

1 HOUSE BILL NO. 856
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13
14 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO THE CAPITOL
15 COMPLEX; PROVIDING THAT THE LEGISLATURE SHALL DETERMINE THE NECESSARY LEGISLATIVE
16 SPACE IN THE CAPITOL AND ON THE CAPITOL COMPLEX; PROVIDING FOR THE LEGISLATURE TO
17 ALLOCATE LEGISLATIVE SPACE; RESERVING AND DEFINING LEGISLATIVE SPACE IN THE CAPITOL
18 AND ON THE CAPITOL COMPLEX; RESERVING AND DEFINING THE GOVERNOR'S SPACE IN THE
19 CAPITOL AND ON THE CAPITOL COMPLEX; PROVIDING DEFINITIONS; PROVIDING THAT THE
20 DEPARTMENT OF ADMINISTRATION SHALL CONTINUE TO PROVIDE CUSTODIAL AND MAINTENANCE
21 SERVICES FOR DESIGNATED LEGISLATIVE SPACE; REQUIRING THE DEPARTMENT OF
22 ADMINISTRATION TO SUBMIT ANY UPDATED CAPITOL AREA MASTER PLAN TO THE LEGISLATIVE
23 COUNCIL; REQUIRING THE LEGISLATIVE COUNCIL, WITH CONSULTATION OF THE LEGISLATIVE
24 AUDIT COMMITTEE AND THE LEGISLATIVE FINANCE COMMITTEE, TO PREINTRODUCE A JOINT
25 RESOLUTION TO CONSENT OR NOT CONSENT TO AN UPDATED CAPITOL AREA MASTER PLAN;
26 REQUIRING THE LEGISLATIVE COUNCIL, WITH CONSULTATION OF THE LEGISLATIVE AUDIT
27 COMMITTEE AND THE LEGISLATIVE FINANCE COMMITTEE, TO DEVELOP A LONG-RANGE
28 LEGISLATIVE BRANCH CAPITOL DEVELOPMENT PLAN THAT IS INCORPORATED INTO THE CAPITOL

- 1 (i) long-range legislative branch capitol development plan;
- 2 (ii) allocation, maintenance, or remodeling of legislative space for nonpartisan legislative staff;
- 3 (iii) allocation of legislative parking area space; and
- 4 (iv) occupancy of nonlegislative entities in legislative space.

5

6 **NEW SECTION. Section 4. Reservation of space for governor.** (1) The governor's space on the
7 capitol complex includes:

- 8 (a) in the capitol, the entire second floor, except the legislative space temporarily reserved for the
9 secretary of state pursuant to [section 3] and 2-17-802;
- 10 (b) the executive residence located at 2 Carson street;
- 11 (c) parking lots, parking garages, and the parking area designated in 2-17-802; and
- 12 (d) additional buildings that may be acquired or constructed for the use of the governor.

13 (2) The governor shall exercise complete jurisdiction over the governor's space except for the
14 following:

- 15 (a) the capitol complex advisory council and the department responsibilities for the governor's
16 space as provided for in Title 2, chapter 17, part 8; and
- 17 (b) department control of:
 - 18 (i) central utility functions, including but not limited to mechanical and electronic functions and the
19 electric core of the capitol and the governor's space;
 - 20 (ii) general maintenance of the governor's space;
 - 21 (iii) maintenance of all the elevators and stairways in the governor's space;
 - 22 (iv) maintenance of rest rooms in the governor's space;
 - 23 (v) phone systems in the governor's space; and
 - 24 (vi) custodial care pursuant to 2-17-811 for the governor's space.

25

26 **Section 5.** Section 2-17-802, MCA, is amended to read:

27 **"2-17-802. Definitions.** As used in part 1 and this part, the following definitions apply:

28 (1) "Capitol" means the building dedicated as the Montana state capitol in 1902.

1 ~~(1)~~(2) "Capitol complex" means the capitol building and all the state buildings within a 10-mile radius
2 of the capitol building but does not include the Montana wildlife rehabilitation and education center.

3 ~~(2)~~(3) "Council" means the capitol complex advisory council established in 2-17-803.

4 (4) "Governor's space" means the chambers, rooms, hallways, lounges, parking lots, parking
5 garages, and parking area designated by [section 4] and this section as being subject to governor control.

6 (5) "Legislative audit committee" means the legislative audit committee established in 5-13-201.

7 ~~(3)~~(6) "Legislative council" means the legislative council established in 5-11-101.

8 (7) "Legislative finance committee" means the legislative finance committee established in 5-12-
9 201.

10 (8) (a) "Legislative parking area" means the:

11 (i) capitol south lower lot that includes the off-street parking lot located south of the capitol, south
12 of Lockey avenue, and proximately west of the old board of health building located at 1301 Lockey avenue;

13 (ii) capitol south circle lot that includes the off-street parking lot located between Lockey avenue
14 and the south main entrance to the capitol; and

15 (iii) capitol north loop lot that includes the off-street parking lot that begins proximately south of the
16 intersection of north Montana avenue and Sixth avenue, extends in an easterly direction to the base of the
17 north main steps of the capitol, and continues in an easterly direction to end proximately south of the
18 intersection of Sixth avenue and north Roberts street.

19 (b) The term does not include:

20 (i) for the capitol south circle lot, six parking spaces for use by the governor's office, one parking
21 space for use by the secretary of state, three parking spaces for use by the Montana highway patrol, three
22 parking spaces for use by department custodial and maintenance, and ADA accessible parking spaces; and

23 (ii) for the capitol north loop, three parking spaces for use by the governor's office and security
24 attachment, two parking spaces for use by the secretary of state's office, and ADA accessible parking spaces.

25 (9) "Legislative space" means the buildings, chambers, rooms, hallways, lounges, and legislative
26 parking area designated by [section 3] and this section and the secretary of state space, as being subject to
27 legislative control.

28 (10) (a) "Legislative zone" means the legislative zone of the capitol complex that includes the

1 grounds, monuments, parking areas, buildings, and other manmade and natural objects within the area
2 bounded by east Broadway street, north Montana avenue, Eighth avenue, and north Roberts street.

3 (b) The term does not include a privately owned building or property.

4 (11) "Public space within the capitol" means space within the capitol, including but not limited to
5 chambers, galleries, and anterooms of the senate and house of representatives, the former supreme court
6 chambers as defined in 2-17-810, the capitol rotunda, hearing rooms, hallways, stairways and elevators,
7 restrooms, central utility areas, and similar public or shared spaces totaling approximately 150,000 gross
8 square feet of space within the capitol.

9 (12) "Secretary of state space" means the chambers, rooms, hallways, and parking area designated
10 by [section 3] and this section as legislative space and subject to legislative control."

11

12 **Section 6.** Section 2-17-805, MCA, is amended to read:

13 **"2-17-805. Function of department of administration -- capitol area master plan -- advice of**
14 **capitol complex advisory council and legislative council.** (1) With advice from the council and the
15 legislative council, the department of administration shall establish and maintain a long-range master plan for
16 the orderly development of the capitol complex. The long-range master plan must be developed and
17 maintained, with consideration given to the following factors:

18 (a) the needs of the state, including incorporation of the long-range legislative branch capitol
19 development plan, relative to the location and design of buildings to be constructed, purchase of land, parking
20 facilities, traffic management, and landscaping;

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

24 (c) any other factors that bear upon the orderly, integrated, and cooperative development of the
25 state, the city of Helena, Lewis and Clark County, and state property in the capitol complex.

26 (2) ~~The legislative council shall consult with and advise the~~ The department of administration shall
27 consult with the legislative council concerning the assignment allocation of space in the capitol that is not
28 designated as legislative space pursuant to [section 3] or governor's space pursuant to [section 4].