

HOUSE BILL NO. 656

INTRODUCED BY FAGG, HANNAH, SANDS

IN THE HOUSE

February 5, 1983	Introduced and referred to Committee on State Administration.
February 16, 1983	Committee recommend bill do pass as amended. Report adopted.
February 17, 1983	Bill printed and placed on members' desks.
February 18, 1983	Second reading, do pass as amended.
February 19, 1983	Correctly engrossed.
February 21, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Legislative Administration.
March 7, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 9, 1983	Second reading, pass consideration.
March 10, 1983	Second reading, pass consideration.
March 15, 1983	Second reading, concurred in as amended.
March 17, 1983	Third reading, concurred in. Ayes, 48; Noes, 0.

IN THE HOUSE

March 17, 1983

Returned to House with amendments.

March 31, 1983

Second reading, amendments not concurred in.

On motion, Conference Committee requested and appointed.

April 20, 1983

Conference Committee dissolved.

On motion, Free Conference Committee requested and appointed.

Free Conference Committee reported.

On motion, Free Conference Committee report placed on second reading this day.

Second reading, Free Conference Committee report adopted.

Third reading, Free Conference Committee report adopted.

April 21, 1983

On motion, reconsider action taken on Free Conference Committee report #1.

On motion, Free Conference Committee report #1 on third reading passed for the day.

Free Conference Committee dissolved.

On motion, new Free Conference Committee requested and appointed.

New Free Conference Committee
reported.

Second reading, new Free
Conference Committee report
adopted.

Third reading, new Free
Conference Committee report
adopted.

New Free Conference Committee
report adopted by Senate.

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 656
2 INTRODUCED BY Felix Hamad Law de
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE AUTHORITY
5 OF THE DEPARTMENT OF ADMINISTRATION TO ALLOCATE SPACE IN
6 STATE BUILDINGS TO STATE AGENCIES; AMENDING SECTION
7 2-17-101, MCA."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 2-17-101, MCA, is amended to read:
11 "2-17-101. Allocation of office space. The department
12 of administration shall periodically survey the needs of
13 state agencies ~~located in Helena, other than the university~~
14 ~~system~~, and shall assign space in state office buildings to
15 such agencies. No state agency shall lease, rent, or
16 purchase property for quarters ~~in--Helena~~ without prior
17 approval of the department."

-End-

INTRODUCED BILL

Approved by Committee
on State Administration

HOUSE BILL NO. 656

INTRODUCED BY FAGG, HANNAH, SANDS

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE AUTHORITY
OF THE DEPARTMENT OF ADMINISTRATION TO ALLOCATE SPACE IN
STATE BUILDINGS TO STATE AGENCIES LOCATED IN HELENA;
AMENDING SECTION 2-17-101, MCA."

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

Section 1. Section 2-17-101, MCA, is amended to read:

"2-17-101. Allocation of office space. The department
of administration shall periodically survey the needs of
state agencies ~~located in Helena~~ LOCATED IN HELENA, other
~~than the university system~~, and shall assign space in state
office buildings to such agencies. No state agency shall
lease, rent, or purchase property for quarters ~~in Helena~~ IN
HELENA without prior approval of the department."

-End-

SECOND READING
HB 656

1 HOUSE BILL NO. 656

2 INTRODUCED BY FAGG, HANNAH, SANDS

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND THE AUTHORITY
5 OF THE DEPARTMENT OF ADMINISTRATION TO ALLOCATE SPACE IN
6 STATE BUILDINGS TO STATE AGENCIES LOCATED IN HELENA;
7 AMENDING SECTION 2-17-101, MCA."

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11 "2-17-101. Allocation of office space. The department
12 of administration shall periodically survey the needs of
13 state agencies ~~located in Helena~~ LOCATED IN HELENA ~~other~~
14 ~~than the university system~~ and shall assign space in state
15 office buildings to such agencies. No state agency shall
16 lease, rent, or purchase property for quarters ~~in Helena~~ IN
17 HELENA without prior approval of the department."

-End-

THIRD READING

HB 656

March 7, 1983

SENATE STANDING COMMITTEE REPORT
(Legislative Administration)

That House Bill No. 656 be amended as follows:

1. Title, line 6.
Strike: "LOCATED IN HELENA"
Insert: "OTHER THAN UNIVERSITY SYSTEM"
2. Page 1, line 13.
Strike: "LOCATED IN HELENA"
Insert: "other than university system"
3. Page 1, lines 16 and 17.
Strike: "IN HELENA"

March 15, 1983

SENATE COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 656 be amended as follows:

1. Title, line 4.

Following: "EXPAND"

Insert: "AND CLARIFY"

2. Page, line 17.

Following: line 17

Insert: "The department with the consent of the legislature, shall allocate space to the legislature, including space for chambers, committee rooms, and offices for legislators. The Senate and the House of Representatives each being a distinguished, honorable, and independent arm of the legislature shall each have the right to determine the location of its own chambers."

March 15, 1983

SENATE COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 656, Senate Standing Committee Report Amendment
be amended as follows:

1. Title, line 6.

Following: "AGENCIES"

Insert: "LOCATED IN HELENA"

2. Page 1, line 13.

Following: "agencies"

Insert: "located in Helena"

3. Page 1, line 16 and 17.

Following: "Helena"

Insert: "in Helena"

HOUSE BILL NO. 656

INTRODUCED BY FAGG, HANNAH, SANDS

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND ~~AND CLARIFY~~
THE AUTHORITY OF THE DEPARTMENT OF ADMINISTRATION TO
ALLOCATE SPACE IN STATE BUILDINGS TO STATE AGENCIES ~~LOCATED~~
~~IN--HELENA~~ LOCATED ~~IN HELENA~~ OTHER THAN THE UNIVERSITY
SYSTEM; AMENDING SECTION 2-17-101, MCA."

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

Section 1. Section 2-17-101, MCA, is amended to read:

"2-17-101. Allocation of office space. (1) The
department of administration shall periodically survey the
needs of state agencies ~~located in Helena~~ ~~LOCATED IN HELENA~~
~~LOCATED IN HELENA OTHER THAN THE UNIVERSITY SYSTEM;--other~~
~~than--the-university-system;~~ and shall assign space in state
office buildings to such agencies. No state agency shall
lease, rent, or purchase property for quarters ~~in Helena~~ ~~IN~~
~~HELENA~~ ~~IN HELENA~~ without prior approval of the department.

(2) ~~THE DEPARTMENT, WITH THE CONSENT OF THE~~
~~LEGISLATURE, SHALL ALLOCATE SPACE TO THE LEGISLATURE,~~
~~INCLUDING SPACE FOR CHAMBERS, COMMITTEE ROOMS, AND OFFICES~~
~~FOR LEGISLATORS, THE SENATE AND THE HOUSE OF~~
~~REPRESENTATIVES, EACH BEING A DISTINGUISHED, HONORABLE, AND~~
~~INDEPENDENT ARM OF THE LEGISLATURE, SHALL EACH HAVE THE~~

1 RIGHT TO DETERMINE THE LOCATION OF ITS OWN CHAMBERS."

-End-

FREE CONFERENCE COMMITTEE
ON HOUSE BILL NO. 656
(Report No. 1, April 19, 1983)

Free Conference Committee
on House Bill 656
Report No. 1, April 19, 1983
Page 2

MR. SPEAKER:

We, your Free Conference Committee on House Bill No. 656, met and considered:

House Bill 656, third reading copy (blue); and

Senate Standing Committee Amendments of March 7, 1983; and

Senate Committee of the Whole Amendments of March 15, 1983;

We respectfully recommend as follows:

That the House accede to all Senate amendments; and

That House Bill 656 be further amended as specified in CLERICAL INSTRUCTIONS 1 through 6; and

That the reference copy of House Bill 656 read as specified in the CLERICAL INSTRUCTIONS;

That this Free Conference Committee Report on House Bill 656 be adopted.

CLERICAL INSTRUCTIONS FOR REFERENCE COPY (SALMON):

1. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "2-17-101,"

Insert: "5-17-101 THROUGH 5-17-103,"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 20.

Following: "(2)"

Strike: remainder of subsection

Insert: "The location of the chambers for the house of representatives shall be determined in the sole discretion of the house of representatives. The location of the chambers of the senate shall be determined in the sole discretion of the senate."

(3) The department of administration, with the advice of the capitol building and planning committee, shall allocate other space for the use of the legislature, including but not limited to space for committee rooms and legislative offices.

Section 2. THERE IS A NEW MCA SECTION THAT READS:
"Remodeling and renovation--senate chambers and former supreme court chambers to be preserved. (1) Notwithstanding the provisions of Title 5, chapter 17, part 1, the department of administration shall proceed with the plans for the remodeling and renovation of the state capitol building for which moneys were appropriated by the 47th legislative assembly and reappropriated by the 48th legislative assembly.

(2) In proceeding with such plans, the department of administration shall consult with the capitol building and planning committee provided for in 5-17-101; however, such plans and the implementation of such plans need not be reported to the 49th legislative assembly before implementation.

(3) The department of administration in the implementation of such plans shall keep and maintain the senate chambers in its present location.

(4) If future senate bodies should determine that the location of the senate chambers is to be moved, the department of administration shall keep and maintain the physical structure and location of the present senate chambers as a single room which shall be used for legislative purposes. Such room shall not be divided in any manner and the artwork and the height of the ceiling shall be maintained and preserved.

(5) The department of administration shall keep and maintain the physical structure and location of the supreme court chambers which were occupied by the Montana Supreme Court until the new justice building was completed and dedicated in 1983 as a single room which shall be used for legislative committee purposes. Such room shall not be divided in any manner and the artwork and the height of the ceiling shall be maintained and preserved."

Section 3. THERE IS A NEW MCA SECTION THAT READS:

"Allocation of senate and house of representatives work space. In the implementation of the plans for remodeling and renovation of the state capitol building referred to in this act, the department of administration after having allocated adequate space for the house of representatives and the senate leaderships and staff shall, with respect to any space in excess of such needs, divide any office, work, and committee room space on a proportionate basis determined by the number of house of representatives members and the number of senate members.

Section 4. SECTION 5-17-101, MCA, IS AMENDED TO READ:

"5-17-101. Capitol building and planning committee -- appointment, composition, and meetings. (1) There is a capitol building and planning committee consisting of 16 members as follows:

(a) six members of the house of representatives appointed by the speaker on a bipartisan basis;

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on House Bill 656
Report No. 1, April 19, 1983
Page 3

(b) six members of the senate appointed by the committee on committees on a bipartisan basis;

(c) the director of the department of administration who shall serve as a nonvoting member;

(d) the administrator of the architectural and engineering division of the department of administration who shall serve as a nonvoting member;

(e) a representative of the governor's office designated by the governor who shall serve as a nonvoting member; and

(f) the director of the Lewis and Clark areawide planning organization who shall serve as a nonvoting member.

(2) The committee shall select a chairman who may call meetings at his discretion for the conduct of committee business."

Section 5. Section 5-17-102, MCA, is amended to read:

"5-17-102. Function of committee -- capitol area master plan. (1) The function of the committee is to establish and maintain a master plan for the orderly development of state buildings in the immediate area of the capital city. The master plan shall be developed and maintained with consideration given to the following factors:

(a) the needs of the state relative to the location and design of buildings to be constructed, purchase of land, parking facilities, traffic management, and landscaping;

(b) the ordinances, plans, requirements, and proposed improvements of the city of Helena and Lewis and Clark County based without limitation upon zoning regulations, population trends, and plans for rapid transit development;

(c) any other factors that bear upon the orderly, integrated, and cooperative development of the state, the city of Helena, Lewis and Clark County, and of state property in the immediate area of the capital city.

(2) The committee shall consult with and advise the department of administration concerning the assignment of space in the capitol complex and the actual placement of busts, statues, memorials, or art displays of a permanent nature within public areas of the capitol complex. No such item may be permanently displayed unless authorized by the legislature.

(3) The committee shall serve as a long-range building committee to recommend to the legislature and the department of administration construction and remodeling priorities for the capitol complex.

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on House Bill 656
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19

~~(4) The committee shall serve as the legislature's representative in the preparation and implementation of plans for renovation and remodeling of the capitol in this capacity. The committee may decide, based on its study and analysis, the allocation and use of space in the capitol, including without limitation the location of legislative chambers and committee rooms following any remodeling. Allocation of space shall include adequate space in the capitol for the staff of the legislative finance committee, legislative audit committee, and the legislative council.~~

Section 6. Section 5-17-103, MCA, is amended to read:

"5-17-103. Report to legislature. The committee shall prepare a written report of its activities and recommendations and present the report to the legislature at each regular session for the purpose of assisting the legislature in determining if such recommendations should be implemented. To prepare its report and recommendations, the committee may receive assistance from the legislative council."

NEW SECTION. Section 7. Effective date. This act is effective on passage and approval."

For the House:

Menahan
MENAHAN, Chairman

Fabrega
Fabrega

Metcalf
Metcalf

For the Senate:

Goodover
GOODOVER, Chairman

Turnage
Turnage

Graham
Graham

Chairman.

HOUSE BILL NO. 656

INTRODUCED BY FAGG, HANNAH, SANDS

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXPAND AND CLARIFY THE AUTHORITY OF THE DEPARTMENT OF ADMINISTRATION TO ALLOCATE SPACE IN STATE BUILDINGS TO STATE AGENCIES ~~LOCATED IN HELENA~~ LOCATED IN HELENA OTHER THAN THE UNIVERSITY SYSTEM; AMENDING SECTION SECTIONS 2-17-101 AND 5-17-101 THROUGH 5-17-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 2-17-101, MCA, is amended to read:

"2-17-101. Allocation of office space. (1) The department of administration shall periodically survey the needs of state agencies ~~located in Helena~~ ~~LOCATED IN HELENA~~ LOCATED IN HELENA OTHER THAN THE UNIVERSITY SYSTEM; ~~other than the university system~~ and shall assign space in state office buildings to such agencies. No state agency shall lease, rent, or purchase property for quarters in ~~Helena~~ ~~IN HELENA~~ IN HELENA without prior approval of the department.

(2) ~~THE DEPARTMENT, WITH THE CONSENT OF THE LEGISLATURE, SHALL ALLOCATE SPACE TO THE LEGISLATURE, INCLUDING SPACE FOR CHAMBERS, COMMITTEE ROOMS, AND OFFICES FOR LEGISLATORS, THE SENATE AND THE HOUSE OF~~

~~REPRESENTATIVES, EACH BEING A DISTINGUISHED HONORABLE AND INDEPENDENT ARM OF THE LEGISLATURE, SHALL EACH HAVE THE RIGHT TO DETERMINE THE LOCATION OF ITS OWN CHAMBERS. THE LOCATION OF THE CHAMBERS FOR THE HOUSE OF REPRESENTATIVES SHALL BE DETERMINED IN THE SOLE DISCRETION OF THE HOUSE OF REPRESENTATIVES. THE LOCATION OF THE CHAMBERS OF THE SENATE SHALL BE DETERMINED IN THE SOLE DISCRETION OF THE SENATE.~~

(3) ~~THE DEPARTMENT OF ADMINISTRATION, WITH THE ADVICE OF THE CAPITOL BUILDING AND PLANNING COMMITTEE, SHALL ALLOCATE OTHER SPACE FOR THE USE OF THE LEGISLATURE, INCLUDING BUT NOT LIMITED TO SPACE FOR COMMITTEE ROOMS AND LEGISLATIVE OFFICES.~~

THERE IS A NEW MCA SECTION THAT READS:

Section 2. Remodeling and renovation -- senate chambers and former supreme court chambers to be preserved. (1) Notwithstanding the provisions of Title 5, chapter 17, part 1, the department of administration shall proceed with the plans for the remodeling and renovation of the state capitol building for which moneys were appropriated by the 47th legislative assembly and reappropriated by the 48th legislative assembly.

(2) In proceeding with such plans, the department of administration shall consult with the capitol building and planning committee provided for in 5-17-101; however, such plans and the implementation of such plans need not be

1 reported to the 49th legislative assembly before
2 implementation.

3 (3) The department of administration in the
4 implementation of such plans shall keep and maintain the
5 senate chambers in its present location.

6 (4) If future senate bodies should determine that the
7 location of the senate chambers is to be moved, the
8 department of administration shall keep and maintain the
9 physical structure and location of the present senate
10 chambers as a single room which shall be used for
11 legislative purposes. Such room shall not be divided in any
12 manner, and the artwork and height of the ceiling shall be
13 maintained and preserved.

14 (5) The department of administration shall keep and
15 maintain the physical structure and location of the supreme
16 court chambers, which were occupied by the Montana supreme
17 court until the new justice building was completed and
18 dedicated in 1983, as a single room which shall be used for
19 legislative committee purposes. Such room shall not be
20 divided in any manner, and the artwork and height of the
21 ceiling shall be maintained and preserved.

22 THERE IS A NEW MCA SECTION THAT READS:

23 Section 3. Allocation of senate and house
24 representatives workspace. In the implementation of the
25 plans for remodeling and renovation of the state capitol

1 building referred to in this act, the department of
2 administration, after having allocated adequate space for
3 the leadership of the house of representatives and the
4 senate and staff, work, and committee room space, shall,
5 with respect to any space in excess of such needs, divide
6 any office space on a proportionate basis determined by the
7 number of house of representatives members and the number of
8 senate members.

9 SECTION 4. SECTION 5-17-101, MCA, IS AMENDED TO READ:

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11 appointment, composition, and meetings. (1) There is a
12 capitol building and planning committee consisting of 16
13 members as follows:

14 (a) six members of the house of representatives
15 appointed by the speaker on a bipartisan basis;

16 (b) six members of the senate appointed by the
17 committee on committees on a bipartisan basis;

18 (c) the director of the department of administration,
19 who shall serve as a nonvoting member;

20 (d) the administrator of the architectural and
21 engineering division of the department of administration,
22 who shall serve as a nonvoting member;

23 (e) a representative of the governor's offices
24 designated by the governor, who shall serve as a nonvoting
25 member; and

(f) the director of the Lewis and Clark areawide planning organization who shall serve as a nonvoting member.

(2) The committee shall select a chairman who may call meetings at his discretion for the conduct of committee business."

SECTION 5. SECTION 5-17-102, MCA, IS AMENDED TO READ:

"5-17-102. Function of committee -- capitol area master plan. (1) The function of the committee is to establish and maintain a master plan for the orderly development of state buildings in the immediate area of the capital city. The master plan shall be developed and maintained with consideration given to the following factors:

(a) the needs of the state relative to the location and design of buildings to be constructed, purchase of land, parking facilities, traffic management, and landscaping;

(b) the ordinances, plans, requirements, and proposed improvements of the city of Helena and Lewis and Clark County based without limitation upon zoning regulations, population trends, and plans for rapid transit development;

(c) any other factors that bear upon the orderly, integrated, and cooperative development of the state, the city of Helena, Lewis and Clark County, and of state property in the immediate area of the capital city.

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department of administration concerning the assignment of space in the capitol complex and the actual placement of busts, statues, memorials, or art displays of a permanent nature within public areas of the capitol complex. No such item may be permanently displayed unless authorized by the legislature.

(3) The committee shall serve as a long-range building committee to recommend to the legislature and the department of administration construction and remodeling priorities for the capitol complex.

~~(4) The committee shall serve as the legislature's representative in the preparation and implementation of plans for renovation and remodeling of the capitol in this capacity. The committee may decide based on its study and analysis, the allocation and use of space in the capitol including without limitation the location of legislative chambers and committee rooms following any remodeling. Allocation of space shall include adequate space in the capitol for the staff of the legislative finance committee, legislative audit committee, and the legislative council."~~

SECTION 6. SECTION 5-17-103, MCA, IS AMENDED TO READ:

"5-17-103. Report to legislature. The committee shall prepare a written report of its activities and recommendations and present the report to the legislature at each regular session for the purpose of assisting the

1 legislature in determining if such recommendations should be
2 implemented. To prepare its report and recommendations, the
3 committee may receive assistance from the legislative
4 council."

5 SECTION 7. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
6 PASSAGE AND APPROVAL.

-End-