

HOUSE BILL NO. 197

INTRODUCED BY QUILICI, JACOBSON, PIPINICH,
HARRINGTON, MCCARTHY, MENAHAN, D. BROWN,
PAVLOVICH, DRISCOLL, DAILY, LYNCH, MCCLERNAN

IN THE HOUSE

JANUARY 15, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
	FIRST READING.
JANUARY 27, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 28, 1993	PRINTING REPORT.
JANUARY 29, 1993	SECOND READING, DO PASS.
JANUARY 30, 1993	ENGROSSING REPORT.
FEBRUARY 1, 1993	THIRD READING, PASSED. AYES, 94; NOES, 6.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 3, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
	FIRST READING.
FEBRUARY 13, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
FEBRUARY 15, 1993	SECOND READING, CONCURRED IN.
FEBRUARY 16, 1993	THIRD READING, CONCURRED IN. AYES, 43; NOES, 6.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 3, 1993	RECEIVED FROM SENATE.
	SECOND READING, AMENDMENTS

MARCH 5, 1993

CONCURRED IN.

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 197 *Bob Repinski*
 2 INTRODUCED BY *Timothy Jacobson Harrington*
 3 *Bob McBeth* *Mark Mahan* *Dave Brown* *Carlson*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT DESIGNATING SILVER BOW
 5 COUNTY AND DEER LODGE COUNTY AS A CULTURAL HERITAGE AREA
 6 AND REQUIRING THE DEPARTMENT OF TRANSPORTATION TO ERECT
 7 SIGNS IDENTIFYING THE CULTURAL HERITAGE AREA."
 8

9 WHEREAS, Butte-Silver Bow and Anaconda-Deer Lodge are
 10 the sites of more than 100 years of living history of the
 11 early development of natural resources and the
 12 industrialization of America; and

13 WHEREAS, the cities of Butte and Anaconda have been
 14 recognized for their rich mining, smelting, social, labor,
 15 and ethnic history on the state and national levels; and

16 WHEREAS, Butte-Silver Bow and Anaconda-Deer Lodge make a
 17 significant contribution to understanding and interpreting
 18 the history of the great State of Montana; and

19 WHEREAS, the natural and cultural resources of the
 20 region have been inventoried, and an assessment has been
 21 made of the suitability of these resources for protection
 22 and interpretation; and

23 WHEREAS, Butte-Silver Bow has been designated a National
 24 Historic Landmark District by the U.S. Department of
 25 Interior and is listed on the National Register of Historic

1 Places, as are many sites in Anaconda-Deer Lodge; and
 2 WHEREAS, many of these nationally significant mining and
 3 smelting sites are threatened by demolition, vandalism,
 4 natural deterioration, and proposed reclamation; and

5 WHEREAS, natural and cultural resources of Butte-Silver
 6 Bow and Anaconda-Deer Lodge can make a substantial
 7 contribution to economic development in the region,
 8 especially in regard to enhancing tourism opportunities; and

9 WHEREAS, there exists a critical need to develop a
 10 comprehensive and coordinated plan of action to protect and
 11 interpret the historic/cultural future of Butte-Silver Bow
 12 and Anaconda-Deer Lodge.

13
 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 NEW SECTION. Section 1. Butte-Anaconda cultural
 16 heritage area. There is established a cultural heritage area
 17 encompassing Silver Bow County and Deer Lodge County.

18 NEW SECTION. Section 2. Cultural heritage area signs
 19 -- location and design -- funding. (1) As used in this
 20 section, "department" means the department of transportation
 21 provided for in 2-15-2501.

22 (2) Subject to the provisions of federal law, the
 23 department shall erect at specified locations on the primary
 24 and interstate highways in Silver Bow County and Deer Lodge
 25 County signs identifying those counties as a cultural

LC 0341/01

1 heritage area.

2 (3) The consolidated governments of Butte-Silver Bow
3 and Anaconda-Deer Lodge shall design the signs and designate
4 the general locations for the signs. The department shall
5 determine the exact location of each sign.

6 (4) The department may accept money from other state
7 agencies, federal agencies, local governments, or private
8 persons for the purposes of subsections (2) and (3) and may
9 expend the money received for those purposes.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0197, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act designating Silver Bow County and Deer Lodge County as a cultural heritage area; and requiring the Department of Transportation to erect signs identifying the cultural heritage area.

ASSUMPTIONS:

1. Special signs will be installed at locations where Interstate or Primary highways cross county lines. Deer Lodge County would require 5 signs. Silver Bow County would require 9 signs.
2. All work would be completed by contract, based on current department practice for installation of new signs.
3. Signs would be comparable to guide signs and consistent with current specifications for signage on interstate and primary system roads.
4. Any funds expended would come from private donations.

FISCAL IMPACT:Expenditures:

	FY '94			FY '95		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
FTE	614.43	614.43	0	614.43	614.43	\$ 0
Personal Services	\$22,590,878	\$ 22,590,878	\$ 0	\$22,903,899	\$ 22,903,899	0
Operating	25,574,693	25,612,693	38,000	\$25,285,373	25,285,373	0
Equipment	458,588	458,588	0	374,565	374,565	0
Capital Outlay	<u>108,434</u>	<u>108,434</u>	<u>0</u>	<u>108,434</u>	<u>108,434</u>	<u>0</u>
Total	\$48,732,593	\$ 48,770,593	\$ 38,000	\$48,672,271	\$ 48,672,271	\$ 0

Funding:

State Special Revenue	\$48,732,593	\$ 48,770,593	\$ 38,000	\$48,672,271	\$ 48,672,271	\$ 0
Federal Special Revenue	<u>88,914</u>	<u>88,914</u>	<u>0</u>	<u>88,914</u>	<u>88,914</u>	<u>0</u>
Total	\$48,732,593	\$ 48,770,593	\$ 38,000	\$48,672,271	\$ 48,672,271	\$ 0

Dave Lewis 1-25-93

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Joe Quilici 1-25-93

JOE QUILICI, PRIMARY SPONSOR DATE

Fiscal Note for HB0197, as introduced

HB 197

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

HOUSE BILL NO. 197

INTRODUCED BY QUILICI, JACOBSON, PIPINICH,

HARRINGTON, MCCARTHY, MENAHAN, D. BROWN,

PAVLOVICH, DRISCOLL, DAILY, LYNCH, MCCLERNAN

A BILL FOR AN ACT ENTITLED: "AN ACT DESIGNATING SILVER BOW COUNTY AND DEER LODGE COUNTY AS A CULTURAL HERITAGE AREA; AND REQUIRING THE DEPARTMENT OF TRANSPORTATION, AS FUNDS BECOME AVAILABLE, TO ERECT AND MAINTAIN SIGNS IDENTIFYING THE CULTURAL HERITAGE AREA."

WHEREAS, Butte-Silver Bow and Anaconda-Deer Lodge are the sites of more than 100 years of living history of the early development of natural resources and the industrialization of America; and

WHEREAS, the cities of Butte and Anaconda have been recognized for their rich mining, smelting, social, labor, and ethnic history on the state and national levels; and

WHEREAS, Butte-Silver Bow and Anaconda-Deer Lodge make a significant contribution to understanding and interpreting the history of the great State of Montana; and

WHEREAS, the natural and cultural resources of the region have been inventoried, and an assessment has been made of the suitability of these resources for protection and interpretation; and

WHEREAS, Butte-Silver Bow has been designated a National Historic Landmark District by the U.S. Department of Interior and is listed on the National Register of Historic Places, as are many sites in Anaconda-Deer Lodge; and

WHEREAS, many of these nationally significant mining and smelting sites are threatened by demolition, vandalism, natural deterioration, and proposed reclamation; and

WHEREAS, natural and cultural resources of Butte-Silver Bow and Anaconda-Deer Lodge can make a substantial contribution to economic development in the region, especially in regard to enhancing tourism opportunities; and

WHEREAS, there exists a critical need to develop a comprehensive and coordinated plan of action to protect and interpret the historic/cultural future of Butte-Silver Bow and Anaconda-Deer Lodge.

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

NEW SECTION. **Section 1.** Butte-Anaconda cultural heritage area. There is established a cultural heritage area encompassing Silver Bow County and Deer Lodge County.

NEW SECTION. **Section 2.** Cultural heritage area signs -- location and design -- funding. (1) As used in this section, "department" means the department of transportation provided for in 2-15-2501.

(2) Subject to the provisions of federal law, the

1 department shall, AS FUNDS ARE AVAILABLE UNDER SUBSECTION
2 (4), erect AND MAINTAIN at specified locations on the
3 primary and interstate highways in Silver Bow County and
4 Deer Lodge County signs identifying those counties as a
5 cultural heritage area.

6 (3) The consolidated governments of Butte-Silver Bow
7 and Anaconda-Deer Lodge shall design the signs and designate
8 the general locations for the signs. The department shall
9 determine the exact location of each sign.

10 (4) The department may accept money from other state
11 agencies, federal agencies, local governments, or private
12 persons for the purposes of subsections (2) and (3) and may
13 expend the money received for those purposes.

-End-

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2 INTRODUCED BY QUILICI, JACOBSON, PIPINICH,

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4 PAVLOVICH, DRISCOLL, DAILY, LYNCH, MCCLERNAN

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7 COUNTY AND DEER LODGE COUNTY AS A CULTURAL HERITAGE AREA;
8 AND REQUIRING THE DEPARTMENT OF TRANSPORTATION, AS FUNDS
9 BECOME AVAILABLE, TO ERECT AND MAINTAIN SIGNS IDENTIFYING
10 THE CULTURAL HERITAGE AREA."
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12 WHEREAS, Butte-Silver Bow and Anaconda-Deer Lodge are
13 the sites of more than 100 years of living history of the
14 early development of natural resources and the
15 industrialization of America; and

16 WHEREAS, the cities of Butte and Anaconda have been
17 recognized for their rich mining, smelting, social, labor,
18 and ethnic history on the state and national levels; and

19 WHEREAS, Butte-Silver Bow and Anaconda-Deer Lodge make a
20 significant contribution to understanding and interpreting
21 the history of the great State of Montana; and

22 WHEREAS, the natural and cultural resources of the
23 region have been inventoried, and an assessment has been
24 made of the suitability of these resources for protection
25 and interpretation; and

1 WHEREAS, Butte-Silver Bow has been designated a National
2 Historic Landmark District by the U.S. Department of
3 Interior and is listed on the National Register of Historic
4 Places, as are many sites in Anaconda-Deer Lodge; and

5 WHEREAS, many of these nationally significant mining and
6 smelting sites are threatened by demolition, vandalism,
7 natural deterioration, and proposed reclamation; and

8 WHEREAS, natural and cultural resources of Butte-Silver
9 Bow and Anaconda-Deer Lodge can make a substantial
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22 -- location and design -- funding. (1) As used in this
23 section, "department" means the department of transportation
24 provided for in 2-15-2501.

25 (2) Subject to the provisions of federal law, the

1 department shall, AS FUNDS ARE AVAILABLE UNDER SUBSECTION
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3 primary and interstate highways in Silver Bow County and
4 Deer Lodge County signs identifying those counties as a
5 cultural heritage area.

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7 and Anaconda-Deer Lodge shall design the signs and designate
8 the general locations for the signs. The department shall
9 determine the exact location of each sign.

10 (4) The department may accept money from other state
11 agencies, federal agencies, local governments, or private
12 persons for the purposes of subsections (2) and (3) and may
13 expend the money received for those purposes.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 2
February 12, 1993

Page 2 of 2
February 12, 1993

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration House Bill No. 197 (first reading copy -- white), respectfully report that House Bill No. 197 be amended as follows and as so amended be concurred in.

Signed: 
Senator Cecil Weeding, Chair

That such amendments read:

1. Title, line 8.
Strike: "AND"

2. Title, line 10.
Following: "AREA"
Insert: "PROVIDING A STATUTORY APPROPRIATION; AND AMENDING
SECTION 17-7-502, MCA"


3. Page 3, line 13.
Following: "expend"
Insert: ", as a statutory appropriation under 17-7-502,"

4. Page 13.
Following: line 13
Insert: "Section 3. Section 17-7-502, MCA, is amended to read:
"17-7-502. Statutory appropriations -- definition --
requisites for validity. (1) A statutory appropriation is an
appropriation made by permanent law that authorizes spending by a
state agency without the need for a biennial legislative
appropriation or budget amendment.
(2) Except as provided in subsection (4), to be effective,
a statutory appropriation must comply with both of the following
provisions:
(a) The law containing the statutory authority must be
listed in subsection (3).
(b) The law or portion of the law making a statutory
appropriation must specifically state that a statutory
appropriation is made as provided in this section."

(3) The following laws are the only laws containing
statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203;
10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-23-706; 15-
25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101;
16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-
704; 17-5-804; 17-6-409; 17-7-304; 19-5-404; 19-6-709; 19-8-504;
19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512;
19-11-513; 19-11-606; 19-12-301; 19-13-604; 19-15-101; 20-4-109;
20-6-406; 20-8-111; 20-9-361; 20-26-1503; 22-3-811; 23-5-136; 23-
5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-
402; 27-12-206; 37-43-204; 37-51-501; 39-71-2504; 44-12-206; 44-
13-102; 53-6-150; 53-24-206; 61-5-121; [section 2]; 67-3-205; 75-
1-1101; 75-5-507; 75-5-1108; 75-11-313; 76-12-123; 77-1-808; 80-
2-103; 80-11-310; 82-11-136; 82-11-161; 85-1-220; 90-3-301; 90-4-
215; 90-6-331; 90-7-220; and 90-9-306.

(4) There is a statutory appropriation to pay the
principal, interest, premiums, and costs of issuing, paying, and
securing all bonds, notes, or other obligations, as due, that
have been authorized and issued pursuant to the laws of Montana.
Agencies that have entered into agreements authorized by the laws
of Montana to pay the state treasurer, for deposit in accordance
with 17-2-101 through 17-2-107, as determined by the state
treasurer, an amount sufficient to pay the principal and interest
as due on the bonds or notes have statutory appropriation
authority for the payments. (In subsection (3): pursuant to sec.
7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon
death of last recipient eligible for supplemental benefit; and
pursuant to sec. 18, Ch. 748, L. 1991, the inclusion of 22-3-811
terminates June 30, 1993.) ""

-END-

 Amd. Coord.
Sec. of Senate


Senator Carrying Bill

351426SC.San

SENATE
HB 197
351426SC.San

1 HOUSE BILL NO. 197

2 INTRODUCED BY QUILICI, JACOBSON, PIPINICH,

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7 COUNTY AND DEER LODGE COUNTY AS A CULTURAL HERITAGE AREA;
8 AND REQUIRING THE DEPARTMENT OF TRANSPORTATION, AS FUNDS
9 BECOME AVAILABLE, TO ERECT AND MAINTAIN SIGNS IDENTIFYING
10 THE CULTURAL HERITAGE AREA; PROVIDING A STATUTORY
11 APPROPRIATION; AND AMENDING SECTION 17-7-502, MCA."

12
13 WHEREAS, Butte-Silver Bow and Anaconda-Deer Lodge are
14 the sites of more than 100 years of living history of the
15 early development of natural resources and the
16 industrialization of America; and

17 WHEREAS, the cities of Butte and Anaconda have been
18 recognized for their rich mining, smelting, social, labor,
19 and ethnic history on the state and national levels; and

20 WHEREAS, Butte-Silver Bow and Anaconda-Deer Lodge make a
21 significant contribution to understanding and interpreting
22 the history of the great State of Montana; and

23 WHEREAS, the natural and cultural resources of the
24 region have been inventoried, and an assessment has been
25 made of the suitability of these resources for protection

1 and interpretation; and

2 WHEREAS, Butte-Silver Bow has been designated a National
3 Historic Landmark District by the U.S. Department of
4 Interior and is listed on the National Register of Historic
5 Places, as are many sites in Anaconda-Deer Lodge; and

6 WHEREAS, many of these nationally significant mining and
7 smelting sites are threatened by demolition, vandalism,
8 natural deterioration, and proposed reclamation; and

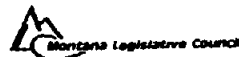
9 WHEREAS, natural and cultural resources of Butte-Silver
10 Bow and Anaconda-Deer Lodge can make a substantial
11 contribution to economic development in the region,
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14 comprehensive and coordinated plan of action to protect and
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18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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20 heritage area. There is established a cultural heritage area
21 encompassing Silver Bow County and Deer Lodge County.

22 NEW SECTION. Section 2. Cultural heritage area signs
23 -- location and design -- funding. (1) As used in this
24 section, "department" means the department of transportation
25 provided for in 2-15-2501.



(2) Subject to the provisions of federal law, the department shall, AS FUNDS ARE AVAILABLE UNDER SUBSECTION (4), erect AND MAINTAIN at specified locations on the primary and interstate highways in Silver Bow County and Deer Lodge County signs identifying those counties as a cultural heritage area.

(3) The consolidated governments of Butte-Silver Bow and Anaconda-Deer Lodge shall design the signs and designate the general locations for the signs. The department shall determine the exact location of each sign.

(4) The department may accept money from other state agencies, federal agencies, local governments, or private persons for the purposes of subsections (2) and (3) and may expend, AS A STATUTORY APPROPRIATION UNDER 17-7-502, the money received for those purposes.

SECTION 3. SECTION 17-7-502, MCA, IS AMENDED TO READ:

*17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be

listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-9-202; 2-17-105; 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-23-706; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-65-121; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-704; 17-5-804; 17-6-409; 17-7-304; 19-5-404; 19-6-709; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-305; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 19-15-101; 20-4-109; 20-6-406; 20-8-111; 20-9-361; 20-26-1503; 22-3-811; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301; 23-7-402; 27-12-206; 37-43-204; 37-51-501; 39-71-2504; 44-12-206; 44-13-102; 53-6-150; 53-24-206; 61-5-121; [section 2]; 67-3-205; 75-1-1101; 75-5-507; 75-5-1108; 75-11-313; 76-12-123; 77-1-808; 80-2-103; 80-11-310; 82-11-136; 82-11-161; 85-1-220; 90-3-301; 90-4-215; 90-6-331; 90-7-220; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of

1 Montana. Agencies that have entered into agreements
2 authorized by the laws of Montana to pay the state
3 treasurer, for deposit in accordance with 17-2-101 through
4 17-2-107, as determined by the state treasurer, an amount
5 sufficient to pay the principal and interest as due on the
6 bonds or notes have statutory appropriation authority for
7 the payments. (In subsection (3): pursuant to sec. 7, Ch.
8 567, L. 1991, the inclusion of 19-6-709 terminates upon
9 death of last recipient eligible for supplemental benefit;
10 and pursuant to sec. 18, Ch. 748, L. 1991, the inclusion of
11 22-3-811 terminates June 30, 1993.)"

-End-