

HOUSE BILL NO. 789

INTRODUCED BY CONNELLY, BARDANOUVE, LEE, J. BROWN,
ELLISON, REGAN, MOORE, WESTLAKE, WYATT, STRIZICH,
MCDONOUGH, KADAS, BROOKE, REAM, JOHNSON, STICKNEY, ECK,
CODY, ELLIOTT, SCHYE, L. NELSON, SQUIRES, ADDY,
NISBET, RANEY, PECK, VINCENT, QUILICI, HANSEN, DARKO,
RUSSELL, KIMBERLEY, KILPATRICK, WHALEN, DEMARS,
COCCHIARELLA, GERVAIS, SPAETH, HARRINGTON, HOFFMAN,
O'KEEFE, STANG, IVERSON, PETERSON, SMITH, OWENS,
GOOD, ABRAMS, EUDAILY, KNAPP, T. NELSON, THOFT,
R. NELSON, JERGESON, BOYLAN, HALLIGAN, WILLIAMS,
BOHARSKI, HAMMOND, MENAHAN, MANNING, STIMATZ,
VAUGHN, HAGER, PINSONEAULT, WALKER, JACOBSON, MCLANE,
VAN VALKENBURG, TVEIT, HARDING, HARP, PIPINICH,
GAGE, JENKINS, CRIPPEN, NATHE

IN THE HOUSE

MARCH 21, 1989

INTRODUCED AND REFERRED TO COMMITTEE
ON APPROPRIATIONS.

FIRST READING.

MARCH 23, 1989

COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

ON MOTION, RULES SUSPENDED TO ALLOW
BILL PLACED ON SECOND READING THIS DAY.

SECOND READING, DO PASS.

ON MOTION, RULES SUSPENDED TO ALLOW
BILL PLACED ON THIRD READING THIS DAY.

THIRD READING, PASSED.
AYES, 74; NOES, 19.

TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 27, 1989

INTRODUCED AND REFERRED TO COMMITTEE
ON FINANCE & CLAIMS.

FIRST READING.

APRIL 11, 1989

COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

APRIL 12, 1989

SECOND READING, CONCURRED IN AS
AMENDED.

APRIL 13, 1989

THIRD READING, CONCURRED IN.
AYES, 46; NOES, 2.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 15, 1989

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 17, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 789
2 INTRODUCED BY Connelly Bellevue Ray Brown
3 Moore Wright Frank Paul Reh
4 A BILL FOR AN ACT ENTITLED: "AN ACT ACCEPTING THE
5 POWER-TOBIN MANSION AS THE LEGISLATURE'S CENTENNIAL GIFT TO
6 THE CITIZENS OF THE STATE OF MONTANA AUTHORIZING THE SALE
7 OF THE EXISTING GOVERNOR'S MANSION PROVIDING THAT PROCEEDS
8 OF THE SALE BE USED FOR RENOVATION AND MAINTENANCE OF THE
9 POWER-TOBIN MANSION; AND APPROPRIATING FUNDS TO DEFRAY
10 RECORDING COSTS." Embrey Krueger Tom Nelson Hay
11 Wright Bellevue Hammond Stacy Laughlin
12 WHEREAS, the Power-Tobin Mansion, built in 1886,
13 represents the economic, political, and cultural development
14 within the Montana Territory that led to our statehood; and
15 WHEREAS, the Power-Tobin Mansion also represents the
16 economic, political, and cultural maturity that Montana has
17 achieved as a state; and
18 WHEREAS, the Queen Anne styling, the formal landscaping
19 developed by Montana's own historic State Nursery and Seed
20 Company, and the distinctive interior craftsmanship place
21 the Power-Tobin Mansion among Montana's most architecturally
22 important historic homes; and
23 WHEREAS, the Power-Tobin Mansion has welcomed many
24 notable guests, including a young cowboy named Charlie
25 Russell; and

LC 1806/01

1 NEW SECTION. **Section 2. Sale of executive mansion.**

2 The board of land commissioners shall sell the executive
3 mansion located at 2 Carson Street, Helena, Montana. The
4 proceeds of the sale must be deposited in an account in the
5 capital projects fund. The funds in the account, including
6 the interest and income earned on the account, must be used
7 for the renovation and maintenance of the Power-Tobin
8 mansion.

9 NEW SECTION. **Section 3. Appropriation.** There is

10 appropriated from the general fund \$2 to the department of
11 administration to defray the costs of recording the transfer
12 of property with the Lewis and Clark County clerk and
13 recorder.

-End-

APPROVED BY COMMITTEE
ON APPROPRIATIONS

HOUSE BILL NO. 789

INTRODUCED BY CONNELLY, BARDANOUE, LEE, J. BROWN,
ELLISON, REGAN, MOORE, WESTLAKE, WYATT, STRIZICH,
MCDONOUGH, KADAS, BROOKE, REAM, JOHNSON, STICKNEY, ECK,
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A BILL FOR AN ACT ENTITLED: "AN ACT ACCEPTING THE
POWER-TOBIN MANSION AS THE LEGISLATURE'S CENTENNIAL GIFT TO
THE CITIZENS OF THE STATE OF MONTANA; AUTHORIZING THE SALE
OF THE EXISTING GOVERNOR'S MANSION; PROVIDING THAT PROCEEDS
OF THE SALE BE USED FOR RENOVATION AND MAINTENANCE OF THE
POWER-TOBIN MANSION; AND APPROPRIATING FUNDS TO DEFRAY
RECORDING COSTS."

WHEREAS, the Power-Tobin Mansion, built in 1886,

represents the economic, political, and cultural development
within the Montana Territory that led to our statehood; and

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economic, political, and cultural maturity that Montana has
achieved as a state; and

WHEREAS, the Queen Anne styling, the formal landscaping
developed by Montana's own historic State Nursery and Seed
Company, and the distinctive interior craftsmanship place
the Power-Tobin Mansion among Montana's most architecturally
important historic homes; and

WHEREAS, the Power-Tobin Mansion has welcomed many
notable guests, including a young cowboy named Charlie
Russell; and

WHEREAS, the former owners of the Power-Tobin Mansion,
including Shirley Carter Ashby, Thomas H. Carter, Peter
Larson, Charles Power, and Thomas Tobin, represent the best
of political influence and economic initiative in Montana
history; and

WHEREAS, the late Jane Power-Tobin has generously
bequeathed the Power-Tobin Mansion to the State of Montana,
conditioned upon its use as the official residence of the
Governor or Lieutenant Governor for the next 25 years; and

WHEREAS, the private sector has begun to raise money
and is encouraged and supported in its effort to raise money
for the renovation and maintenance of the mansion.

1 THEREFORE, in this year of Montana's Centennial
 2 Celebration, the 51st Legislature finds it appropriate to
 3 accept, as the Legislature's Centennial gift to the citizens
 4 of the State of Montana, the gift of the Power-Tobin Mansion
 5 and to commit to its preservation and use as the official
 6 residence of the Governor or Lieutenant Governor.

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

9 NEW SECTION. Section 1. Acceptance of Power-Tobin
 10 mansion. The state of Montana accepts the bequest of the
 11 Power-Tobin mansion, to be used as the official residence of
 12 the governor. The board of land commissioners shall manage
 13 the mansion for the state.

14 NEW SECTION. Section 2. Sale of executive mansion.
 15 The board of land commissioners shall MAY sell the executive
 16 mansion located at 2 Carson Street, Helena, Montana, UPON
 17 COMPLETION OF THE TOBIN MANSION RENOVATION PROJECT. The
 18 proceeds of the sale must be deposited in an account in the
 19 capital projects fund. The funds in the account, including
 20 the interest and income earned on the account, must be used
 21 for the ONGOING renovation and maintenance of the
 22 Power-Tobin mansion.

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 24 appropriated from the general fund \$2 to the department of
 25 administration to defray the costs of recording the transfer

1 of property with the Lewis and Clark County clerk and
 2 recorder. THE DEPARTMENT OF ADMINISTRATION IS AUTHORIZED TO
 3 ACCEPT AND EXPEND PRIVATE DONATIONS, AND SUCH DONATIONS ARE
 4 APPROPRIATED FOR THE PURPOSES OF [THIS ACT].

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WHEREAS, the late Jane Power-Tobin has generously
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Governor or Lieutenant Governor for the next 25 years; and

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and is encouraged and supported in its effort to raise money
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2 Celebration, the 51st Legislature finds it appropriate to
3 accept, as the Legislature's Centennial gift to the citizens
4 of the State of Montana, the gift of the Power-Tobin Mansion
5 and to commit to its preservation and use as the official
6 residence of the Governor or Lieutenant Governor.

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

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2 recorder. THE DEPARTMENT OF ADMINISTRATION IS AUTHORIZED TO
3 ACCEPT AND EXPEND PRIVATE DONATIONS, AND SUCH DONATIONS ARE
4 APPROPRIATED FOR THE PURPOSES OF [THIS ACT].

-End-

SENATE COMMITTEE OF THE WHOLE AMENDMENT

page 1 of 2
April 12, 1989 2:33 pm

Mr. Chairman: I move to amend HB 789 (third reading copy -- blue) as follows:

1. Title, line 22.

Following: ";"

Insert: "PROVIDING FOR THE USE AND MAINTENANCE OF THE MANSION;
ESTABLISHING A COUNCIL TO OVERSEE A RESTORATION PLAN;"

2. Page 3, line 10.

Following: "mansion"

Insert: "-- designation -- use"

Following: "."

Insert: "(1)"

3. Page 3, lines 11 and 12.

Following: "mansion"

Strike: remainder of line 11 through "governor" on line 12

Insert: "if sufficient private sector funding is obtained"

4. Page 3, line 14.

Following: line 13

Insert: "(2) The Power-Tobin mansion located at 624 Dearborn Street, Helena, Montana, is the governor's centennial mansion. The mansion must be used for official ceremonial functions of the state and to provide suitable living quarters for the governor of the state."

5. Page 3, line 23.

Following: line 22

Insert: "NEW SECTION. Section 3. Maintenance. The department of administration shall maintain the governor's centennial mansion in the same way as other state buildings are maintained and shall rehabilitate, decorate, and furnish the governor's centennial mansion. The decoration and furnishing must be guided by the governor's centennial mansion council."

NEW SECTION. Section 4. Council -- composition -- duties.

(1) There is a governor's centennial mansion council. The council consists of the following five members:

- (a) a designee of the governor;
- (b) the director of the Montana historical society;
- (c) the Montana state historic preservation officer;
- (d) a representative of the Montana arts council appointed by the governor; and
- (e) the administrator of the architecture and engineering division of the department of administration.

SENATE COMMITTEE OF THE WHOLE, HB 789

Page 2 of 2

April 12, 1989

(2) The members of the council shall serve without compensation. The council shall elect a chair and a secretary from among its members. The council terminates on June 30, 1993.

(3) The council shall develop an overall restoration plan for the governor's centennial mansion and surrounding grounds and shall approve alterations in the existing structure.

NEW SECTION. Section 5. Gifts. (1) In order to maintain and improve the quality of the furnishings of the public areas of the governor's centennial mansion, the council may solicit and accept on behalf of the Montana community foundation donated money, furnishings, objects of art, and other items the council determines may have historical value in keeping with the period and purpose of the governor's centennial mansion.

(2) The council may solicit contributions for the renovation of and capital improvements to the governor's centennial mansion.

(3) Gifts for the benefit of the governor's centennial mansion and surrounding grounds are not accepted by the state unless accepted by the council. The council shall maintain a complete inventory of all gifts and articles received.

Renumber: subsequent section

6. Page 4, line 3.

Following: "PRIVATE DONATIONS"

Insert: "in an amount not to exceed \$1 million"

ADOPT

REJECT

Signed: _____
Senator Blaylock

continued

SENATE
HB 789

cwhb789.412

1 HOUSE BILL NO. 789

2 INTRODUCED BY CONNELLY, BARDANOUVE, LEE, J. BROWN,
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17 A BILL FOR AN ACT ENTITLED: "AN ACT ACCEPTING THE
18 POWER-TOBIN MANSION AS THE LEGISLATURE'S CENTENNIAL GIFT TO
19 THE CITIZENS OF THE STATE OF MONTANA; AUTHORIZING THE SALE
20 OF THE EXISTING GOVERNOR'S MANSION; PROVIDING THAT PROCEEDS
21 OF THE SALE BE USED FOR RENOVATION AND MAINTENANCE OF THE
22 POWER-TOBIN MANSION; PROVIDING FOR THE USE AND MAINTENANCE
23 OF THE MANSION; ESTABLISHING A COUNCIL TO OVERSEE A
24 RESTORATION PLAN; AND APPROPRIATING FUNDS TO DEFRAY
25 RECORDING COSTS."

1
2 WHEREAS, the Power-Tobin Mansion, built in 1886,
3 represents the economic, political, and cultural development
4 within the Montana Territory that led to our statehood; and

5 WHEREAS, the Power-Tobin Mansion also represents the
6 economic, political, and cultural maturity that Montana has
7 achieved as a state; and

8 WHEREAS, the Queen Anne styling, the formal landscaping
9 developed by Montana's own historic State Nursery and Seed
10 Company, and the distinctive interior craftsmanship place
11 the Power-Tobin Mansion among Montana's most architecturally
12 important historic homes; and

13 WHEREAS, the Power-Tobin Mansion has welcomed many
14 notable guests, including a young cowboy named Charlie
15 Russell; and

16 WHEREAS, the former owners of the Power-Tobin Mansion,
17 including Shirley Carter Ashby, Thomas H. Carter, Peter
18 Larson, Charles Power, and Thomas Tobin, represent the best
19 of political influence and economic initiative in Montana
20 history; and

21 WHEREAS, the late Jane Power-Tobin has generously
22 bequeathed the Power-Tobin Mansion to the State of Montana,
23 conditioned upon its use as the official residence of the
24 Governor or Lieutenant Governor for the next 25 years; and

25 WHEREAS, the private sector has begun to raise money

and is encouraged and supported in its effort to raise money for the renovation and maintenance of the mansion.

THEREFORE, in this year of Montana's Centennial Celebration, the 51st Legislature finds it appropriate to accept, as the Legislature's Centennial gift to the citizens of the State of Montana, the gift of the Power-Tobin Mansion and to commit to its preservation and use as the official residence of the Governor or Lieutenant Governor.

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

NEW SECTION. Section 1. Acceptance of Power-Tobin mansion -- DESIGNATION -- USE. (1) The state of Montana accepts the bequest of the Power-Tobin mansion ~~to be used as the official residence of the governor~~ IF SUFFICIENT PRIVATE SECTOR FUNDING IS OBTAINED. The board of land commissioners shall manage the mansion for the state.

(2) THE POWER-TOBIN MANSION, LOCATED AT 624 DEARBORN STREET, HELENA, MONTANA, IS THE GOVERNOR'S CENTENNIAL MANSION. THE MANSION MUST BE USED FOR OFFICIAL CEREMONIAL FUNCTIONS OF THE STATE AND TO PROVIDE SUITABLE LIVING QUARTERS FOR THE GOVERNOR OF THE STATE.

NEW SECTION. Section 2. Sale of executive mansion. The board of land commissioners shall ~~may~~ sell the executive mansion located at 2 Carson Street, Helena, Montana, UPON COMPLETION OF THE TOBIN MANSION RENOVATION PROJECT. The

proceeds of the sale must be deposited in an account in the capital projects fund. The funds in the account, including the interest and income earned on the account, must be used for the ONGOING renovation and maintenance of the Power-Tobin mansion.

NEW SECTION. SECTION 3. MAINTENANCE. THE DEPARTMENT OF ADMINISTRATION SHALL MAINTAIN THE GOVERNOR'S CENTENNIAL MANSION IN THE SAME WAY AS OTHER STATE BUILDINGS ARE MAINTAINED AND SHALL REHABILITATE, DECORATE, AND FURNISH THE GOVERNOR'S CENTENNIAL MANSION. THE DECORATION AND FURNISHING MUST BE GUIDED BY THE GOVERNOR'S CENTENNIAL MANSION COUNCIL.

NEW SECTION. SECTION 4. COUNCIL -- COMPOSITION -- DUTIES. (1) THERE IS A GOVERNOR'S CENTENNIAL MANSION COUNCIL. THE COUNCIL CONSISTS OF THE FOLLOWING FIVE MEMBERS:

(A) A DESIGNEE OF THE GOVERNOR;
(B) THE DIRECTOR OF THE MONTANA HISTORICAL SOCIETY;
(C) THE MONTANA STATE HISTORIC PRESERVATION OFFICER;
(D) A REPRESENTATIVE OF THE MONTANA ARTS COUNCIL APPOINTED BY THE GOVERNOR; AND

(E) THE ADMINISTRATOR OF THE ARCHITECTURE AND ENGINEERING DIVISION OF THE DEPARTMENT OF ADMINISTRATION.

(2) THE MEMBERS OF THE COUNCIL SHALL SERVE WITHOUT COMPENSATION. THE COUNCIL SHALL ELECT A CHAIR AND A SECRETARY FROM AMONG ITS MEMBERS. THE COUNCIL TERMINATES ON JUNE 30, 1993.

1 (3) THE COUNCIL SHALL DEVELOP AN OVERALL RESTORATION
 2 PLAN FOR THE GOVERNOR'S CENTENNIAL MANSION AND SURROUNDING
 3 GROUNDS AND SHALL APPROVE ALTERATIONS IN THE EXISTING
 4 STRUCTURE.

5 NEW SECTION. SECTION 5. GIFTS. (1) IN ORDER TO
 6 MAINTAIN AND IMPROVE THE QUALITY OF THE FURNISHINGS OF THE
 7 PUBLIC AREAS OF THE GOVERNOR'S CENTENNIAL MANSION, THE
 8 COUNCIL MAY SOLICIT AND ACCEPT ON BEHALF OF THE MONTANA
 9 COMMUNITY FOUNDATION DONATED MONEY, FURNISHINGS, OBJECTS OF
 10 ART, AND OTHER ITEMS THE COUNCIL DETERMINES MAY HAVE
 11 HISTORICAL VALUE IN KEEPING WITH THE PERIOD AND PURPOSE OF
 12 THE GOVERNOR'S CENTENNIAL MANSION.

13 (2) THE COUNCIL MAY SOLICIT CONTRIBUTIONS FOR THE
 14 RENOVATION OF AND CAPITAL IMPROVEMENTS TO THE GOVERNOR'S
 15 CENTENNIAL MANSION.

16 (3) GIFTS FOR THE BENEFIT OF THE GOVERNOR'S CENTENNIAL
 17 MANSION AND SURROUNDING GROUNDS ARE NOT ACCEPTED BY THE
 18 STATE UNLESS ACCEPTED BY THE COUNCIL. THE COUNCIL SHALL
 19 MAINTAIN A COMPLETE INVENTORY OF ALL GIFTS AND ARTICLES
 20 RECEIVED.

21 NEW SECTION. Section 6. Appropriation. There is
 22 appropriated from the general fund \$2 to the department of
 23 administration to defray the costs of recording the transfer
 24 of property with the Lewis and Clark County clerk and
 25 recorder. THE DEPARTMENT OF ADMINISTRATION IS AUTHORIZED TO

1 ACCEPT AND EXPEND PRIVATE DONATIONS IN AN AMOUNT NOT TO
 2 EXCEED \$1 MILLION, AND SUCH DONATIONS ARE APPROPRIATED FOR
 3 THE PURPOSES OF [THIS ACT].

-End-