

SENATE BILL NO. 59

INTRODUCED BY TOWE

IN THE SENATE

January 7, 1985	Introduced and referred to Committee on State Administration.
January 14, 1985	Fiscal Note requested.
January 18, 1985	Committee recommend bill do pass as amended. Report adopted.
January 19, 1985	Bill printed and placed on members' desks. Fiscal Note returned.
January 21, 1985	Second reading, do pass as amended.
January 22, 1985	Correctly engrossed.
January 23, 1985	Third reading, passed. Ayes, 49; Noes, 0. Transmitted to House.

IN THE HOUSE

January 24, 1985	Introduced and referred to Committee on State Administration.
March 5, 1985	Committee recommend bill be concurred in. Report adopted.
March 7, 1985	Second reading, concurred in.
March 8, 1985	Third reading, concurred in. Returned to Senate.

IN THE SENATE

March 9, 1985

Received from House.

Sent to enrolling.

Reported correctly enrolled.

1 SENATE BILL NO. 59
2 INTRODUCED BY TOWE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PRESCRIBING STANDARDS
5 OF ACCESSIBILITY TO PUBLIC BUILDINGS FOR HANDICAPPED
6 PERSONS; AMENDING SECTION 50-60-201, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 50-60-201, MCA, is amended to read:

10 "50-60-201. Purpose of state building code. The state
11 building code shall be designed to effectuate the general
12 purposes of parts 1 through 4 and the following specific
13 objectives and standards to:

14 (1) provide reasonably uniform standards and
15 requirements for construction and construction materials
16 consonant with accepted standards of design, engineering,
17 and fire prevention practices;

18 (2) permit to the fullest extent feasible the use of
19 modern technical methods, devices, and improvements which
20 tend to reduce the cost of construction consistent with
21 reasonable requirements for the health and safety of the
22 occupants or users of buildings and, consistent with the
23 conservation of energy, by design requirements and criteria
24 that will result in the efficient utilization of energy,
25 whether used directly or in a refined form, in buildings;

1 (3) eliminate restrictive, obsolete, conflicting, and
2 unnecessary building regulations and requirements which tend
3 to increase unnecessarily construction costs, retard
4 unnecessarily the use of proven new materials which have
5 been found adequate through experience or testing, or
6 provide unwarranted preferential treatment to types or
7 classes of materials, products, or methods of construction;

8 (4) ensure that buildings constructed with public
9 funds are accessible to and functional for physically
10 handicapped persons where practicable and feasible according
11 to the principles applicable to accessibility to public
12 buildings for handicapped persons adopted, recommended, or
13 issued as Part III, Architectural and Transportation
14 Compliance Board, Minimum Guidelines and Requirements for
15 Accessible Design, as it reads on October 1, 1985, and as
16 the department may amend by rule to reflect changes in the
17 principles;

18 (5) encourage efficiencies of design and insulation
19 which enable buildings to be heated in the winter with the
20 least possible quantities of energy and to be kept cool in
21 the summer without air conditioning equipment or with the
22 least possible use of such equipment;

23 (6) encourage efficiencies and criteria directed
24 toward design of building envelopes with high thermal
25 resistance and low air leakage and toward requiring



LC 0007/01

1 practices in the design and selection of mechanical,
2 electrical, and illumination systems which promote the
3 efficient use of energy."

-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. FNN088-85

Form BD-15

In compliance with a written request received January 14 19 85, there is hereby submitted a Fiscal Note for S.B. 59 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

PROPOSED LEGISLATION:

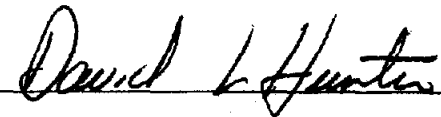
Senate Bill 59 would prescribe standards of accessibility to public buildings for handicapped persons.

ASSUMPTIONS:

1. The bill would apply to only new buildings or major remodeling projects.
2. For local governments, the guidelines are the same as the 1976 amendments to the Revenue Sharing Act.

FISCAL IMPACT:

None



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Jan 19, 1985

SB59

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

SENATE BILL NO. 59
INTRODUCED BY TOWE

A BILL FOR AN ACT ENTITLED: "AN ACT PRESCRIBING STANDARDS
OF ACCESSIBILITY TO PUBLIC BUILDINGS FOR HANDICAPPED
PERSONS; AMENDING SECTION 50-60-201, MCA."

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

Section 1. Section 50-60-201, MCA, is amended to read:

"50-60-201. Purpose of state building code. The state
building code shall be designed to effectuate the general
purposes of parts 1 through 4 and the following specific
objectives and standards to:

(1) provide reasonably uniform standards and
requirements for construction and construction materials
consonant with accepted standards of design, engineering,
and fire prevention practices;

(2) permit to the fullest extent feasible the use of
modern technical methods, devices, and improvements which
tend to reduce the cost of construction consistent with
reasonable requirements for the health and safety of the
occupants or users of buildings and, consistent with the
conservation of energy, by design requirements and criteria
that will result in the efficient utilization of energy,
whether used directly or in a refined form, in buildings;

(3) eliminate restrictive, obsolete, conflicting, and
unnecessary building regulations and requirements which tend
to increase unnecessarily construction costs, retard
unnecessarily the use of proven new materials which have
been found adequate through experience or testing, or
provide unwarranted preferential treatment to types or
classes of materials, products, or methods of construction;

(4) ensure that buildings constructed with public
funds are accessible to and functional for physically
handicapped persons ~~where practicable and feasible~~ according
to the principles applicable to accessibility to public
buildings for handicapped persons adopted, recommended, or
issued as ~~Part--III,--Architectural--and--Transportation~~
~~Compliance--Board,--Minimum--Guidelines--and--Requirements--for~~
~~Accessible--Design,--as--it--reads--on--October--17--1985~~ PART II,
UNIFORM FEDERAL ACCESSIBILITY STANDARDS, AS IT READS IN THE
FEDERAL REGISTER DATED AUGUST 7, 1984, and as the department
may amend by rule to reflect changes in the principles;

(5) encourage efficiencies of design and insulation
which enable buildings to be heated in the winter with the
least possible quantities of energy and to be kept cool in
the summer without air conditioning equipment or with the
least possible use of such equipment;

(6) encourage efficiencies and criteria directed
toward design of building envelopes with high thermal



SB 0059/02

1 resistance and low air leakage and toward requiring
2 practices in the design and selection of mechanical,
3 electrical, and illumination systems which promote the
4 efficient use of energy."

-End-

SECOND READING

1 SENATE BILL NO. 59

2 INTRODUCED BY TOWE

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PRESCRIBING STANDARDS
5 OF ACCESSIBILITY TO PUBLIC BUILDINGS FOR HANDICAPPED
6 PERSONS; AMENDING SECTION 50-60-201, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 50-60-201, MCA, is amended to read:

10 "50-60-201. Purpose of state building code. The state
11 building code shall be designed to effectuate the general
12 purposes of parts 1 through 4 and the following specific
13 objectives and standards to:

14 (1) provide reasonably uniform standards and
15 requirements for construction and construction materials
16 consonant with accepted standards of design, engineering,
17 and fire prevention practices;

18 (2) permit to the fullest extent feasible the use of
19 modern technical methods, devices, and improvements which
20 tend to reduce the cost of construction consistent with
21 reasonable requirements for the health and safety of the
22 occupants or users of buildings and, consistent with the
23 conservation of energy, by design requirements and criteria
24 that will result in the efficient utilization of energy,
25 whether used directly or in a refined form, in buildings;

1 (3) eliminate restrictive, obsolete, conflicting, and
2 unnecessary building regulations and requirements which tend
3 to increase unnecessarily construction costs, retard
4 unnecessarily the use of proven new materials which have
5 been found adequate through experience or testing, or
6 provide unwarranted preferential treatment to types or
7 classes of materials, products, or methods of construction;

8 (4) ensure that ANY NEW buildings constructed with
9 public funds are accessible to and functional for physically
10 handicapped persons ~~where practicable and feasible~~ according
11 to the principles applicable to accessibility to public
12 buildings for handicapped persons adopted, recommended, or
13 issued as Part--III,--Architectural--and--Transportation
14 Compliance--Board,--Minimum--Guidelines--and--Requirements--for
15 Accessible-Design,--as-it-reads-on-October-17-1985 PART II,
16 UNIFORM FEDERAL ACCESSIBILITY STANDARDS, AS IT READS IN THE
17 FEDERAL REGISTER DATED AUGUST 7, 1984, and as the department
18 may amend by rule to reflect changes in the principles;

19 (5) encourage efficiencies of design and insulation
20 which enable buildings to be heated in the winter with the
21 least possible quantities of energy and to be kept cool in
22 the summer without air conditioning equipment or with the
23 least possible use of such equipment;

24 (6) encourage efficiencies and criteria directed
25 toward design of building envelopes with high thermal

SB 0059/03

1 resistance and low air leakage and toward requiring
2 practices in the design and selection of mechanical,
3 electrical, and illumination systems which promote the
4 efficient use of energy."

-End-

1 SENATE BILL NO. 59
 2 INTRODUCED BY TOWE
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PRESCRIBING STANDARDS
 5 OF ACCESSIBILITY TO PUBLIC BUILDINGS FOR HANDICAPPED
 6 PERSONS; AMENDING SECTION 50-60-201, MCA."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 50-60-201, MCA, is amended to read:

10 "50-60-201. Purpose of state building code. The state
 11 building code shall be designed to effectuate the general
 12 purposes of parts 1 through 4 and the following specific
 13 objectives and standards to:

14 (1) provide reasonably uniform standards and
 15 requirements for construction and construction materials
 16 consonant with accepted standards of design, engineering,
 17 and fire prevention practices;

18 (2) permit to the fullest extent feasible the use of
 19 modern technical methods, devices, and improvements which
 20 tend to reduce the cost of construction consistent with
 21 reasonable requirements for the health and safety of the
 22 occupants or users of buildings and, consistent with the
 23 conservation of energy, by design requirements and criteria
 24 that will result in the efficient utilization of energy,
 25 whether used directly or in a refined form, in buildings;

1 (3) eliminate restrictive, obsolete, conflicting, and
 2 unnecessary building regulations and requirements which tend
 3 to increase unnecessarily construction costs, retard
 4 unnecessarily the use of proven new materials which have
 5 been found adequate through experience or testing, or
 6 provide unwarranted preferential treatment to types or
 7 classes of materials, products, or methods of construction;

8 (4) ensure that ANY NEW buildings constructed with
 9 public funds are accessible to and functional for physically
 10 handicapped persons ~~where practicable and feasible~~ according
 11 to the principles applicable to accessibility to public
 12 buildings for handicapped persons adopted, recommended, or
 13 issued as Part--III,--Architectural--and--Transportation
 14 Compliance--Board,--Minimum--Guidelines--and--Requirements--for
 15 Accessible--Design,--as--it--reads--on--October--17--1985 PART II,
 16 UNIFORM FEDERAL ACCESSIBILITY STANDARDS, AS IT READS IN THE
 17 FEDERAL REGISTER DATED AUGUST 7, 1984, and as the department
 18 may amend by rule to reflect changes in the principles;

19 (5) encourage efficiencies of design and insulation
 20 which enable buildings to be heated in the winter with the
 21 least possible quantities of energy and to be kept cool in
 22 the summer without air conditioning equipment or with the
 23 least possible use of such equipment;

24 (6) encourage efficiencies and criteria directed
 25 toward design of building envelopes with high thermal



SB 0059/03

1 resistance and low air leakage and toward requiring
2 practices in the design and selection of mechanical,
3 electrical, and illumination systems which promote the
4 efficient use of energy."

-End-