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INTRODUCED BY Ernest Bergeson House BILL NO. 585

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE CREATION OF STATE DEBT THROUGH THE ISSUANCE OF \$9 MILLION OF GENERAL OBLIGATION BONDS FOR THE CONSTRUCTION OF REGIONAL CORRECTIONAL AND LAW ENFORCEMENT FACILITIES; APPROPRIATING THE PROCEEDS OF THE BONDS; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Authorization of bonds. Subject to the provisions of [section 4], the board of examiners is authorized to issue and sell general obligation long-range building program bonds in an amount not exceeding \$9 million for regional correctional and law enforcement facilities over and above the amount of general obligation long-range building program bonds outstanding on January 1, 1995, to be issued in accordance with the terms and in the manner required by Title 17, chapter 5, part 8. The authority granted to the board by this section is in addition to any other authorization to the board to issue and sell general obligation long-range building program bonds. The bond proceeds are appropriated for the projects.

NEW SECTION. Section 2. Planning and design. The department of administration may proceed with the planning and design of regional correctional and law enforcement facility projects prior to the receipt of other funding sources. The department may use interaccount loans in accordance with 17-2-107 to pay planning and design costs incurred prior to the receipt of other funding sources.

NEW SECTION. Section 3. Legislative consent. The appropriation authorized in [section 1] constitutes legislative consent for the capital project contained in [section 1] within the meaning of 18-2-102.

NEW SECTION. Section 4. Regional correctional and law enforcement facilities. The bonds

1 authorized in [section 1] are for regional correctional and law enforcement facilities to be developed
2 pursuant to the provisions of House Bill No. 304. The board of examiners may not issue any bonds under
3 [section 1] unless the department of corrections and human services has entered into an agreement for the
4 provision of the regional correctional and law enforcement facilities in accordance with House Bill No. 304.

5
6 **NEW SECTION. Section 5. Requirements for approval of state debt.** Because [section 1]
7 authorizes the creation of state debt, Article VIII, section 8, of the Montana constitution requires a vote of
8 two-thirds of the members of each house of the legislature for passage. If [section 1] is not approved by
9 the required vote, then [this act] is void.

10
11 **NEW SECTION. Section 6. Effective date.** [This act] is effective on passage and approval.

12
13 **NEW SECTION. Section 7. Severability.** If a part of [this act] is invalid, all valid parts that are
14 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
15 applications, the part remains in effect in all valid applications that are severable from the invalid
16 applications.

17 -END-

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2 INTRODUCED BY BERGSAGEL

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15 the amount of general obligation long-range building program bonds outstanding on January 1, 1995, to
16 be issued in accordance with the terms and in the manner required by Title 17, chapter 5, part 8. The
17 authority granted to the board by this section is in addition to any other authorization to the board to issue
18 and sell general obligation long-range building program bonds. The bond proceeds are appropriated TO THE
19 DEPARTMENT OF ADMINISTRATION for the projects.

20
21 NEW SECTION. **Section 2. Planning and design.** The department of administration may proceed
22 with the planning and design of regional correctional and law enforcement facility projects prior to the
23 receipt of other funding sources. The department may use interaccount loans in accordance with 17-2-107
24 to pay planning and design costs incurred prior to the receipt of other funding sources.

25
26 NEW SECTION. **Section 3. Legislative consent.** The appropriation authorized in [section 1]
27 constitutes legislative consent for the capital project contained in [section 1] within the meaning of
28 18-2-102.

29
30 NEW SECTION. **Section 4. Regional correctional and law enforcement facilities.** The bonds

1 authorized in [section 1] are for regional correctional and law enforcement facilities to be developed
2 pursuant to the provisions of House Bill No. 304. The board of examiners may not issue any bonds under
3 [section 1] unless the department of corrections and human services has entered into an agreement for the
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23 receipt of other funding sources. The department may use interaccount loans in accordance with 17-2-107
24 to pay planning and design costs incurred prior to the receipt of other funding sources.

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30 NEW SECTION. **Section 4. Regional correctional and law enforcement facilities.** The bonds

1 authorized in [section 1] are for regional correctional and law enforcement facilities to be developed
2 pursuant to the provisions of House Bill No. 304. The board of examiners may not issue any bonds under
3 [section 1] unless the department of corrections and human services has entered into an agreement for the
4 provision of the regional correctional and law enforcement facilities in accordance with House Bill No. 304.

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6 **NEW SECTION.** **Section 5. Requirements for approval of state debt.** Because [section 1]
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