

HOUSE BILL NO. 403

INTRODUCED BY D. HAGSTROM

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2017; PROVIDING FOR A TRANSFER OF FUNDS; PROVIDING FOR OTHER 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. Definitions. For the purposes of [sections 1 through 7 6 7], 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 7 6 7].

(3) "LRBP" means the long-range building program account in the capital projects fund type provided for in 17-7-205.

(4) "SBECP funds" means funds from the state building energy conservation program account in the capital projects fund type.

NEW SECTION. Section 2. Capital projects appropriations and authorizations. 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:

DEPARTMENT OF ADMINISTRATION

Fire Protection Measures, Capitol Complex

300,000 (State Special Revenue) 300,000 (Total)

State special revenue funds consist of general services division internal service funds.

Elevator Modifications for Complex Buildings



1	700,000 (State Special Revenue)	700,000 (Total)
2	State special revenue funds consist of general services division internal service funds.	
3	Flooring Replacement, Capitol Complex	
4	500,000 (State Special Revenue)	500,000 (Total)
5	State special revenue funds consist of general services division internal service funds.	
6	Infrastructure Repairs, Capitol Complex	
7	<del>2,000,000 (State Special Revenue)</del>	<del>2,000,000 (Total)</del>
8	<u>2,500,000</u>	<u>2,500,000</u>
9	State special revenue funds consist of general services division internal service funds.	
10		
11	Deferred Maintenance and Repairs, Old Governor's Mansion	
12	200,000 (LRBP)	200,000 (Total)
13	<del>Remodel 1100 North Last Chance Gulch</del>	
14	<del>500,000 (State Special Revenue)</del>	<del>500,000 (Total)</del>
15	<del>State special revenue funds consist of general services division internal service funds.</del>	
16	Statewide Life Safety and Deferred Maintenance	
17	2,800,000 (LRBP)	2,800,000 (Total)
18	Life Safety, Deferred Maintenance, and Energy Improvements (MSP, MWP, YSD)	
19	2,000,000 (LRBP)	2,000,000 (Total)
20	Statewide Roof Repairs and Replacement	
21	1,950,000 (LRBP)	1,950,000 (Total)
22	SCHOOL FOR THE DEAF AND BLIND	
23	Miscellaneous Improvements	
24	125,000 (LRBP)	125,000 (Total)
25	DEPARTMENT OF COMMERCE	
26	Historic Building Maintenance	
27	400,000 (LRBP)	400,000 (Total)
28	DEPARTMENT OF MILITARY AFFAIRS	
29	Firing Range Cleanup	
30	250,000 (LRBP)	

1	250,000 (Federal Special Revenue)	500,000 (Total)
2	GFAFRC USAR Mechanical System Corrections	
3	450,000 (Federal Special Revenue)	450,000 (Total)
4	CSMS Sandblast Booth	
5	1,500,000 (Federal Special Revenue)	1,500,000 (Total)
6	VA Cemetery Improvements	
7	2,000,000 (Federal Special Revenue)	2,000,000 (Total)
8	<u>IMPROVEMENTS AT THE MONTANA MILITARY MUSEUM</u>	
9	<u>65,000 (AUTHORITY ONLY)</u>	<u>65,000 (TOTAL)</u>
10	DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES	
11	Replace Boiler, MVH	
12	331,500 (LRBP)	331,500 (Total)
13	DEPARTMENT OF TRANSPORTATION	
14	Equipment Storage Buildings	
15	4,300,000 (State Special Revenue)	4,300,000 (Total)
16	MONTANA UNIVERSITY SYSTEM	
17	MT Ag Experiment Station Projects - Phase 1	
18	2,480,000 (LRBP)	2,480,000 (Total)
19	MUS Life Safety, Deferred Maintenance	
20	<del>4,600,000 (LRBP)</del>	<del>4,600,000 (Total)</del>
21	<u>4,500,000</u>	<u>4,500,000</u>
22	Bitterroot College Facility	
23	4,200,000 (Authority Only)	4,200,000 (Total)
24	New Engineering Building - MSU-Bozeman	
25	60,000,000 (Authority Only)	60,000,000 (Total)
26	<u>LAND ACQUISITION - GREAT FALLS COLLEGE-MSU</u>	
27	<u>750,000 (AUXILIARY FUNDS)</u>	<u>750,000 (TOTAL)</u>
28	<u>MONTANA STATE UNIVERSITY-NORTHERN, AUTOMOTIVE TECHNOLOGY CENTER</u>	
29	<u>1,000,000 (LRBP)</u>	
30	<u>1,000,000 (AUTHORITY ONLY)</u>	<u>2,000,000 (TOTAL)</u>

1 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

2 AIRCRAFT HANGER, KALISPELL

3 190,000 (AUTHORITY ONLY) 190,000 (TOTAL)

4  
 5 NEW SECTION. Section 3. Capital improvements. (1) The following money is appropriated to the  
 6 department of fish, wildlife, and parks in the indicated amounts for the purpose of making capital improvements  
 7 to statewide facilities, EXCLUDING THE ACQUISITION OF LAND. Funds not requiring legislative appropriation are  
 8 included for the purpose of authorization:

9 Migratory Bird Program

10 ~~845,000~~ (State Special Revenue) ~~845,000~~ (Total)

11 635,000 635,000

12 845,000 845,000

13 THE APPROPRIATION OF \$635,000 FOR THE MIGRATORY BIRD PROGRAM MAY NOT BE USED FOR THE ACQUISITION

14 OF LAND:

15 Parks Program

16 2,766,800 (State Special Revenue)

17 1,300,000 (Federal Special Revenue) 4,066,800 (Total)

18 Future Fisheries

19 1,277,000 (State Special Revenue) 1,277,000 (Total)

20 Hatchery Maintenance

21 600,000 (State Special Revenue) 600,000 (Total)

22 Sekokini Springs Hatchery Rearing Ponds

23 400,000 (Federal Special Revenue) 400,000 (Total)

24 FAS Site Protection

25 847,200 (State Special Revenue)

26 600,000 (Federal Special Revenue) 1,447,200 (Total)

27 ~~Upland Game Bird Program~~

28 ~~849,000 (State Special Revenue) 849,000 (Total)~~

29 UPLAND GAME BIRD PROGRAM

30 849,000 (STATE SPECIAL REVENUE) 849,000 (TOTAL)



1	Grant Programs		
2		139,000 (State Special Revenue)	
3		3,750,000 (Federal Special Revenue)	3,889,000 (Total)
4	Wildlife Habitat Maintenance		
5		1,234,000 (State Special Revenue)	1,234,000 (Total)
6	Dam Maintenance		
7		50,000 (State Special Revenue)	50,000 (Total)
8	Community Fishing Ponds		
9		50,000 (State Special Revenue)	50,000 (Total)
10	Forest Management		
11		320,000 (State Special Revenue)	320,000 (Total)

12 (2) Authority is being granted to the Montana university system in the amount of \$6 million for the  
 13 purpose of making capital improvements to campus facilities. Authority-only funds may include federal special  
 14 revenue, donations, grants, and higher education funds. All costs for the operations and maintenance of any new  
 15 improvements constructed under this authorization must be paid by the Montana university system from nonstate  
 16 sources:

17	General Spending Authority MUS		
18		6,000,000 (Authority Only)	6,000,000 (Total)

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

23	Federal Spending Authority		
24		3,000,000 (Federal Special Revenue)	3,000,000 (Total)

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

27	Statewide Maintenance, Repair, and Small Projects		
28		2,500,000 (State Special Revenue)	2,500,000 (Total)

29 (5) The following money is appropriated for the indicated capital projects to the department of  
 30 environmental quality from state building energy conservation funds:

1 Energy Improvements - Statewide  
 2 2,500,000 (State Special Revenue) 2,500,000 (Total)

3 State special revenue funds consist of SBECF funds.

4 (6) THE FOLLOWING MONEY IS APPROPRIATED TO THE MONTANA HISTORICAL SOCIETY IN THE INDICATED AMOUNT  
 5 FOR THE PURPOSE OF A GRANT:

6 CAPITAL MAINTENANCE AND IMPROVEMENTS AT THE DALY MANSION

7 100,000 (LRBP) 100,000 (TOTAL)

8 THE APPROPRIATION FOR CAPITAL IMPROVEMENTS AT THE DALY MANSION IS A BIENNIAL APPROPRIATION FOR THE  
 9 BIENNIUM ENDING JUNE 30, 2017, ONLY. ANY UNOBLIGATED FUNDS REMAINING ON JULY 1, 2017, MUST REVERT TO THE  
 10 LONG-RANGE BUILDING PROGRAM (LRBP) FUND.

11  
 12 NEW SECTION. SECTION 4. LAND ACCESS APPROPRIATIONS. THE FOLLOWING MONEY IS APPROPRIATED TO  
 13 THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS IN THE INDICATED AMOUNTS FOR PURPOSES OF LAND LEASING,  
 14 EASEMENT PURCHASE, OR DEVELOPMENT AGREEMENTS AND MAY NOT BE USED TO PURCHASE LAND EXCEPT IN CASES  
 15 WHERE THE DEPARTMENT IS CURRENTLY NEGOTIATING SUCH PURCHASE:

16 HABITAT MONTANA

17 10,668,000 (STATE SPECIAL REVENUE) 10,668,000 (TOTAL)

18 BIGHORN SHEEP HABITAT

19 460,000 (STATE SPECIAL REVENUE) 460,000 (TOTAL)

20 FAS LEASE

21 245,000 (STATE SPECIAL REVENUE)

22 100,000 (FEDERAL SPECIAL REVENUE) 345,000 (TOTAL).

23  
 24 ~~NEW SECTION. SECTION 4. Land acquisition appropriations.~~ The following money is appropriated  
 25 ~~to the department of fish, wildlife, and parks in the indicated amounts for purposes of land acquisition, land~~  
 26 ~~leasing, easement purchase, or development agreements:~~

27 ~~Habitat Montana~~

28 ~~10,668,000 (State Special Revenue) 10,668,000 (Total)~~

29 ~~Bighorn Sheep Habitat~~

30 ~~460,000 (State Special Revenue) 460,000 (Total)~~

1	FAS Acquisition	_____	
2		_____	245,000 (State Special Revenue)
3		_____	100,000 (Federal Special Revenue)      345,000 (Total)

4

5        **NEW SECTION. Section 5. Planning and design.** The department of administration may proceed with

6 the planning and design of capital projects prior to the receipt of other funding sources. The department may use

7 interentity loans in accordance with 17-2-107 to pay planning and design costs incurred before the receipt of

8 funding from another funding source.

9

10        **NEW SECTION. Section 6. Capital projects -- contingent funds.** If a capital project is financed in

11 whole or in part with appropriations contingent upon the receipt of funding from another funding source, the

12 department of administration may not let the project for bid until the agency receiving funding has submitted a

13 financial plan for approval by the director of the department of administration. A financial plan may not be

14 approved by the director if:

- 15            (1) the level of funding provided under the financial plan deviates substantially from the funding level
- 16 provided in [section 2] for that project; or
- 17            (2) the scope of the project is substantially altered or revised from the preliminary plans presented for
- 18 that project in the 2017 biennium long-range building program presented to the 64th legislature.

19

20        **NEW SECTION. Section 7. Review by department of environmental quality.** The department of

21 environmental quality shall review capital projects authorized in [section 2] for potential inclusion in the state

22 building energy conservation program under Title 90, chapter 4, part 6. When a review shows that a capital

23 project will result in energy improvements, that project must be submitted to the energy conservation program

24 for funding consideration. Funding provided under the energy conservation program guidelines must be used to

25 offset or add to the authorized funding for the project, and the amount will be dependent on the annual utility

26 savings resulting from the facility improvement. Agencies must be notified of potential funding after the review.

27

28        **NEW SECTION. SECTION 8. TRANSFER OF FUNDS. IN THE BIENNIUM BEGINNING JULY 1, 2015, THE**

29 **DEPARTMENT OF ADMINISTRATION SHALL TRANSFER THE AMOUNT OF \$750,000 FROM THE LONG-RANGE BUILDING**

30 **PROGRAM ACCOUNT TO THE AUXILIARY FUNDS OF THE MONTANA UNIVERSITY SYSTEM TO BE USED FOR THE SOLE PURPOSE**

1 OF LAND ACQUISITION FOR GREAT FALLS COLLEGE-MSU.

2

3 NEW SECTION. Section 9. Legislative consent. The appropriations authorized in [sections 1 through  
4 ~~7 6 7~~] constitute legislative consent for the capital projects contained in [sections 1 through ~~7 6 7~~] within the  
5 meaning of 18-2-102.

6

7 NEW SECTION. SECTION 10. GENERAL FUND TRANSFER. THE DEPARTMENT OF ADMINISTRATION SHALL  
8 TRANSFER \$1,000,000 FROM THE GENERAL FUND TO THE LONG-RANGE BUILDING PROGRAM (LRBP) FUND IN THE  
9 BIENNIUM BEGINNING JULY 1, 2015.

10

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

14

15 NEW SECTION. SECTION 12. CONTINGENT VOIDNESS. IF SENATE BILL NO. 416 IS PASSED AND APPROVED  
16 AND PROVIDES FOR A \$1,000,000 APPROPRIATION FOR THE MONTANA STATE UNIVERSITY-NORTHERN, AUTOMOTIVE  
17 TECHNOLOGY CENTER, THE LRBP FUNDING FOR THE PROJECT IN [THIS ACT] AND [SECTION 10 OF THIS ACT] ARE VOID.

18

19 NEW SECTION. Section 13. Effective date. [This act] is effective on passage and approval.

20

- END -