



AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2015; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE LONG-RANGE BUILDING PROGRAM ACCOUNT; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Definitions. For the purposes of [sections 1 through 10], unless otherwise stated, the following definitions apply:

- (1) "Authority only" means approval provided by the legislature to expend money that does not require an appropriation, including grants, donations, auxiliary funds, proprietary funds, and university funds.
- (2) "Capital project" means the acquisition of land or improvements or the planning, capital construction, environmental cleanup, renovation, furnishing, or major repair projects authorized in [sections 1 through 10].
- (3) "LRBP" means the long-range building program account in the capital projects fund type.
- (4) "Other funding sources" means money other than LRBP money, state special revenue fund, or federal special revenue money that accrues to an agency under the provisions of law.
- (5) "SBECF funds" means funds from the state building energy conservation program account in the capital projects fund type.

Section 2. Capital projects appropriations and authorizations. (1) The following money is appropriated to the department of administration

for the indicated capital projects from the indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization.

The department of administration is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
DEPARTMENT OF ADMINISTRATION						
Repair Corrections Department Parking Structure	450,000					450,000
Install Safety Handrails in Capitol	200,000	200,000				400,000
<p style="margin-left: 40px;">State special revenue funds consist of general services division internal service funds. If a donation is received by the department of administration from the Montana capitol restoration foundation to install safety handrails in the capitol, then the amount of the donation is authorized and the appropriation of LRBP funds is reduced by a like amount.</p>						
Upgrade Scott Hart HVAC system, Phase 2			1,500,000			1,500,000
<p style="margin-left: 40px;">State special revenue funds consist of general services division internal service funds.</p>						
MONTANA SCHOOL FOR THE DEAF AND BLIND						
Building Repairs and Improvements, MSDB, Great Falls	195,000					195,000
DEPARTMENT OF JUSTICE						
Upgrade Water Supply System - Montana Law Enforcement Academy						
	400,000					400,000
Construct Butte Justice Center, Butte	1,600,000				1,600,000	3,200,000
DEPARTMENT OF FISH, WILDLIFE, AND PARKS						
Hatchery Maintenance		575,000				575,000
Administrative Facilities Repair and Maintenance		1,325,000				1,325,000
DEPARTMENT OF MILITARY AFFAIRS						

Vault Modifications, Statewide		780,000		780,000
Upgrade Sewer/Water Service, AFRC, Kalispell	250,000		750,000	1,000,000
Replace Readiness Center, Malta	400,000		15,000,000	15,400,000
Improvements at the Montana Military Museum	150,000			150,000
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES				
Repair Sewage Collection System, Warm Springs	1,520,000			1,520,000
DEPARTMENT OF TRANSPORTATION				
Equipment/Office Buildings, Statewide		5,200,000		5,200,000
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION				
Major Repairs & Small Projects, Statewide	300,000			300,000
Repair Unit Residences, Statewide		100,000		100,000
MONTANA UNIVERSITY SYSTEM				
Replace Roof or other renovations, Great Falls College-MSU	1,000,000			1,000,000
Construct Automotive Technology Center, MSU-Northern	4,900,000		3,000,000	7,900,000
Main Hall Renovation, Phase 3, UM-Western	4,000,000		500,000	4,500,000
Construct Natural Resources Research Center Addition, Montana Tech	5,000,000		5,000,000	10,000,000
Construct Jabs Hall, MSU-Bozeman			20,000,000	20,000,000
Construct Athlete Academic Center, UM-Missoula			2,500,000	2,500,000
Construct Gilkey Executive Education Center, UM-Missoula			9,300,000	9,300,000
Construct Mansfield Library Student Success, UM-Missoula			3,200,000	3,200,000
Construct Science and Instructional Tech Building Addition, MSU-Billings	10,000,000		5,000,000	15,000,000

Construct Missoula College UM, UM-Missoula 29,000,000 3,000,000 32,000,000

(2) The \$400,000 of LRBP funds contained in subsection (1) for the replacement of the Malta readiness center must be utilized for the acquisition of land for the facility. The appropriation of \$15,000,000 of federal special revenue funds for this project is contingent upon the department of military affairs completing the acquisition of land by June 30, 2015. If land is not acquired by this date, the \$400,000 reverts to the general fund.

Section 3. Capital improvements. (1) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital improvements to statewide facilities. Funds not requiring legislative appropriation are included for the purpose of authorization:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
Parks Program		3,084,000	1,200,000			4,284,000
Grant to the City of Missoula for the Design and Construction of Lighted and Paved RUX Path (Restricted)		100,000				100,000
Future Fisheries		790,000				790,000
FAS Site Protection		1,050,000	800,000			1,850,000
Upland Game Bird Program		746,000				746,000
Grant Programs/Federal Projects		218,000	5,000,000			5,218,000
Wildlife Habitat Maintenance		970,000				970,000

State special revenue consists of department of transportation highway nonrestricted revenue fund, number 02349. Funds for this project are restricted to the use of the RUX project and are payable for reimbursements. The department shall report on the progress of this project to the 2015 long-range planning subcommittee. Any funds not required for the completion of this project must be reverted to the highway nonrestricted revenue fund upon completion of the project.

Dam Maintenance	50,000	50,000
Community Fishing Ponds	50,000	50,000
Forest Management Project	32,000	32,000

(2) Authority is being granted to the Montana university system in the amount of \$3,000,000 and to the department of administration in the amount of \$2,000,000 for the purpose of making capital improvements to campus facilities. Authority-only funds may include federal special revenue, donations, grants, and higher education funds. All costs for the operations and maintenance of any new improvements constructed under this authorization must be paid by the Montana university system from nonstate sources:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
General Spending Authority, MUS All Campuses					5,000,000	5,000,000

(3) The following money is appropriated to the department of military affairs in the indicated amount for the purpose of making capital improvements to statewide facilities. All costs for the operation and maintenance of any new improvements constructed with these funds must be paid by the department of military affairs from nonstate sources:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
Federal Spending Authority			2,500,000			2,500,000

(4) The following money is appropriated to the department of transportation in the indicated amount for the purpose of making capital improvements as indicated:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
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Statewide Maintenance, Repair and Small Projects 2,100,000 2,100,000

(5) The following money is appropriated for the indicated capital projects to the department of environmental quality and the department of administration from state building energy conservation funds and other indicated sources. Funds not requiring legislative appropriation are included for the purpose of authorization. The department of administration is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
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DEPARTMENT OF ADMINISTRATION

Repair and Upgrade Capitol HVAC Systems 1,400,000 1,400,000

State special revenue funds consist of SBCEP funds in the amount of \$500,000 and of general services division internal service funds in the amount of \$900,000.

DEPARTMENT OF ENVIRONMENTAL QUALITY

Energy Improvements, Statewide 1,900,000 1,900,000

State special revenue funds consist of SBCEP funds.

DEPARTMENT OF CORRECTIONS

Repair and Upgrade Building Systems,

Pine Hills Youth Correctional Facility	511,000	500,000				1,011,000
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State special revenue funds consist of SBCEP funds.

Renovate Laundry Facilities, Montana State Prison, Deer Lodge		600,000			600,000	1,200,000
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State special revenue funds consist of SBCEP funds.

Authority-only funds consist of proprietary funds.

Section 4. Land acquisition appropriations. (1) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land leasing, easement purchase, or development agreements. When considering the acquisition of habitat in accordance with 87-1-241, the department of fish, wildlife, and parks may consider only term agreements.

Agency/Project	LRBP Fund	State Special Revenue	Federal Special Revenue	Other Funding Sources	Authority Only	Total
Habitat Montana		9,930,000				9,930,000
Fishing Access Site Acquisition		230,000	100,000			330,000
Bighorn Sheep Habitat		210,000				210,000

(2) The following funds in the indicated amounts are appropriated to the Montana university system for the purpose of land acquisition. The state may not enter into an agreement for the acquisition of land until the authority-only funds have been obtained.

Land Acquisition, Great Falls College-MSU	750,000			750,000	1,500,000
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Section 5. Planning and design. The department of administration may proceed with the planning and design of capital projects prior to the receipt of other funding sources. The department may use interentity loans in accordance with 17-2-107 to pay planning and design costs incurred before the receipt of funding from another funding source.

Section 6. Capital projects -- contingent funds. If a capital project is financed in whole or in part with appropriations contingent upon the receipt of funding from another funding source, the department of administration may not let the project for bid until the agency has submitted a financial plan for approval by the director of the department of administration. A financial plan may not be approved by the director if:

- (1) the level of funding provided under the financial plan deviates substantially from the funding level provided in [section 2] for that project; or
- (2) the scope of the project is substantially altered or revised from the preliminary plans presented for that project in the 2015 biennium long-range building program presented to the 63rd legislature.

Section 7. Review by department of environmental quality. The department of environmental quality shall review capital projects authorized in [section 2] for potential inclusion in the state building energy conservation program under Title 90, chapter 4, part 6. When a review shows that a capital project will result in energy improvements, that project must be submitted to the energy conservation program for funding consideration. Funding provided under the energy conservation program guidelines must be used to offset or add to the authorized funding for the project, and the amount will be dependent on the annual utility savings resulting from the facility improvement. Agencies must be notified of potential funding after the review.

Section 8. Conditions of projects. The legislature authorizes construction of the Butte-Silver Bow emergency operations center, to be occupied and operated by the consolidated government of Butte-Silver Bow in conjunction with the Butte justice center, if a long-term lease agreement is signed between the state of Montana and the consolidated government of Butte-Silver Bow ensuring payment of all operating and maintenance costs of the consolidated government of Butte-Silver Bow for its portion of the facility for the life of the building, until the term of the lease is altered, or until the building is sold.

Section 9. Fund transfer. The department of administration shall transfer the amount of \$49,550,000 from the state general fund to the long-range building program account in the capital projects fund type in fiscal year 2014.

Section 10. Legislative consent. The appropriations authorized in [sections 1 through 9] constitute legislative consent for the capital projects contained in [sections 1 through 9] within the meaning of 18-2-102.

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

Section 12. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
HB 0005, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2013.

President of the Senate

Signed this _____ day
of _____, 2013.

HOUSE BILL NO. 5

INTRODUCED BY D. ANKNEY

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2015; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE LONG-RANGE BUILDING PROGRAM ACCOUNT; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.