

SENATE BILL NO. 171

Introduced: 01/17/83

Referred to Committee on State Administration: 01/17/83

Hearing: 2/2/83

Report: 02/14/83, Do Pass

2nd Reading: 2/16/83, Do Pass

On Motion, 2/16/83, That The Bill Be Taken From 2nd Reading
and Rereferred to Committee on State Administration.

Motion Passed.

Rereferred to Committee on State Administration: 2/16/83

On Motion, 2/16/83, That The Bill Be Indefinitely Postponed.

Motion Failed.

Bill Killed.

BILL NO. 171

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE

DEPARTMENT OF INSTITUTIONS TO RENOVATE THE OLD MONTANA STATE

PRISON TO MEET CERTAIN STANDARDS; REQUIRING THE DEPARTMENT

OF STATE LANDS TO NEGOTIATE FOR THE TERMINATION OF THE LEASE

OF THE OLD PRISON; ALLOWING THE WARDEN TO DETERMINE WHICH

PRISONERS TO INCARCERATE IN THE OLD PRISON; AND PROVIDING AN

IMMEDIATE EFFECTIVE DATE."

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

Section 1. Definitions. For the purposes of this act,

unless otherwise stated, the following definitions apply:

(1) "Capital project" means acquisition of land or

improvements, planning, capital construction, renovation,

furnishing, or major repair projects authorized in this act.

(2) "Old prison" means the Montana territorial and

state prison, including all of blocks 52, 53, 62, 63, 66,

and 67 of the original townsite of the city of Deer Lodge,

Powell County, Montana.

Section 2. Termination of lease. The department of

state lands shall enter into negotiations with the city of

Deer Lodge to terminate the lease between the state of

Montana and the city of Deer Lodge concerning the old

prison.

Section 3. Use of old prison. (1) "Old prison" means the Montana territorial and state prison, including all of blocks 52, 53, 62, 63, 66, and 67 of the original townsite of the city of Deer Lodge, Powell County, Montana.

(2) The old prison shall be used primarily for maximum security inmates. The warden of the Montana state prison may determine, for security reasons, which prisoners are to be incarcerated in the old prison.

(3) The old prison shall meet the minimum standards described as "Plan C" in The Old Montana State Prison: A Renovation Feasibility Study, by the Parrish architects, November 17, 1982.

Section 4. Renovation of old prison. (1) The department of institutions shall undertake renovation of the old prison in such a manner that the renovation will result in the old prison's meeting the minimum standards as described in [section 3].

(2) The department shall use such funds as may be available for any capital project associated with renovation of the old prison.

Section 5. Codification instruction. Section 3 is intended to be codified as an integral part of Title 53, chapter 30, part 1, and the provisions of Title 53, chapter 30, part 1, apply to section 3.

INTRODUCED BILL

-2-

SB 171

1 Section 6. Severability. If a part of this act is
2 invalid, all valid parts that are severable from the invalid
3 part remain in effect. If a part of this act is invalid in
4 one or more of its applications, the part remains in effect
5 in all valid applications that are severable from the
6 invalid applications.

7 Section 7. Effective date. This act is effective on
8 passage and approval.

-End-

Approved by Committee
on State Administration

BILL NO. *17*

INTRODUCED BY *Stony Dover*

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE

DEPARTMENT OF INSTITUTIONS TO RENOVATE THE OLD MONTANA STATE

PRISON TO MEET CERTAIN STANDARDS; REQUIRING THE DEPARTMENT

OF STATE LANDS TO NEGOTIATE FOR THE TERMINATION OF THE LEASE

OF THE OLD PRISON; ALLOWING THE WARDEN TO DETERMINE WHICH

PRISONERS TO INCARCERATE IN THE OLD PRISON; AND PROVIDING AN

IMMEDIATE EFFECTIVE DATE."

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

Section 1. Definitions. For the purposes of this act,
unless otherwise stated, the following definitions apply:

(1) "Capital project" means acquisition of land or
improvements, planning, capital construction, renovation,
furnishing, or major repair projects authorized in this act.

(2) "Old prison" means the Montana territorial and
state prison, including all of blocks 52, 53, 62, 63, 66,
and 67 of the original townsite of the city of Deer Lodge,
Powell County, Montana.

Section 2. Termination of lease. The department of
state lands shall enter into negotiations with the city of
Deer Lodge to terminate the lease between the state of
Montana and the city of Deer Lodge concerning the old

prison.

Section 3. Use of old prison. (1) "Old prison" means
the Montana territorial and state prison, including all of
blocks 52, 53, 62, 63, 66, and 67 of the original townsite
of the city of Deer Lodge, Powell County, Montana.

(2) The old prison shall be used primarily for maximum
security inmates. The warden of the Montana state prison
may determine, for security reasons, which prisoners are to
be incarcerated in the old prison.

(3) The old prison shall meet the minimum standards
described as "Plan C" in The Old Montana State Prison: A
Renovation Feasibility Study, by the Parrish architects,
November 17, 1982.

Section 4. Renovation of old prison. (1) The
department of institutions shall undertake renovation of the
old prison in such a manner that the renovation will result
in the old prison's meeting the minimum standards as
described in [section 3].

(2) The department shall use such funds as may be
available for any capital project associated with renovation
of the old prison.

Section 5. Codification instruction. Section 3 is
intended to be codified as an integral part of Title 53,
chapter 30, part 1, and the provisions of Title 53, chapter
30, part 1, apply to section 3.

LC 2029/01

1 Section 6. Severability. If a part of this act is
2 invalid, all valid parts that are severable from the invalid
3 part remain in effect. If a part of this act is invalid in
4 one or more of its applications, the part remains in effect
5 in all valid applications that are severable from the
6 invalid applications.

7 Section 7. Effective date. This act is effective on
8 passage and approval.

-End-