

HB 895 INTRODUCED BY POULSEN, ET AL.
ESTABLISH LOCATION OF LAW ENFORCEMENT ACADEMY AT THE
COLLEGE OF GREAT FALLS

| | | | |
|------|----------------------------------|----|----|
| 3/24 | INTRODUCED | | |
| 3/24 | REFERRED TO APPROPRIATIONS | | |
| 3/24 | FISCAL NOTE REQUESTED | | |
| 3/28 | FISCAL NOTE RECEIVED | | |
| 3/30 | HEARING | | |
| 3/30 | TAKEN FROM COMMITTEE | 52 | 44 |
| 4/01 | 2ND READING PASSED AS AMENDED | 53 | 46 |
| 4/01 | 3RD READING PASSED | 49 | 48 |
| | TRANSMITTED TO SENATE | | |
| 4/03 | REFERRED TO STATE ADMINISTRATION | | |
| 4/06 | REFERRED TO LONG RANGE PLANNING | | |
| 4/10 | HEARING | | |
| | DIED IN COMMITTEE | | |

1 *Walker* *House* BILL NO. *895*
 2 INTRODUCED BY *Gregory Miller* *Manuel Fekken*
 3 *Bulger* *Richard Manning* *Walt Meyer* *Robert Leites*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING LOCATION
 5 OF THE MONTANA LAW ENFORCEMENT ACADEMY AT THE COLLEGE OF
 6 GREAT FALLS; AUTHORIZING THE DEPARTMENT OF JUSTICE TO LEASE

7 FACILITIES AND SERVICES FOR THE ACADEMY; APPROPRIATING
 8 MONEY; AMENDING SECTIONS 44-10-103 AND 44-10-202, MCA; AND
 9 PROVIDING A DELAYED EFFECTIVE DATE."

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

12 Section 1. Section 44-10-103, MCA, is amended to read:
 13 "44-10-103. Establishment of academy. There is hereby
 14 established a Montana law enforcement academy located at the
 15 college of Great Falls in Great Falls, Montana."

16 Section 2. Section 44-10-202, MCA, is amended to read:
 17 "44-10-202. Powers and duties of department. The
 18 department of justice shall have the power and it shall be
 19 its duty to:

- 20 (1) use facilities at the college of Great Falls that
- 21 meet the needs of the academy;
- 22 (2) secure use of the firing range and other training
- 23 facilities available at the Malmstrom air force base;
- 24 (3) contract in respect to matters necessary for the
- 25 provision of services to the academy;

1 ~~1~~(4) establish qualifications for admission to the
 2 academy;

3 ~~2~~(5) select from among the qualified applicants
 4 those officers who are to attend the academy each year;

5 ~~3~~(6) determine the curriculum and methods of
 6 training for the officers attending the academy;

7 ~~4~~(7) select and hire such staff as it deems
 8 necessary to implement this chapter;

9 ~~5~~(8) establish rules for the conduct of the officers
 10 at the academy;

11 ~~6~~(9) award appropriate certificates to the officers
 12 who successfully complete their training;

13 ~~7~~(10) provide for the keeping of permanent records of
 14 enrollment, attendance, and graduation and such other
 15 records as the department may deem necessary;

16 ~~8~~(11) make a yearly report in writing of the
 17 activities of the academy. Copies of this report shall be
 18 sent to the governor, attorney general, and secretary of
 19 state.

20 ~~9~~(12) do all other things necessary and desirable for
 21 the establishment and operation of the academy not
 22 inconsistent with this chapter or the constitution and
 23 statutes of the state of Montana;

24 ~~10~~(13) accept and expend grants from federal, state,
 25 county, and city governments or private persons,



-2- INTRODUCED BILL
 HB-895

1 associations, or corporations."

2 NEW SECTION. Section 3. Lease agreement authorized.
3 The department of justice shall enter into a lease agreement
4 with the college of Great Falls for the procurement of
5 facilities and services needed to serve the academy. The
6 agreement must provide for:

- 7 (1) rental of college facilities to house the academy;
8 (2) remodeling and conversion of existing structures
9 into classroom and dormitory space;
10 (3) use of land for parking and access to the academy
11 site; and
12 (4) maintenance of the grounds and the exterior of all
13 leased structures.

14 NEW SECTION. Section 4. Contract provisions. The
15 lease agreement authorized under [section 3] must:

- 16 (1) provide for fixed annual rent of \$100,000 for a
17 term of 5 years;
18 (2) be renewable at the conclusion of the lease period
19 for additional periods of 5 years, subject to a 10% increase
20 in annual rent for each 5-year period in which the lease is
21 renewed; and
22 (3) contain such other provisions as determined by the
23 department of justice to be necessary for purposes of this
24 chapter.

25 NEW SECTION. Section 5. Optional lease for auxiliary

1 services and facilities. In addition to the authority
2 provided in [section 3], the department of justice may enter
3 into an optional agreement for the lease of auxiliary
4 facilities at the college of Great Falls, including the
5 college gymnasium, swimming pool, recreation rooms, library,
6 auditorium, and classroom buildings. This optional agreement
7 may not exceed \$10,000 in annual lease costs.

8 NEW SECTION. Section 6. Appropriation. (1) There is
9 appropriated from the general fund to the department of
10 justice for the fiscal year ending June 30, 1989, the sum of
11 \$151,200 for establishment and operation of the Montana law
12 enforcement academy at the college of Great Falls.

13 (2) The appropriation provided for in subsection (1)
14 includes \$100,000 for lease payments, \$24,000 for custodial
15 and laundry services, \$17,200 for utility expenses, and
16 \$10,000 for optional lease costs.

17 NEW SECTION. Section 7. Extension of authority. Any
18 existing authority of the department of justice to make
19 rules on the subject of the provisions of this act is
20 extended to the provisions of this act.

21 NEW SECTION. Section 8. Codification instruction.
22 Sections 3 through 5 are intended to be codified as an
23 integral part of Title 44, chapter 10, and the provisions of
24 Title 44, chapter 10, apply to sections 3 through 5.

25 NEW SECTION. Section 9. Effective date. This act is

LC 0251/01

1 effective July 1, 1988.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB895, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act establishing location of the Montana Law Enforcement Academy at the College of Great Falls; authorizing the Department of Justice to lease facilities and services for the academy; appropriating money; amending Sections 44-10-103 and 44-10-202; MCA; and providing a delayed effective date.

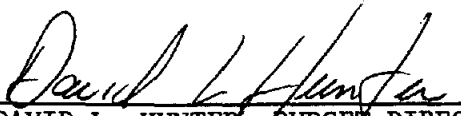
ASSUMPTIONS:

1. Use of the firing range at Malmstrom will be provided at no cost to the Academy.
2. Lessor will be responsible for repair and maintenance to interior and exterior of building.
3. Lessor will provide up to \$5,000 for remodeling costs.

FISCAL IMPACT:

| | Current Law <u>Bozeman</u> | <u>FY89</u> Proposed Law <u>Great Falls</u> | <u>Difference</u> |
|--------------------------------|-------------------------------|---|-------------------|
| <u>Expenditures:</u> | | | |
| Basic Rent | \$151,000 | \$100,000 | (\$ 51,000) |
| Rent-Auxiliary Facilities | 500 | 10,000 | 9,500 |
| Utilities; Custodial & Laundry | 0 | 41,200 | 41,200 |
| Food Service | 43,000 | 44,000 | 1,000 |
| Relocation | 0 | 37,000 | 37,000 |
| Remodeling-less \$5,000 | 0 | 11,500 | 11,500 |
| TOTAL | <u>\$194,500</u> | <u>\$243,700</u> | <u>\$ 49,200</u> |
| <u>Funding:</u> | | | |
| Motor Vehicle Funds | \$194,500 | 0 | |
| General Fund | 0 | \$243,700 | |

HB2 gives the Department of Justice authority to purchase the existing buildings at Bozeman. If this occurs the operating cost at the Bozeman facility will be reduced by \$96,000. \$55,000 is still required for maintenance and utilities.

 DATE 3/28/87
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

DATE _____
 JOHN PHILLIPS, PRIMARY SPONSOR

Fiscal Note for HB895, as introduced.

HB 895

WITHOUT RECOMMENDATION
MOTION TO MOVE FROM
COMMITTEE TO 2ND READING

1 *Walter* *House* BILL NO. *895*
2 INTRODUCED BY *Phillips* *Mills* *Whuman* *Stacy*
3 *Pulley* *Strick* *Nisbet* *Manuel* *Kochube*
4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING LOCATION
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6 GREAT FALLS; AUTHORIZING THE DEPARTMENT OF JUSTICE TO LEASE
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8 MONEY; AMENDING SECTIONS 44-10-103 AND 44-10-202, MCA; AND
9 PROVIDING A DELAYED EFFECTIVE DATE."
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17 "44-10-202. Powers and duties of department. The
18 department of justice shall have the power and it shall be
19 its duty to:
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21 meet the needs of the academy;
22 (2) secure use of the firing range and other training
23 facilities available at the Malmstrom air force base;
24 (3) contract in respect to matters necessary for the
25 provision of services to the academy;

1 ~~(1)~~(4) establish qualifications for admission to the
2 academy;
3 ~~(2)~~(5) select from among the qualified applicants
4 those officers who are to attend the academy each year;
5 ~~(3)~~(6) determine the curriculum and methods of
6 training for the officers attending the academy;
7 ~~(4)~~(7) select and hire such staff as it deems
8 necessary to implement this chapter;
9 ~~(5)~~(8) establish rules for the conduct of the officers
10 at the academy;
11 ~~(6)~~(9) award appropriate certificates to the officers
12 who successfully complete their training;
13 ~~(7)~~(10) provide for the keeping of permanent records of
14 enrollment, attendance, and graduation and such other
15 records as the department may deem necessary;
16 ~~(8)~~(11) make a yearly report in writing of the
17 activities of the academy. Copies of this report shall be
18 sent to the governor, attorney general, and secretary of
19 state.
20 ~~(9)~~(12) do all other things necessary and desirable for
21 the establishment and operation of the academy not
22 inconsistent with this chapter or the constitution and
23 statutes of the state of Montana;
24 ~~(10)~~(13) accept and expend grants from federal, state,
25 county, and city governments or private persons,

1 associations, or corporations."

2 NEW SECTION. Section 3. Lease agreement authorized.
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9 into classroom and dormitory space;
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11 site; and
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13 leased structures.

14 NEW SECTION. Section 4. Contract provisions. The
15 lease agreement authorized under [section 3] must:

- 16 (1) provide for fixed annual rent of \$100,000 for a
17 term of 5 years;
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10 justice for the fiscal year ending June 30, 1989, the sum of
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12 enforcement academy at the college of Great Falls.

13 (2) The appropriation provided for in subsection (1)
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22 Sections 3 through 5 are intended to be codified as an
23 integral part of Title 44, chapter 10, and the provisions of
24 Title 44, chapter 10, apply to sections 3 through 5.

25 NEW SECTION. Section 9. Effective date. This act is

LC 0251/01

1 effective July 1, 1988.

-End-

1 HOUSE BILL NO. 895

2 INTRODUCED BY POULSEN, MILLER, NEUMAN, THAYER,
3 PHILLIPS, WALKER, BULGER, STRIZICH, NISBET, MANUEL,
4 KOEHNKE, PISTORIA, SWITZER, MCCORMICK, O'CONNELL,
5 COBB, MANNING, GALT, MEYER, KOLSTAD, KEATING

6
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1 integral part of Title 44, chapter 10, and the provisions of
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3 NEW SECTION. SECTION 9. COORDINATION INSTRUCTION. IF
4 EITHER HOUSE BILL NO. 894 OR HOUSE BILL NO. 903 FAILS TO BE
5 PASSED AND APPROVED, THEN THIS ACT IS VOID.

6 NEW SECTION. Section 10. Effective date. This act is
7 effective July 1, 1988.

-End-