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2 INTRODUCED BY

House BILL NO. *574*
Smith Beck Merahan Spink Sanders
Julius

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE CREATION OF STATE DEBT THROUGH THE
5 ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CONSTRUCTION OF A 500-BED,
6 STATE-OPERATED, CLOSE-SECURITY PRISON FOR MALES; APPROPRIATING THE PROCEEDS OF THE
7 BONDS; PROVIDING FOR MATTERS RELATING TO THE APPROPRIATIONS; AND PROVIDING AN
8 IMMEDIATE EFFECTIVE DATE."

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

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12 NEW SECTION. **Section 1. Authorization of bonds.** The board of examiners is authorized to issue
13 and sell general obligation long-range building program bonds in an amount not exceeding \$34.125 million
14 for a 500-bed, state-operated, close-security prison for males, adjacent to the Montana state prison in Deer
15 Lodge, over and above the amount of general obligation long-range building program bonds outstanding
16 on January 1, 1997, to be issued in accordance with the terms and in the manner required by Title 17,
17 chapter 5, part 8. The authority granted to the board by this section is in addition to any other
18 authorization to the board to issue and sell general obligation long-range building program bonds. The bond
19 proceeds are appropriated to the department of administration for this project.

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21 NEW SECTION. **Section 2. Planning and design.** The department of administration may proceed
22 with the planning and design of a 500-bed, state-operated, close-security prison for males 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. The planning and
25 design must be based on the assumptions of building on state land and sharing existing facilities and
26 infrastructure to the extent possible with some renovation and enhancement.

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28 NEW SECTION. **Section 3. Legislative consent.** The appropriation authorized in [section 1]
29 constitutes legislative consent for the capital project contained in [section 1] within the meaning of
30 18-2-102.

1 **NEW SECTION.** **Section 4. Requirements of approval of state debt.** Because [section 1] authorizes
2 the creation of state debt, Article VIII, section 8, of the Montana constitution requires a vote of two-thirds
3 of the members of each house of the legislature for passage. If [section 1] is not approved by the required
4 vote, then [this act] is void.

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6 **NEW SECTION.** **Section 5. Effective date.** [This act] is effective on passage and approval.

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8 **NEW SECTION.** **Section 6. Severability.** If a part of [this act] is invalid, all valid parts that are
9 severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its
10 applications, the part remains in effect in all valid applications that are severable from the invalid
11 applications.

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