HOUSE BILL NO. 342

INTRODUCED BY LORY

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

January 22, 1985	Introduced and referred to Committee on Appropriations.
February 14, 1985	Committee recommend bill do pass as amended. Report adopted.
February 15, 1985	Bill printed and placed on members' desks.
February 16, 1985	Second reading, do pass.
February 18, 1985	Considered correctly engrossed.
February 19, 1985	Third reading, passed.
	Transmitted to Senate.
IN	THE SENATE
February 21, 1985	Introduced and referred to Committee on Finance and Claims.
March 26, 1985	Committee recommend bill be concurred in. Report adopted.
March 29, 1985	Second reading, concurred in.
March 30, 1985	Third reading, concurred in. Ayes, 48; Noes, 1.
	Returned to House.
IN	THE HOUSE
March 30, 1985	Received from Senate.
	Sent to enrolling.
	Reported correctly enrolled.

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1	HOUSE BILL NO. 342
2	INTRODUCED BY Joy
3	BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
6	DEPARTMENT OF ADMINISTRATION TO TRANSFER FUNDS FROM THE
7	LONG-RANGE BUILDING PROGRAM REVENUE SOURCES TO A SPECIAL
8	REVENUE FUND; PROVIDING A DEFINITION OF CAPITAL PROJECT
9	COSTS; AMENDING SECTIONS 17-5-401, 17-5-404, 17-5-801,
10	17-5-804, 18-2-101, AND 18-2-105, MCA; AND PROVIDING AN
11	IMMEDIATE EFFECTIVE DATE."
12	
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Section 17-5-401, MCA, is amended to read:
15	"17-5-401. Definitions. (1) "Board", "department", and
16	"treasurer" mean the board of examiners, department of
17	administration, and state treasurer, respectively.
18	(2) "Capital projects fund" means a separate
19	long-range building program fund which is created within the
20	capital projects fund type established in 17-2-102.
21	(3) "Costs" includes those expenses related to
22	acquiring land; planning, design, and construction of
23	capital projects and of buildings as defined in 18-2-101; or
24	any other administrative expenses of the department,
25	including legal fees, incurred in the performance of its

1 duties under Title 18, chapter 2.

2 (3)(4) "Long-range building program" means and 3 includes all buildings, structures, and facilities to be 4 constructed, repaired, used, equipped, or furnished and land 5 to be acquired therefor with the consent of the legislature 6 in accordance with 17-7-202 and 18-2-101 through 18-2-105. 7 (4)(5) "Long-range building program bonds" means and includes all series of bonds issued to finance any portion 8 9 of the long-range building program or to refund outstanding bonds, as authorized in this part. 10 (5)(6) "Debt service account" means a separate 11 long-range building program fund which is created within the 12 debt service fund type established in 17-2-102." 13

14 Section 2. Section 17-5-404, MCA, is amended to read: "17-5-404. Use of capital projects fund. The capital 15 projects fund shall be segregated by the treasurer from all 16 17 other money in that or any other fund in the state treasury and used only to pay costs of the long-range building 18 programy-upon-order-of--the--department--acting--within--the 19 limits---of---the---authority---conferred--upon--it--by--the 20 legislature. The department may transfer all money 21 authorized by the legislature for its administrative 22 23 expenditures from the capital projects fund to a special revenue fund." 24

25 Section 3. Section 17-5-801, MCA, is amended to read:

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"17-5-801. Definitions. As used in this part, unless
 the context requires otherwise, the following definitions
 apply:

4 (1) "Board" means the board of examiners provided for
5 in 2-15-1007.

6 (2) "Bond act" means an act approved by the vote of 7 two-thirds of the members of each house of the legislature 8 or by a majority of the electors voting thereon, authorizing 9 the issuance of bonds for the purpose set forth therein and 10 adopting this part by reference.

11 (3) "Bonds" means general obligation bonds, notes, or 12 other evidences of indebtedness issued in accordance with 13 the provisions of this part.

14 (4) "Capital projects account" means a separate
15 general obligation bond and note account created within the
16 capital projects fund type established in 17-2-102.

17 (5) "Costs" includes those expenses related to 18 acquiring land; planning, design, and construction of 19 capital projects and of buildings as defined in 18-2-101; or 20 any other administrative expenses of the department, 21 including legal fees, incurred in the performance of its 22 duties under Title 18, chapter 2.

23 (5)(6) "Debt service account" means a separate general
24 obligation bond and note account created within the debt
25 service fund type established in 17-2-102.

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1 (6)(7) "Department" means the department of
2 administration created in 2-15-1001.

3 (7)(8) "Treasurer" means the ex officio state 4 treasurer, referred to in 2-15-1002."

Section 4. Section 17-5-804, MCA, is amended to read: 5 6 "17-5-804. Use of capital projects account. The 7 capital projects account must be segregated by the treasurer from all other money in that or any other account in the 8 state treasury and used only to pay costs of the projects 9 which bonds were issued, in accordance with the 10 for respective bond accounts --- upon--order--of--the--department 11 12 acting--within-the-limits-of-the-authority-conferred-upon-it 13 by-the-legislature. The department may transfer all money authorized by the legislature for its administrative 14 15 expenditures from the capital projects account to a special revenue fund." 16 17 Section 5. Section 18-2-101, MCA, is amended to read: "18-2-101. Definitions of building, costs, 18 and construction. In part 1 of this chapter, with the exception 19 20 of 18-2-104, 18-2-107, 18-2-113, 18-2-114, and 18-2-122: (1) "building" includes: 21 22 (a) a building, facility, or structure constructed or 23 purchased wholly or in part with state moneys; 24 (b) a building, facility, or structure at a state

25 institution;

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(c) a building, facility, or structure owned or to be
 owned by a state agency, including the department of
 highways;

4 (2) "building" does not include:

5 (a) a building, facility, or structure owned or to be 6 owned by a county, city, town, school district, or special 7 improvement district;

8 (b) a facility or structure used as a component part
9 of a highway or water conservation project;

10 (3) "construction" includes the construction, 11 alteration, repair, maintenance, and remodeling of a 12 building and the equipping and furnishing of a building 13 during construction, alteration, repair, maintenance, and 14 remodeling;

15 <u>(4)</u> "costs" means those expenses defined in 17-5-401 and 17-5-801."

17 Section 6. Section 18-2-105, MCA, is amended to read: 18 "18-2-105. General powers and duties of department of 19 administration. In carrying out powers relating to the 20 construction of buildings, the department of administration 21 may:

22 (1) inspect buildings not under construction;

23 (2) contract with the federal government for advance24 planning funds;

25 (3) purchase, lease, and acquire by exchange or

otherwise, land and buildings in Lewis and Clark County and 1 2 equipment and furnishings for such buildings: (4) issue and sell bonds and other securities: 3 (5) maintain an inventory of all buildings; л (6) appoint a project representative to supervise 5 architects' and consulting engineers' inspection of 6 7 construction of buildings to assure that all construction is accordance with contracts, 8 in the plans, and specifications; The-cost--of--supervision--may--be--charged q 10 against-moneys-available-for-construction-(7) transfer all money appropriated by the legislature 11 12 for capital projects and building construction from treasury funds authorized under 17-2-102 into appropriate accounts 13 established pursuant to 17-2-106 and expend such money to 14 pay all costs of capital projects and building 15 16 construction." 17 NEW SECTION. Section 7. Extension of authority. Any existing authority of the department of administration to 18 make rules on the subject of the provisions of this act is 19 extended to the provisions of this act. 20 NEW SECTION. Section 8. Effective date. This act is 21

22 effective on passage and approval.

-End-

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49th Legislature

HB 0342/02

APPROVED BY COMMITTEE ON APPROPRIATIONS

1	HOUSE BILL NO. 342
2	INTRODUCED BY LORY
3	BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
6	DEPARTMENT OF ADMINISTRATION TO TRANSFER FUNDS FROM THE
7	LONG-RANGE BUILDING PROGRAM REVENUE SOURCES TO A SPECIAL
8	REVENUE FUND; PROVIDING A DEFINITION OF CAPITAL PROJECT
9	COSTS; AMENDING SECTIONS 17-5-401, 17-5-404, 17-5-801,
10	17-5-804, AND 18-2-101, AND-18-2-105, MCA; AND PROVIDING AN
11	IMMEDIATE EFFECTIVE DATE."
12	
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Section 17-5-401, MCA, is amended to read:
15	"17-5-401. Definitions. (1) "Board", "department", and
16	"treasurer" mean the board of examiners, department of
17	administration, and state treasurer, respectively.
18	(2) "Capital projects fund" means a separate
19	long-range building program fund which is created within the
20	capital projects fund type established in 17-2-102.
21	(3) "Costs" includes those expenses related to
22	acquiring land; planning, design, and construction of
23	capital projects and of buildings as defined in 18-2-101; or
24	any other administrative expenses of the department,
25	including legal fees, incurred in the performance of its

1 duties under Title 18, chapter 2. 2 (3)(4) "Long-range building program" means and 3 includes all buildings, structures, and facilities to be constructed, repaired, used, equipped, or furnished and land 4 5 to be acquired therefor with the consent of the legislature 6 in accordance with 17-7-202 and 18-2-101 through 18-2-105. 7 (4)(5) "Long-range building program bonds" means and 8 includes all series of bonds issued to finance any portion 9 of the long-range building program or to refund outstanding 10 bonds, as authorized in this part. (5)(6) "Debt service account" means a separate 11 long-range building program fund which is created within the 12 13 debt service fund type established in 17-2-102." Section 2. Section 17-5-404, MCA, is amended to read: 14 15 "17-5-404. Use of capital projects fund. The capital projects fund shall be segregated by the treasurer from all 16 17 other money in that or any other fund in the state treasury and used only to pay costs of the long-range building 18 19 program--upon-order-of--the--department--acting--within--the 20 limits---of---the---authority---conferred--upon--it--by--the 21 legislature. The department may transfer all money 22 authorized by the legislature for its administrative expenditures from the capital projects fund to a special 23 revenue fund." 24 Section 3. Section 17-5-801, MCA, is amended to read: 25

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SECOND READING

"17-5-801. Definitions. As used in this part, unless
 the context requires otherwise, the following definitions
 apply:

4 (1) "Board" means the board of examiners provided for 5 in 2-15-1007.

6 (2) "Bond act" means an act approved by the vote of
7 two-thirds of the members of each house of the legislature
8 or by a majority of the electors voting thereon, authorizing
9 the issuance of bonds for the purpose set forth therein and
10 adopting this part by reference.

(3) "Bonds" means general obligation bonds, notes, or
other evidences of indebtedness issued in accordance with
the provisions of this part.

14 (4) "Capital projects account" means a separate
15 general obligation bond and note account created within the
16 capital projects fund type established in 17-2-102.

17 (5) "Costs" includes those expenses related to
18 acquiring land; planning, design, and construction of
19 capital projects and of buildings as defined in 18-2-101; or
20 any other administrative expenses of the department,
21 including legal fees, incurred in the performance of its
22 duties under Title 18, chapter 2.

(5)(6) "Debt service account" means a separate general
obligation bond and note account created within the debt
service fund type established in 17-2-102.

1 (6)(7) "Department" means the department of 2 administration created in 2-15-1001.

3 (7)(8) "Treasurer" means the ex officio state
4 treasurer, referred to in 2-15-1002."

5 Section 4. Section 17-5-804, MCA, is amended to read: 6 "17-5-804. Use of capital projects account. The 7 capital projects account must be segregated by the treasurer 8 from all other money in that or any other account in the state treasury and used only to pay costs of the projects 9 10 for which bonds were issued, in accordance with the 11 respective bond accounts7--upon-order-of--the--department 12 acting--within-the-limits-of-the-authority-conferred-upon-it by-the-legislature. The department may transfer all money 13 14 authorized by the legislature for its administrative 15 expenditures from the capital projects account to a special 16 revenue fund." 17 Section 5. Section 18-2-101, MCA, is amended to read: 18 "18-2-101. Definitions of building, costs, and 19 construction. In part 1 of this chapter, with the exception 20 of 18-2-104, 18-2-107, 18-2-113, 18-2-114, and 18-2-122: (1) "building" includes: 21 (a) a building, facility, or structure constructed or 22 23 purchased wholly or in part with state moneys;

24 (b) a building, facility, or structure at a state25 institution;

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1	(c) a building, facility, or structure owned or to be
2	owned by a state agency, including the department of
3	highways;
4	(2) "building" does not include:
5	(a) a building, facility, or structure owned or to be
б	owned by a county, city, town, school district, or special
7	improvement district;
8	(b) a facility or structure used as a component part
9	of a highway or water conservation project;
10	(3) "construction" includes the construction,
11	alteration, repair, maintenance, and remodeling of a
12	building and the equipping and furnishing of a building
13	during construction, alteration, repair, maintenance, and
14	remodeling- <u>;</u>
15	(4) "costs" means those expenses defined in 17-5-401
16	and 17-5-801."
1 7	Section-6Section-10-2-1057-MCA7-is-amended-toread+
18	"18-2-185Generalpowers-and-duties-of-department-of
19	administrationIn-carryingoutpowersrelatingtothe
20	constructionof-buildings7-the-department-of-administration
21	may ÷
22	<pre>(1)inspect-buildings-not-under-construction;</pre>
23	(2) contract-with-the-federal-governmentforadvance
24	planning-funds;
25	(3) purchase7lease7andacquirebyexchangeor

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1	otherwise;-land-and-buildings-in-Lewis-and-Clark-Countyand
2	equipment-and-furnishings-for-such-buildings;
3	(4)issue-and-sell-bonds-and-other-securities;
4	<pre>(5)maintain-an-inventory-of-all-buildings;</pre>
5	<pre>(6)appointaprojectrepresentativetosupervise</pre>
6	architects ¹ andconsultingengineers ¹ inspectionof
7	construction-of-buildings-to-assure-that-all-construction-is
8	inaccordancewiththecontracts;plans;and
9	specifications; The-costofsupervisionmaybecharged
10	against-moneys-available-for-construction+
11	<u> (7)transfer-all-money-appropriated-by-the-legislature</u>
12	for-capital-projects-and-building-construction-from-treasury
13	fundsauthorizedunder17-2-102-into-appropriate-accounts
14	established-pursuant-to-17-2-106-and-expendsuchmoneyto
15	payallcostsofcapitalprojectsandbuilding
16	construction."
17	NEW SECTION. Section 6. Extension of authority. Any
18	existing authority of the department of administration to
19	make rules on the subject of the provisions of this act is
20	extended to the provisions of this act.
21	NEW SECTION, Section 7. Effective date. This act is
22	effective on passage and approval.
	-End-

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1	HOUSE BILL NO. 342	1	duties under Title 18, chapter 2.
2	INTRODUCED BY LORY	2	(3)<u>(4)</u> "Long-range building program" means and
3	BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION	3	includes all buildings, structures, and facilities to be
4		4	constructed, repaired, used, equipped, or furnished and land
5	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE	5	to be acquired therefor with the consent of the legislature
6	DEPARTMENT OF ADMINISTRATION TO TRANSFER FUNDS FROM THE	6	in accordance with 17-7-202 and 18-2-101 through 18-2-105.
7	LONG-RANGE BUILDING PROGRAM REVENUE SOURCES TO A SPECIAL	7	(4)[5] "Long-range building program bonds" means and
8	REVENUE FUND; PROVIDING A DEFINITION OF CAPITAL PROJECT	8	includes all series of bonds issued to finance any portion
9	COSTS; AMENDING SECTIONS 17-5-401, 17-5-404, 17-5-801,	9	of the long-range building program or to refund outstanding
10	17-5-804, <u>AND</u> 18-2-101, AND-10-2-105, MCA; AND PROVIDING AN	10	bonds, as authorized in this part.
11	IMMEDIATE EFFECTIVE DATE."	11	(5)<u>(6)</u> "Debt service account" means a separate
12	-	12	long-range building program fund which is created within the
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	13	debt service fund type established in 17-2-102."
14	Section 1. Section 17-5-401, MCA, is amended to read:	14	Section 2. Section 17-5-404, MCA, is amended to read:
15	"17-5-401. Definitions. (1) "Board", "department", and	15	"17-5-404. Use of capital projects fund. The capital
16	"treasurer" mean the board of examiners, department of	16	projects fund shall be segregated by the treasurer from all
17	administration, and state treasurer, respectively.	17	other money in that or any other fund in the state treasury
18	(2) "Capital projects fund" means a separate	18	and used only to pay costs of the long-range building
19	long-range building program fund which is created within the	19	program7-upon-order-ofthedepartmentactingwithinthe
20	capital projects fund type established in 17-2-102.	20	limitsoftheauthorityconferreduponitbythe
21	(3) "Costs" includes those expenses related to	21	legislature. The department may transfer all money
22	acquiring land; planning, design, and construction of	22	authorized by the legislature for its administrative
23	capital projects and of buildings as defined in 18-2-101; or	23	expenditures from the capital projects fund to a special
24	any other administrative expenses of the department,	. 24	revenue fund."
25	including legal fees, incurred in the performance of its	25	Section 3. Section 17-5-801, MCA, is amended to read:

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"17-5-801. Definitions. As used in this part, unless
 the context requires otherwise, the following definitions
 apply:

4 (1) "Board" means the board of examiners provided for
5 in 2-15-1007.

6 (2) "Bond act" means an act approved by the vote of 7 two-thirds of the members of each house of the legislature 8 or by a majority of the electors voting thereon, authorizing 9 the issuance of bonds for the purpose set forth therein and 10 adopting this part by reference.

(3) "Bonds" means general obligation bonds, notes, or
 other evidences of indebtedness issued in accordance with
 the provisions of this part.

14 (4) "Capital projects account" means a separate
15 general obligation bond and note account created within the
16 capital projects fund type established in 17-2-102.

17 (5) "Costs" includes those expenses related to 18 acquiring land; planning, design, and construction of 19 capital projects and of buildings as defined in 18-2-101; or 20 any other administrative expenses of the department, 21 including legal fees, incurred in the performance of its 22 duties under Title 18, chapter 2.

23 (5)(6) "Debt service account" means a separate general
24 obligation bond and note account created within the debt
25 service fund type established in 17-2-102.

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1 (6)(7) "Department" means the department of 2 administration created in 2-15-1001.

3 (7)(8) "Treasurer" means the ex officio state
4 treasurer, referred to in 2-15-1002."

5 Section 4. Section 17-5-804, MCA, is amended to read: 6 "17-5-804. Use of capital projects account. The 7 capital projects account must be segregated by the treasurer 8 from all other money in that or any other account in the 9 state treasury and used only to pay costs of the projects 10 for which bonds were issued, in accordance with the respective bond accounts,--upon--order--of--the--department 11 12 acting--within-the-limits-of-the-authority-conferred-upon-it by-the-legislature. The department may transfer all money 13 authorized by the legislature for its administrative 14 15 expenditures from the capital projects account to a special 16 revenue fund."

Section 5. Section 18-2-101, MCA, is anemaled to read:
"18-2-101. Definitions of building, costs, and
construction. In part 1 of this chapter, with the exception
of 18-2-104, 18-2-107, 18-2-113, 18-2-114, and 18-2-122:

21 (1) "building" includes:

22 (a) a building, facility, or structure constructed or23 purchased wholly or in part with state moneys;

24 (b) a building, facility, or structure at a state25 institution;

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(c) a building, facility, or structure owned or to be
 owned by a state agency, including the department of
 highways;

(2) "building" does not include:

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5 (a) a building, facility, or structure owned or to be 6 owned by a county, city, town, school district, or special 7 improvement district;

8 (b) a facility or structure used as a component part
9 of a highway or water conservation project;

10 (3) "construction" includes the construction, 11 alteration, repair, maintenance, and remodeling of a 12 building and the equipping and furnishing of a building 13 during construction, alteration, repair, maintenance, and 14 remodeling;

15 (4) "costs" means those expenses defined in 17-5-401
16 and 17-5-801."

 17
 Section-6---Section-18-2-1057-MCA7-is-amended-to--read:

 18
 #18-2-105---General--powers-and-duties-of-department-of

 19
 administration--In-carrying--out--powers--relating--to--the

 20
 construction--of-buildings7-the-department-of-administration

 21
 may:

22 (1)--inspect-buildings-not-under-construction;

23 (2)--contract-with-the-federal-government--for--advance
24 planning-funds;

25 (3)--purchase7---lease7--and--acquire--by--exchange--of

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1	otherwise;-land-and-buildings-in-bewis-and-Glark-Countyand
2	equipment-and-furnishings-for-such-buildings;
3	(4)issue-and-sell-bonds-and-other-securities;
4	(5)maintain-an-inventory-of-all-buildings;
5	(6)appointaprojectrepresentativetosupervise
6	architects ¹ andconsultingengineers ¹ inspectionof
7	construction-of-buildings-to-assure-that-all-construction-is
8	inaccordancewiththecontracts;plans;and
9	specifications; The-costofsupervisionmaybecharged
10	against-moneys-available-for-construction;
11	<u>(7)transfer-all-money-appropriated-by-the-legislature</u>
12	for-capital-projects-and-building-construction-from-treasury
13	fundsauthorizedunder17-2-102-into-appropriate-accounts
14	established-pursuant-to-17-2-106-and-expendsuchmoneyto
15	payallcostsofcapitalprojectsandbuilding
16	construction."
17	NEW SECTION. Section 6. Extension of authority. Any
18	existing authority of the department of administration to
19	make rules on the subject of the provisions of this act is
20	extended to the provisions of this act.
21	NEW SECTION. Section 7. Effective date. This act is
22	effective on passage and approval.

-End-

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1	HOUSE BILL NO. 342
2	INTRODUCED BY LORY
3	BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
6	DEPARTMENT OF ADMINISTRATION TO TRANSFER FUNDS FROM THE
7	LONG-RANGE BUILDING PROGRAM REVENUE SOURCES TO A SPECIAL
8	REVENUE FUND; PROVIDING A DEFINITION OF CAPITAL PROJECT
9	COSTS; AMENDING SECTIONS 17-5-401, 17-5-404, 17-5-801,
10	17-5-804, AND 18-2-101, AND-18-2-105, MCA; AND PROVIDING AN
11	IMMEDIATE EFFECTIVE DATE."
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13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Section 17-5-401, MCA, is amended to read:
15	"17-5-401. Definitions. (1) "Board", "department", and
16	"treasurer" mean the board of examiners, department of
17	administration, and state treasurer, respectively.
18	(2) "Capital projects fund" means a separate
19	long-range building program fund which is created within the
20	capital projects fund type established in 17-2-102.
21	(3) "Costs" includes those expenses related to
22	acquiring land; planning, design, and construction of
23	capital projects and of buildings as defined in 18-2-101; or
24	any other administrative expenses of the department,
25	including legal fees, incurred in the performance of its
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1 duties under Title 18, chapter 2.

2 (4) "Long-range building program" means and 3 includes all buildings, structures, and facilities to be constructed, repaired, used, equipped, or furnished and land 4 5 to be acquired therefor with the consent of the legislature in accordance with 17-7-202 and 18-2-101 through 18-2-105. 6 7 (4)(5) "Long-range building program bonds" means and 8 includes all series of bonds issued to finance any portion 9 of the long-range building program or to refund outstanding 10 bonds, as authorized in this part. 11 +5+(6) "Debt service account" means a separate long-range building program fund which is created within the 12 13 debt service fund type established in 17-2-102." Section 2. Section 17-5-404, MCA, is amended to read: 14 "17-5-404. Use of capital projects fund. The capital 15 16 projects fund shall be segregated by the treasurer from all other money in that or any other fund in the state treasury 17 and used only to pay costs of the long-range building 18 program;-upon-order-of--the--department--acting--within--the 19 limits---of---the---authority---conferred--upon--it--by--the 20 21 legislature. The department may transfer all money 22 authorized by the legislature for its administrative expenditures from the capital projects fund to a special 23 24 revenue fund." Section 3. Section 17-5-801, MCA, is amended to read: 25

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"17-5-801. Definitions. As used in this part, unless
 the context requires otherwise, the following definitions
 apply:

4 (1) "Board" means the board of examiners provided for 5 in 2-15-1007.

6 (2) "Bond act" means an act approved by the vote of 7 two-thirds of the members of each house of the legislature 8 or by a majority of the electors voting thereon, authorizing 9 the issuance of bonds for the purpose set forth therein and 10 adopting this part by reference.

(3) "Bonds" means general obligation bonds, notes, or
other evidences of indebtedness issued in accordance with
the provisions of this part.

14 (4) "Capital projects account" means a separate
15 general obligation bond and note account created within the
16 capital projects fund type established in 17-2-102.

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18 acquiring land; planning, design, and construction of
19 capital projects and of buildings as defined in 18-2-101; or
20 any other administrative expenses of the department,
21 including legal fees, incurred in the performance of its
22 duties under Title 18, chapter 2.

23 (5)(6) "Debt service account" means a separate general
24 obligation bond and note account created within the debt
25 service fund type established in 17-2-102.

1 (6)(7) "Department" means the department of 2 administration created in 2-15-1001.

3 (7)(8) "Treasurer" means the ex officio state
4 treasurer, referred to in 2-15-1002."

5 Section 4. Section 17-5-804, MCA, is amended to read: 6 "17-5-804. Use of capital projects account. The capital projects account must be segregated by the treasurer 7 from all other money in that or any other account in the R 9 state treasury and used only to pay costs of the projects 10 for which bonds were issued, in accordance with the 11 respective bond accounts, -- upon -- order -- of -- the -- department 12 acting--within-the-limits-of-the-authority-conferred-upon-it 13 by-the-legislature. The department may transfer all money 14 authorized by the legislature for its administrative expenditures from the capital projects account to a special 15 16 revenue fund."

Section 5. Section 18-2-101, MCA, is amended to read:
"18-2-101. Definitions of building, costs, and
construction. In part 1 of this chapter, with the exception
of 18-2-104, 18-2-107, 18-2-113, 18-2-114, and 18-2-122:

21 (1) "building" includes:

(a) a building, facility, or structure constructed orpurchased wholly or in part with state moneys;

24 (b) a building, facility, or structure at a state25 institution;

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owned by a state agency, including the department of ٦ highways; (2) "building" does not include: 4 5 (a) a building, facility, or structure owned or to be owned by a county, city, town, school district, or special 6 improvement district; 7 (b) a facility or structure used as a component part 8 of a highway or water conservation project; 9 10 (3) "construction" includes the construction. 11 alteration, repair, maintenance, and remodeling of a building and the equipping and furnishing of a building 12 during construction, alteration, repair, maintenance, and 13 14 remodeling; (4) "costs" means those expenses defined in 17-5-401 15 16 and 17-5-801." 17 Section-6---Section-10-2-1057-MCA7-is-amended-to--read+ 18 #18-2-105---General--powers-and-duties-of-department-of 19 construction--of-buildings,-the-department-of-administration 20 21 may: 22 (1)--inspect-buildings-not-under-construction; 23 +2)--contract-with-the-federal-government--for--advance

(c) a building, facility, or structure owned or to be

24 planning-funds;

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(3)--purchase ---- lease --- and -- acquire -- by -- exchange -- or 25

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1 otherwise;-land-and-buildings-in-bewis-and-Clark-County--and 2 equipment-and-furnishings-for-such-buildings-3 (4)--issue-and-sell-bonds-and-other-securities; 4 (5)--maintain-an-inventory-of-all-buildings; 5 (6)--appoint--a--project--representative--to--supervise 6 architects1--and---consulting---engineers1---inspection---of 7 construction-of-buildings-to-assure-that-all-construction-is in----accordance----with----the----contracts,---plans,---and 8 9 specifications; The-cost--of--supervision--mav--be--charaed 10 against-moneys-available-for-construction-11 +7}--transfer-all-money-appropriated-by-the-legislature 12 for-capital-projects-and-building-construction-from-treasury 13 funds--authorized--under--17-2-102-into-appropriate-accounts 14 established-pursuant-to-17-2-106-and-expend--such--monev--to 15 pay---ail---costs---of---capital---projects---and---building 16 construction-" 17 NEW SECTION. Section 6. Extension of authority. Any 18 existing authority of the department of administration to make rules on the subject of the provisions of this act is 19 extended to the provisions of this act. 20 21 NEW SECTION. Section 7. Effective date. This act is 22 effective on passage and approval.

-End-

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