

HOUSE BILL 433

Introduced by Bachini, et al.

1/26	Introduced
1/26	Referred to Education & Cultural Resources
1/31	Fiscal Note Requested
2/06	Hearing
2/06	Fiscal Note Received
2/07	Committee Report--Bill Passed
2/08	Fiscal Note Printed
2/11	2nd Reading Passed
2/11	Taken From Engrossing
2/11	Rereferred to Appropriations
3/13	Hearing
3/15	Tabled in Committee

1 *House* BILL NO. *433*  
 2 INTRODUCED BY *Richard Yellowtail Peak Jr. from*  
 3 *House*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATE  
 5 HISTORIC SITES SYSTEM IMPROVEMENT COMMISSION; APPROPRIATING  
 6 FUNDS FOR THE COMMISSION'S USE; AND PROVIDING AN IMMEDIATE  
 7 EFFECTIVE DATE AND A TERMINATION DATE."  
 8

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

10 NEW SECTION. Section 1. Definitions. As used in [this  
 11 act], "commission" means the state historic sites system  
 12 improvement commission created in [section 2].

13 NEW SECTION. Section 2. State historic sites system  
 14 improvement commission. (1) There is a state historic sites  
 15 system improvement commission.

16 (2) The commission consists of 15 members appointed as  
 17 follows:

18 (a) two members of the house of representatives  
 19 appointed by the speaker of the house;

20 (b) two members of the house of representatives  
 21 appointed by the house minority leader;

22 (c) two members of the senate appointed by the  
 23 president of the senate;

24 (d) two members of the senate appointed by the senate  
 25 minority leader;

1 (e) three citizen representatives appointed by the  
 2 board of trustees of the Montana historical society;

3 (f) three citizen representatives appointed by the  
 4 fish and game commission; and

5 (g) one citizen representative appointed by the  
 6 tourism advisory council.

7 (3) No more than two members from each house of the  
 8 legislature may be of the same political party.

9 (4) The director of the Montana historical society;  
 10 the administrator of the parks division, department of fish,  
 11 wildlife, and parks; and the administrator of the Montana  
 12 promotion division, department of commerce, shall serve as  
 13 ex officio members of the commission.

14 NEW SECTION. Section 3. Term of office -- vacancies.  
 15 (1) A commission member shall serve until termination of  
 16 [this act] as provided in [section 8].

17 (2) A vacancy on the commission must be filled in the  
 18 same manner as the original appointment.

19 NEW SECTION. Section 4. Officers -- meetings -- rules  
 20 -- compensation. (1) The commission shall choose from its  
 21 membership a chairman and a vice chairman.

22 (2) The commission shall meet at least quarterly and  
 23 at other times upon call of the chairman. The chairman shall  
 24 notify commission members of the time and place of each  
 25 meeting.

1 (3) The commission may adopt procedural rules for  
2 conducting its meetings.

3 (4) A member is entitled to compensation as provided  
4 in 2-18-501 through 2-18-503. Expenses incurred by an ex  
5 officio member must be paid from the budget of his state  
6 agency.

7 NEW SECTION. Section 5. Powers and duties of  
8 commission -- recommendations -- report. (1) The commission  
9 shall conduct a comprehensive study of Montana's state-owned  
10 historic park, monument, and site system. The commission  
11 shall examine and assess each component of the system,  
12 including funding, administration, preservation,  
13 maintenance, interpretation of sites and objects, marketing,  
14 and use by visitors. A legislative or executive agency,  
15 board, or commission shall provide the commission with any  
16 information or data requested by the chairman. The chairman  
17 may also request information and data from private  
18 organizations and associations and from governmental  
19 agencies in other states.

20 (2) As part of its study, the commission shall adopt  
21 recommendations for improving Montana's state-owned historic  
22 park, monument, and site system. A recommendation must be  
23 approved by a vote of at least eight members.

24 (3) The commission shall prepare a written report  
25 containing its findings, recommendations, and any proposed

1 legislation for submission to the governor and legislature  
2 by December 1, 1990.

3 NEW SECTION. Section 6. Staff assistance --  
4 facilities and supplies. (1) The director of the Montana  
5 historical society shall select a historical society  
6 employee to serve as coordinator for the commission. The  
7 director may contract for consulting services if necessary.

8 (2) The historical society shall provide meeting  
9 facilities for the commission and office space, equipment,  
10 and supplies for the coordinator. The costs of required  
11 travel, telephone use, supplies, printing, mailing, and  
12 consulting services must be paid from the appropriation  
13 provided in [section 7].

14 NEW SECTION. Section 7. Appropriation. There is  
15 appropriated \$8,000 to the Montana historical society for  
16 the biennium ending June 30, 1991, for use by the  
17 commission.

18 NEW SECTION. Section 8. Effective date --  
19 termination. [This act] is effective on passage and approval  
20 and terminates December 31, 1990.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB433, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An Act creating a State Historic Sites System Improvement Commission; appropriating funds for the Commission's use and providing an immediate effective date and a termination date.

ASSUMPTIONS:

1. The Commission will meet 7 times during the 1990-91 biennium and all 7 meetings will be 1-day meetings.
2. One-half the representatives and one-half the senators will claim one-days' salary and meals.
3. One-half the representatives and one-half the senators will travel sufficient distance to require lodging for each meeting; these representatives and senators will also claim 2-days' salary, 2 days' meals and 1-night's lodging reimbursement.
4. Salary for legislators will remain at \$52.13/day and benefits will be 8% of salary.
5. Mileage for representatives will average 367 miles round trip and senators will average 383 miles round trip.
6. All costs for Legislators will be paid by the Historical Society from the appropriation in Section 7 and other available funds.
7. Meetings attended by 7 public members based on \$80/meeting per Commission member derived from the Historic Preservation Office experience and state travel and per diem rates.
8. A consultant for 2 months time period based on the State grade 14 pay rate.
9. Approximately 100 long-distance phone calls at an average of \$3 per call.
10. Printing and duplicating for an approximate 200 page report at current state Publications and Graphics rates.

<u>FISCAL IMPACT:</u>	<u>Proposed Law</u> <u>FY90</u>	<u>Proposed Law</u> <u>FY91</u>
<u>Expenditures:</u>		
Historical Society	\$4,030	\$ 3,970
Legislature	5,009	6,678
Total	\$9,039	\$10,648
<u>Funding:</u>		
General Fund	8,000	-0-
Deficit:	(\$1,039)	(\$10,648)

The estimated expenditures exceed proposed appropriation.

Ray Shackelford 2/6/89  
 RAY SHACKLEFORD, BUDGET DIRECTOR DATE  
 OFFICE OF BUDGET AND PROGRAM PLANNING

Bob Bachini 2-9-89  
 BOB BACHINI, PRIMARY SPONSOR DATE

Fiscal Note for HB433, as introduced

**HB 433**

APPROVED BY COMM. ON EDUCATION  
AND CULTURAL RESOURCES

1 *Ellen* **HOUSE** BILL NO. **433**  
 2 INTRODUCED BY *Bachman Yellowtail Park Johnson*  
 3 *Harmon Haffman Clark Cook Stacey Stacey*  
 4 *Harmon Haffman* A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A STATE  
 5 *Bachman Yellowtail Park Johnson* HISTORIC SITES SYSTEM IMPROVEMENT COMMISSION; APPROPRIATING  
 6 *Harmon Haffman* FUNDS FOR THE COMMISSION'S USE; AND PROVIDING AN IMMEDIATE  
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 6 tourism advisory council.  
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(3) The commission may adopt procedural rules for conducting its meetings.

(4) A member is entitled to compensation as provided in 2-18-501 through 2-18-503. Expenses incurred by an ex officio member must be paid from the budget of his state agency.

**NEW SECTION. Section 5. Powers and duties of commission -- recommendations -- report.** (1) The commission shall conduct a comprehensive study of Montana's state-owned historic park, monument, and site system. The commission shall examine and assess each component of the system, including funding, administration, preservation, maintenance, interpretation of sites and objects, marketing, and use by visitors. A legislative or executive agency, board, or commission shall provide the commission with any information or data requested by the chairman. The chairman may also request information and data from private organizations and associations and from governmental agencies in other states.

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(3) The commission shall prepare a written report containing its findings, recommendations, and any proposed

legislation for submission to the governor and legislature by December 1, 1990.

**NEW SECTION. Section 6. Staff assistance -- facilities and supplies.** (1) The director of the Montana historical society shall select a historical society employee to serve as coordinator for the commission. The director may contract for consulting services if necessary.

(2) The historical society shall provide meeting facilities for the commission and office space, equipment, and supplies for the coordinator. The costs of required travel, telephone use, supplies, printing, mailing, and consulting services must be paid from the appropriation provided in [section 7].

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