

HOUSE BILL NO. 928

INTRODUCED BY THOFT, BARDANOUE

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

March 7, 1985

Introduced and referred to
Committee on Appropriations.

April 5, 1985

Committee recommend bill do
pass as amended. Report
adopted.

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

Second reading, do pass as
amended.

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

Third reading, passed.

Transmitted to Senate.

IN THE SENATE

April 9, 1985

Introduced and referred to
Committee on Finance and
Claims.

April 17, 1985

On motion, rules temporarily
suspended for the purpose of
allowing all bills passed on
second reading on the 88th
Legislative Day to be advanced
to third reading that same
day.

April 19, 1985 Committee recommend bill be
 concurred in as amended.
 Report adopted.

April 22, 1985 Second reading, pass
 consideration.

April 23, 1985 Second reading, concurred in
 as amended.

 Third reading, concurred in.
 Ayes, 46; Noes, 2.

 Returned to House with
 amendments.

IN THE HOUSE

April 23, 1985 Received from Senate.

April 24, 1985 Second reading, amendments not
 concurred in.

 On motion, Conference
 Committee requested and
 appointed.

April 25, 1985 Conference Committee
 dissolved.

 On motion, Free Conference
 Committee requested and
 appointed.

 Free Conference Committee
 reported.

 Second reading, Free
 Conference Committee report
 adopted.

 Third reading, Free Conference
 Committee report adopted.

April 25, 1985

Free Conference Committee
report adopted by Senate.

Sent to enrolling.

Reported correctly enrolled.

		Other	
		Appropriated	
Agency/Program	CPF	Funds	
DEPARTMENT OF ADMINISTRATION			
Fire Protection, Capitol Complex	\$360,778	\$168,877	
Statewide Asbestos Survey and Abatement Program	250,000		
Land Acquisition and Parking Improvements, Capitol Complex	248,680		
Building Modifications, 920 Front St., Helena	208,300		
Energy Conservation Retrofit, Statewide		400,000	
DEPARTMENT OF COMMERCE			
Preplan Centennial Center		125,000	
Roof Replacement, Yellowstone Airport Terminal		50,000	
BOARD OF PUBLIC EDUCATION			
Roof Replacement, Aspen Hall, School for the Deaf & Blind	67,700		
Renovate Formal Museum,			

		Other	
		Appropriated	
Agency/Program	CPF	Funds	
Memorial Building		425,000	
DEPARTMENT OF FISH, WILDLIFE, & PARKS			
Construct Two Regional Headquarters		2,465,500	
Fishing Access Site Improvements		600,000	
Headquarters Storage Building, Glasgow		30,000	
Relocate Sign Shop		40,000	
Makoshika State Park Road Improvements		290,000	
Spring Meadow Lake Improvements		125,000	
Les Mason State Recreation Area Development		360,000	
Glen Lake State Recreation Area Improvements		165,000	
Elkhorn State Monument Improvements		5,000	
Giant Springs State Park Improvements		200,000	

1	Other		1
2	Appropriated		2
3	Agency/Program	CPF Funds	3
4	Lake Elmo State Recreation		4
5	Area Improvements	24,000	5
6	Rosebud State Recreation		6
7	Area Improvements	105,000	7
8	Yellow Bay State Recreation		8
9	Area Fencing	10,000	9
10	Repair Asphalt Roads, Region		10
11	I	200,000	11
12	Road Maintenance, Region V	84,000	12
13	Hell Creek State Recreation		13
14	Area Improvements	75,000	14
15	Fort Maginnis State Monument		15
16	Improvements	35,000	16
17	Deep Creek Recreation Area		17
18	Improvements	150,000	18
19	Boat Facilities Program	1,197,000	19
20	Site Improvements Statewide	150,000	20
21	Helena Headquarters		21
22	Improvements	112,000	22
23	DEPARTMENT OF HIGHWAYS		23
24	Miscellaneous Maintenance,		24
25	Highway Facilities,		25

1	Other		1
2	Appropriated		2
3	Agency/Program	CPF Funds	3
4	Statewide		4
5	Energy Retrofit, Butte		5
6	Headquarters Complex		6
7	North Section Facility,		7
8	Billings		8
9	Construct Maintenance		9
10	Garages, Statewide		10
11	Construct Storage Building,		11
12	Helena		12
13	Construct Sandhouses,		13
14	Statewide		14
15	DEPARTMENT OF INSTITUTIONS		15
16	Roof Replacement, Boulder		16
17	River School & Hospital		17
18	and Mountain View	18,500	18
19	Sanitary Sewer Expansion,		19
20	Montana State Prison	250,000	20
21	Sewage Treatment Plant, Swan		21
22	River Youth Forest Camp	444,100	22
23	Forensic Building		23
24	Supplemental, Montana		24
25	State Hospital	1,100,000	25

1		Other	
2		Appropriated	
3	<u>Agency/Program</u>	<u>CPF</u>	<u>Funds</u>
4	Plan 60-Bed Residential		
5	Campus & Remodel		
6	Cottages, Boulder River		
7	School & Hospital	1,336,000	
8	General Maintenance &		
9	Repair, Montana State		
10	Hospital	61,470	
11	Handicapped Modifications,		
12	Montana State Hospital	123,179	
13	Boiler Repairs, Pine Hills &		
14	Montana State Hospital	26,100	
15	New Flooring, Center for		
16	Aged & Pine Hills	31,600	
17	Intake Building		
18	Modifications, Montana		
19	State Hospital	331,400	
20	Dining Hall Improvements,		
21	Montana State Hospital	74,900	
22	Riprap, Prickley Pear Creek,		
23	Mountain View School	14,950	
24	DEPARTMENT OF MILITARY AFFAIRS		
25	Roof Replacement, Statewide	292,580	103,000

1		Other	
2		Appropriated	
3	<u>Agency/Program</u>	<u>CPF</u>	<u>Funds</u>
4	Construct Combined Support		
5	Maintenance Facility,		
6	Fort Harrison	40,000	1,845,000
7	Multiple Indoor Firing		
8	Ranges	22,600	1,195,540
9	Retrofit Nonarmory		
10	Facilities	5,000	150,000
11	Armory Storage Additions,		
12	Statewide	10,600	426,400
13	Organizational Maintenance		
14	Shop, Chinook	25,300	532,000
15	Organizational Maintenance		
16	Shop, Billings	70,300	532,000
17	Organizational Maintenance		
18	Shop, Kalispell	40,200	562,800
19	Organizational Maintenance		
20	Shop, Missoula	40,200	562,800
21	Organizational Maintenance		
22	Shop, Belgrade	45,200	562,800
23	Organizational Maintenance		
24	Shop, Culbertson	25,200	562,800
25	Paint Armories & Shops,		

1			Other
2			Appropriated
3	<u>Agency/Program</u>	<u>CPF</u>	<u>Funds</u>
4	Statewide	67,325	71,775
5	Enlarge Armory Vehicle		
6	Security Compounds	24,750	79,650
7	Maintenance, Federal		
8	Contingency Funds		200,000
9	MONTANA UNIVERSITY SYSTEM		
10	Roof Replacements, MSU & UM	310,000	
11	Johnson Hall/Wilson Hall,		
12	Brick Repair	1,976,000	
13	Health & Safety Projects, UM		
14	& NMC	421,400	
15	Major Maintenance & Repairs,		
16	Statewide	213,950	
17	Electrical Distribution,		
18	Phase II, UM	550,000	550,000
19	Brockman Center Partitions,		
20	NMC	27,000	
21	Section 6. Land acquisition appropriation. The		
22	following money is appropriated to the Department of Fish,		
23	Wildlife, and Parks in the indicated amounts for purposes of		
24	land acquisition:		
25			

1			Other
2			Appropriated
3	<u>Agency/Program</u>	<u>CPF</u>	<u>Funds</u>
4	Wildlife Habitat Acquisition		1,000,000
5	Fishing Access Site		
6	Acquisition		600,000
7	Section 7. Special session reauthorization. The		
8	appropriations for capital projects authorized in section 6,		
9	House Bill 5, enacted by the 47th Legislature, second		
10	special session, are reappropriated through the biennium		
11	ending June 30, 1987. The Department of Administration may		
12	exempt these projects from any provisions of Montana law		
13	relating to the employment of architects, public bidding,		
14	bonding, or labor and wage requirements.		
15	Section 8. Planning and design. The Department of		
16	Administration may proceed with the planning and design of		
17	capital projects prior to the sale of bonds or the receipt		
18	of other appropriated funds. The Department may use		
19	interaccount loans in accordance with 17-2-107 to pay such		
20	planning and design costs incurred prior to the receipt of		
21	bond proceeds or other appropriated funds.		
22	Section 9. Capital projects -- contingent funds. If		
23	any capital project is financed in whole or in part with		
24	appropriations contingent upon the receipt of other		
25	appropriated funds, the Department of Administration may not		

1 let such projects for bid until the agency has submitted a
2 financial plan for approval by the director of the
3 Department of Administration. No such financial plan may be
4 approved by the director if:

5 (1) the level of funding provided under the financial
6 plan deviates substantially from the funding levels provided
7 in this act for that project; or

8 (2) the scope of the project must be substantially
9 altered or revised from the preliminary plans presented for
10 that project in the 1985-87 Long-Range Building Program
11 presented to the 49th Legislature.

12 Section 10. Legislative consent. The appropriations
13 authorized in this act constitute legislative consent for
14 the capital projects contained in this act within the
15 meaning of 18-2-102.

16 Section 11. Severability. If a part of this act is
17 invalid, all valid parts that are severable from the invalid
18 part remain in effect. If a part of this act is invalid in
19 one or more of its applications, the part remains in effect
20 in all valid applications that are severable from the
21 invalid applications.

22 Section 12. Effective date. This act is effective on
23 passage and approval.

-End-

HOUSE BILL NO. 928

INTRODUCED BY THOFT, BARDANOUE

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1987; TO PROVIDE FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; TO PROVIDE AN EXCEPTION TO THE PROHIBITION ON THE USE OF INMATE LABOR FOR THE CONSTRUCTION OF CERTAIN BUILDINGS BY PROVIDING THAT SUCH LABOR MAY BE USED IN CONSTRUCTING A WAREHOUSE AT THE MONTANA STATE PRISON; AMENDING SECTION 7, HOUSE BILL NO. 833, L. 1983; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

Section 1. Definitions. For the purposes of sections 1 through 11 and 13 through 19, unless otherwise stated, the following definitions apply:

(1) "Agency" includes each state office, department, board, commission, council, committee, unit of the university system, or other entity or instrumentality of the executive branch, office of the legislative branch, or office of the judicial branch of state government.

(2) "Approved budget amendment" means approval by the budget director of a request submitted through the Architecture and Engineering Division of the Department of Administration to transfer excess funds appropriated to a capital project within an agency in order to increase the appropriations of another capital project within that agency or to obtain financing to expand a project with funds which were not available for consideration by the Legislature.

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

(4) "CPF" means the capital projects fund.



ON MOTION RULES SUSPENDED,
YELLOW PRINTING DISPENSED

THIRD READING

1 (5) "Major maintenance plan" means a 6-year schedule of anticipated major maintenance requirements and costs for
 2 the first 2 years of the schedule, developed for each state building, as determined by the Department of
 3 Administration. The plan shall include a record of major maintenance performed in the previous biennium.

4 (6) "Major maintenance" means building maintenance or repair projects that are not needed on an annual or
 5 biennial basis or are not the function of the permanent maintenance staff of the agency.

6 (7) "Other appropriated funds" means money, other than general fund money or capital projects fund money,
 7 including special revenue fund money that accrues under the provisions of law to an agency.

8 Section 2. Expansion required to be authorized. No existing capital project may be expanded beyond the scope of
 9 the project as approved by the 49th Legislature unless the capital project expansion is authorized by an approved
 10 budget amendment.

11 Section 3. Federal funds for administration. All federal funds received as a reimbursement for the cost of
 12 administering the federal funds when the cost was financed from the general fund shall revert to the general fund.

13 Section 4. Reappropriation. Notwithstanding any other provision of law, the remaining balances on capital
 14 projects previously appropriated are reappropriated until June 30, 1987, for the purposes for which originally
 15 appropriated.

16 Section 5. Major maintenance requirements. For all new construction proposals submitted to the Legislature and
 17 for all existing applicable state buildings as determined by the Department of Administration, each agency, in
 18 consultation with the Architecture and Engineering Division of the Department of Administration, shall provide a major
 19 maintenance plan. This plan shall be submitted by the agency to the Department of Administration by July 1 of each
 20 even-numbered year, along with the proposed long-range building program required under 17-7-202.

21 Section 6. Capital projects appropriations. The following money is appropriated for the indicated capital
 22 projects from the indicated sources to the Department of Administration:

23 <u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
24 DEPARTMENT OF ADMINISTRATION		
25 Building Modifications, 920 Front St., Helena	120,000	88,300 Proprietary

Agency/Program	CPF	Other Appropriated Funds		
Fire Protection, Capitol Complex	300,278			
Asbestos Survey and Abatement, Statewide	184,000			
Energy Conservation Retrofit, Statewide		400,000	Federal	
DEPARTMENT OF COMMERCE				
Preptan-Centennial-Center		25,000	Capital-Land-Grant	
		100,000	Private	
Roof Replacement, Yellowstone Airport Terminal		50,000	Proprietary or Federal	
BOARD OF PUBLIC EDUCATION				
Roof Replacement, Aspen Hall, School for the Deaf & Blind	67,700			
Renovate Formal Museum, Memorial Building		425,000	Private	
DEPARTMENT OF FISH, WILDLIFE, & PARKS				
Construct Two Regional Headquarters		2,575,300	FWP License Fees	
Fishing Access Site Improvements		300,000	FWP License Fees	
		300,000	Federal	
Headquarters Storage Building, Glasgow		30,000	FWP License Fees	
Relocate Sign Shop		10,000	Coal Tax	Park
			Acquisition	
		30,000	FWP License Fees	
Spring Meadow Lake Improvements		62,500	Coal Tax	Park
			Acquisition	
		62,500	Federal	
Les Mason State Recreation Area Development		180,000	Coal Tax	Park
			Acquisition	

Agency/Program	CPF	Other Appropriated Funds			
		180,000	Federal		
Glen Lake State Recreation Area Improvements		45,000	Coal	Tax	Park
			Acquisition		
		45,000	Federal		
Lake Elmo State Recreation Area Improvements		12,000	Coal	Tax	Park
			Acquisition		
		12,000	Federal and Private		
Deep Creek Recreation Area Improvements		150,000	Federal and Private		
Boat Facilities Program		299,500	FWP License Fees		
		897,500	Federal		
Site Improvements Statewide		150,000	Real Estate	Trust	Earnings
			Earnings		
Helena Headquarters Improvements		112,000	FWP License Fees		
DEPARTMENT OF HIGHWAYS					
Miscellaneous Maintenance, Highway Facilities, Statewide		750,000	Highway	State	Special Revenue
Energy Retrofit, Butte Headquarters Complex		225,000	Highway	State	Special Revenue
North Section Facility, Billings		130,000	Highway	State	Special Revenue
Construct Maintenance Garages, Statewide		199,000	Highway	State	Special Revenue
Construct Storage Building, Helena		113,000	Highway	State	Special

1	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
2			Revenue
3	Construct Sandhouses, Statewide		107,200 Highway State Special
4			Revenue
5	DEPARTMENT OF INSTITUTIONS		
6	Roof Replacement, Boulder River School &		
7	Hospital and Mountain View	18,500	
8	Sanitary Sewer Expansion, Montana State Prison	250,000	68,500 Water Development Grant
9	Sewage Treatment Plant, Swan River Youth Forest		
10	Camp		444,100 Water Development Grant
11	Forensic Building, Montana State Hospital	4,327,013	
12	Fire Suppression Hood, Canary Kitchen, Boulder		
13	River School & Hospital	17,250	
14	Remodel Cottage 16, Boulder River School &		
15	Hospital	33,400	
16	General Maintenance & Repair, Montana State		
17	Hospital	61,470	
18	Boiler Repairs, Pine Hills & Montana State		
19	Hospital	26,100	
20	New Flooring, Pine Hills	9,900	
21	Center for the Aged, Laundry Facility		
22	Improvements	215,000	
23	Warehouse & Equipment, Montana State Prison	195,500	
24	Expansion Equipment, Montana State Prison	189,000	
25	Riprap, Prickley Pear Creek, Mountain View		

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>	
1				
2	School	14,950		
3	DEPARTMENT OF MILITARY AFFAIRS			
4	Roof Replacement, Statewide	292,580	103,000	Federal
5	Construct Combined Support Maintenance Facility,			
6	Fort Harrison	40,000	1,845,000	Federal
7	Multiple Indoor Firing Ranges	22,600	1,195,540	Federal
8	Retrofit Nonarmory Facilities	5,000	150,000	Federal
9	Armory Storage Additions, Statewide	10,600	426,400	Federal
10	Organizational Maintenance Shop, Chinook	25,300	632,000	Federal
11	Organizational Maintenance Shop, Billings	70,300	632,000	Federal
12	Organizational Maintenance Shop, Kalispell	40,200	675,000	Federal
13	Organizational Maintenance Shop, Missoula	40,200	675,000	Federal
14	Organizational Maintenance Shop, Belgrade	45,200	675,000	Federal
15	Organizational Maintenance Shop, Culbertson	25,200	675,000	Federal
16	Paint Armories & Shops, Statewide	67,325	71,775	Federal
17	Enlarge Armory Vehicle Security Compounds	24,750	79,650	Federal
18	Federal Contingency Funds		200,000	Federal
19	Emergency Operations Center Supplemental		150,000	Federal
20	MONTANA UNIVERSITY SYSTEM			
21	Roof Replacements, MSU & UM	310,000		
22	Johnson Hall/Wilson Hall, Brick Repair, MSU	1,976,000		
23	Health & Safety Projects, UM & NMC	421,400		
24	Major Maintenance & Repairs, Statewide	213,950		
25	Electrical Distribution, Phase II, UM	550,000	550,000	Auxiliary

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Brockman Center Partitions, NMC	27,000	
Planning for Replacement or Remodeling for University Hall, Mathematics, Health & Physical Education, & Life Sciences Facilities, UM		200,000 Other Than General Fund
Repair Parapet Walls, EMC	25,000	
Farm Shop, Agricultural Experiment Station	120,000	

DEPARTMENT OF AGRICULTURE

Remodel Environmental Management Laboratory, Bozeman	80,000	20,000 State Feed & Fertilizer
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Section 7. Land acquisition appropriation. The following money is appropriated to the Department of Fish, Wildlife, and Parks in the indicated amounts for purposes of land acquisition:

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Wildlife Habitat Acquisition		1,000,000 FWP License Fees
		750,000 Federal
Expenditures from these sources may not exceed \$1,000,000 in aggregate and the federal funds, subject to their appropriation for ongoing operations as provided in House Bill No. 500 and for previously appropriated capital construction projects as provided in section 4, must be expended prior to the FWP license fees revenue.		
Fishing Access Site Acquisition		600,000 Fishing Licenses
Coal Tax Park Acquisition		Donation
Real Property Acquisition for Agricultural Museum, Fort Benton	55,000	125,000 Coal Tax Park Acquisition

1	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
2			35,000 Private

3 Section 8. Appropriation of excess capital projects fund. Any revenues in the capital projects fund received in
 4 excess of the amount appropriated in sections 1 through 11 and 13 through 19 are appropriated to the following
 5 departments for the indicated capital projects:

	<u>Agency/Program</u>	<u>CPF</u>
6		
7	DEPARTMENT OF ADMINISTRATION	
8	Fire Protection, Capitol Complex	\$ 60,500
9	Land Acquisition and Parking Improvements, Capitol Complex	248,680
10	Asbestos Survey and Abatement, Statewide	66,000
11	DEPARTMENT OF STATE LANDS	
12	Fire Crew Quarters	44,000

13 Section 9. Building demolition or sale and removal. (1) The Department of Administration may solicit bids for the
 14 demolition or for the sale and removal of the following buildings:

	<u>Building Name</u>
15	
16	BOULDER RIVER SCHOOL & HOSPITAL
17	Cottage No. 5
18	Old Administration Building
19	Old Laundry Storage
20	Tire/Rubber Storage
21	Garage
22	Hog House
23	Old Granary
24	Turkey House
25	Ranch House
	Garage

1		Chicken House
2		Old Machine Shed
3		Root Cellar
4	MONTANA VETERANS' HOME	Old Main & Annex
5		Old Dorm
6		Boiler Room
7		Superintendent's Residence
8	MONTANA STATE HOSPITAL	Bolton
9		Former Children's Unit
10		Apartment Building "A"
11		W.S. Superintendent's residence
12		Old Butcher Shop
13		Byron Hall
14		Former Lighthouse
15		Maintenance Shop
16		Lumber Storage
17		Old Barn
18	PINE HILLS SCHOOL	Lewis & Clark Lodge

19 (2) The Director of the Department of Institutions must certify to the Department of Administration that each of
 20 the buildings set forth in subsection (1) is surplus to the needs of the department and the state by reason of the
 21 building's age, deteriorated physical condition, safety considerations, or license deficiencies and has no residual
 22 economic or useful life. If the cost of repairing the deficiencies would preclude reasonable restoration and
 23 refurbishing efforts, the Director of the Department of Administration may grant an order to proceed with demolition
 24 if:

25 (a) a successful contractor or bidder agrees to demolish or remove the building and reclaim the building site

1 based on the salvage value of the building itself; and

2 (b) the demolition or removal of the building does not violate the provisions of the state antiquities law, as
3 provided in Title 22, chapter 3, part 4, relative to established heritage properties under state ownership.

4 (3) The Director of the Department of Administration may permit the Director of the Department of Institutions to
5 use the Prison Industries Program, established in 53-1-301 through 53-1-304, to demolish and remove selected
6 institutional buildings listed in subsection (1). The proceeds from the sale of salvageable material obtained through
7 the demolition process shall be deposited in the prison industries proprietary account. Permission may only be granted
8 after the Office of Budget and Program Planning and the Legislative Finance Committee determine that the proceeds from
9 the sale of salvageable material will support the cost of demolition and removal.

10 Section 10. Sale of state land at Montana State Prison. Pursuant to the provisions of 77-2-302 requiring that the
11 Board of Land Commissioners consult with an appropriate legislative committee prior to the sale of buildings formerly
12 used by a state institution, the Board is hereby authorized to sell the following properties, if it determines this
13 sale to be in the best interest of the state. Sale proceeds must be deposited in the capital projects fund. The Board
14 is authorized to pay costs of necessary surveys and appraisals and all other costs associated with the sale of land
15 from the proceeds of the sale. The land that may be sold is:

16 (1) approximately 10 acres of land formerly known as the Bratten Ranch, with approximately 14 structures. This
17 property borders on Main street in the city of Deer Lodge, a Montana Power Company substation, and a Department of
18 Highways garage.

19 (2) approximately 10 acres of land formerly known as the Valiton Ranch, located 1 mile south of the Deer Lodge
20 city limits. Included on this property are seven outbuildings and a duplex residence.

21 (3) approximately one-half acre of land and a single-family residence with detached two-car garage. This property
22 is commonly known as the Brickyard property, south of the city of Deer Lodge.

23 (4) approximately one-half acre of land and a single-family residence with detached garage, located on the prison
24 ranch about 7 miles north of Deer Lodge on the frontage road; and

25 (5) approximately 5 acres of land commonly known as the Old Brickyard, which is located south of Deer Lodge on

1 the Eastside Road.

2 Section 11. Property acquisition for agricultural museum at Fort Benton -- lease to city of Fort Benton. (1) The
3 appropriation in section 7 for real property acquisition for an agricultural museum at Fort Benton is for the purchase
4 of real property located in or near the city of Fort Benton to be developed as the Montana Agricultural Center and
5 Museum of the Northern Great Plains.

6 (2) The Department of Fish, Wildlife, and Parks shall purchase such property and shall lease it to the city of
7 Fort Benton for \$1 a year for as long as the city of Fort Benton provides for development, operation, and maintenance
8 of the facility without cost to the state of Montana.

9 Section 12. Authorizing inmate labor for construction of prison warehouse. For the purposes of expediting the
10 acquisition and construction of a warehouse building at Montana state prison, authorized in [section 6], the department
11 of institutions may use inmate labor to construct the building and is exempt, for the purposes of completing this
12 project, from the provisions of 53-1-301(7).

13 Section 13. Section 7, House Bill No. 833, L. 1983, is amended to read:

14 "Section 7. Appropriation for Mansfield Center for Pacific Affairs. There is appropriated \$1 million from the
15 BPICA to the Department of Commerce to assist in the erection of a memorial in honor of one of Montana's great
16 citizens, Mike Mansfield. The department shall enter into an agreement with the Maureen and Mike Mansfield Foundation
17 pursuant to which the department shall agree to pay the funds appropriated by this section to the foundation upon the
18 receipt of at least \$6 million by the foundation from other sources. The funds appropriated by this section must be
19 used exclusively for the construction of the Mansfield Center for Pacific Affairs at-Potson in Lake County, Montana. By
20 this appropriation, the 48th Legislature indicates that it has determined that the state's support of the erection of a
21 memorial through the establishment of the Mansfield Center for Pacific Affairs at-Potson in Lake County is a lawful
22 public purpose of statewide importance in that it will serve to inspire sentiments of respect for a man of great
23 stature and importance to the state, will generate important economic development of the state by direct employment,
24 attraction of visitors, and establishment of expanded trade opportunities."

25 Section 14. Special session reauthorization. The appropriations for capital projects authorized in section 6,

1 House Bill 5, enacted by the 47th Legislature, second special session, are reappropriated through the biennium ending
2 June 30, 1987. The Department of Administration may exempt these projects from any provisions of Montana law relating
3 to the employment of architects, public bidding, bonding, or labor and wage requirements.

4 Section 15. Planning and design. The Department of Administration may proceed with the planning and design of
5 capital projects prior to the sale of bonds or the receipt of other appropriated funds. The Department may use
6 interaccount loans in accordance with 17-2-107 to pay such planning and design costs incurred prior to the receipt of
7 bond proceeds or other appropriated funds.

8 Section 16. Capital projects -- contingent funds. If any capital project is financed in whole or in part with
9 appropriations contingent upon the receipt of other appropriated funds, the Department of Administration may not let
10 such projects for bid until the agency has submitted a financial plan for approval by the director of the Department of
11 Administration. No such financial plan may be approved by the director if:

12 (1) the level of funding provided under the financial plan deviates substantially from the funding levels
13 provided in this act for that project; or

14 (2) the scope of the project must be substantially altered or revised from the preliminary plans presented for
15 that project in the 1985-87 Long-Range Building Program presented to the 49th Legislature.

16 Section 17. Legislative consent. The appropriations authorized in sections 1 through 11 and 13 through 19
17 constitute legislative consent for the capital projects contained in sections 1 through 11 and 13 through 19 within the
18 meaning of 18-2-102.

19 Section 18. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid
20 part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect
21 in all valid applications that are severable from the invalid applications.

22 Section 19. Effective date. This act is effective on passage and approval.

-End-

STANDING COMMITTEE REPORT

SENATE

..... April 19 19 85

MR. PRESIDENT

We, your committee on Finance and Claims

having had under consideration House Bill No. 928

third reading copy (blue)
color

APPROPRIATING MONEY FOR CAPITAL PROJECTS

MANUEL (VanValkenburg)

Respectfully report as follows: That House Bill No. 928
be amended as follows:

1. Page 3, line 2.
Insert: "168,877 Federal" in Other Appropriated Funds column

2. Page 8.
Following: line 12
Insert: "MONTANA UNIVERSITY SYSTEM
Classroom Renovation, U M 98,000"

3. Page 11, line 19.
Strike: "Lake County"
Insert: "proximity of and with access to or on the shore of
Flathead Lake"

4. Page 11, line 21.
Strike: "in Lake County"

AND AS AMENDED
BE CONCURRED IN

~~DEPASS~~

~~DEXXXXPASS~~

KB

.....
SENATOR PAT REGAN Chairman.

COMMITTEE OF THE WHOLE AMENDMENT

APR 22, 85
DATE

10:55
TIME

MR. CHAIRMAN: I MOVE TO AMEND HOUSE BILL No. 928

third reading copy (blue) as follows:
Color

1. Page 7.

Following: line 22

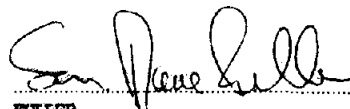
Insert:

"Kleffner Ranch Acquisition	100,000 Coal Tax
Down Payment	Park Aquisition"

The Kleffner Ranch may not be purchased unless all matters relating to federal superfund designation have been resolved and the purchase would not involve any state superfund liability."

PC3HB928.873

ADOPT
REJECT


.....
FULLER

COMMITTEE OF THE WHOLE AMENDMENT

SENATE

4-22-85
DATE

10:45 a.m.
TIME

SENATE FINANCE AND CLAIMS COMMITTEE REPORT

MR. CHAIRMAN: I MOVE TO AMEND OF April 19, ON HOUSE BILL No. 928

~~XXXXXXXX~~ () as follows:
~~XXXX~~

Amendment Nos. 3 and 4.
Strike: Amendments Nos.3 and 4 in their entirety

PC3HB928.871

COMMITTEE OF THE WHOLE AMENDMENT

APR 22, 85
DATE

10:50
TIME

SENATE FINANCE AND CLAIMS COMMITTEE REPORT

MR. CHAIRMAN: I MOVE TO AMEND OF APRIL 19, ON HOUSE BILL NO. 928 No. 928

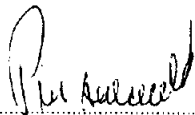
~~XXXXXXXX~~ () as follows:
~~XXXX~~

Amendment No. 1.
Following: "168,877" in the inserted material
Strike: "Federal"


PC3HB928.872

Kb

ADOPT
REJECT


.....
PINSONNEAULT

ADOPT
REJECT


.....
FULLER

HOUSE BILL NO. 928

INTRODUCED BY THOFT, BARDANOUE

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1987; TO PROVIDE FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; TO PROVIDE AN EXCEPTION TO THE PROHIBITION ON THE USE OF INMATE LABOR FOR THE CONSTRUCTION OF CERTAIN BUILDINGS BY PROVIDING THAT SUCH LABOR MAY BE USED IN CONSTRUCTING A WAREHOUSE AT THE MONTANA STATE PRISON; AMENDING SECTION 7, HOUSE BILL NO. 833, L. 1983; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

Section 1. Definitions. For the purposes of sections 1 through 11 and 13 through 19, unless otherwise stated, the following definitions apply:

(1) "Agency" includes each state office, department, board, commission, council, committee, unit of the university system, or other entity or instrumentality of the executive branch, office of the legislative branch, or office of the judicial branch of state government.

(2) "Approved budget amendment" means approval by the budget director of a request submitted through the Architecture and Engineering Division of the Department of Administration to transfer excess funds appropriated to a capital project within an agency in order to increase the appropriations of another capital project within that agency or to obtain financing to expand a project with funds which were not available for consideration by the Legislature.

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

(4) "CPF" means the capital projects fund.

1 (5) "Major maintenance plan" means a 6-year schedule of anticipated major maintenance requirements and costs for
 2 the first 2 years of the schedule, developed for each state building, as determined by the Department of
 3 Administration. The plan shall include a record of major maintenance performed in the previous biennium.

4 (6) "Major maintenance" means building maintenance or repair projects that are not needed on an annual or
 5 biennial basis or are not the function of the permanent maintenance staff of the agency.

6 (7) "Other appropriated funds" means money, other than general fund money or capital projects fund money,
 7 including special revenue fund money that accrues under the provisions of law to an agency.

8 Section 2. Expansion required to be authorized. No existing capital project may be expanded beyond the scope of
 9 the project as approved by the 49th Legislature unless the capital project expansion is authorized by an approved
 10 budget amendment.

11 Section 3. Federal funds for administration. All federal funds received as a reimbursement for the cost of
 12 administering the federal funds when the cost was financed from the general fund shall revert to the general fund.

13 Section 4. Reappropriation. Notwithstanding any other provision of law, the remaining balances on capital
 14 projects previously appropriated are reappropriated until June 30, 1987, for the purposes for which originally
 15 appropriated.

16 Section 5. Major maintenance requirements. For all new construction proposals submitted to the Legislature and
 17 for all existing applicable state buildings as determined by the Department of Administration, each agency, in
 18 consultation with the Architecture and Engineering Division of the Department of Administration, shall provide a major
 19 maintenance plan. This plan shall be submitted by the agency to the Department of Administration by July 1 of each
 20 even-numbered year, along with the proposed long-range building program required under 17-7-202.

21 Section 6. Capital projects appropriations. The following money is appropriated for the indicated capital
 22 projects from the indicated sources to the Department of Administration:

23 <u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
24 DEPARTMENT OF ADMINISTRATION		
25 Building Modifications, 920 Front St., Helena	120,000	88,300 Proprietary

Agency/Program	CPF	Other Appropriated Funds
Fire Protection, Capitol Complex	300,278	168,877 FEDERAL
Asbestos Survey and Abatement, Statewide	184,000	
Energy Conservation Retrofit, Statewide		400,000 Federal
DEPARTMENT OF COMMERCE		
Preptan-Centennial-Center		25,888 Capital-Land-Grant
		188,888 Private
Roof Replacement, Yellowstone Airport Terminal		50,000 Proprietary or Federal
BOARD OF PUBLIC EDUCATION		
Roof Replacement, Aspen Hall, School for the Deaf & Blind	67,700	
Renovate Formal Museum, Memorial Building		425,000 Private
DEPARTMENT OF FISH, WILDLIFE, & PARKS		
Construct Two Regional Headquarters		2,575,300 FWP License Fees
Fishing Access Site Improvements		300,000 FWP License Fees
		300,000 Federal
Headquarters Storage Building, Glasgow		30,000 FWP License Fees
Relocate Sign Shop		10,000 Coal Tax Park Acquisition
		30,000 FWP License Fees
Spring Meadow Lake Improvements		62,500 Coal Tax Park Acquisition
		62,500 Federal
Les Mason State Recreation Area Development		180,000 Coal Tax Park Acquisition

Agency/Program	CPF	Other Appropriated Funds			
		180,000	Federal		
Glen Lake State Recreation Area Improvements		45,000	Coal	Tax	Park
				Acquisition	
Lake Elmo State Recreation Area Improvements		45,000	Federal		
		12,000	Coal	Tax	Park
				Acquisition	
Deep Creek Recreation Area Improvements		12,000	Federal and Private		
Boat Facilities Program		150,000	Federal and Private		
Site Improvements Statewide		299,500	FWP License Fees		
		897,500	Federal		
Helena Headquarters Improvements		150,000	Real Estate	Trust	Earnings
DEPARTMENT OF HIGHWAYS		112,000	FWP License Fees		
Miscellaneous Maintenance, Highway Facilities, Statewide		750,000	Highway	State	Special
				Revenue	
Energy Retrofit, Butte Headquarters Complex		225,000	Highway	State	Special
				Revenue	
North Section Facility, Billings		130,000	Highway	State	Special
				Revenue	
Construct Maintenance Garages, Statewide		199,000	Highway	State	Special
				Revenue	
Construct Storage Building, Helena		113,000	Highway	State	Special

1	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>		
2			Revenue		
3	Construct Sandhouses, Statewide		107,200	Highway State	Special
4				Revenue	
5	DEPARTMENT OF INSTITUTIONS				
6	Roof Replacement, Boulder River School &				
7	Hospital and Mountain View	18,500			
8	Sanitary Sewer Expansion, Montana State Prison	250,000	68,500	Water Development	Grant
9	Sewage Treatment Plant, Swan River Youth Forest				
10	Camp		444,100	Water Development	Grant
11	Forensic Building, Montana State Hospital	4,327,013			
12	Fire Suppression Hood, Canary Kitchen, Boulder				
13	River School & Hospital	17,250			
14	Remodel Cottage 16, Boulder River School &				
15	Hospital	33,400			
16	General Maintenance & Repair, Montana State				
17	Hospital	61,470			
18	Boiler Repairs, Pine Hills & Montana State				
19	Hospital	26,100			
20	New Flooring, Pine Hills	9,900			
21	Center for the Aged, Laundry Facility				
22	Improvements	215,000			
23	Warehouse & Equipment, Montana State Prison	195,500			
24	Expansion Equipment, Montana State Prison	189,000			
25	Riprap, Prickley Pear Creek, Mountain View				

Agency/Program	CPF	Other Appropriated Funds	
School	14,950		
DEPARTMENT OF MILITARY AFFAIRS			
Roof Replacement, Statewide	292,580	103,000	Federal
Construct Combined Support Maintenance Facility, Fort Harrison	40,000	1,845,000	Federal
Multiple Indoor Firing Ranges	22,600	1,195,540	Federal
Retrofit Nonarmory Facilities	5,000	150,000	Federal
Armory Storage Additions, Statewide	10,600	426,400	Federal
Organizational Maintenance Shop, Chinook	25,300	632,000	Federal
Organizational Maintenance Shop, Billings	70,300	632,000	Federal
Organizational Maintenance Shop, Kalispell	40,200	675,000	Federal
Organizational Maintenance Shop, Missoula	40,200	675,000	Federal
Organizational Maintenance Shop, Belgrade	45,200	675,000	Federal
Organizational Maintenance Shop, Culbertson	25,200	675,000	Federal
Paint Armories & Shops, Statewide	67,325	71,775	Federal
Enlarge Armory Vehicle Security Compounds	24,750	79,650	Federal
Federal Contingency Funds		200,000	Federal
Emergency Operations Center Supplemental		150,000	Federal
MONTANA UNIVERSITY SYSTEM			
Roof Replacements, MSU & UM	310,000		
Johnson Hall/Wilson Hall, Brick Repair, MSU	1,976,000		
Health & Safety Projects, UM & NMC	421,400		
Major Maintenance & Repairs, Statewide	213,950		
Electrical Distribution, Phase II, UM	550,000	550,000	Auxiliary

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Brockman Center Partitions, NMC	27,000	
Planning for Replacement or Remodeling for University Hall, Mathematics, Health & Physical Education, & Life Sciences Facilities, UM		200,000 Other Than General Fund
Repair Parapet Walls, EMC	25,000	
Farm Shop, Agricultural Experiment Station	120,000	
DEPARTMENT OF AGRICULTURE		
Remodel Environmental Management Laboratory, Bozeman	80,000	20,000 State Feed & Fertilizer
Section 7. Land acquisition appropriation. The following money is appropriated to the Department of Fish, Wildlife, and Parks in the indicated amounts for purposes of land acquisition:		
<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Wildlife Habitat Acquisition		1,000,000 FWP License Fees
		750,000 Federal
Expenditures from these sources may not exceed \$1,000,000 in aggregate and the federal funds, subject to their appropriation for ongoing operations as provided in House Bill No. 500 and for previously appropriated capital construction projects as provided in section 4, must be expended prior to the FWP license fees revenue.		
Fishing Access Site Acquisition		600,000 Fishing Licenses
Coal Tax Park Acquisition Anaconda Stack		Donation
<u>KLEFFNER RANCH ACQUISITION DOWNPAYMENT</u>		<u>100,000 COAL TAX PARK</u>
		<u>ACQUISITION</u>
<u>THE KLEFFNER RANCH MAY NOT BE PURCHASED UNLESS ALL MATTERS RELATING TO FEDERAL SUPERFUND DESIGNATION HAVE BEEN</u>		

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>		
<u>RESOLVED AND THE PURCHASE WOULD NOT INVOLVE ANY STATE SUPERFUND LIABILITY.</u>				
Real Property Acquisition for Agricultural				
Museum, Fort Benton	55,000	125,000	Coal Tax	Park
			Acquisition	
		35,000	Private	

Section B. Appropriation of excess capital projects fund. Any revenues in the capital projects fund received in excess of the amount appropriated in sections 1 through 11 and 13 through 19 are appropriated to the following departments for the indicated capital projects:

<u>Agency/Program</u>	<u>CPF</u>
<u>DEPARTMENT OF ADMINISTRATION</u>	
Fire Protection, Capitol Complex	\$ 60,500
Land Acquisition and Parking Improvements, Capitol Complex	248,680
Asbestos Survey and Abatement, Statewide	66,000
<u>DEPARTMENT OF STATE LANDS</u>	
Fire Crew Quarters	44,000
<u>MONTANA UNIVERSITY SYSTEM</u>	
<u>CLASSROOM RENOVATION, UM</u>	<u>98,000</u>

Section 9. Building demolition or sale and removal. (1) The Department of Administration may solicit bids for the demolition or for the sale and removal of the following buildings:

	<u>Building Name</u>
<u>BOULDER RIVER SCHOOL & HOSPITAL</u>	Cottage No. 5
	Old Administration Building
	Old Laundry Storage
	Tire/Rubber Storage

1		Garage
2		Hog House
3		Old Granary
4		Turkey House
5		Ranch House
6		Garage
7		Chicken House
8		Old Machine Shed
9		Root Cellar
10	MONTANA VETERANS' HOME	Old Main & Annex
11		Old Dorm
12		Boiler Room
13		Superintendent's Residence
14	MONTANA STATE HOSPITAL	Bolton
15		Former Children's Unit
16		Apartment Building "A"
17		W.S. Superintendent's residence
18		Old Butcher Shop
19		Byron Hall
20		Former Lighthouse
21		Maintenance Shop
22		Lumber Storage
23		Old Barn
24	PINE HILLS SCHOOL	Lewis & Clark Lodge

25 (2) The Director of the Department of Institutions must certify to the Department of Administration that each of

1 the buildings set forth in subsection (1) is surplus to the needs of the department and the state by reason of the
2 building's age, deteriorated physical condition, safety considerations, or license deficiencies and has no residual
3 economic or useful life. If the cost of repairing the deficiencies would preclude reasonable restoration and
4 refurbishing efforts, the Director of the Department of Administration may grant an order to proceed with demolition
5 if:

6 (a) a successful contractor or bidder agrees to demolish or remove the building and reclaim the building site
7 based on the salvage value of the building itself; and

8 (b) the demolition or removal of the building does not violate the provisions of the state antiquities law, as
9 provided in Title 22, chapter 3, part 4, relative to established heritage properties under state ownership.

10 (3) The Director of the Department of Administration may permit the Director of the Department of Institutions to
11 use the Prison Industries Program, established in 53-1-301 through 53-1-304, to demolish and remove selected
12 institutional buildings listed in subsection (1). The proceeds from the sale of salvageable material obtained through
13 the demolition process shall be deposited in the prison industries proprietary account. Permission may only be granted
14 after the Office of Budget and Program Planning and the Legislative Finance Committee determine that the proceeds from
15 the sale of salvageable material will support the cost of demolition and removal.

16 Section 10. Sale of state land at Montana State Prison. Pursuant to the provisions of 77-2-302 requiring that the
17 Board of Land Commissioners consult with an appropriate legislative committee prior to the sale of buildings formerly
18 used by a state institution, the Board is hereby authorized to sell the following properties, if it determines this
19 sale to be in the best interest of the state. Sale proceeds must be deposited in the capital projects fund. The Board
20 is authorized to pay costs of necessary surveys and appraisals and all other costs associated with the sale of land
21 from the proceeds of the sale. The land that may be sold is:

22 (1) approximately 10 acres of land formerly known as the Bratten Ranch, with approximately 14 structures. This
23 property borders on Main street in the city of Deer Lodge, a Montana Power Company substation, and a Department of
24 Highways garage.

25 (2) approximately 10 acres of land formerly known as the Valiton Ranch, located 1 mile south of the Deer Lodge

1 city limits. Included on this property are seven outbuildings and a duplex residence.

2 (3) approximately one-half acre of land and a single-family residence with detached two-car garage. This property
3 is commonly known as the Brickyard property, south of the city of Deer Lodge.

4 (4) approximately one-half acre of land and a single-family residence with detached garage, located on the prison
5 ranch about 7 miles north of Deer Lodge on the frontage road; and

6 (5) approximately 5 acres of land commonly known as the Old Brickyard, which is located south of Deer Lodge on
7 the Eastside Road.

8 Section 11. Property acquisition for agricultural museum at Fort Benton -- lease to city of Fort Benton. (1) The
9 appropriation in section 7 for real property acquisition for an agricultural museum at Fort Benton is for the purchase
10 of real property located in or near the city of Fort Benton to be developed as the Montana Agricultural Center and
11 Museum of the Northern Great Plains.

12 (2) The Department of Fish, Wildlife, and Parks shall purchase such property and shall lease it to the city of
13 Fort Benton for \$1 a year for as long as the city of Fort Benton provides for development, operation, and maintenance
14 of the facility without cost to the state of Montana.

15 Section 12. Authorizing inmate labor for construction of prison warehouse. For the purposes of expediting the
16 acquisition and construction of a warehouse building at Montana state prison, authorized in [section 6], the department
17 of institutions may use inmate labor to construct the building and is exempt, for the purposes of completing this
18 project, from the provisions of 53-1-301(7).

19 Section 13. Section 7, House Bill No. 833, L. 1983, is amended to read:

20 "Section 7. Appropriation for Mansfield Center for Pacific Affairs. There is appropriated \$1 million from the
21 BPICA to the Department of Commerce to assist in the erection of a memorial in honor of one of Montana's great
22 citizens, Mike Mansfield. The department shall enter into an agreement with the Maureen and Mike Mansfield Foundation
23 pursuant to which the department shall agree to pay the funds appropriated by this section to the foundation upon the
24 receipt of at least \$6 million by the foundation from other sources. The funds appropriated by this section must be
25 used exclusively for the construction of the Mansfield Center for Pacific Affairs at Potson in Lake-County PROXIMITY-OF

1 ~~AND WITH ACCESS TO OR ON THE SHORE OF FLATHEAD LAKE~~ LAKE COUNTY, Montana. By this appropriation, the 48th Legislature
2 indicates that it has determined that the state's support of the erection of a memorial through the establishment of
3 the Mansfield Center for Pacific Affairs at ~~Potson in Lake County~~ IN LAKE COUNTY is a lawful public purpose of
4 statewide importance in that it will serve to inspire sentiments of respect for a man of great stature and importance
5 to the state, will generate important economic development of the state by direct employment, attraction of visitors,
6 and establishment of expanded trade opportunities."

7 Section 14. Special session reauthorization. The appropriations for capital projects authorized in section 6,
8 House Bill 5, enacted by the 47th Legislature, second special session, are reappropriated through the biennium ending
9 June 30, 1987. The Department of Administration may exempt these projects from any provisions of Montana law relating
10 to the employment of architects, public bidding, bonding, or labor and wage requirements.

11 Section 15. Planning and design. The Department of Administration may proceed with the planning and design of
12 capital projects prior to the sale of bonds or the receipt of other appropriated funds. The Department may use
13 interaccount loans in accordance with 17-2-107 to pay such planning and design costs incurred prior to the receipt of
14 bond proceeds or other appropriated funds.

15 Section 16. Capital projects -- contingent funds. If any capital project is financed in whole or in part with
16 appropriations contingent upon the receipt of other appropriated funds, the Department of Administration may not let
17 such projects for bid until the agency has submitted a financial plan for approval by the director of the Department of
18 Administration. No such financial plan may be approved by the director if:

19 (1) the level of funding provided under the financial plan deviates substantially from the funding levels
20 provided in this act for that project; or

21 (2) the scope of the project must be substantially altered or revised from the preliminary plans presented for
22 that project in the 1985-87 Long-Rare Building Program presented to the 49th Legislature.

23 Section 17. Legislative consent. The appropriations authorized in sections 1 through 11 and 13 through 19
24 constitute legislative consent for the capital projects contained in sections 1 through 11 and 13 through 19 within the
25 meaning of 18-2-102.

1 Section 18. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid
2 part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect
3 in all valid applications that are severable from the invalid applications.

4 Section 19. Effective date. This act is effective on passage and approval.

-End-

CONFERENCE COMMITTEE REPORT

Report No. 1

APR 25, 19 85

MR. PRESIDENT

We, your FREE Conference Committee on

HOUSE BILL NO.928, reference copy,

met and considered HOUSE BILL NO.928 in its entirety.

We recommend as follows:

1. Page 7, line 23.
Strike: "100,000"
Insert: "30,000"

2. Page 7, line 25. and
Page 8, line 2.
Strike: line 25, page 7 and line 2, page 8 in their
entirety.
Insert: "The Department of Fish, Wildlife, and Parks shall
negotiate for the purchase of the Kleffner Ranch and is
authorized to expend \$30,000 from the coal tax park
acquisition account after September 1986, as an option on
the Kleffner Ranch, if the following conditions are met:
(1) a purchase price of not more than \$300,000 is
negotiated for ranch buildings, not less than 40 acres, and
creek frontage;
(2) private donations of \$150,000 have been pledged
toward the purchase price or maintenance trust;

Page 1 of 2 (CONTINUED)

And that this Conference Committee report be adopted.

FOR THE SENATE

Handwritten signatures: Fuller, Christiaens, Tveit

ADOPT REJECT

FOR THE HOUSE

Handwritten signatures: Hand, Miles, Moore, Thofe

Page 2 of 2
FCCHB928

(3) all matters relating to federal Superfund
designation have been resolved and the purchase would not
involve any state Superfund liability;
(4) in September 1986, the Office of Budget and
Program Planning has estimated that revenues are available
in the 1987 biennium in the coal tax park acquisition
account in excess of the amounts appropriated in House Bill
Nos. 500 and 928;
(5) an appraisal of the property under negotiation is
completed by an appraiser acceptable to the Department of
Fish, Wildlife and Parks and the owner, with the cost to be
paid by the owner; and
(6) the purchase agreement provides that the option
will be refunded if the 50th Legislature does not
appropriate the remainder of the negotiated purchase price.
The authority of the Department of Fish, Wildlife and Parks
to negotiate and enter a purchase agreement for the Kleffner
Ranch does not constitute approval of the Kleffner Ranch as
approval is contemplated in House Bill No. 500, and does not
void the appropriation for operation and maintenance of
state parks contained in item 6b of House Bill No. 500.
3. Page 12, line 25.
Following: "18-2-102."
Insert: "Section 18. HJR 50 study. There is appropriated
\$5,000 from the capital projects fund for the biennium
ending June 30, 1987 to the Legislative Council for the
purpose of conducting the study requested by House Joint
Resolution No. 50."

Renumber: subsequent sections.

ADOPT
REJECT

HOUSE BILL NO. 928

INTRODUCED BY THOFT, BARDANOUVE

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1987; TO PROVIDE FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; TO PROVIDE AN EXCEPTION TO THE PROHIBITION ON THE USE OF INMATE LABOR FOR THE CONSTRUCTION OF CERTAIN BUILDINGS BY PROVIDING THAT SUCH LABOR MAY BE USED IN CONSTRUCTING A WAREHOUSE AT THE MONTANA STATE PRISON; AMENDING SECTION 7, HOUSE BILL NO. 833, L. 1983; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

Section 1. Definitions. For the purposes of sections 1 through 11 and 13 through 19, unless otherwise stated, the following definitions apply:

(1) "Agency" includes each state office, department, board, commission, council, committee, unit of the university system, or other entity or instrumentality of the executive branch, office of the legislative branch, or office of the judicial branch of state government.

(2) "Approved budget amendment" means approval by the budget director of a request submitted through the Architecture and Engineering Division of the Department of Administration to transfer excess funds appropriated to a capital project within an agency in order to increase the appropriations of another capital project within that agency or to obtain financing to expand a project with funds which were not available for consideration by the Legislature.

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

(4) "CPF" means the capital projects fund.



REFERENCE BILL: Includes Free
Conference Committee Report
Dated 4-25-85

1 (5) "Major maintenance plan" means a 6-year schedule of anticipated major maintenance requirements and costs for
 2 the first 2 years of the schedule, developed for each state building, as determined by the Department of
 3 Administration. The plan shall include a record of major maintenance performed in the previous biennium.

4 (6) "Major maintenance" means building maintenance or repair projects that are not needed on an annual or
 5 biennial basis or are not the function of the permanent maintenance staff of the agency.

6 (7) "Other appropriated funds" means money, other than general fund money or capital projects fund money,
 7 including special revenue fund money that accrues under the provisions of law to an agency.

8 Section 2. Expansion required to be authorized. No existing capital project may be expanded beyond the scope of
 9 the project as approved by the 49th Legislature unless the capital project expansion is authorized by an approved
 10 budget amendment.

11 Section 3. Federal funds for administration. All federal funds received as a reimbursement for the cost of
 12 administering the federal funds when the cost was financed from the general fund shall revert to the general fund.

13 Section 4. Reappropriation. Notwithstanding any other provision of law, the remaining balances on capital
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 15 appropriated.

16 Section 5. Major maintenance requirements. For all new construction proposals submitted to the Legislature and
 17 for all existing applicable state buildings as determined by the Department of Administration, each agency, in
 18 consultation with the Architecture and Engineering Division of the Department of Administration, shall provide a major
 19 maintenance plan. This plan shall be submitted by the agency to the Department of Administration by July 1 of each
 20 even-numbered year, along with the proposed long-range building program required under 17-7-202.

21 Section 6. Capital projects appropriations. The following money is appropriated for the indicated capital
 22 projects from the indicated sources to the Department of Administration:

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
DEPARTMENT OF ADMINISTRATION		
Building Modifications, 920 Front St., Helena	120,000	88,300 Proprietary

Agency/Program	CPF	Other Appropriated Funds		
Fire Protection, Capitol Complex	300,278	168,877	FEDERAL	
Asbestos Survey and Abatement, Statewide	184,000			
Energy Conservation Retrofit, Statewide		400,000	Federal	
DEPARTMENT OF COMMERCE				
Preptan-Centennial-Center		25,000	Capitol-Land-Grant	
		100,000	Private	
Roof Replacement, Yellowstone Airport Terminal		50,000	Proprietary or Federal	
BOARD OF PUBLIC EDUCATION				
Roof Replacement, Aspen Hall, School for the Deaf & Blind	67,700			
Renovate Formal Museum, Memorial Building		425,000	Private	
DEPARTMENT OF FISH, WILDLIFE, & PARKS				
Construct Two Regional Headquarters		2,575,300	FWP License Fees	
Fishing Access Site Improvements		300,000	FWP License Fees	
		300,000	Federal	
Headquarters Storage Building, Glasgow		30,000	FWP License Fees	
Relocate Sign Shop		10,000	Coal Tax	Park
			Acquisition	
		30,000	FWP License Fees	
Spring Meadow Lake Improvements		62,500	Coal Tax	Park
			Acquisition	
		62,500	Federal	
Les Mason State Recreation Area Development		180,000	Coal Tax	Park
			Acquisition	

Agency/Program	CPF	Other Appropriated Funds		
		180,000	Federal	
Glen Lake State Recreation Area Improvements		45,000	Coal Tax	Park Acquisition
		45,000	Federal	
Lake Elmo State Recreation Area Improvements		12,000	Coal Tax	Park Acquisition
		12,000	Federal and Private	
Deep Creek Recreation Area Improvements		150,000	Federal and Private	
Boat Facilities Program		299,500	FWP License Fees	
		897,500	Federal	
Site Improvements Statewide		150,000	Real Estate	Trust Earnings
Helena Headquarters Improvements		112,000	FWP License Fees	
DEPARTMENT OF HIGHWAYS				
Miscellaneous Maintenance, Highway Facilities.				
Statewide		750,000	Highway State	Special Revenue
Energy Retrofit, Butte Headquarters Complex		225,000	Highway State	Special Revenue
North Section Facility, Billings		130,000	Highway State	Special Revenue
Construct Maintenance Garages, Statewide		199,000	Highway State	Special Revenue
Construct Storage Building, Helena		113,000	Highway State	Special Revenue

1	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>		
2			Revenue		
3	Construct Sandhouses, Statewide		107,200	Highway	State Special
4				Revenue	
5	DEPARTMENT OF INSTITUTIONS				
6	Roof Replacement, Boulder River School &				
7	Hospital and Mountain View	18,500			
8	Sanitary Sewer Expansion, Montana State Prison	250,000	68,500	Water	Development Grant
9	Sewage Treatment Plant, Swan River Youth Forest				
10	Camp		444,100	Water	Development Grant
11	Forensic Building, Montana State Hospital	4,327,013			
12	Fire Suppression Hood, Canary Kitchen, Boulder				
13	River School & Hospital	17,250			
14	Remodel Cottage 16, Boulder River School &				
15	Hospital	33,400			
16	General Maintenance & Repair, Montana State				
17	Hospital	61,470			
18	Boiler Repairs, Pine Hills & Montana State				
19	Hospital	26,100			
20	New Flooring, Pine Hills	9,900			
21	Center for the Aged, Laundry Facility				
22	Improvements	215,000			
23	Warehouse & Equipment, Montana State Prison	195,500			
24	Expansion Equipment, Montana State Prison	189,000			
25	Riprap, Prickley Pear Creek, Mountain View				

Agency/Program	CPF	Other Appropriated Funds	
School	14,950		
DEPARTMENT OF MILITARY AFFAIRS			
Roof Replacement, Statewide	292,580	103,000	Federal
Construct Combined Support Maintenance Facility, Fort Harrison	40,000	1,845,000	Federal
Multiple Indoor Firing Ranges	22,600	1,195,540	Federal
Retrofit Nonarmory Facilities	5,000	150,000	Federal
Armory Storage Additions, Statewide	10,600	426,400	Federal
Organizational Maintenance Shop, Chinook	25,300	632,000	Federal
Organizational Maintenance Shop, Billings	70,300	632,000	Federal
Organizational Maintenance Shop, Kalispell	40,200	675,000	Federal
Organizational Maintenance Shop, Missoula	40,200	675,000	Federal
Organizational Maintenance Shop, Belgrade	45,200	675,000	Federal
Organizational Maintenance Shop, Culbertson	25,200	675,000	Federal
Paint Armories & Shops, Statewide	67,325	71,775	Federal
Enlarge Armory Vehicle Security Compounds	24,750	79,650	Federal
Federal Contingency Funds		200,000	Federal
Emergency Operations Center Supplemental		150,000	Federal
MONTANA UNIVERSITY SYSTEM			
Roof Replacements, MSU & UM	310,000		
Johnson Hall/Wilson Hall, Brick Repair, MSU	1,976,000		
Health & Safety Projects, UM & NMC	421,400		
Major Maintenance & Repairs, Statewide	213,950		
Electrical Distribution, Phase II, UM	550,000	550,000	Auxiliary

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Brockman Center Partitions, NMC	27,000	
Planning for Replacement or Remodeling for University Hall, Mathematics, Health & Physical Education, & Life Sciences Facilities, UM		200,000 Other Than General Fund
Repair Parapet Walls, EMC	25,000	
Farm Shop, Agricultural Experiment Station	120,000	
DEPARTMENT OF AGRICULTURE		
Remodel Environmental Management Laboratory, Bozeman	80,000	20,000 State Feed & Fertilizer
Section 7. Land acquisition appropriation. The following money is appropriated to the Department of Fish, wildlife, and Parks in the indicated amounts for purposes of land acquisition:		
<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Wildlife Habitat Acquisition		1,000,000 FWP License Fees
		750,000 Federal
Expenditures from these sources may not exceed \$1,000,000 in aggregate and the federal funds, subject to their appropriation for ongoing operations as provided in House Bill No. 500 and for previously appropriated capital construction projects as provided in section 4, must be expended prior to the FWP license fees revenue.		
Fishing Access Site Acquisition		600,000 Fishing Licenses
Coal Tax Park Acquisition		
Anaconda Stack		Donation
<u>KLEFFNER RANCH ACQUISITION DOWNPAYMENT</u>		100,000 <u>COAL TAX PARK</u>
		<u>ACQUISITION</u>
		<u>30,000</u>

1 Agency/Program CPF Other Appropriated Funds

2 ~~THE--KLEFFNER--RANCH--MAY--NOT--BE--PURCHASED--UNLESS--ALL--MATTERS--RELATING--TO--FEDERAL--SUPERFUND--DESIGNATION--HAVE--BEEN~~

3 ~~RESOLVED--AND--THE--PURCHASE--WOULD--NOT--INVOLVE--ANY--STATE--SUPERFUND--LIABILITY.~~

4 THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS SHALL NEGOTIATE FOR THE PURCHASE OF THE KLEFFNER RANCH AND IS

5 AUTHORIZED TO EXPEND \$30,000 FROM THE COAL TAX PARK ACQUISITION ACCOUNT AFTER SEPTEMBER 1986, AS AN OPTION ON THE

6 KLEFFNER RANCH, IF THE FOLLOWING CONDITIONS ARE MET:

7 (1) A PURCHASE PRICE OF NOT MORE THAN \$300,000 IS NEGOTIATED FOR RANCH BUILDINGS, NOT LESS THAN 40 ACRES, AND

8 CREEK FRONTAGE;

9 (2) PRIVATE DONATIONS OF \$150,000 HAVE BEEN PLEDGED TOWARD THE PURCHASE PRICE OR MAINTENANCE TRUST;

10 (3) ALL MATTERS RELATING TO FEDERAL SUPERFUND DESIGNATION HAVE BEEN RESOLVED AND THE PURCHASE WOULD NOT INVOLVE

11 ANY STATE SUPERFUND LIABILITY;

12 (4) IN SEPTEMBER 1986, THE OFFICE OF BUDGET AND PROGRAM PLANNING HAS ESTIMATED THAT REVENUES ARE AVAILABLE IN THE

13 1987 BIENNIUM IN THE COAL TAX PARK ACQUISITION ACCOUNT IN EXCESS OF THE AMOUNTS APPROPRIATED IN HOUSE BILL NOS. 500 AND

14 928;

15 (5) AN APPRAISAL OF THE PROPERTY UNDER NEGOTIATION IS COMPLETED BY AN APPRAISER ACCEPTABLE TO THE DEPARTMENT OF

16 FISH, WILDLIFE, AND PARKS AND THE OWNER, WITH THE COST TO BE PAID BY THE OWNER; AND

17 (6) THE PURCHASE AGREEMENT PROVIDES THAT THE OPTION WILL BE REFUNDED IF THE 50TH LEGISLATURE DOES NOT APPROPRIATE

18 THE REMAINDER OF THE NEGOTIATED PURCHASE PRICE. THE AUTHORITY OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO

19 NEGOTIATE AND ENTER A PURCHASE AGREEMENT FOR THE KLEFFNER RANCH DOES NOT CONSTITUTE APPROVAL OF THE KLEFFNER RANCH AS

20 APPROVAL IS CONTEMPLATED IN HOUSE BILL NO. 500, AND DOES NOT VOID THE APPROPRIATION FOR OPERATION AND MAINTENANCE OF

21 STATE PARKS CONTAINED IN ITEM 6B OF HOUSE BILL NO. 500.

22 Real Property Acquisition for Agricultural

23	Museum, Fort Benton	55,000	125,000	Coal	Tax	Park
24				Acquisition		
25			35,000	Private		

1 Section 8. Appropriation of excess capital projects fund. Any revenues in the capital projects fund received in
 2 excess of the amount appropriated in sections 1 through 11 and 13 through 19 are appropriated to the following
 3 departments for the indicated capital projects:

4 <u>Agency/Program</u>	<u>CPF</u>
5 DEPARTMENT OF ADMINISTRATION	
6 Fire Protection, Capitol Complex	\$ 60,500
7 Land Acquisition and Parking Improvements, Capitol Complex	248,680
8 Asbestos Survey and Abatement, Statewide	66,000
9 DEPARTMENT OF STATE LANDS	
10 Fire Crew Quarters	44,000
11 <u>MONTANA UNIVERSITY SYSTEM</u>	
12 <u>CLASSROOM RENOVATION, UM</u>	<u>98,000</u>

13 Section 9. Building demolition or sale and removal. (1) The Department of Administration may solicit bids for the
 14 demolition or for the sale and removal of the following buildings:

15	<u>Building Name</u>
16 BOULDER RIVER SCHOOL & HOSPITAL	Cottage No. 5
17	Old Administration Building
18	Old Laundry Storage
19	Tire/Rubber Storage
20	Garage
21	Hog House
22	Old Granary
23	Turkey House
24	Ranch House
25	Garage

1		Chicken House
2		Old Machine Shed
3		Root Cellar
4	MONTANA VETERANS' HOME	Old Main & Annex
5		Old Dorm
6		Boiler Room
7		Superintendent's Residence
8	MONTANA STATE HOSPITAL	Bolton
9		Former Children's Unit
10		Apartment Building "A"
11		W.S. Superintendent's residence
12		Old Butcher Shop
13		Byron Hall
14		Former Lighthouse
15		Maintenance Shop
16		Lumber Storage
17		Old Barn
18	PINE HILLS SCHOOL	Lewis & Clark Lodge

19 (2) The Director of the Department of Institutions must certify to the Department of Administration that each of
 20 the buildings set forth in subsection (1) is surplus to the needs of the department and the state by reason of the
 21 building's age, deteriorated physical condition, safety considerations, or license deficiencies and has no residual
 22 economic or useful life. If the cost of repairing the deficiencies would preclude reasonable restoration and
 23 refurbishing efforts, the Director of the Department of Administration may grant an order to proceed with demolition
 24 if:

25 (a) a successful contractor or bidder agrees to demolish or remove the building and reclaim the building site

1 based on the salvage value of the building itself; and

2 (b) the demolition or removal of the building does not violate the provisions of the state antiquities law, as
3 provided in Title 22, chapter 3, part 4, relative to established heritage properties under state ownership.

4 (3) The Director of the Department of Administration may permit the Director of the Department of Institutions to
5 use the Prison Industries Program, established in 53-1-301 through 53-1-304, to demolish and remove selected
6 institutional buildings listed in subsection (1). The proceeds from the sale of salvageable material obtained through
7 the demolition process shall be deposited in the prison industries proprietary account. Permission may only be granted
8 after the Office of Budget and Program Planning and the Legislative Finance Committee determine that the proceeds from
9 the sale of salvageable material will support the cost of demolition and removal.

10 Section 10. Sale of state land at Montana State Prison. Pursuant to the provisions of 77-2-302 requiring that the
11 Board of Land Commissioners consult with an appropriate legislative committee prior to the sale of buildings formerly
12 used by a state institution, the Board is hereby authorized to sell the following properties, if it determines this
13 sale to be in the best interest of the state. Sale proceeds must be deposited in the capital projects fund. The Board
14 is authorized to pay costs of necessary surveys and appraisals and all other costs associated with the sale of land
15 from the proceeds of the sale. The land that may be sold is:

16 (1) approximately 10 acres of land formerly known as the Bratten Ranch, with approximately 14 structures. This
17 property borders on Main street in the city of Deer Lodge, a Montana Power Company substation, and a Department of
18 Highways garage.

19 (2) approximately 10 acres of land formerly known as the Valiton Ranch, located 1 mile south of the Deer Lodge
20 city limits. Included on this property are seven outbuildings and a duplex residence.

21 (3) approximately one-half acre of land and a single-family residence with detached two-car garage. This property
22 is commonly known as the Brickyard property, south of the city of Deer Lodge.

23 (4) approximately one-half acre of land and a single-family residence with detached garage, located on the prison
24 ranch about 7 miles north of Deer Lodge on the frontage road; and

25 (5) approximately 5 acres of land commonly known as the Old Brickyard, which is located south of Deer Lodge on

1 the Eastside Road.

2 Section 11. Property acquisition for agricultural museum at Fort Benton -- lease to city of Fort Benton. (1) The
3 appropriation in section 7 for real property acquisition for an agricultural museum at Fort Benton is for the purchase
4 of real property located in or near the city of Fort Benton to be developed as the Montana Agricultural Center and
5 Museum of the Northern Great Plains.

6 (2) The Department of Fish, Wildlife, and Parks shall purchase such property and shall lease it to the city of
7 Fort Benton for \$1 a year for as long as the city of Fort Benton provides for development, operation, and maintenance
8 of the facility without cost to the state of Montana.

9 Section 12. Authorizing inmate labor for construction of prison warehouse. For the purposes of expediting the
10 acquisition and construction of a warehouse building at Montana state prison, authorized in [section 6], the department
11 of institutions may use inmate labor to construct the building and is exempt, for the purposes of completing this
12 project, from the provisions of 53-1-301(7).

13 Section 13. Section 7, House Bill No. 833, L. 1983, is amended to read:

14 "Section 7. Appropriation for Mansfield Center for Pacific Affairs. There is appropriated \$1 million from the
15 BPICA to the Department of Commerce to assist in the erection of a memorial in honor of one of Montana's great
16 citizens, Mike Mansfield. The department shall enter into an agreement with the Maureen and Mike Mansfield Foundation
17 pursuant to which the department shall agree to pay the funds appropriated by this section to the foundation upon the
18 receipt of at least \$6 million by the foundation from other sources. The funds appropriated by this section must be
19 used exclusively for the construction of the Mansfield Center for Pacific Affairs ~~at-Potson in Lake-County~~ PROXIMITY-OF
20 AND-WITH-ACCESS-TO-OR-ON-THE-SHORE-OF-FEATHEAD-LAKE LAKE COUNTY, Montana. By this appropriation, the 48th Legislature
21 indicates that it has determined that the state's support of the erection of a memorial through the establishment of
22 the Mansfield Center for Pacific Affairs ~~at-Potson in-Lake-County~~ IN LAKE COUNTY is a lawful public purpose of
23 statewide importance in that it will serve to inspire sentiments of respect for a man of great stature and importance
24 to the state, will generate important economic development of the state by direct employment, attraction of visitors,
25 and establishment of expanded trade opportunities."

1 Section 14. Special session reauthorization. The appropriations for capital projects authorized in section 6,
 2 House Bill 5, enacted by the 47th Legislature, second special session, are reappropriated through the biennium ending
 3 June 30, 1987. The Department of Administration may exempt these projects from any provisions of Montana law relating
 4 to the employment of architects, public bidding, bonding, or labor and wage requirements.

5 Section 15. Planning and design. The Department of Administration may proceed with the planning and design of
 6 capital projects prior to the sale of bonds or the receipt of other appropriated funds. The Department may use
 7 interaccount loans in accordance with 17-2-107 to pay such planning and design costs incurred prior to the receipt of
 8 bond proceeds or other appropriated funds.

9 Section 16. Capital projects -- contingent funds. If any capital project is financed in whole or in part with
 10 appropriations contingent upon the receipt of other appropriated funds, the Department of Administration may not let
 11 such projects for bid until the agency has submitted a financial plan for approval by the director of the Department of
 12 Administration. No such financial plan may be approved by the director if:

13 (1) the level of funding provided under the financial plan deviates substantially from the funding levels
 14 provided in this act for that project; or

15 (2) the scope of the project must be substantially altered or revised from the preliminary plans presented for
 16 that project in the 1985-87 Long-Range Building Program presented to the 49th Legislature.

17 Section 17. Legislative consent. The appropriations authorized in sections 1 through 11 and 13 through 19
 18 constitute legislative consent for the capital projects contained in sections 1 through 11 and 13 through 19 within the
 19 meaning of 18-2-102.

20 SECTION 18. HJR 50 STUDY. THERE IS APPROPRIATED \$5,000 FROM THE CAPITAL PROJECTS FUND FOR THE BIENNIUM ENDING
 21 JUNE 30, 1987, TO THE LEGISLATIVE COUNCIL FOR THE PURPOSE OF CONDUCTING THE STUDY REQUESTED BY HOUSE JOINT RESOLUTION
 22 NO. 50.

23 Section 19. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid
 24 part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect
 25 in all valid applications that are severable from the invalid applications.

1 Section 20. Effective date. This act is effective on passage and approval.

-End-