

HOUSE BILL NO. 5
INTRODUCED BY THOFT
BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE HOUSE

FEBRUARY 3, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON APPROPRIATIONS.

MARCH 10, 1987 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 11, 1987 PRINTING REPORT.

MARCH 12, 1987 SECOND READING, DO PASS.

MARCH 13, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.
 AYES, 83; NOES, 13.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 14, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON FINANCE & CLAIMS.

MARCH 25, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 31, 1987 SECOND READING, CONCURRED IN.

APRIL 1, 1987 THIRD READING, CONCURRED IN.
 AYES, 46; NOES, 3.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 7, 1987 RECEIVED FROM SENATE.

 SECOND READING, AMENDMENTS
 CONCURRED IN.

APRIL 8, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

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House BILL NO. 5
INTRODUCED BY *J. Hoff*
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, 1989; TO PROVIDE FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

(1) "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.

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

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

(7) "Other appropriated funds" means money other than general fund money or capital projects fund money, including



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1 special revenue fund money, that accrues under the provisions of law to an agency.

2 Section 2. Expansion required to be authorized. No existing capital project may be expanded beyond the scope of
 3 the project as approved by the 50th legislature unless the capital project expansion is authorized by an approved budget
 4 amendment.

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

7 Section 4. Reappropriation. Notwithstanding any other provision of law, the remaining balances on capital projects
 8 previously appropriated are reappropriated until June 30, 1989, for the purposes for which originally appropriated.

9 Section 5. Major maintenance requirements. For all new construction proposals submitted to the legislature and for
 10 all existing applicable state buildings, as determined by the department of administration, each agency, in consultation
 11 with the architecture and engineering division of the department of administration, shall provide a major maintenance
 12 plan. This plan must be submitted by the agency to the department of administration by July 1 of each even-numbered
 13 year, along with the proposed long-range building program required under 17-7-202.

14 Section 6. Capital projects appropriations. The following money is appropriated for the indicated capital projects
 15 from the indicated sources to the department of administration:

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
17 DEPARTMENT OF ADMINISTRATION		
18 Asbestos Abatement, Phase II	\$ 500,000	
19 Replace Roofs, Capitol Complex	103,500	
20 Handicapped Modifications, Capitol Complex	235,700	
21 Fire Protection, Capitol Complex	50,000	
22 Energy Retrofit, Statewide		\$ 200,000 Federal
23 DEPARTMENT OF COMMERCE		
24 Replace Terminal Building Roof, Yellowstone		
25 Airport	65,000	

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	DEPARTMENT OF EDUCATION		
3	Improve Handicapped Access, School for the		
4	Deaf and Blind	32,800	
5	DEPARTMENT OF FISH, WILDLIFE, AND PARKS		
6	Boat Facilities Program		50,000 FW&P License Fees
7			140,000 Federal
8	Develop Property		400,000 Real Estate Trust Earnings
9	Fishing Access Site Protection		150,000 FW&P License Fees
10			150,000 Federal
11	Creston Hatchery Supplemental		225,000 FW&P License Fees
12	Improve Regional Headquarters		41,000 FW&P License Fees
13	Helena Office Mechanical Supplemental		65,000 FW&P License Fees
14	Construct Region 1 Headquarters, Kalispell		1,400,000 FW&P License Fees
15	Construct Region 5 Headquarters, Billings		1,200,000 FW&P License Fees
16	Improve Warehouse Complex		80,000 FW&P License Fees
17	Improve Waterfowl Habitat		650,000 Wildlife Earned Revenue
18	Improve Big Horn Sheep Habitat		100,000 Wildlife Earned Revenue
19	Centennial Display, Capitol Complex		50,000 Federal
20	DEPARTMENT OF HIGHWAYS		
21	Miscellaneous Repairs and Improvements,		
22	Statewide		750,000 Hwy. State Special Revenue
23	Construct New Section Headquarters, Columbia		
24	Falls		99,700 Hwy. State Special Revenue
25	Construct Laboratory Addition, Great Falls		34,000 Hwy. State Special Revenue

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	Construct Steam Cleaning Buildings, Glendive		
3	and Miles City		80,000 Hwy. State Special Revenue
4	Construct Combination Shop, Phase I, Wolf		
5	Point		103,000 Hwy. State Special Revenue
6	Construct Shop Addition, Kalispell		71,000 Hwy. State Special Revenue
7	Construct Sandhouses, Statewide		156,000 Hwy. State Special Revenue
8	Construct Equipment Storage Garages, Statewide		228,300 Hwy. State Special Revenue
9	DEPARTMENT OF INSTITUTIONS		
10	Correct Life Safety Code Deficiencies, Montana		
11	Developmental Center	126,000	
12	Correct Life Safety Code Deficiencies, Cottage		
13	II, Eastmont	95,245	
14	Repair Sewage Lagoon, Montana Developmental		
15	Center	20,000	
16	Install Smoke Detectors, Montana State		
17	Hospital	10,300	
18	Replace Roofs	309,500	
19	Improve Handicapped Access, Montana State		
20	Hospital	124,622	
21	Improve Handicapped Access and Install Fence,		
22	Center for the Aged	21,000	
23	Install Drainage System and Upgrade Physical		
24	Plant, Eastmont	34,900	
25	Refurbish Water Towers	50,000	

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	Remodel Cottages 16A, B, and C, Montana		
3	Developmental Center	1,038,000	
4	Repair Projects, Montana State Hospital	60,880	
5	Construct Yard Storage and Toilets, Prison	62,000	
6	Remodel Dining Hall, Montana State Hospital	100,000	
7	DEPARTMENT OF JUSTICE		
8	Upgrade Registrar's Bureau, Deer Lodge	225,000	
9	DEPARTMENT OF LABOR AND INDUSTRY		
10	Repair Cracking, Great Falls Job Service		30,000 Federal
11	Remodel and Weatherize Job Services, Statewide		135,540 Federal
12	DEPARTMENT OF STATE LANDS		
13	Repair Projects, Stillwater	28,200	
14	DEPARTMENT OF MILITARY AFFAIRS		
15	Replace Roof, Chinook Armory	45,000	
16	Federal Spending Authority		300,000
17	MONTANA UNIVERSITY SYSTEM		
18	Correct Health Safety and Fume Hood System		
19	Problems, Tech	124,000	
20	Renovate Fire Alarm Systems, MSU and WMC	73,000	
21	Eliminate PCB, EMC	20,000	
22	Replace/Repair Roofs, Statewide	990,000	
23	Improve Handicapped Accessibility, EMC and WMC	156,100	
24	Improve Electrical Distribution, Phase I, MSU	1,229,300	623,900 Auxiliary
25	Install Exhaust System, NMC	50,000	

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
Repair Projects, WMC	78,100	
Major Maintenance, AES	160,000	

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>
Fishing Access Site Acquisitions		\$ 414,500 Fishing Licenses
		300,000 Federal
Land Transfer, Region 3 Headquarters, Bozeman		145,000 FW&P License Fees

Section 8. Planning and design. The department of administration may proceed with the planning and design of capital projects prior to the receipt of other appropriated funds. The department may use interaccount loans in accordance with 17-2-107 to pay such planning and design costs incurred prior to the receipt of other appropriated funds.

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

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

(2) the scope of the project must be substantially altered or revised from the preliminary plans presented for that project in the 1987-89 long-range building program presented to the 50th legislature.

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

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

1 in all valid applications that are severable from the invalid applications.

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

-End-

APPROVED BY COMMITTEE
ON APPROPRIATIONS

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A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1989; TO PROVIDE FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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The plan must include a record of major maintenance performed in the previous biennium.

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17 DEPARTMENT OF ADMINISTRATION		
18 Asbestos Abatement, Phase II	\$ 500,000	
19 Replace Roofs, Capitol Complex	103,500	
20 Handicapped Modifications, Capitol Complex	235,700	
21 Fire Protection, Capitol Complex	50,000	
22 Energy Retrofit, Statewide		\$ 200,000 Federal
23 DEPARTMENT OF COMMERCE		
24 Replace Terminal Building Roof, Yellowstone		
25 Airport	65,000	

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	DEPARTMENT OF EDUCATION		
3	Improve Handicapped Access, School for the		
4	Deaf and Blind	32,800	
5	DEPARTMENT OF FISH, WILDLIFE, AND PARKS		
6	Boat Facilities Program		50,000 FW&P License Fees
7			140,000 Federal
8	Develop <u>WILDLIFE MANAGEMENT AND PARKS</u>		
9	Property		400,000 Real Estate Trust Earnings
10			<u>379,000</u>
11	Fishing Access Site Protection		150,000 FW&P License Fees
12			150,000 Federal
13	Creston Hatchery Supplemental		225,000 FW&P License Fees
14	Improve Regional Headquarters		41,000 FW&P License Fees
15	Helena Office Mechanical Supplemental		65,000 FW&P License Fees
16	Construct Region 1 Headquarters, Kalispell		1,400,000 FW&P License Fees
17	Construct Region 5 Headquarters, Billings		1,200,000 FW&P License Fees
18	Improve Warehouse Complex		80,000 FW&P License Fees
19	Improve Waterfowl Habitat		650,000 Wildlife Earned Revenue
20			<u>425,000</u>
21	Improve Big Horn Sheep Habitat		100,000 Wildlife Earned Revenue
22			<u>179,000</u>
23	Centennial Display, Capitol Complex <u>PROJECTS</u>		50,000 Federal
24	<u>ASHLEY CREEK HEADGATE</u>		<u>31,500</u> <u>FW&P LICENSE FEES</u>
25	DEPARTMENT OF HIGHWAYS		

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	Miscellaneous Repairs and Improvements,		
3	Statewide		750,000 Hwy.
4	State Special Revenue		
5	Construct New Section Headquarters, Columbia		
6	Falls		99,700 Hwy.
7	State Special Revenue		
8	Construct Laboratory Addition, Great Falls		34,000 Hwy. State Special Revenue
9	Construct Steam Cleaning Buildings, Glendive		
10	and Miles		
11	City		80,000 Hwy. State Special Revenue
12	Construct Combination Shop, Phase I, Wolf		
13	Point		103,000 Hwy. State
14	Special Revenue		
15	Construct Shop Addition, Kalispell		71,000 Hwy. State Special Revenue
16	Construct Sandhouses, Statewide		156,000 Hwy. State Special Revenue
17	Construct Equipment Storage Garages, Statewide		228,300 Hwy. State Special Revenue
18	DEPARTMENT OF INSTITUTIONS		
19	Correct Life Safety Code Deficiencies, Montana		
20	Developmental Center	126,000	
21	Correct Life Safety Code Deficiencies, Cottage		
22	II, Eastmont	95,245	
23	Repair Sewage Lagoon, Montana Developmental		
24	Center	20,000	
25	Install Smoke Detectors, Montana State		

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	Hospital	10,300	
3	Replace Roofs	309,500	
4	Improve Handicapped Access, Montana State		
5	Hospital	124,622	
6	Improve Handicapped Access and Install Fence,		
7	Center for the Aged	21,000	
8	Install Drainage System and Upgrade Physical		
9	Plant, Eastmont	34,900	
10	Refurbish Water Towers	50,000	
11	Remodel Cottages 16A, B, and C, Montana		
12	Developmental Center	1,038,000	
13	Repair Projects, Montana State Hospital	60,880	
14	Construct Yard Storage and Toilets, Prison	62,000	
15	Remodel Dining Hall, Montana State Hospital	100,000	
16	<u>LEGAL FEES AND COSTS, MONTANA STATE PRISON</u>	<u>75,000</u>	
17	DEPARTMENT OF JUSTICE		
18	Upgrade Registrar's Bureau, Deer Lodge	225,000	
19		<u>75,000</u>	
20	DEPARTMENT OF LABOR AND INDUSTRY		
21	Repair Cracking, Great Falls Job Service		30,000 Federal
22	Remodel and Weatherize Job Services, Statewide		135,540 Federal
23	<u>HELENA JOB SERVICE OFFICE ADDITION</u>		<u>250,000 DOLI BOND PROCEEDS</u>
24			<u>67,000 FEDERAL REED ACT FUNDS</u>
25			<u>103,000 FEDERAL</u>

1	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
2	DEPARTMENT OF STATE LANDS		
3	Repair Projects, Stillwater	28,200	
4	DEPARTMENT OF MILITARY AFFAIRS		
5	Replace Roof, Chinook Armory	45,000	
6	Federal Spending Authority		300,000 <u>FEDERAL</u>
7	<u>ARMORY STORAGE ADDITIONS</u>		<u>300,000</u> <u>FEDERAL</u>
8	MONTANA UNIVERSITY SYSTEM		
9	Correct Health Safety and Fume Hood System		
10	Problems, Tech	124,000	
11	Renovate Fire Alarm Systems, MSU and WMC	73,000	
12	Eliminate PCB, EMC	20,000	
13	Replace/Repair Roofs, Statewide	990,000	
14	Improve Handicapped Accessibility, EMC and WMC	156,100	
15	Improve Electrical Distribution, Phase I, MSU	1,229,300	623,900 Auxiliary
16	Install Exhaust System, NMC	50,000	
17	Repair Projects, WMC	78,100	
18	Major Maintenance, AES	160,000	
19	<u>WATER AND STEAM MAINS, UM</u>	<u>168,400</u>	<u>15,600</u> <u>AUXILIARY</u>
20	<u>ENERGY MANAGEMENT CONTROL SYSTEM, MSU</u>		<u>1,890,000</u>

21 Section 7. Land acquisition appropriation. The following money is appropriated to the department of fish,
 22 wildlife, and parks in the indicated amounts for purposes of land acquisition:

23	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
24	Fishing Access Site Acquisitions		\$ 444,500 Fishing Licenses
25			<u>409,000</u>

1 988,000 Federat
 2 50,000 PRIVATE
 3 Land Transfer, Region 3 Headquarters, Bozeman 145,000 FW&P License Fees
 4 108,700

5 SECTION 8. GARTSIDE DAM CONSTRUCTION. THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF FISH, WILDLIFE,
 6 AND PARKS IN THE AMOUNTS INDICATED FOR PURPOSES OF DAM CONSTRUCTION:

AGENCY/PROGRAM	CPF	OTHER APPROPRIATED FUNDS
<u>GARTSIDE DAM CONSTRUCTION</u>	-	\$ 93,000 <u>PARKS FEDERAL REVENUE</u>
-	-	250,000 <u>LAND AND WATER CONSERVATION FUNDS</u>

10 IN ACCORDANCE WITH 85-1-101, THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION SHALL MANAGE THE CONSTRUCTION OF
 11 THE PROJECT.

12 SECTION 9. AUTHORITY TO ACCEPT DONATION. THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS IS AUTHORIZED TO ACCEPT THE
 13 DONATION OF LABOR AND MATERIALS TO RECONSTRUCT BOATING FACILITIES AT FINLEY POINT ON FLATHEAD LAKE.

14 SECTION 10. HELENA JOB SERVICE OFFICE ADDITION. FUNDING FOR THE HELENA JOB SERVICE OFFICE ADDITION IS
 15 APPROPRIATED FROM UNSPENT 1980 AND 1981 DEPARTMENT OF LABOR AND INDUSTRY BOND PROCEEDS AND FROM REED ACT FUNDS AND
 16 FEDERAL OPERATING FUNDS, WHICH MUST BE TRANSFERRED TO THE CAPITAL PROJECTS FUND BY THE DEPARTMENT OF LABOR AND INDUSTRY.
 17 FUNDS OF \$67,000 MUST BE REQUISITIONED AND USED PURSUANT TO FUNDS AVAILABLE UNDER SECTION 903 OF THE SOCIAL SECURITY ACT
 18 AND 39-51-404, FOR ADMINISTRATIVE EXPENSES OF THE UNEMPLOYMENT INSURANCE PROGRAM. THESE FUNDS MUST BE EXPENDED WITHIN 2
 19 YEARS AFTER THE EFFECTIVE DATE OF THIS ACT.

20 SECTION 11. RECOVERY OF UNINSURED LOSSES. THE DEPARTMENT OF ADMINISTRATION HAS THE AUTHORITY TO PAY FEES AND
 21 EXPENSES, NOT TO EXCEED THE AMOUNT RECOVERED, ASSOCIATED WITH LITIGATION TO RECOVER DAMAGES INCURRED BY THE STATE AS A
 22 RESULT OF THE DECEMBER 30, 1985, EXPLOSION AT MONTANA STATE PRISON.

AGENCY/PROGRAM	CPF	OTHER APPROPRIATED FUNDS
<u>PRISON LOSS RECOVERY</u>	-	\$200,000 -

25 SECTION 12. BUILDING DEMOLITION OR SALE AND REMOVAL. (1) THE DEPARTMENT OF ADMINISTRATION MAY SOLICIT BIDS FOR

1	<u>THE DEMOLITION OR FOR THE SALE AND REMOVAL OF THE FOLLOWING BUILDINGS:</u>	
2	-	<u>BUILDING NAME</u>
3	<u>MONTANA DEVELOPMENTAL CENTER</u>	<u>COTTAGE NO. 5</u>
4	-	<u>OLD ADMINISTRATION BUILDING</u>
5	-	<u>OLD LAUNDRY STORAGE</u>
6	-	<u>TIRE/RUBBER STORAGE</u>
7	-	<u>GARAGE</u>
8	-	<u>HOG HOUSE</u>
9	-	<u>OLD GRANARY</u>
10	-	<u>TURKEY HOUSE</u>
11	-	<u>RANCH HOUSE</u>
12	-	<u>GARAGE</u>
13	-	<u>CHICKEN HOUSE</u>
14	-	<u>OLD MACHINE SHED</u>
15	-	<u>ROOT CELLAR</u>
16	<u>MONTANA VETERANS' HOME</u>	<u>OLD MAIN & ANNEX</u>
17	-	<u>OLD DORM</u>
18	-	<u>BOILER ROOM</u>
19	-	<u>SUPERINTENDENT'S RESIDENCE</u>
20	<u>MONTANA STATE HOSPITAL</u>	<u>BOLTON</u>
21	-	<u>FORMER CHILDREN'S UNIT</u>
22	-	<u>APARTMENT BUILDING "A"</u>
23	-	<u>W.S. SUPERINTENDENT'S RESIDENCE</u>
24	-	<u>OLD BUTCHER SHOP</u>
25	-	<u>BYRON HALL</u>

FORMER LIGHTHOUSE

MAINTENANCE SHOP

LUMBER STORAGE

OLD BARN

LEWIS & CLARK LODGE

PINE HILLS SCHOOL

(2) THE DIRECTOR OF THE DEPARTMENT OF INSTITUTIONS SHALL CERTIFY TO THE DEPARTMENT OF ADMINISTRATION THAT EACH OF THE BUILDINGS SET FORTH IN SUBSECTION (1) IS SURPLUS TO THE NEEDS OF THE DEPARTMENT AND THE STATE BY REASON OF THE BUILDING'S AGE, DETERIORATED PHYSICAL CONDITION, SAFETY CONSIDERATIONS, OR LICENSE DEFICIENCIES AND HAS NO RESIDUAL ECONOMIC OR USEFUL LIFE. IF THE COST OF REPAIRING THE DEFICIENCIES WOULD PRECLUDE REASONABLE RESTORATION AND REFURBISHING EFFORTS, THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION MAY GRANT AN ORDER TO PROCEED WITH DEMOLITION IF:

(A) A SUCCESSFUL CONTRACTOR OR BIDDER AGREES TO DEMOLISH OR REMOVE THE BUILDING AND RECLAIM THE BUILDING SITE BASED ON THE SALVAGE VALUE OF THE BUILDING ITSELF; AND

(B) THE DEMOLITION OR REMOVAL OF THE BUILDING DOES NOT VIOLATE THE PROVISIONS OF THE STATE ANTIQUITIES LAW, AS PROVIDED IN TITLE 22, CHAPTER 3, PART 4, RELATIVE TO ESTABLISHED HERITAGE PROPERTIES UNDER STATE OWNERSHIP.

(3) THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION MAY PERMIT THE DIRECTOR OF THE DEPARTMENT OF INSTITUTIONS TO USE THE PRISON INDUSTRIES PROGRAM, ESTABLISHED IN 53-1-301 THROUGH 53-1-304, TO DEMOLISH AND REMOVE SELECTED INSTITUTIONAL BUILDINGS LISTED IN SUBSECTION (1). THE PROCEEDS FROM THE SALE OF SALVAGEABLE MATERIAL OBTAINED THROUGH THE DEMOLITION PROCESS MUST BE DEPOSITED IN THE PRISON INDUSTRIES PROPRIETARY ACCOUNT. PERMISSION MAY ONLY BE GRANTED AFTER THE OFFICE OF BUDGET AND PROGRAM PLANNING AND THE LEGISLATIVE FINANCE COMMITTEE DETERMINE THAT THE PROCEEDS FROM THE SALE OF SALVAGEABLE MATERIAL WILL SUPPORT THE COST OF DEMOLITION AND REMOVAL.

SECTION 13. SALE OF STATE LAND AT MONTANA STATE PRISON. PURSUANT TO THE PROVISIONS OF 77-2-302 REQUIRING THAT THE BOARD OF LAND COMMISSIONERS CONSULT WITH AN APPROPRIATE LEGISLATIVE COMMITTEE PRIOR TO THE SALE OF BUILDINGS FORMERLY USED BY A STATE INSTITUTION, THE BOARD IS HEREBY AUTHORIZED TO SELL THE FOLLOWING PROPERTIES IF IT DETERMINES THIS SALE TO BE IN THE BEST INTEREST OF THE STATE. SALE PROCEEDS MUST BE DEPOSITED IN THE CAPITAL PROJECTS FUND. THE BOARD IS AUTHORIZED TO PAY COSTS OF NECESSARY SURVEYS, APPRAISALS, AND ALL OTHER COSTS ASSOCIATED WITH THE SALE OF LAND FROM THE

1 PROCEEDS OF THE SALE. THE LAND THAT MAY BE SOLD IS:

2 (1) APPROXIMATELY 10 ACRES OF LAND FORMERLY KNOWN AS THE BRATTEN RANCH, WITH APPROXIMATELY 14 STRUCTURES. THIS
 3 PROPERTY BORDERS ON MAIN STREET IN THE CITY OF DEER LODGE, A MONTANA POWER COMPANY SUBSTATION, AND DEPARTMENT OF
 4 HIGHWAYS GARAGE.

5 (2) APPROXIMATELY 10 ACRES OF LAND FORMERLY KNOWN AS THE VALITON RANCH, LOCATED 1 MILE SOUTH OF THE DEER LODGE
 6 CITY LIMITS. INCLUDED ON THIS PROPERTY ARE SEVEN OUTBUILDINGS AND A DUPLEX RESIDENCE.

7 (3) APPROXIMATELY ONE-HALF ACRE OF LAND AND A SINGLE-FAMILY RESIDENCE WITH DETACHED TWO-CAR GARAGE. THIS PROPERTY
 8 IS COMMONLY KNOWN AS THE BRICKYARD PROPERTY, SOUTH OF THE CITY OF DEER LODGE.

9 (4) APPROXIMATELY ONE-HALF ACRE OF LAND AND A SINGLE-FAMILY RESIDENCE WITH DETACHED GARAGE, LOCATED ON THE PRISON
 10 RANCH ABOUT 7 MILES NORTH OF DEER LODGE ON THE FRONTAGE ROAD; AND

11 (5) APPROXIMATELY 5 ACRES OF LAND COMMONLY KNOWN AS THE OLD BRICKYARD, LOCATED SOUTH OF DEER LODGE ON THE EASTSIDE
 12 ROAD.

13 Section 14. Planning and design. The department of administration may proceed with the planning and design of
 14 capital projects prior to the receipt of other appropriated funds. The department may use interaccount loans in
 15 accordance with 17-2-107 to pay such planning and design costs incurred prior to the receipt of other appropriated
 16 funds.

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

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

23 (2) the scope of the project must be substantially altered or revised from the preliminary plans presented for
 24 that project in the 1987-89 long-range building program presented to the 50th legislature.

25 Section 16. Legislative consent. The appropriations authorized in this act constitute legislative consent for the

1 capital projects contained in this act within the meaning of 18-2-102.

2 Section 17. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid
3 part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect
4 in all valid applications that are severable from the invalid applications.

5 Section 18. Effective date. This act is effective on passage and approval.

-End-

HOUSE BILL NO. 5

INTRODUCED BY THOFT

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, 1989; TO PROVIDE FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

(1) "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.

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

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

(7) "Other appropriated funds" means money other than general fund money or capital projects fund money, including



THIRD READING
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1 special revenue fund money, that accrues under the provisions of law to an agency.

2 Section 2. Expansion required to be authorized. No existing capital project may be expanded beyond the scope of
 3 the project as approved by the 50th legislature unless the capital project expansion is authorized by an approved budget
 4 amendment.

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

7 Section 4. Reappropriation. Notwithstanding any other provision of law, the remaining balances on capital projects
 8 previously appropriated are reappropriated until June 30, 1989, for the purposes for which originally appropriated.

9 Section 5. Major maintenance requirements. For all new construction proposals submitted to the legislature and for
 10 all existing applicable state buildings, as determined by the department of administration, each agency, in consultation
 11 with the architecture and engineering division of the department of administration, shall provide a major maintenance
 12 plan. This plan must be submitted by the agency to the department of administration by July 1 of each even-numbered
 13 year, along with the proposed long-range building program required under 17-7-202.

14 Section 6. Capital projects appropriations. The following money is appropriated for the indicated capital projects
 15 from the indicated sources to the department of administration:

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
DEPARTMENT OF ADMINISTRATION		
Asbestos Abatement, Phase II	\$ 500,000	
Replace Roofs, Capitol Complex	103,500	
Handicapped Modifications, Capitol Complex	235,700	
Fire Protection, Capitol Complex	50,000	
Energy Retrofit, Statewide		\$ 200,000 Federal
DEPARTMENT OF COMMERCE		
Replace Terminal Building Roof, Yellowstone		
Airport	65,000	

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	DEPARTMENT OF EDUCATION		
3	Improve Handicapped Access, School for the		
4	Deaf and Blind	32,800	
5	DEPARTMENT OF FISH, WILDLIFE, AND PARKS		
6	Boat Facilities Program		50,000 FW&P License Fees
7			140,000 Federal
8	Develop <u>WILDLIFE MANAGEMENT AND PARKS</u>		
9	Property		400,000 Real Estate Trust Earnings
10			<u>379,000</u>
11	Fishing Access Site Protection		150,000 FW&P License Fees
12			150,000 Federal
13	Creston Hatchery Supplemental		225,000 FW&P License Fees
14	Improve Regional Headquarters		41,000 FW&P License Fees
15	Helena Office Mechanical Supplemental		65,000 FW&P License Fees
16	Construct Region 1 Headquarters, Kalispell		1,400,000 FW&P License Fees
17	Construct Region 5 Headquarters, Billings		1,200,000 FW&P License Fees
18	Improve Warehouse Complex		80,000 FW&P License Fees
19	Improve Waterfowl Habitat		650,000 Wildlife Earned Revenue
20			<u>425,000</u>
21	Improve Big Horn Sheep Habitat		100,000 Wildlife Earned Revenue
22			<u>179,000</u>
23	Centennial Display, Capitol Complex <u>PROJECTS</u>		50,000 Federal
24	<u>ASHLEY CREEK HEADGATE</u>		<u>31,500</u> <u>FW&P LICENSE FEES</u>
25	DEPARTMENT OF HIGHWAYS		

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	Miscellaneous Repairs and Improvements,		
3	Statewide		750,000 Hwy. State Special Revenue
4	Construct New Section Headquarters, Columbia		
5	Falls		99,700 Hwy. State Special Revenue
6	Construct Laboratory Addition, Great Falls		34,000 Hwy. State Special Revenue
7	Construct Steam Cleaning Buildings, Glendive		
8	and Miles City		80,000 Hwy. State Special Revenue
9	Construct Combination Shop, Phase I, Wolf		
10	Point		103,000 Hwy. State Special Revenue
11	Construct Shop Addition, Kalispell		71,000 Hwy. State Special Revenue
12	Construct Sandhouses, Statewide		156,000 Hwy. State Special Revenue
13	Construct Equipment Storage Garages, Statewide		228,300 Hwy. State Special Revenue
14	DEPARTMENT OF INSTITUTIONS		
15	Correct Life Safety Code Deficiencies, Montana		
16	Developmental Center	126,000	
17	Correct Life Safety Code Deficiencies, Cottage		
18	II, Eastmont	95,245	
19	Repair Sewage Lagoon, Montana Developmental		
20	Center	20,000	
21	Install Smoke Detectors, Montana State		
22	Hospital	10,300	
23	Replace Roofs	309,500	
24	Improve Handicapped Access, Montana State		
25	Hospital	124,622	

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
1			
2	Improve Handicapped Access and Install Fence,		
3	Center for the Aged	21,000	
4	Install Drainage System and Upgrade Physical		
5	Plant, Eastmont	34,900	
6	Refurbish Water Towers.	50,000	
7	Remodel Cottages 16A, B, and C, Montana		
8	Developmental Center	1,038,000	
9	Repair Projects, Montana State Hospital	60,880	
10	Construct Yard Storage and Toilets, Prison	62,000	
11	Remodel Dining Hall, Montana State Hospital	100,000	
12	<u>LEGAL FEES AND COSTS, MONTANA STATE PRISON</u>	<u>75,000</u>	
13	DEPARTMENT OF JUSTICE		
14	Upgrade Registrar's Bureau, Deer Lodge	225,000	
15		<u>75,000</u>	
16	DEPARTMENT OF LABOR AND INDUSTRY		
17	Repair Cracking, Great Falls Job Service		30,000 Federal
18	Remodel and Weatherize Job Services, Statewide		135,540 Federal
19	<u>HELENA JOB SERVICE OFFICE ADDITION</u>		<u>250,000 DOLI BOND PROCEEDS</u>
20			<u>67,000 FEDERAL REED ACT FUNDS</u>
21			<u>103,000 FEDERAL</u>
22	DEPARTMENT OF STATE LANDS		
23	Repair Projects, Stillwater	28,200	
24	DEPARTMENT OF MILITARY AFFAIRS		
25	Replace Roof, Chinook Armory	45,000	

1	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
2	Federal Spending Authority		300,000 <u>FEDERAL</u>
3	<u>ARMORY STORAGE ADDITIONS</u>		<u>300,000</u> <u>FEDERAL</u>
4	MONTANA UNIVERSITY SYSTEM		
5	Correct Health Safety and Fume Hood System		
6	Problems, Tech	124,000	
7	Renovate Fire Alarm Systems, MSU and WMC	73,000	
8	Eliminate PCB, EMC	20,000	
9	Replace/Repair Roofs, Statewide	990,000	
10	Improve Handicapped Accessibility, EMC and WMC	156,100	
11	Improve Electrical Distribution, Phase I, MSU	1,229,300	623,900 Auxiliary
12	Install Exhaust System, NMC	50,000	
13	Repair Projects, WMC	78,100	
14	Major Maintenance, AES	160,000	
15	<u>WATER AND STEAM MAINS, UM</u>	<u>168,400</u>	<u>15,600</u> <u>AUXILIARY</u>
16	<u>ENERGY MANAGEMENT CONTROL SYSTEM, MSU</u>		<u>1,890,000</u>

17 Section 7. Land acquisition appropriation. The following money is appropriated to the department of fish,
 18 wildlife, and parks in the indicated amounts for purposes of land acquisition:

19	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
20	Fishing Access Site Acquisitions		\$ <u>444,500</u> Fishing Licenses
21			<u>409,000</u>
22			<u>300,000</u> Federal
23			<u>50,000</u> PRIVATE
24	Land Transfer, Region 3 Headquarters, Bozeman		<u>145,000</u> FW&P License Fees
25			<u>108,700</u>

1 SECTION 8. GARTSIDE DAM CONSTRUCTION. THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF FISH, WILDLIFE,
 2 AND PARKS IN THE AMOUNTS INDICATED FOR PURPOSES OF DAM CONSTRUCTION:

<u>AGENCY/PROGRAM</u>	<u>CPF</u>	<u>OTHER APPROPRIATED FUNDS</u>
<u>GARTSIDE DAM CONSTRUCTION</u>	<u>\$ 93,000</u>	<u>PARKS FEDERAL REVENUE</u>
	<u>250,000</u>	<u>LAND AND WATER CONSERVATION FUNDS</u>

6 IN ACCORDANCE WITH 85-1-101, THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION SHALL MANAGE THE CONSTRUCTION OF
 7 THE PROJECT.

8 SECTION 9. AUTHORITY TO ACCEPT DONATION. THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS IS AUTHORIZED TO ACCEPT THE
 9 DONATION OF LABOR AND MATERIALS TO RECONSTRUCT BOATING FACILITIES AT FINLEY POINT ON FLATHEAD LAKE.

10 SECTION 10. HELENA JOB SERVICE OFFICE ADDITION. FUNDING FOR THE HELENA JOB SERVICE OFFICE ADDITION IS
 11 APPROPRIATED FROM UNSPENT 1980 AND 1981 DEPARTMENT OF LABOR AND INDUSTRY BOND PROCEEDS AND FROM REED ACT FUNDS AND
 12 FEDERAL OPERATING FUNDS, WHICH MUST BE TRANSFERRED TO THE CAPITAL PROJECTS FUND BY THE DEPARTMENT OF LABOR AND INDUSTRY.
 13 FUNDS OF \$67,000 MUST BE REQUISITIONED AND USED PURSUANT TO FUNDS AVAILABLE UNDER SECTION 903 OF THE SOCIAL SECURITY ACT
 14 AND 39-51-404, FOR ADMINISTRATIVE EXPENSES OF THE UNEMPLOYMENT INSURANCE PROGRAM. THESE FUNDS MUST BE EXPENDED WITHIN 2
 15 YEARS AFTER THE EFFECTIVE DATE OF THIS ACT.

16 SECTION 11. RECOVERY OF UNINSURED LOSSES. THE DEPARTMENT OF ADMINISTRATION HAS THE AUTHORITY TO PAY FEES AND
 17 EXPENSES, NOT TO EXCEED THE AMOUNT RECOVERED, ASSOCIATED WITH LITIGATION TO RECOVER DAMAGES INCURRED BY THE STATE AS A
 18 RESULT OF THE DECEMBER 30, 1985, EXPLOSION AT MONTANA STATE PRISON.

<u>AGENCY/PROGRAM</u>	<u>CPF</u>	<u>OTHER APPROPRIATED FUNDS</u>
<u>PRISON LOSS RECOVERY</u>		<u>\$200,000</u>

21 SECTION 12. BUILDING DEMOLITION OR SALE AND REMOVAL. (1) THE DEPARTMENT OF ADMINISTRATION MAY SOLICIT BIDS FOR
 22 THE DEMOLITION OR FOR THE SALE AND REMOVAL OF THE FOLLOWING BUILDINGS:

<u>BUILDING NAME</u>
<u>MONTANA DEVELOPMENTAL CENTER</u>
<u>COTTAGE NO. 5</u>
<u>OLD ADMINISTRATION BUILDING</u>

1		<u>OLD LAUNDRY STORAGE</u>
2		<u>TIRE/RUBBER STORAGE</u>
3		<u>GARAGE</u>
4		<u>HOG HOUSE</u>
5		<u>OLD GRANARY</u>
6		<u>TURKEY HOUSE</u>
7		<u>RANCH HOUSE</u>
8		<u>GARAGE</u>
9		<u>CHICKEN HOUSE</u>
10		<u>OLD MACHINE SHED</u>
11		<u>ROOT CELLAR</u>
12	<u>MONTANA VETERANS' HOME</u>	<u>OLD MAIN & ANNEX</u>
13		<u>OLD DORM</u>
14		<u>BOILER ROOM</u>
15		<u>SUPERINTENDENT'S RESIDENCE</u>
16	<u>MONTANA STATE HOSPITAL</u>	<u>BOLTON</u>
17		<u>FORMER CHILDREN'S UNIT</u>
18		<u>APARTMENT BUILDING "A"</u>
19		<u>W.S. SUPERINTENDENT'S RESIDENCE</u>
20		<u>OLD BUTCHER SHOP</u>
21		<u>BYRON HALL</u>
22		<u>FORMER LIGHTHOUSE</u>
23		<u>MAINTENANCE SHOP</u>
24		<u>LUMBER STORAGE</u>
25		<u>OLD BARN</u>

PINE HILLS SCHOOLLEWIS & CLARK LODGE

(2) THE DIRECTOR OF THE DEPARTMENT OF INSTITUTIONS SHALL CERTIFY TO THE DEPARTMENT OF ADMINISTRATION THAT EACH OF THE BUILDINGS SET FORTH IN SUBSECTION (1) IS SURPLUS TO THE NEEDS OF THE DEPARTMENT AND THE STATE BY REASON OF THE BUILDING'S AGE, DETERIORATED PHYSICAL CONDITION, SAFETY CONSIDERATIONS, OR LICENSE DEFICIENCIES AND HAS NO RESIDUAL ECONOMIC OR USEFUL LIFE. IF THE COST OF REPAIRING THE DEFICIENCIES WOULD PRECLUDE REASONABLE RESTORATION AND REFURBISHING EFFORTS, THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION MAY GRANT AN ORDER TO PROCEED WITH DEMOLITION IF:

(A) A SUCCESSFUL CONTRACTOR OR BIDDER AGREES TO DEMOLISH OR REMOVE THE BUILDING AND RECLAIM THE BUILDING SITE BASED ON THE SALVAGE VALUE OF THE BUILDING ITSELF; AND

(B) THE DEMOLITION OR REMOVAL OF THE BUILDING DOES NOT VIOLATE THE PROVISIONS OF THE STATE ANTIQUITIES LAW, AS PROVIDED IN TITLE 22, CHAPTER 3, PART 4, RELATIVE TO ESTABLISHED HERITAGE PROPERTIES UNDER STATE OWNERSHIP.

(3) THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION MAY PERMIT THE DIRECTOR OF THE DEPARTMENT OF INSTITUTIONS TO USE THE PRISON INDUSTRIES PROGRAM, ESTABLISHED IN 53-1-301 THROUGH 53-1-304, TO DEMOLISH AND REMOVE SELECTED INSTITUTIONAL BUILDINGS LISTED IN SUBSECTION (1). THE PROCEEDS FROM THE SALE OF SALVAGEABLE MATERIAL OBTAINED THROUGH THE DEMOLITION PROCESS MUST BE DEPOSITED IN THE PRISON INDUSTRIES PROPRIETARY ACCOUNT. PERMISSION MAY ONLY BE GRANTED AFTER THE OFFICE OF BUDGET AND PROGRAM PLANNING AND THE LEGISLATIVE FINANCE COMMITTEE DETERMINE THAT THE PROCEEDS FROM THE SALE OF SALVAGEABLE MATERIAL WILL SUPPORT THE COST OF DEMOLITION AND REMOVAL.

SECTION 13. SALE OF STATE LAND AT MONTANA STATE PRISON. PURSUANT TO THE PROVISIONS OF 77-2-302 REQUIRING THAT THE BOARD OF LAND COMMISSIONERS CONSULT WITH AN APPROPRIATE LEGISLATIVE COMMITTEE PRIOR TO THE SALE OF BUILDINGS FORMERLY USED BY A STATE INSTITUTION, THE BOARD IS HEREBY AUTHORIZED TO SELL THE FOLLOWING PROPERTIES IF IT DETERMINES THIS SALE TO BE IN THE BEST INTEREST OF THE STATE. SALE PROCEEDS MUST BE DEPOSITED IN THE CAPITAL PROJECTS FUND. THE BOARD IS AUTHORIZED TO PAY COSTS OF NECESSARY SURVEYS, APPRAISALS, AND ALL OTHER COSTS ASSOCIATED WITH THE SALE OF LAND FROM THE PROCEEDS OF THE SALE. THE LAND THAT MAY BE SOLD IS:

(1) APPROXIMATELY 10 ACRES OF LAND FORMERLY KNOWN AS THE BRATTEN RANCH, WITH APPROXIMATELY 14 STRUCTURES. THIS PROPERTY BORDERS ON MAIN STREET IN THE CITY OF DEER LODGE, A MONTANA POWER COMPANY SUBSTATION, AND DEPARTMENT OF HIGHWAYS GARAGE.

1 (2) APPROXIMATELY 10 ACRES OF LAND FORMERLY KNOWN AS THE VALITON RANCH, LOCATED 1 MILE SOUTH OF THE DEER LODGE
 2 CITY LIMITS. INCLUDED ON THIS PROPERTY ARE SEVEN OUTBUILDINGS AND A DUPLEX RESIDENCE.

3 (3) APPROXIMATELY ONE-HALF ACRE OF LAND AND A SINGLE-FAMILY RESIDENCE WITH DETACHED TWO-CAR GARAGE. THIS PROPERTY
 4 IS COMMONLY KNOWN AS THE BRICKYARD PROPERTY, SOUTH OF THE CITY OF DEER LODGE.

5 (4) APPROXIMATELY ONE-HALF ACRE OF LAND AND A SINGLE-FAMILY RESIDENCE WITH DETACHED GARAGE, LOCATED ON THE PRISON
 6 RANCH ABOUT 7 MILES NORTH OF DEER LODGE ON THE FRONTAGE ROAD; AND

7 (5) APPROXIMATELY 5 ACRES OF LAND COMMONLY KNOWN AS THE OLD BRICKYARD, LOCATED SOUTH OF DEER LODGE ON THE EASTSIDE
 8 ROAD.

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 10 capital projects prior to the receipt of other appropriated funds. The department may use interaccount loans in
 11 accordance with 17-2-107 to pay such planning and design costs incurred prior to the receipt of other appropriated
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 15 such projects for bid until the agency has submitted a financial plan for approval by the director of the department of
 16 administration. No such financial plan may be approved by the director if:

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

19 (2) the scope of the project must be substantially altered or revised from the preliminary plans presented for
 20 that project in the 1987-89 long-range building program presented to the 50th legislature.

21 Section 16. Legislative consent. The appropriations authorized in this act constitute legislative consent for the
 22 capital projects contained in this act within the meaning of 18-2-102.

23 Section 17. 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 18. Effective date. This act is effective on passage and approval.

-End-

1 HOUSE BILL NO. 5

2 INTRODUCED BY THOFT

3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 1989; TO
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21 basis or are not the function of the permanent maintenance staff of the agency.

22 (6) "Major maintenance plan" means a 6-year schedule of anticipated major maintenance requirements and costs for
23 the first 2 years of the schedule, developed for each state building, as determined by the department of administration.
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18 Asbestos Abatement, Phase II	\$ 500,000	
19 Replace Roofs, Capitol Complex	103,500	
20 Handicapped Modifications, Capitol Complex	235,700	
21 Fire Protection, Capitol Complex	50,000	
22 Energy Retrofit, Statewide		\$ 200,000 Federal
23 DEPARTMENT OF COMMERCE		
24 Replace Terminal Building Roof, Yellowstone		
25 Airport	65,888	

	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>	
1				
2	Improve Handicapped Access, Montana State			
3	Hospital	124,622		
4	Improve Handicapped Access and Install Fence,			
5	Center for the Aged	21,000		
6	Install Drainage System and Upgrade Physical			
7	Plant, Eastmont	34,900		
8	Refurbish Water Towers	50,000		
9	Remodel Cottages 16A, B, and C, Montana			
10	Developmental Center	1,038,000		
11	Repair Projects, Montana State Hospital	60,880		
12	Construct Yard Storage and Toilets, Prison	62,000		
13	Remodel Dining Hall, Montana State Hospital	100,000		
14	<u>LEGAL FEES AND COSTS, MONTANA STATE PRISON</u>	<u>75,000</u>		
15	DEPARTMENT OF JUSTICE			
16	Upgrade Registrar's Bureau, Deer Lodge	225,888		
17		<u>75,000</u>		
18	DEPARTMENT OF LABOR AND INDUSTRY			
19	Repair Cracking, Great Falls Job Service		30,000	Federal
20	Remodel and Weatherize Job Services, Statewide		135,540	Federal
21	<u>HELENA JOB SERVICE OFFICE ADDITION</u>		<u>250,000</u>	<u>DOLI BOND PROCEEDS</u>
22			<u>67,000</u>	<u>FEDERAL REED ACT FUNDS</u>
23			<u>103,000</u>	<u>FEDERAL</u>
24	DEPARTMENT OF STATE LANDS			
25	Repair Projects, Stillwater	28,200		

1	<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
2	DEPARTMENT OF MILITARY AFFAIRS		
3	Replace Roof, Chinook Armory	45,000	
4	Federal Spending Authority	.	300,000 <u>FEDERAL</u>
5	<u>ARMORY STORAGE ADDITIONS, STATEWIDE</u>		<u>300,000</u> <u>FEDERAL</u>
6	MONTANA UNIVERSITY SYSTEM		
7	Correct Health Safety and Fume Hood System		
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13	Improve Electrical Distribution, Phase I, MSU	1,229,300	623,900 Auxiliary
14	Install Exhaust System, NMC	50,000	
15	Repair Projects, WMC	78,100	
16	Major Maintenance, AES	160,000	
17	<u>WATER AND STEAM MAINS, UM</u>	<u>168,400</u>	<u>15,600</u> <u>AUXILIARY</u>
18	<u>ENERGY MANAGEMENT CONTROL SYSTEM, MSU</u>		<u>1,890,000</u> <u>PLANT, AUXILIARY, AND/OR LOAN</u>
19	<u>THE MSU ENERGY MANAGEMENT CONTROL SYSTEM PROJECT WILL BE FINANCED UNDER THE AUTHORITY OF THE BOARD OF REGENTS WITH</u>		
20	<u>PLANT FUNDS, AUXILIARY FUNDS, OR CONVENTIONAL LENDING, OR A COMBINATION OF SUCH FINANCING SOURCES, ON WHICH THE DEBT</u>		
21	<u>SERVICE WILL BE RETIRED WITH PLANT AND AUXILIARY FUNDS. THE DEPARTMENT OF ADMINISTRATION MAY NOT AWARD A CONSTRUCTION</u>		
22	<u>CONTRACT FOR THIS PROJECT UNTIL THE BOARD OF REGENTS HAS APPROVED A FINANCIAL PLAN THAT IS BASED UPON AN ENGINEERING</u>		
23	<u>ANALYSIS AND STATEMENT OF PROJECTED ENERGY SAVINGS. THE ANNUAL CONVENTIONAL LENDING REPAYMENT REQUIREMENT MAY NOT EXCEED</u>		
24	<u>THE TOTAL ESTIMATED NET ANNUAL SAVINGS CONTAINED IN THE MSU PLANT AND AUXILIARY UTILITY BUDGET BASE.</u>		
25	<u>ANY DEBT INCURRED IN FINANCING THE PROJECT DOES NOT CONSTITUTE A LIABILITY OR OBLIGATION OR A PLEDGE OF THE FAITH</u>		

1 AND CREDIT OF THE STATE BUT IS PAYABLE SOLELY FROM REVENUES OR FUNDS OF MSU GENERATED OR RECEIVED FOR PURPOSES OF
 2 FINANCING THE PROJECT. AN OBLIGATION ISSUED UNDER THIS PART MUST CONTAIN ON THE FACE THEREOF A STATEMENT TO THE EFFECT
 3 THAT THE STATE OF MONTANA IS NOT LIABLE ON THE OBLIGATION AND THE OBLIGATION IS NOT A DEBT OF THE STATE AND NEITHER THE
 4 FAITH AND CREDIT NOR THE TAXING POWER OF THE STATE IS PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR THE INTEREST ON THE
 5 OBLIGATION.

6 Section 7. Land acquisition appropriation. The following money is appropriated to the department of fish,
 7 wildlife, and parks in the indicated amounts for purposes of land acquisition:

<u>Agency/Program</u>	<u>CPF</u>	<u>Other Appropriated Funds</u>
8 Fishing Access Site Acquisitions		\$ 414,500 Fishing Licenses
		<u>409,000</u>
		386,800 Federal
		<u>50,000 PRIVATE</u>
13 Land Transfer, Region 3 Headquarters, Bozeman		145,800 FW&P License Fees
		<u>108,700</u>

15 SECTION 8. GARTSIDE DAM CONSTRUCTION. THE FOLLOWING MONEY IS APPROPRIATED TO THE DEPARTMENT OF FISH, WILDLIFE,
 16 AND PARKS IN THE AMOUNTS INDICATED FOR PURPOSES OF DAM CONSTRUCTION:

<u>AGENCY/PROGRAM</u>	<u>CPF</u>	<u>OTHER APPROPRIATED FUNDS</u>
18 <u>GARTSIDE DAM CONSTRUCTION</u>		<u>\$ 93,000 PARKS FEDERAL REVENUE</u>
		<u>250,000 LAND AND WATER CONSERVATION FUNDS</u>

20 IN ACCORDANCE WITH 85-1-101, THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION SHALL MANAGE THE CONSTRUCTION OF
 21 THE PROJECT.

22 SECTION 9. AUTHORITY TO ACCEPT DONATION. THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS IS AUTHORIZED TO ACCEPT THE
 23 DONATION OF LABOR AND MATERIALS TO RECONSTRUCT BOATING FACILITIES AT FINLEY POINT ON FLATHEAD LAKE.

24 SECTION 10. HELENA JOB SERVICE OFFICE ADDITION. FUNDING FOR THE HELENA JOB SERVICE OFFICE ADDITION IS
 25 APPROPRIATED FROM UNSPENT 1980 AND 1981 DEPARTMENT OF LABOR AND INDUSTRY BOND PROCEEDS AND FROM REED ACT FUNDS AND

1 FEDERAL OPERATING FUNDS, WHICH MUST BE TRANSFERRED TO THE CAPITAL PROJECTS FUND BY THE DEPARTMENT OF LABOR AND INDUSTRY.
 2 FUNDS OF \$67,000 MUST BE REQUISITIONED AND USED PURSUANT TO FUNDS AVAILABLE UNDER SECTION 903 OF THE SOCIAL SECURITY ACT
 3 AND 39-51-404, FOR ADMINISTRATIVE EXPENSES OF THE UNEMPLOYMENT INSURANCE PROGRAM. THESE FUNDS MUST BE EXPENDED WITHIN 2
 4 YEARS AFTER THE EFFECTIVE DATE OF THIS ACT.

5 SECTION 11. RECOVERY OF UNINSURED LOSSES. THE DEPARTMENT OF ADMINISTRATION HAS THE AUTHORITY TO PAY FEES AND
 6 EXPENSES, NOT TO EXCEED THE AMOUNT RECOVERED, ASSOCIATED WITH LITIGATION TO RECOVER DAMAGES INCURRED BY THE STATE AS A
 7 RESULT OF THE DECEMBER 30, 1985, EXPLOSION AT MONTANA STATE PRISON.

<u>AGENCY/PROGRAM</u>	<u>CPF</u>	<u>OTHER APPROPRIATED FUNDS</u>
<u>PRISON LOSS RECOVERY</u>		<u>\$200,000 ARCHITECTURE AND ENGINEERING</u> <u>CONSTRUCTION STATE SPECIAL REVENUE</u>

11 SECTION 12. BUILDING DEMOLITION OR SALE AND REMOVAL. (1) THE DEPARTMENT OF ADMINISTRATION MAY SOLICIT BIDS FOR
 12 THE DEMOLITION OR FOR THE SALE AND REMOVAL OF THE FOLLOWING BUILDINGS:

<u>MONTANA DEVELOPMENTAL CENTER</u>	<u>BUILDING NAME</u>
	<u>COTTAGE NO. 5</u>
	<u>OLD ADMINISTRATION BUILDING</u>
	<u>OLD LAUNDRY STORAGE</u>
	<u>TIRE/RUBBER STORAGE</u>
	<u>GARAGE</u>
	<u>HOG HOUSE</u>
	<u>OLD GRANARY</u>
	<u>TURKEY HOUSE</u>
	<u>RANCH HOUSE</u>
	<u>GARAGE</u>
	<u>CHICKEN HOUSE</u>
	<u>OLD MACHINE SHED</u>

1		<u>ROOT CELLAR</u>
2	<u>MONTANA VETERANS' HOME</u>	<u>OLD MAIN & ANNEX</u>
3		<u>OLD DORM</u>
4		<u>BOILER ROOM</u>
5		<u>SUPERINTENDENT'S RESIDENCE</u>
6	<u>MONTANA STATE HOSPITAL</u>	<u>BOLTON</u>
7		<u>FORMER CHILDREN'S UNIT</u>
8		<u>APARTMENT BUILDING "A"</u>
9		<u>W.S. SUPERINTENDENT'S RESIDENCE</u>
10		<u>OLD BUTCHER SHOP</u>
11		<u>BYRON HALL</u>
12		<u>FORMER LIGHTHOUSE</u>
13		<u>MAINTENANCE SHOP</u>
14		<u>LUMBER STORAGE</u>
15		<u>OLD BARN</u>
16	<u>PINE HILLS SCHOOL</u>	<u>LEWIS & CLARK LODGE</u>

17 (2) THE DIRECTOR OF THE DEPARTMENT OF INSTITUTIONS SHALL CERTIFY TO THE DEPARTMENT OF ADMINISTRATION THAT EACH OF
 18 THE BUILDINGS SET FORTH IN SUBSECTION (1) IS SURPLUS TO THE NEEDS OF THE DEPARTMENT AND THE STATE BY REASON OF THE
 19 BUILDING'S AGE, DETERIORATED PHYSICAL CONDITION, SAFETY CONSIDERATIONS, OR LICENSE DEFICIENCIES AND HAS NO RESIDUAL
 20 ECONOMIC OR USEFUL LIFE. IF THE COST OF REPAIRING THE DEFICIENCIES WOULD PRECLUDE REASONABLE RESTORATION AND
 21 REFURBISHING EFFORTS, THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION MAY GRANT AN ORDER TO PROCEED WITH DEMOLITION IF:

22 (A) A SUCCESSFUL CONTRACTOR OR BIDDER AGREES TO DEMOLISH OR REMOVE THE BUILDING AND RECLAIM THE BUILDING SITE
 23 BASED ON THE SALVAGE VALUE OF THE BUILDING ITSELF; AND

24 (B) THE DEMOLITION OR REMOVAL OF THE BUILDING DOES NOT VIOLATE THE PROVISIONS OF THE STATE ANTIQUITIES LAW, AS
 25 PROVIDED IN TITLE 22, CHAPTER 3, PART 4, RELATIVE TO ESTABLISHED HERITAGE PROPERTIES UNDER STATE OWNERSHIP.

1 (3) THE DIRECTOR OF THE DEPARTMENT OF ADMINISTRATION MAY PERMIT THE DIRECTOR OF THE DEPARTMENT OF INSTITUTIONS TO
 2 USE THE PRISON INDUSTRIES PROGRAM, ESTABLISHED IN 53-1-301 THROUGH 53-1-304, TO DEMOLISH AND REMOVE SELECTED
 3 INSTITUTIONAL BUILDINGS LISTED IN SUBSECTION (1). THE PROCEEDS FROM THE SALE OF SALVAGEABLE MATERIAL OBTAINED THROUGH
 4 THE DEMOLITION PROCESS MUST BE DEPOSITED IN THE PRISON INDUSTRIES PROPRIETARY ACCOUNT. PERMISSION MAY ONLY BE GRANTED
 5 AFTER THE OFFICE OF BUDGET AND PROGRAM PLANNING AND THE LEGISLATIVE FINANCE COMMITTEE DETERMINE THAT THE PROCEEDS FROM
 6 THE SALE OF SALVAGEABLE MATERIAL WILL SUPPORT THE COST OF DEMOLITION AND REMOVAL.

7 SECTION 13. SALE OF STATE LAND AT MONTANA STATE PRISON. PURSUANT TO THE PROVISIONS OF 77-2-302 REQUIRING THAT THE
 8 BOARD OF LAND COMMISSIONERS CONSULT WITH AN APPROPRIATE LEGISLATIVE COMMITTEE PRIOR TO THE SALE OF BUILDINGS FORMERLY
 9 USED BY A STATE INSTITUTION, THE BOARD IS HEREBY AUTHORIZED TO SELL THE FOLLOWING PROPERTIES IF IT DETERMINES THIS SALE
 10 TO BE IN THE BEST INTEREST OF THE STATE. SALE PROCEEDS MUST BE DEPOSITED IN THE CAPITAL PROJECTS FUND. THE BOARD IS
 11 AUTHORIZED TO PAY COSTS OF NECESSARY SURVEYS, APPRAISALS, AND ALL OTHER COSTS ASSOCIATED WITH THE SALE OF LAND FROM THE
 12 PROCEEDS OF THE SALE. THE LAND THAT MAY BE SOLD IS:

13 (1) APPROXIMATELY 10 ACRES OF LAND FORMERLY KNOWN AS THE BRATTEN RANCH, WITH APPROXIMATELY 14 STRUCTURES. THIS
 14 PROPERTY BORDERS ON MAIN STREET IN THE CITY OF DEER LODGE, A MONTANA POWER COMPANY SUBSTATION, AND DEPARTMENT OF
 15 HIGHWAYS GARAGE.

16 (2) APPROXIMATELY 10 ACRES OF LAND FORMERLY KNOWN AS THE VALITON RANCH, LOCATED 1 MILE SOUTH OF THE DEER LODGE
 17 CITY LIMITS. INCLUDED ON THIS PROPERTY ARE SEVEN OUTBUILDINGS AND A DUPLEX RESIDENCE.

18 (3) APPROXIMATELY ONE-HALF ACRE OF LAND AND A SINGLE-FAMILY RESIDENCE WITH DETACHED TWO-CAR GARAGE. THIS PROPERTY
 19 IS COMMONLY KNOWN AS THE BRICKYARD PROPERTY, SOUTH OF THE CITY OF DEER LODGE.

20 (4) APPROXIMATELY ONE-HALF ACRE OF LAND AND A SINGLE-FAMILY RESIDENCE WITH DETACHED GARAGE, LOCATED ON THE PRISON
 21 RANCH ABOUT 7 MILES NORTH OF DEER LODGE ON THE FRONTAGE ROAD; AND

22 (5) APPROXIMATELY 5 ACRES OF LAND COMMONLY KNOWN AS THE OLD BRICKYARD, LOCATED SOUTH OF DEER LODGE ON THE EASTSIDE
 23 ROAD.

24 Section 14. Planning and design. The department of administration may proceed with the planning and design of
 25 capital projects prior to the receipt of other appropriated funds. The department may use interaccount loans in

1 accordance with 17-2-107 to pay such planning and design costs incurred prior to the receipt of other appropriated
2 funds.

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

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

9 (2) the scope of the project must be substantially altered or revised from the preliminary plans presented for
10 that project in the 1987-89 long-range building program presented to the 50th legislature.

11 Section 16. Legislative consent. The appropriations authorized in this act constitute legislative consent for the
12 capital projects contained in this act within the meaning of 18-2-102.

13 Section 17. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid
14 part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect
15 in all valid applications that are severable from the invalid applications.

16 Section 18. Effective date. This act is effective on passage and approval.

-End-

SENATE

STANDING COMMITTEE REPORT

SCRHB5

scrhb5.scr

March 25, 1987

March 25, 1987

MR. PRESIDENT

Finance and Claims

We, your committee on

House Bill 5

having had under consideration

third reading copy (blue color)

LONG-RANGE BUILDING PROGRAM BILL

Respectfully report as follows: That House Bill No. 5

BE AMENDED AS FOLLOWS:

- 1. Page 3, line 14.
Following: line 13
Insert: "Miles City Cool/Warm Water Hatchery Supplemental
81,750 FWP License Fees
245,250 Federal" (insert sums under "Other Appropriated
Funds")
- 2. Page 3, line 23.
Following: "Federal"
Insert: "and Private Revenue"
- 3. Page 6, line 3.
Following: "ADDITIONS"
Insert: ", Statewide"
- 4. Page 6, line 16.
Following: "1,890,000"
Insert: "Plant, Auxiliary, and/or Loan"

5. Page 6, following line 16.
Insert: "The MSU energy management control system project will be financed under the authority of the board of regents with plant funds, auxiliary funds, or conventional lending, or a combination of such financing sources, on which the debt service will be retired with plant and auxiliary funds. The department of administration may not award a construction contract for this project until the board of regents has approved a financial plan that is based upon an engineering analysis and statement of projected energy savings. The annual conventional lending repayment requirement may not exceed the total estimated net annual savings contained in the MSU plant and auxiliary utility budget base.

Any debt incurred in financing the project does not constitute a liability or obligation or a pledge of the faith and credit of the state but is payable solely from revenues or funds of MSU generated or received for purposes of financing the project. An obligation issued under this part must contain on the face thereof a statement to the effect that the state of Montana is not liable on the obligation and the obligation is not a debt of the state and neither the faith and credit nor the taxing power of the state is pledged to the payment of the principal of or the interest on the obligation."

6. Page 7, line 20.
Following: "\$200,000"
Insert: "Architecture and Engineering Construction State Special Revenue"

AND AS AMENDED,
BE CONCURRED IN

END PAGE

XXXXX, PASS

CONTINUED

Chairman

Senator Regan