

HOUSE BILL NO. 871

INTRODUCED BY MOORE

IN THE HOUSE

April 8, 1981	Introduced and referred to Committee on Appropriations.
April 9, 1981	Committee recommend bill do pass. Report adopted.
April 10, 1981	Bill printed and placed on members' desks.
April 13, 1981	Motion pass consideration.
April 14, 1981	Second reading, do pass. On motion rules suspended and bill placed on third reading this day. Third reading, Ayes, 76; Noes, 6. Transmitted to Senate.

IN THE SENATE

April 15, 1981	By motion and consent bill allowed to be received and considered this session. Motion adopted. Introduced and referred to Committee on Finance and Claims.
April 20, 1981	Committee recommend bill be concurred in. Report adopted. Statement of intent adopted.
April 21, 1981	Second reading, concurred in as amended. On motion rules suspended. Bill placed on calendar for third reading this day.

April 21, 1981

Third reading, concurred in as amended. Ayes, 37; Noes, 12.

On motion Senate reconsider its action taken on third reading and order placed on second reading. Motion adopted.

April 22, 1981

Second reading, concurred in as amended.

On motion rules suspended. Bill placed on calendar for third reading this day.

Third reading, concurred in as amended. Ayes, 37; Noes, 6.

IN THE HOUSE

April 23, 1981

Returned from Senate with amendments. Concurred in as amended.

On motion rules suspended and bill placed on second reading this day.

Second reading, amendments concurred in.

On motion rules suspended and bill placed on third reading this day.

Third reading, amendments concurred in. Ayes, 86; Noes, 5. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 871
2 INTRODUCED BY Maure

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY
5 FOR COAL TAX PARK ACQUISITIONS AND FOR CULTURAL AND
6 AESTHETIC PROJECTS; AND PROVIDING EFFECTIVE DATES."

7
8 WHEREAS, 15-35-108(2)(h), MCA, provides that 2 1/2% of
9 the coal severance tax is to be credited to a trust for park
10 acquisition, protection of works of art in the State
11 Capitol, and other cultural and aesthetic projects, the
12 balance of earnings and earnings projected for the 1983
13 biennium are appropriated by this bill.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 Section 1. Appropriation for park acquisition. There
17 is appropriated \$750,000 to the department of fish,
18 wildlife, and parks from the coal tax park acquisition
19 account in the earmarked revenue fund. These funds are
20 appropriated for the parks listed below:

- 21 (1) Engle River Bottom Site \$340,000
- 22 (2) Doeden Island Property \$110,000
- 23 (3) Spring Meadow \$300,000

24 Section 2. Appraisal on Engle site. The department of
25 fish, wildlife, and parks shall pay the appraised value or

1 the amount appropriated in section 1(1), whichever is less,
2 for the acquisition of the Engle site project. This
3 appraisal shall be reviewed by a qualified review appraiser.

4 Section 3. Appropriation for cultural and aesthetic
5 projects. There is appropriated \$641,680 to the Montana
6 historical society from the coal tax cultural and aesthetic
7 account in the earmarked revenue fund. It is the intent of
8 the legislature that the following projects be funded not to
9 exceed the amounts listed in this section:

- 10 (1) Art Conservation, University of
11 Montana School of Fine Arts \$37,500
- 12 (2) Conservation of Capitol Murals,
13 Montana Historical Society \$108,489
- 14 (3) Conservation of Ralston Mural,
15 Billings Airport \$15,000
- 16 (4) Expansion Planning, Museum of the
17 Rockies \$110,000
- 18 (5) Facility Renovation, Custer County
19 Art Center \$8,960
- 20 (6) J. K. Ralston Center, Richland
21 County \$40,000
- 22 (7) Living History Program, Western
23 Heritage Center \$60,000
- 24 (8) Montana Chautauqua, University of
25 Montana \$4,262

1 (9) Montana Folklife Project, Montana
 2 Arts Council \$51,849
 3 (10) Montana Genesis, Stevensville \$20,000
 4 (11) Montana Literature Publication,
 5 University of Montana \$7,620
 6 (12) Montana Repertory Theater,
 7 University of Montana \$21,600
 8 (13) Montanans at Work, Montana
 9 Historical Society \$90,000
 10 (14) Pealow Carved Ivory Collections,
 11 Montana College of Mineral Science
 12 and Technology \$1,400
 13 (15) Restoration of Old Prison Theater,
 14 Deer Lodge \$40,000
 15 (16) Western States Regional Theater \$25,000
 16 Section 4. Rulemaking authority. The Montana
 17 historical society and the department of fish, wildlife, and
 18 parks shall adopt rules for the administration of the
 19 cultural and aesthetic project grants and coal tax park
 20 acquisitions for which money is appropriated under this act.
 21 Administrative rules may provide for adjustment of grants if
 22 less revenue is received than is appropriated in sections 1
 23 and 3.
 24 Section 5. Separate accounts. Separate accounts shall
 25 be maintained for cultural and aesthetic project grants and

1 for park acquisition.

2 Section 6. Effective dates. This act is effective July
 3 1, 1981, except that section 4 is effective on passage and
 4 approval.

-End-

Approved by Comm.
on Appropriations

1 HOUSE BILL NO. 871
2 INTRODUCED BY Maars

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY
5 FOR COAL TAX PARK ACQUISITIONS AND FOR CULTURAL AND
6 AESTHETIC PROJECTS; AND PROVIDING EFFECTIVE DATES."

7
8 WHEREAS, 15-35-108(2)(h), MCA, provides that 2 1/2% of
9 the coal severance tax is to be credited to a trust for park
10 acquisition, protection of works of art in the State
11 Capitol, and other cultural and aesthetic projects, the
12 balance of earnings and earnings projected for the 1983
13 biennium are appropriated by this bill.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 Section 1. Appropriation for park acquisition. There
17 is appropriated \$750,000 to the department of fish,
18 wildlife, and parks from the coal tax park acquisition
19 account in the earmarked revenue fund. These funds are
20 appropriated for the parks listed below:

- 21 (1) Engle River Bottom Site \$340,000
- 22 (2) Doeden Island Property \$110,000
- 23 (3) Spring Meadow \$300,000

24 Section 2. Appraisal on Engle site. The department of
25 fish, wildlife, and parks shall pay the appraised value or

1 the amount appropriated in section 1(1), whichever is less,
2 for the acquisition of the Engle site project. This
3 appraisal shall be reviewed by a qualified review appraiser.

4 Section 3. Appropriation for cultural and aesthetic
5 projects. There is appropriated \$641,680 to the Montana
6 historical society from the coal tax cultural and aesthetic
7 account in the earmarked revenue fund. It is the intent of
8 the legislature that the following projects be funded not to
9 exceed the amounts listed in this section:

- 10 (1) Art Conservation, University of
11 Montana School of Fine Arts \$37,500
- 12 (2) Conservation of Capitol Murals,
13 Montana Historical Society \$108,489
- 14 (3) Conservation of Ralston Mural,
15 Billings Airport \$15,000
- 16 (4) Expansion Planning, Museum of the
17 Rockies \$110,000
- 18 (5) Facility Renovation, Custer County
19 Art Center \$8,960
- 20 (6) J. K. Ralston Center, Richland
21 County \$40,000
- 22 (7) Living History Program, Western
23 Heritage Center \$60,000
- 24 (8) Montana Chautauqua, University of
25 Montana \$4,262

1 (9) Montana Folklife Project, Montana
 2 Arts Council \$51,849
 3 (10) Montana Genesis, Stevensville \$20,000
 4 (11) Montana Literature Publication,
 5 University of Montana \$7,620
 6 (12) Montana Repertory Theater,
 7 University of Montana \$21,600
 8 (13) Montanans at Work, Montana
 9 Historical Society \$90,000
 10 (14) Pealow Carved Ivory Collections,
 11 Montana College of Mineral Science
 12 and Technology \$1,400
 13 (15) Restoration of Old Prison Theater,
 14 Deer Lodge \$40,000
 15 (16) Western States Regional Theater \$25,000

16 Section 4. Rulemaking authority. The Montana
 17 historical society and the department of fish, wildlife, and
 18 parks shall adopt rules for the administration of the
 19 cultural and aesthetic project grants and coal tax park
 20 acquisitions for which money is appropriated under this act.
 21 Administrative rules may provide for adjustment of grants if
 22 less revenue is received than is appropriated in sections 1
 23 and 3.

24 Section 5. Separate accounts. Separate accounts shall
 25 be maintained for cultural and aesthetic project grants and

1 for park acquisition.

2 Section 6. Effective dates. This act is effective July
 3 1, 1981, except that section 4 is effective on passage and
 4 approval.

-End-

1 HOUSE BILL NO. 871
2 INTRODUCED BY Maas

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY
5 FOR COAL TAX PARK ACQUISITIONS AND FOR CULTURAL AND
6 AESTHETIC PROJECTS; AND PROVIDING EFFECTIVE DATES."

7
8 WHEREAS, 15-35-108(2)(h), MCA, provides that 2 1/2% of
9 the coal severance tax is to be credited to a trust for park
10 acquisition, protection of works of art in the State
11 Capitol, and other cultural and aesthetic projects, the
12 balance of earnings and earnings projected for the 1983
13 biennium are appropriated by this bill.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 Section 1. Appropriation for park acquisition. There
17 is appropriated \$750,000 to the department of fish,
18 wildlife, and parks from the coal tax park acquisition
19 account in the earmarked revenue fund. These funds are
20 appropriated for the parks listed below:

- 21 (1) Engle River Bottom Site \$340,000
- 22 (2) Doeden Island Property \$110,000
- 23 (3) Spring Meadow \$300,000

24 Section 2. Appraisal on Engle site. The department of
25 fish, wildlife, and parks shall pay the appraised value or

1 the amount appropriated in section 1(1), whichever is less,
2 for the acquisition of the Engle site project. This
3 appraisal shall be reviewed by a qualified review appraiser.

4 Section 3. Appropriation for cultural and aesthetic
5 projects. There is appropriated \$641,680 to the Montana
6 historical society from the coal tax cultural and aesthetic
7 account in the earmarked revenue fund. It is the intent of
8 the legislature that the following projects be funded not to
9 exceed the amounts listed in this section:

- 10 (1) Art Conservation, University of
11 Montana School of Fine Arts \$37,500
- 12 (2) Conservation of Capitol Murals,
13 Montana Historical Society \$108,489
- 14 (3) Conservation of Ralston Mural,
15 Billings Airport \$15,000
- 16 (4) Expansion Planning, Museum of the
17 Rockies \$110,000
- 18 (5) Facility Renovation, Custer County
19 Art Center \$8,960
- 20 (6) J. K. Ralston Center, Richland
21 County \$40,000
- 22 (7) Living History Program, Western
23 Heritage Center \$60,000
- 24 (8) Montana Chautauqua, University of
25 Montana \$4,262

1 (9) Montana Folklife Project, Montana
 2 Arts Council \$51,849
 3 (10) Montana Genesis, Stevensville \$20,000
 4 (11) Montana Literature Publication,
 5 University of Montana \$7,620
 6 (12) Montana Repertory Theater,
 7 University of Montana \$21,600
 8 (13) Montanans at Work, Montana
 9 Historical Society \$90,000
 10 (14) Pealow Carved Ivory Collections,
 11 Montana College of Mineral Science
 12 and Technology \$1,400
 13 (15) Restoration of Old Prison Theater,
 14 Deer Lodge \$40,000
 15 (16) Western States Regional Theater \$25,000
 16 Section 4. Rulemaking authority. The Montana
 17 historical society and the department of fish, wildlife, and
 18 parks shall adopt rules for the administration of the
 19 cultural and aesthetic project grants and coal tax park
 20 acquisitions for which money is appropriated under this act.
 21 Administrative rules may provide for adjustment of grants if
 22 less revenue is received than is appropriated in sections 1
 23 and 3.
 24 Section 5. Separate accounts. Separate accounts shall
 25 be maintained for cultural and aesthetic project grants and

1 for park acquisition.
 2 Section 6. Effective dates. This act is effective July
 3 1, 1981, except that section 4 is effective on passage and
 4 approval.

-End-

1 STATEMENT OF INTENT

2 HOUSE BILL 871

3 Senate Finance and Claims Committee

4

5 A statement of intent is required for this bill because
6 it delegates rulemaking authority to the Montana Historical
7 Society and the Department of Fish, Wildlife, and Parks.
8 This bill appropriates earmarked funds for the acquisition
9 of state parks and for grants for cultural and aesthetic
10 projects.

11 Because of the uncertainty of the amount of available
12 funds and the frequency of collections, it is the
13 Legislature's intent that the Historical Society and
14 Department of Fish, Wildlife, and Parks adopt rules to
15 equitably distribute these funds for park acquisition and
16 cultural projects. These rules may provide for adjustments
17 of grants if less revenue is received than is appropriated
18 in this act.

1 HOUSE BILL NO. 871
2 INTRODUCED BY MOORE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY
5 FOR COAL TAX PARK ACQUISITIONS AND FOR CULTURAL AND
6 AESTHETIC PROJECTS; AND PROVIDING EFFECTIVE DATES."

7
8 WHEREAS, 15-35-108(2)(h), MCA, provides that 2 1/2% of
9 the coal severance tax is to be credited to a trust for park
10 acquisition, protection of works of art in the State
11 Capitol, and other cultural and aesthetic projects, the
12 balance of earnings and earnings projected for the 1983
13 biennium are appropriated by this bill.

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 Section 1. Appropriation for park acquisition. There
17 is appropriated \$750,000 to the department of fish,
18 wildlife, and parks from the coal tax park acquisition
19 account in the earmarked revenue fund. These funds are
20 appropriated for the parks listed below:

21	(1) Engle River Bottom Site	\$340,000
22	(2) Doeden Island Property	\$110,000
23	(3) Spring Meadow	\$300,000

24 Section 2. Appraisal on Engle--site PARK SITES. The
25 department of fish, wildlife, and parks shall pay the

1 appraised value or the amount appropriated in section 1(1),
2 whichever is less, for the acquisition of the Engle EACH
3 PARK site project. This EACH appraisal shall be reviewed by
4 a qualified review appraiser.

5 Section 3. Appropriation for cultural and aesthetic
6 projects. There is appropriated \$641,680 to the Montana
7 historical society from the coal tax cultural and aesthetic
8 account in the earmarked revenue fund. It is the intent of
9 the legislature that the following projects be funded not to
10 exceed the amounts listed in this section:

11	(1) Art Conservation, University of	
12	Montana School of Fine Arts	\$37,500
13	(2) Conservation of Capitol Murals,	
14	Montana Historical Society	\$108,489
15	(3) Conservation of Ralston Mural,	
16	Billings Airport	\$15,000
17	(4) Expansion Planning, Museum of the	
18	Rockies	\$110,000
19	(5) Facility Renovation, Custer County	
20	Art Center	\$8,960
21	(6) J. K. Ralston Center, Richland	
22	County	\$40,000
23	(7) Living History Program, Western	
24	Heritage Center	\$60,000
25	(8) Montana Chautauqua, University of	
26	Montana	\$4,262

1	(9) Montana Folklife Project, Montana	
2	Arts Council	\$51,849
3	(10) Montana Genesis, Stevensville	\$20,000
4	(11) Montana Literature Publication,	
5	University of Montana	\$7,620
6	(12) Montana Repertory Theater,	
7	University of Montana	\$21,600
8	(13) Montanans at Work, Montana	
9	Historical Society	\$90,000
10	(14) Pealow Carved Ivory Collections,	
11	Montana College of Mineral Science	
12	and Technology	\$1,400
13	(15) Restoration of Old Prison Theater,	
14	Deer Lodge	\$40,000
15	(16) Western States Regional Theater	\$25,000
16	<u>RENOVATION OF CUSTER COUNTY ART</u>	
17	<u>CENTER</u>	

18 Section 4. Rulemaking authority. The Montana
 19 historical society and the department of fish, wildlife, and
 20 parks shall adopt rules for the administration of the
 21 cultural and aesthetic project grants and coal tax park
 22 acquisitions for which money is appropriated under this act.
 23 Administrative rules may provide for adjustment of grants if
 24 less revenue is received than is appropriated in sections 1
 25 and 3.

1 Section 5. Separate accounts. Separate accounts shall
 2 be maintained for cultural and aesthetic project grants and
 3 for park acquisition.
 4 Section 6. Effective dates. This act is effective July
 5 1, 1981, except that section 4 is effective on passage and
 6 approval.

-End-

April 21, 1981

SENATE COMMITTEE OF THE WHOLE

Proposed the adoption of the following Statement of Intent on House Bill No. 871:

STATEMENT OF INTENT - HB 871

A statement of intent is required for this bill because it delegates rulemaking authority to the Montana Historical Society and the Department of Fish, Wildlife, and Parks. This bill appropriates earmarked funds for the acquisition of state parks and for grants for cultural and aesthetic projects.

Because of the uncertainty of the amount of available funds and the frequency of collections, it is the Legislature's intent that the Historical Society and Department of Fish, Wildlife, and Parks adopt rules to equitably distribute these funds for park acquisition and cultural projects. These rules may provide for adjustments of grants if less revenue is received than is appropriated in this act.

April 21, 1981

SENATE COMMITTEE OF THE WHOLE

Proposed amendment to House Bill No. 871, third reading copy, as follows:

1. Page 3, line 15.
Following: "(16)"
Strike: "Western States Regional Theater"
Insert: "Renovation of Custer County Art Center"

April 22, 1981

SENATE COMMITTEE OF THE WHOLE

Proposed amendments to House Bill 871, third reading copy,
as follows:

1. Page 1, line 24.
Following: "on"
Strike: "Engle site"
Insert: "park sites"

2. Page 2, line 1.
Following: "section 1"
Strike: "(1)"

3. Page 2, line 2.
Following: "of"
Strike: "the Engle"
Insert: "each park"
Following: "project."
Strike: "This"
Insert: "Each"