put them within about \$50,000 of their current costs. SEN. LYNCH pointed out that MSU-COT would have the opportunity to request additional funding in 1999.

Vote: The question was called for and the motion carried unanimously.

{Tape: 1; Side: A; Approx. Time Count: 17.4-20.2}

Discussion: Authority only projects - MSU campuses Ms. LeFebvre distributed an amendment requested by MSU EXHIBIT 12 which would strike \$5 million in authority only for Married Student Housing at MSU-Billings from HB 5 and insert \$19 million and associated funding for the MSU-Bozeman Classroom-Laboratory Building into HB 5.

Motion: SEN. BECK moved to accept the amendment contained in EXH. 12.

Discussion: It was brought out that REP. MCCANN had some proposed amendments regarding operating and maintenance costs. EXHIBIT 13

Withdrawn motion: SEN. BECK withdrew his motion.

**Discussion:** Ms. LeFebvre explained that REP. MCCANN'S amendment would put language in the bill stating legislative intent that should funding for the Classroom-Laboratory Building be authorized, no state funding would be provided for future O & M costs of the building.

**Motion:** REP. MCCANN moved to accept his amendment (EXH. 13).

**Discussion:** SEN. LYNCH submitted that this policy would be too severe and suggested that 50% of O & M be paid for by the U System. He submitted that the decision on the level of state support for O & M costs should be applied to all new buildings in order to provide consistency.

SEN. BECK said it was his understanding that \$345,000 in increased O & M costs would be incurred if the building was completed (the original figure of \$481,000 would be reduced with the demolition of Hamilton Hall); he agreed with SEN. LYNCH that if O & M costs were split 50/50 with the state, then this should be done across-the-board.

SEN. CHARLES SWYSGOOD, SD 17, asked the University System, if the building was built and they had to pay O & M costs, how would the money be raised and was told that the project would be downsized by \$1-2 million. SEN. SWYSGOOD pointed out that if MSU were to find a way to generate income to pay for O & M, the reference to state special revenue in the proposed amendment (EXH. 13) would limit their ability to use those revenues. REP. MCCANN said he had no problem with not including the reference to state special revenue in the amendment. SEN. SWYSGOOD stated that if the Committee wanted to be consistent, similar language should be included in other building project appropriations. CHAIRMAN BERGSAGEL stated this was not setting a precedent except for the amount: he submitted the issue regarded whether or not O & M costs could be paid for from the utilization of the space, for example, via lab fees.

**Substitute motion:** SEN. LYNCH made a substitute motion to require that the state only pay 50% of all O & M costs on the Classroom-Laboratory Building.

**{Tape: 1; Side: a; Approx. Time Count: 20.3-28.8}**

**Discussion:** SEN. LYNCH rose in support of his motion, submitting that the state should have some obligation in this area, and the issue should be handled uniformly. CHAIRMAN BERGSAGEL clarified that the substitute motion would require that the U System fund 50% of the auxiliary costs that would have been funded by the general fund. REP. ZOOK rose in support of the motion, concurring with SEN. LYNCH. REP. MCCANN said he was opposed to the motion, although not opposed to the state paying 50% of O & M costs, if the project was of absolute, immediate necessity. He submitted that this project did not fit that category, and the only issue that needed to be addressed for the present was whether or not to provide the authority for construction. SEN.

BECK rose in support of the philosophy of the state paying 50% of O & M costs.

**Vote:** The question was called for on **SEN. LYNCH'S** substitute motion. **CHAIRMAN BERGSAGEL** clarified that the motion would state the intent of the 55th legislature that all future O & M costs for the Classroom-Laboratory building would not be funded with general fund; the proportion to be funded from the general fund would be 50%. The motion **failed** on a tie vote with **SENS. LYNCH** and **BECK** and **REP. ZOOK** voting "yes" and **CHAIRMAN BERGSAGEL, REP. MCCANN** and **SEN. CHARLES SWYSGOOD** voting no; see roll call vote. {Tape: 1; Side: a; Approx. Time Count: 28.9-32.7}

**Amended original motion:** **REP. MCCANN** moved to insert in **HB 5** language stating that it was the intent of the 55th legislature that all future O & M costs for the Classroom-Laboratory Building authorized would not be funded with general fund.

**Discussion:** **SEN. LYNCH** submitted that a blanket policy regarding the state's position on whether or not to provide O & M funding from the general fund should be addressed before the reference to state special revenue was deleted.

**Withdrawn motion:** **REP. MCCANN** withdrew his motion.

**Motion/vote:** **REP. MCCANN** moved to insert language in **HB 5** that it was the intent of the 55th legislature that no future O & M costs for the Classroom-Laboratory Building be funded with general fund. The motion **failed** on a tie vote, with **CHAIRMAN BERGSAGEL, REP. MCCANN** and **SEN. SWYSGOOD** voting "yes" and **SENS. LYNCH** and **BECK** and **REP. ZOOK** opposed. {Tape: 1; Side:a ; Approx. Time Count: 32.8-34.9}

**Motion:** **SEN. LYNCH** moved to insert \$19 million for Authority Only projects, MSU-Bozeman campus, removing the \$5 million in authority for a family housing project at MSU-Billings. **EXHIBIT 12**

**Motion:** **REP. MCCANN** proposed an amendment to require an additional vote from the student body. **EXHIBIT 14**

**Discussion:** **REP. MCCANN** stated the purpose of the motion: "It is acknowledged that the student body at MSU-Bozeman voted in October 1996 to institute a student building fee for construction of this facility. However, in recognition of the fact that only a small percentage of the entire student body participated in the election, it is the desire of the 55th legislature that another vote be taken in an effort to demonstrate greater support by students for this long-term obligation." In response to **SEN. LYNCH**, **REP. MCCANN** stated that the students should be required to vote during the registration process; **SEN. LYNCH** commented that this was not even required in the graveyards of Butte.

MSU Student Body President **Mr. Jim McCray** pointed out that the original vote on this proposal on Oct. 30, 1996, was the highest percentage turnout ever at MSU, at 11%.

Discussion ensued regarding voter turnouts. **REP. MCCANN** stated that it should be the U System, not the students, asking for spending authority for building projects to the legislature. **REP. ZOOK** said he did not see the necessity of holding another vote, because the effect of the vote would last much longer than the students who voted. **Mr. McCray** pointed out that the Student Senate had ratified the proposal by a very heavy margin, in addition to the vote by the student body.

It was clarified that the students did not initiate the project. The regents, before they approved the student fee increase, had asked, and MSU President **Dr. Mike Malone** had agreed, to consult the students.

**Vote:** The question was called for on **REP. MCCANN'S** motion; motion **failed** with **REPS. LYNCH** and **MCCANN** voting "yes."

**Substitute motion/vote** **SEN. LYNCH** made a substitute motion for all motions pending that 50% of all future O & M costs for the Classroom-Laboratory Building not be funded with general fund. The question was called for on **SEN. LYNCH'S** substitute motion; motion **carried** with **REP. MCCANN** opposed.

**Vote:** The question was then called for on **SEN. LYNCH'S** original motion (**EXH. 12**), as amended (that 50% of all future O & M costs for the Classroom-Laboratory Building not be funded with general fund); motion **carried** with **REP. MCCANN** and **CHAIRMAN BERGSAGEL** opposed.

**Discussion:** **CHAIRMAN BERGSAGEL** clarified that the committee had approved a project that would require the razing of an existing building (Hamilton Hall), thus ridding the state of a building with extremely high maintenance costs and low utilization rates. He added that this would provide an opportunity to reduce maintenance costs and improve efficiencies on the MSU campus, which would allow for a better quality of education, which the legislature is fully supportive of.

**{Tape: 1; Side: a; Approx. Time Count: 32.9- Tape 1:b:1.7}**

**Discussion:** **Expansion of Special Ed Building - MSU-Billings**

**Motion/vote:** **SEN. LYNCH** moved to accept the amendment presented in **EXHIBIT 15**, to include the project in **HB 14** and provide \$7,004,000 in funding and increasing bond authorization from \$61,808,700 to \$68,812,700; motion **carried** unanimously.

**Discussion:** **CHAIRMAN BERGSAGEL** rose in support of fully funding the O & M costs of buildings solely used for education purposes but stated that all of the costs should be funded by the

University System on research stations. **SEN. LYNCH** asked a MSU-Billings representative if it would be difficult to come up with half of the O & M costs for this building and was told that it would be difficult to do although possible. **REP. ZOOK** pointed out that research had the ability to generate income, which this building would not be able to do.

**Motion:** **SEN. LYNCH** moved that MSU-Billings be required to pay 50% of the associated O & M costs for the \$7,004,000 building project.

**Discussion:** **SEN. LYNCH** submitted that all buildings should be required to pay the same proportion of O & M costs, regardless of their function.

**Vote:** The motion carried unanimously.

{Tape: 1; Side: b; Approx. Time Count: 1.8-6.4}

**Discussion: Rural Technological Center construction project - UM-Dillon**

**Motion:** **SEN. SWYSGOOD** moved that the committee reconsider its action on the Rural Technological Center Planning project.

**Discussion:** **SEN. SWYSGOOD** stated he felt it was necessary for the funding for planning the project be provided.

**Vote:** The motion carried unanimously.

**Motion:** **SEN. SWYSGOOD** moved to provide \$75,000 in LRBP cash funding for the project (EXH. 5).

**Discussion:** Discussion took place regarding the availability of funds.

**Vote:** The motion carried unanimously.

{Tape: 1; Side: b; Approx. Time Count: 6.5-9.1}

**EXECUTIVE ACTION ON HOUSE BILLS 5 AND 14**  
**DEPARTMENT OF CORRECTIONS (DOC) LONG-RANGE BUILDING PROGRAM**

**Discussion:** **Secure Female Facility and Renovations - Montana Youth Alternatives Program (MYAP)-Boulder** Ms. LeFebvre discussed a proposed amendment requested by DOC which would increase the spending authority in HB 5 for capital projects fund money from \$1,450,000 to \$1,846,580. **EXHIBIT 16 CHAIRMAN BERGSAGEL** stated that there was enough money in the cash account to fund the amendment and recommended that the motion be approved.

**Motion/vote:** **SEN. LYNCH** moved to accept the amendment proposed by DOC (EXH. 16); motion carried unanimously.

{Tape: 1; Side: b; Approx. Time Count: 9.2-10.9}



**Discussion: Xanthopoulos Building Renovations - Montana State Prison (MSP), Warm Springs**

**Motion:** SEN. BECK moved to approve the funding for the Xanthopoulos Building, contingent upon the approval of the construction of the new Warm Springs State Hospital.

**Discussion:** Mr. Bob Anderson, DOC Facility Management, brought up that DOC had requested an amendment which would allow for DOC staff to work on the renovation. Ms. LeFebvre stated that the amendment would change substantive law and it would not be appropriate to include it in HB 5.

**Vote:** The question was called for on SEN. BECK'S motion; motion carried unanimously.

**{Time: 1; Side: b; Approx. Time Count: 11.0-17.0}**

**Discussion: Regional Correction Facilities** Ms. LeFebvre distributed amendments requested by DOC EXHIBIT 17 which would increase the authorization in HB 5 for spending federal funding on regional correctional facilities. A companion amendment EXHIBIT 17A would reduce the bonding for regional correctional facilities from \$11,400,000 to \$3,939,880. She distributed additional DOC proposed amendments which would make it specific that only one regional correctional facility was to be funded, and would increase the federal funding authorization from \$2,400,000 to \$5,000,000. EXHIBIT 18

CHAIRMAN BERGSAGEL recommended that one regional facility be built and the "high side" and "low side" be constructed at MSP, at a total cost of \$13,200,000. Mr. Anderson stated this would provide for \$5,000,000 for Missoula, \$4,600 for the high side and \$3,600,000 for the low side. CHAIRMAN BERGSAGEL pointed out that \$1,320,000 would be needed for the federal match. SEN. BECK asked if this would reduce the funding for the project by that amount.

Mr. Anderson suggested that the Missoula prison should be funded with \$500,000 in state dollars and the remainder would come from federal funds. An additional \$820,000 in state dollars would be needed for the 10% match on the MSP high and low-side projects.

Mr. Anderson stated that the federal government was providing \$11,000,000 for three more regional prisons: to do what CHAIRMAN BERGSAGEL was proposing would require DOC to go back to the federal government, change the plan to include the MSP projects, and get the grant funding re-approved. He clarified that the basic purpose of the project was to house violent offenders and the federal Department of Justice had given approval for the regional prison concept. Under the federal crime bill, 5 years' funding was authorized, but only one year's worth was appropriated.

**Motion/vote:** SEN. LYNCH moved to approve \$500,000 in bonding authority for the Regional prison in Missoula and \$4,500,000 in federal spending authority for the regional facility in Missoula. (EXH. 18) The motion carried unanimously.

{Tape: 1 ; Side:b ; Approx. Time Count:17.1-24.1}

**Discussion:** New Food Service/Kitchen Facility - MSP, Deer Lodge  
CHAIRMAN BERGSAGEL explained that the total project was approximately \$3,600,000, including previous bonding authority of \$1,500,000.

**Discussion:** Campus expansion, Pine Hills Ms. LeFebvre explained a proposed amendment which would reduce the amount of the project by \$994,000, per DOC's request. EXHIBIT 19

**Motion/vote:** SEN. LYNCH moved to accept the amendment. Motion carried unanimously.

{Tape: 1; Side: b; Approx. Time Count: 24.2-25.1}

**Discussion:** 192 Bed, Infrastructure & Services Expansion - MSP-Deer Lodge

**Motion:** CHAIRMAN BERGSAGEL proposed that \$820,000 in bonding authority in HB 14 and \$7,380,000 in federal spending authority in HB 5 be approved. Ms. LeFebvre explained where the amendments would be in the bills.

**Discussion:** SEN. LYNCH stated he wanted assurance that the projects would actually be built.

Mr. Anderson cautioned the Committee that if the Legislature approved the revised plan, there was no guarantee the federal government would approve the additional \$1 million-plus in funding or the change in the plan; he submitted that the second unit could not be built without the additional money.

Mr. Rick Day, DOC Director, said that because only one year's worth of federal funding had been appropriated (although five years' worth had been authorized), Congress would have to appropriate federal dollars beyond that. He submitted that the odds of DOC getting additional federal dollars were slim to none.

Mr. Anderson said that without the infrastructure improvements, the two units at MSP would not be able to come on line. CHAIRMAN BERGSAGEL submitted that there was enough funding to build the high side; more money would have to be received to build the low side. Mr. Anderson said that under the revised plan, the high side would probably not come on line until 2001, because of the cash flow problems the change would create. If the funding was done the way DOC originally requested, the high side could be on line by 1999.

**CHAIRMAN BERGSAGEL** pointed out that this would increase the state's bonding requirements and the targets would not be met. He estimated that when all was said and done, 660 additional beds would have been approved (60 boot camp beds, Great Falls and Glendive regional prisons coming on line, as well as Missoula).

**SEN. LYNCH** rose in support of giving some authority to study the possibility of privatization. **CHAIRMAN BERGSAGEL** stated **HB 83** would provide the mechanism by which privatization could be authorized; if it was, bonding would be appropriated in **HB 2**. He summarized that it would cost \$1,000,000,000 per biennium to fund what the Legislature was being asked to approve by the Governor, including privatization **EXHIBIT 20** whereas under the revised proposal the cost would be \$500,000,000 per biennium.

**SEN. LYNCH** rose in support of the addition of 192 beds at MSP; **CHAIRMAN BERGSAGEL** concurred and submitted that if the match was provided, along with the incentive, this would occur, because DOC was also in favor of the expansion. He acknowledged that DOC had a cash flow problem, but expressed confidence this could be resolved.

**SEN. BECK** suggested that the revised plan could be reconsidered in the Senate if it was found that the funding was impossible.

**REP. MCCANN** pointed out that additional prisoners could be sent out of state if the Legislature was not comfortable with the proposal.

**Ms. LeFebvre** stated that the \$820,000 figure for **HB 14** did not include the \$3,500,000 which was required for infrastructure. She stated that the figure for **HB 14** should actually be \$4,320,000. **Mr. Anderson** stated the figure would be \$3,700,000, if everything was included. **Ms. LeFebvre** said the amendment would need to strike \$13,074,000 and insert \$4,520,000 in **HB 14**; **HB 5** would need to have the project inserted for \$7,380,000 in authority for federal special revenue.

**Vote:** The question was called for and the motion carried unanimously.

*{Tape:1 ; Side:b ; Approx. Time Count:25.2-40.2}*

**Discussion: Expansion Unit & Land Acquisition at WCC-Billings**

**Motion:** **REP. MCCANN** moved to not provide funding for the WCC expansion. **EXHIBITS 21 and 22**

**Discussion:** **REP. MCCANN** stated he felt that due to the extensiveness of adult male DOC projects, the WCC issues should be addressed in a future legislative session.

**Ms. LeFebvre** explained that **EXH. 21** would remove the WCC project from **HB 14** and the second amendment (**EXH. 22**) would repeal the outstanding bonding authority for the WCC.

**SEN. LYNCH** suggested that DOC look for an alternative site for the WCC's new buildings in Yellowstone County, resulting in two campuses for the facility, before considering expansion in downtown Billings. **SEN. BECK** concurred with **SEN. LYNCH** and raised the possibility of having community corrections centers for women as well as men.

**Vote:** The question was called for and the motion **carried** unanimously.

*{Tape:1 ; Side:b ; Approx. Time Count:40.3-44.0}*

#### EXECUTIVE ACTION ON HOUSE BILL 188

**Discussion:** **Ms. LeFebvre** distributed language for a conceptual amendment the Committee had approved, dealing with the bonding of equipment for a shorter term than the rest of the bonding.  
**EXHIBIT 23**

**Motion/vote:** **SEN. BECK** moved to accept the amendment; motion **carried** unanimously.

**Motion/vote:** **SEN. LYNCH** moved that **HB 188 DO PASS AS AMENDED**; motion **carried** with **REP. MCCANN** opposed.

*{Tape:1 ; Side:b ; Approx. Time Count:44.1-45.2}*

#### EXECUTIVE ACTION ON HOUSE BILLS 5 AND 14

**Motion/vote:** **SEN. BECK** moved to reconsider the committee's action on the appropriation of \$137,000 for the Armed Forces Reserve Center Planning, Ft. Harrison (**EXH. 22, 2/18/97**); motion **carried** unanimously.

**Motion/vote:** **SEN. LYNCH** moved to not fund the Armed Forces Reserve Center Planning project in **HB 5**; motion **carried** unanimously.

*{Tape: 1; Side: b; Approx. Time Count: 45.3-45.9}*

**Discussion:** **CHAIRMAN BERGSAGEL** stated there was about \$508,000 of LRBP cash. He suggested making this amount available for emergency health and safety monies, as was done in 1995.

**Motion/vote:** **SEN. LYNCH** moved to amend **HB 5** to allocate \$100,000 for the Historic Restoration, Montana State Capitol project.  
**EXHIBIT 24** motion **carried** unanimously.

**Motion:** **SEN. BECK** moved an amendment to appropriate the remaining LRBP cash in **HB 5** for emergency health and safety

issues, to be used on approval of the Dept. of Administration Architecture and Engineering Division.

Discussion: REP. MCCANN read aloud a letter from former REP. FRANCIS BARDANOUVE, HD 92, which requested \$10,000 in funding for the installation of a restroom and drinking fountain at the Airman's Memorial.

Vote: The question was called for on SEN. BECK'S motion; motion carried unanimously.

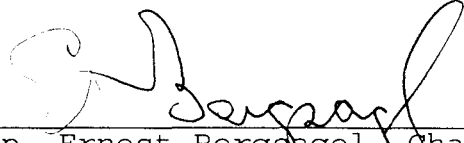
{Tape:1 ; Side:b ; Approx. Time Count:46.0-Tape 2:a:3.5}

Motion/vote: SEN. BECK moved that HOUSE BILLS 5 and 14 DO PASS AS AMENDED; motion carried unanimously.

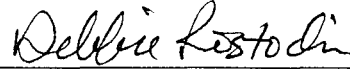
{Tape:2 ; Side:a ; Approx. Time Count:3.6-3.9}

ADJOURNMENT

Adjournment: 10:00 a.m.



Rep. Ernest Bergsagel, Chairman



Debbie Rostocki, Secretary

EB/DR

This meeting was recorded on two 90-minute audiocassette tapes.