

## 1 SENATE BILL NO. 13

2 INTRODUCED BY LYNCH

3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION AND THE LEGISLATIVE COUNCIL

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE LAWS GOVERNING THE  
6 ALLOCATION OF SPACE IN THE CAPITOL; ALLOWING FLEXIBILITY IN LOCATING A PRESS ROOM;  
7 CLARIFYING AUTHORITY OVER THE ALLOCATION OF LEGISLATIVE SPACE; AMENDING SECTIONS  
8 2-17-101, 2-17-103, 2-17-108, AND 5-2-503, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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

13 **"2-17-101. Allocation of space.** (1) The department of administration shall determine the space  
14 required by state agencies other than the university system and shall allocate space in buildings owned or  
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24 (3) (a) The location of the chambers for the house of representatives must be determined in the  
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27 (b) ~~The~~ Subject to 2-17-108, the department of ~~administration~~, with the advice of the legislative  
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30 (4) For state agencies located in a city other than Helena, the department ~~of administration~~ shall

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18 consultation with the agency, shall determine the amount and nature of the space needed and locate space  
19 within a building owned or leased by the state to meet the agency's requirements. If space is not available  
20 in a building owned or leased by the state, the department shall locate space to be leased in an appropriate  
21 building or recommend alternatives to leasing, such as remodeling or exchanging space with another  
22 agency. A state agency may not lease, rent, or purchase property for quarters without prior approval of the  
23 department.

24 (3) (a) The location of the chambers for the house of representatives must be determined in the  
25 sole discretion of the house of representatives. The location of the chambers of the senate must be  
26 determined in the sole discretion of the senate.

27 (b) ~~The Subject to 2-17-108, the department of administration,~~ with the advice of the legislative  
28 council, shall allocate other space for the use of the legislature, including but not limited to space for  
29 committee rooms and legislative offices.

30 (4) For state agencies located in a city other than Helena, the department ~~of administration~~ shall



1 consolidate the offices of these agencies in a single, central location within the city whenever the  
 2 consolidation would result in a cost savings to the state while permitting sufficient space and facilities for  
 3 the agencies. The department may purchase, lease, or acquire, by exchange or otherwise, land and  
 4 buildings in the city to achieve consolidation. Offices of the law enforcement services division and motor  
 5 vehicle division of the department of justice are exempted from consolidation."

6  
 7 **Section 2.** Section 2-17-103, MCA, is amended to read:

8 **"2-17-103. ~~Permanent press~~ Press room.** The department of administration ~~is required to may~~  
 9 ~~SHALL MAY~~ provide space in the capitol for the use of representatives of the press ~~a room on the third~~  
 10 ~~floor of the capitol to be used as a permanent press room."~~

11  
 12 **Section 3.** Section 2-17-108, MCA, is amended to read:

13 **"2-17-108. Allocation of legislative rooms and offices.** Notwithstanding the provisions of  
 14 2-17-101, after each session of the legislature, the department of administration shall conduct an inventory  
 15 of the rooms and offices in the capitol controlled by the house of representatives and the senate shall  
 16 ~~continue to occupy and control the rooms and offices in the capitol building that they occupied and~~  
 17 ~~controlled during the 50th and 51st legislatures. Legislative space in the capitol may not be reduced~~  
 18 without the consent of the legislature. The control of the rooms and offices may not be changed without  
 19 the permission of the speaker of the house of representatives, the minority leader of the house, the  
 20 president of the senate, and the minority leader of the senate."

21  
 22 **Section 4.** Section 5-2-503, MCA, is amended to read:

23 **"5-2-503. Consolidation of legislative branch entities for specified purposes.** (1) An entity of the  
 24 legislative branch that is consolidated with the legislative council as provided in 5-2-504 shall:

- 25 (a) exercise its substantive functions independently as provided by law;  
 26 (b) adhere to administrative policies, including personnel policies, adopted by the legislative council;  
 27 (c) submit its budget proposals through the legislative council; and  
 28 (d) submit reports required of it as provided in 5-11-210.

29 (2) The legislative council shall:

- 30 (a) coordinate budgeting, recordkeeping, reporting, and related administrative and clerical functions

1 as a consolidated entity, including acknowledgment of actions by the approving authority of the  
2 consolidated entity;

3 (b) include within the legislative council budget the budget proposals for the legislature and the  
4 consolidated entities, separately identified;

5 (c) provide separate identification for appropriations and expenditures for the legislature and for  
6 each of the consolidated entities;

7 (d) establish procedures for approval of expenditures by the legislature and by each of the  
8 consolidated entities; and

9 (e) provide personnel administration for the legislative branch. The senate and the house of  
10 representatives or a consolidated entity with statutory hiring authority may hire its own personnel, subject  
11 to administrative procedures established by the legislature and legislative council.

12 (3) The legislative council shall allocate office space occupied by the legislative branch for the use  
13 of a consolidated entity as necessary. Space occupied by the senate or the house of representatives may  
14 not be reallocated except ~~upon approval of the respective house~~ as provided in ~~the rules of that house~~  
15 2-17-108. The location of the chambers of the house of representatives and the senate must be determined  
16 as provided by 2-17-101."  
17

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

19 -END-