

SENATE BILL 19

Introduced by Norman

1/02	Introduced
1/02	Referred to State Administration
1/06	Hearing
1/09	Committee Report--Bill Passed
1/11	Rereferred to State Administration
	Died in Committee

SENATE BILL NO. 19

INTRODUCED BY NORMAN

A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING AUTHORITY TO THE LEGISLATURE TO ASSIGN SPACE IN THE CAPITOL AND IN CERTAIN OTHER BUILDINGS; AND AMENDING SECTIONS 2-17-101, 2-17-111, AND 5-17-102, MCA."

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

Section 1. Section 2-17-101, MCA, is amended to read:

"2-17-101. Allocation of space. (1) The department of administration shall periodically survey the needs of state agencies other than the university system and shall assign space in state buildings other than the capitol and office buildings on the same city block as the capitol to such agencies. No state agency other than an agency of the legislative branch shall lease, rent, or purchase property for quarters without prior approval of the department.

(2) (a) The location of the chambers for the house of representatives shall be determined in the sole discretion of the house of representatives. The location of the chambers of the senate shall be determined in the sole discretion of the senate.

(b) ~~The department of administration, with the advice of the capitol building and planning committee,~~ legislature,

in accordance with procedures established in joint rules,
shall allocate other space for the use of the legislature, including but not limited to space for committee rooms, and legislative offices, and legislative agencies or other state agencies or offices in the capitol, in other office buildings on the same city block as the capitol, or in other space acquired or otherwise available for use by the legislature or legislative agencies.

(3) For state agencies located in a city other than Helena, the department of administration shall consolidate the offices of these agencies in a single, central location within the city whenever such consolidation would result in a cost savings to the state while permitting sufficient space and facilities for the agencies. The department may purchase, lease, or acquire, by exchange or otherwise, land and buildings in the city to achieve consolidation. State retail liquor stores and liquor retail agencies are exempted from such consolidation."

Section 2. Section 2-17-111, MCA, is amended to read:

"2-17-111. Custodial care of capitol buildings and grounds. (1) The department of administration is custodian of all state property in the state capitol area.

(2) It is the duty of the department to supervise and direct the work of caring for and maintaining buildings and equipment in the capitol area. The department shall include

1 in the department's budget the necessary requests for
2 appropriations for the maintenance, repair, replacement,
3 renewal, or addition to state buildings and equipment in the
4 capitol area. The department shall cooperate with the
5 appropriate agencies of the legislative branch to carry out
6 these duties in relation to the capitol and other office
7 buildings located on the same city block as the capitol.

8 (3) No state agency other than an agency of the
9 legislative branch may alter, improve, repair, or remodel a
10 state building in the capitol area without the approval of
11 the department.

12 (4) It is the duty of the department of fish,
13 wildlife, and parks to maintain the grounds in the state
14 capitol area."

15 **Section 3.** Section 5-17-102, MCA, is amended to read:

16 **"5-17-102. Function of committee -- capitol area**
17 **master plan.** (1) The function of the committee is to
18 establish and maintain a master plan for the orderly
19 development of state buildings in the immediate area of the
20 capital city. The master plan shall be developed and
21 maintained with consideration given to the following
22 factors:

23 (a) the needs of the state relative to the location
24 and design of buildings to be constructed, purchase of land,
25 parking facilities, traffic management, and landscaping;

1 (b) the ordinances, plans, requirements, and proposed
2 improvements of the city of Helena and Lewis and Clark
3 County, based without limitation upon zoning regulations,
4 population trends, and plans for rapid transit development;

5 (c) any other factors that bear upon the orderly,
6 integrated, and cooperative development of the state, the
7 city of Helena, Lewis and Clark County, and of state
8 property in the immediate area of the capital city.

9 (2) The committee shall consult with and advise the
10 department of administration and the responsible entity of
11 the legislative branch concerning the assignment of space in
12 the capitol complex and the actual placement of busts,
13 statues, memorials, or art displays of a permanent nature
14 within public areas of the capitol complex. No such item may
15 be permanently displayed unless authorized by the
16 legislature.

17 (3) The committee shall serve as a long-range building
18 committee to recommend to the legislature and the department
19 of administration construction and remodeling priorities for
20 the capitol complex."

21 **Section 4. Executive agency removal.** No executive
22 branch officer or agency occupying space in the capitol or
23 other building placed under legislative control by [this
24 act] may be removed from that space against the will of the
25 officer or agency except pursuant to an act of the

LC 0022/01

1 legislature directing the removal. No executive branch
2 officer or agency may be assigned space under legislative
3 control after October 1, 1989, except on the condition that
4 such space must be voluntarily vacated upon request of the
5 legislative branch agency managing the space.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

SENATE BILL NO. 19

INTRODUCED BY NORMAN

A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING AUTHORITY TO THE LEGISLATURE TO ASSIGN SPACE IN THE CAPITOL AND IN CERTAIN OTHER BUILDINGS; AND AMENDING SECTIONS 2-17-101, 2-17-111, AND 5-17-102, MCA."

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

Section 1. Section 2-17-101, MCA, is amended to read:

"2-17-101. Allocation of space. (1) The department of administration shall periodically survey the needs of state agencies other than the university system and shall assign space in state buildings other than the capitol and office buildings on the same city block as the capitol to such agencies. No state agency other than an agency of the legislative branch shall lease, rent, or purchase property for quarters without prior approval of the department.

(2) (a) The location of the chambers for the house of representatives shall be determined in the sole discretion of the house of representatives. The location of the chambers of the senate shall be determined in the sole discretion of the senate.

(b) ~~The department of administration, with the advice of the capitol building and planning committee,~~ legislature,

in accordance with procedures established in joint rules,
shall allocate other space for the use of the legislature,
including but not limited to space for committee rooms, and
legislative offices, and legislative agencies or other state
agencies or offices in the capitol, in other office
buildings on the same city block as the capitol, or in other
space acquired or otherwise available for use by the
legislature or legislative agencies.

(3) For state agencies located in a city other than Helena, the department of administration shall consolidate the offices of these agencies in a single, central location within the city whenever such consolidation would result in a cost savings to the state while permitting sufficient space and facilities for the agencies. The department may purchase, lease, or acquire, by exchange or otherwise, land and buildings in the city to achieve consolidation. State retail liquor stores and liquor retail agencies are exempted from such consolidation."

Section 2. Section 2-17-111, MCA, is amended to read:

"2-17-111. Custodial care of capitol buildings and grounds. (1) The department of administration is custodian of all state property in the state capitol area.

(2) It is the duty of the department to supervise and direct the work of caring for and maintaining buildings and equipment in the capitol area. The department shall include

in the department's budget the necessary requests for appropriations for the maintenance, repair, replacement, renewal, or addition to state buildings and equipment in the capitol area. The department shall cooperate with the appropriate agencies of the legislative branch to carry out these duties in relation to the capitol and other office buildings located on the same city block as the capitol.

(3) No state agency other than an agency of the legislative branch may alter, improve, repair, or remodel a state building in the capitol area without the approval of the department.

(4) It is the duty of the department of fish, wildlife, and parks to maintain the grounds in the state capitol area."

Section 3. Section 5-17-102, MCA, is amended to read:

"5-17-102. Function of committee -- capitol area master plan. (1) The function of the committee is to establish and maintain a master plan for the orderly development of state buildings in the immediate area of the capital city. The master plan shall be developed and maintained with consideration given to the following factors:

(a) the needs of the state relative to the location and design of buildings to be constructed, purchase of land, parking facilities, traffic management, and landscaping;

(b) the ordinances, plans, requirements, and proposed improvements of the city of Helena and Lewis and Clark County, based without limitation upon zoning regulations, population trends, and plans for rapid transit development;

(c) any other factors that bear upon the orderly, integrated, and cooperative development of the state, the city of Helena, Lewis and Clark County, and of state property in the immediate area of the capital city.

(2) The committee shall consult with and advise the department of administration and the responsible entity of the legislative branch concerning the assignment of space in the capitol complex and the actual placement of busts, statues, memorials, or art displays of a permanent nature within public areas of the capitol complex. No such item may be permanently displayed unless authorized by the legislature.

(3) The committee shall serve as a long-range building committee to recommend to the legislature and the department of administration construction and remodeling priorities for the capitol complex."

Section 4. Executive agency removal. No executive branch officer or agency occupying space in the capitol or other building placed under legislative control by [this act] may be removed from that space against the will of the officer or agency except pursuant to an act of the

LC 0022/01

1 legislature directing the removal. No executive branch
2 officer or agency may be assigned space under legislative
3 control after October 1, 1989, except on the condition that
4 such space must be voluntarily vacated upon request of the
5 legislative branch agency managing the space.

-End-