



AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2021; 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 APPROVAL OF LEASED SPACE IN ACCORDANCE WITH SECTION 2-17-101(5), MCA; AND PROVIDING EFFECTIVE DATES.

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 nonstate 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 8].

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

(4) "Other funding sources" means money other than LRBP money, state special revenue, or federal special revenue that accrues to an agency under the provisions of law.

**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:

|                |      |         |         |           |       |
|----------------|------|---------|---------|-----------|-------|
| Agency/Project | LRBP | State   | Federal | Authority | Total |
|                | Fund | Special | Special | Only      |       |
|                |      | Revenue | Revenue |           |       |

DEPARTMENT OF ADMINISTRATION

Life Safety and Deferred Maintenance, Statewide

1,550,000 1,550,000

If revenues received in the LRBP fund are not sufficient to pay for the appropriations attributed to the LRBP fund in this act, the department of administration shall reduce spending on projects in the Life Safety and Deferred Maintenance, Statewide appropriation by an amount equal to one-half of the revenue shortfall.

Life Safety and Deferred Maintenance, Capitol Complex

3,000,000 3,000,000

State special revenue funds consist of capitol land grant funds.

Capitol Building Improvements

2,450,000 2,450,000

State special revenue funds consist of capitol land grant funds. If revenues received in the capitol land grant fund are not sufficient to pay for the appropriations attributed to the capitol land grant fund in this act, the department of administration shall reduce spending on the Capitol Building Improvements appropriation by an amount equal to the revenue shortfall.

Update Capitol Complex Master Plan & Space Analysis

250,000 250,000

State special revenue funds consist of capitol land grant funds.

DEPARTMENT OF LIVESTOCK

Veterinary Diagnostic Lab - Planning Only

100,000 100,000

DEPARTMENT OF CORRECTIONS

Food Factory Expansion

3,000,000 3,000,000

Authority only funds consist of Montana Correctional Enterprises proprietary funds.

Purchase MSP TSCTC Fence

1,310,873 1,310,873

DEPARTMENT OF FISH, WILDLIFE, AND PARKS

Hatchery Maintenance, Statewide

|   |           |           |           |
|---|-----------|-----------|-----------|
|   | 1,200,000 | 750,000   | 1,950,000 |
| Upgrade Missoula Headquarters                           |           |           |           |
|   | 1,350,000 |           | 1,350,000 |
| Glasgow Headquarters Addition and Meeting Room          |           |           |           |
|   | 1,700,000 |           | 1,700,000 |
| Construct Lewistown Area Office                         |           |           |           |
|   | 1,500,000 |           | 1,500,000 |
| Administrative Facilities, Major Maintenance            |           |           |           |
|   | 2,400,000 |           | 2,400,000 |
| <b>DEPARTMENT OF JUSTICE</b>                            |           |           |           |
| Construct Glendive Highway Patrol Building and Storage  |           |           |           |
|   | 2,795,000 |           | 2,795,000 |
| <b>DEPARTMENT OF MILITARY AFFAIRS</b>                   |           |           |           |
| Indoor Firing Ranges Repurposing, Statewide             |           |           |           |
|   | 970,100   | 970,100   | 1,940,200 |
| PT/Rec Center Addition and Alteration, Ft. Harrison     |           |           |           |
|   |           | 2,000,000 | 2,000,000 |
| Military Cemetery Expansions, Ft. Harrison and Missoula |           |           |           |
|   |           | 4,000,000 | 4,000,000 |
| FMS #3 Female Latrines and Remodel                      |           |           |           |
|   |           | 702,900   | 702,900   |
| FTH Weapons Cleaning Facility                           |           | 1,700,000 | 1,700,000 |
| <b>DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES</b>   |           |           |           |
| Southwestern Montana Veterans' Home                     |           |           |           |
|   | 5,000,000 |           | 5,000,000 |

Any remaining balance of LRBP funds not needed for completion of the Southwestern Montana Veterans' Home is reappropriated to the department of administration for Life Safety and Deferred Maintenance, Statewide.

|   |  |         |         |
|---|--|---------|---------|
| Construct Chapel, MT Veterans' Home, Columbia Falls |  | 750,000 | 750,000 |
|---|--|---------|---------|

DEPARTMENT OF TRANSPORTATION

Equipment/Office Buildings, Statewide

2,630,000 2,630,000

Remodel Headquarters Office, Wolf Point

770,000 770,000

Remodel/Expand Yellowstone Airport Terminal

13,500,000 1,200,000 14,700,000

MONTANA UNIVERSITY SYSTEM

Life Safety and Deferred Maintenance, MUS Statewide

4,550,000 4,550,000

If revenues received in the LRBP fund are not sufficient to pay for the appropriations attributed to the LRBP fund in this act, the department of administration shall reduce spending on projects in the Life Safety and Deferred Maintenance, MUS Statewide appropriation by an amount equal to one-half of the revenue shortfall.

Construct American Indian Hall, MSU

12,000,000 12,000,000

Authority only is an increase to \$8,000,000 approved in Chapter 560 of the Session Laws of 2005 for the Native American Student Center, MSU-Bozeman.

Remodel Harrison Hall, Hospitality Management, Gallatin College, MSU

4,000,000 4,000,000

Facilities Services Yard Relocation, MSU

9,000,000 9,000,000

Visual Communications Building Addition, MSU

12,000,000 12,000,000

Renovate Renne Library, MSU

1,500,000 1,500,000

Upgrade Donaldson Hall, MSU-Northern

6,000,000 6,000,000

Upgrade McKenzie Hall Systems, MSU-Northern

2,000,000 2,000,000

TEACHERS' RETIREMENT SYSTEM

Renovate TRS Building

550,000 550,000

Authority only funds consist of Teachers' Retirement System funds.

**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. The department of fish, wildlife, and parks is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

| Agency/Project                            | LRBP<br>Fund | State<br>Special<br>Revenue | Federal<br>Special<br>Revenue | Authority<br>Only | Total     |
|---|--------------|-----------------------------|-------------------------------|-------------------|-----------|
| Future Fisheries, Statewide               |              | 1,250,000                   |                               |                   | 1,250,000 |
| Fishing Access Site Protection, Statewide |              | 1,790,000                   |                               |                   | 1,790,000 |
| Community Fishing Ponds, Statewide        |              | 100,000                     |                               |                   | 100,000   |
| Fish Passage Construction, Statewide      |              |                             | 1,291,000                     | 549,000           | 1,840,000 |
| Wildlife Habitat Maintenance, Statewide   |              | 1,000,000                   | 150,000                       |                   | 1,150,000 |
| Forest Management, Statewide              |              | 400,000                     |                               |                   | 400,000   |
| Migratory Bird Program, Statewide         |              | 650,000                     |                               |                   | 650,000   |
| Home to Hunt Access, Statewide            |              |                             |                               |                   |           |

|   |           |           |         |           |
|---|-----------|-----------|---------|-----------|
|   | 220,000   |           |         | 220,000   |
| Upland Game Bird Enhancement Program, Statewide |           |           |         |           |
|   | 954,000   |           |         | 954,000   |
| Smith River Corridor                            |           |           |         |           |
|   | 200,000   |           |         | 200,000   |
| Grants Program, Statewide                       |           |           |         |           |
|   | 304,400   | 5,000,000 |         | 5,304,400 |
| Parks Major Maintenance, Statewide              |           |           |         |           |
|   | 2,000,000 |           |         | 2,000,000 |
| FAS NRD Yellowstone Pipeline Settlement         |           |           |         |           |
|   |           |           | 500,000 | 500,000   |
| Wildlife Habitat Improvement, Statewide         |           |           |         |           |
|   |           | 4,000,000 |         | 4,000,000 |
| Milltown State Park Improvements                | 50,000    | 145,000   | 100,000 | 295,000   |

(2) Authority is granted to the Montana university system in the indicated amount for the purpose of making capital improvements to campus facilities. Authority only funds may include federal special revenue, donations, grants, auxiliary funds, proprietary funds, and nonstate university 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 | State   | Federal | Authority  | Total      |
|--|------|---------|---------|------------|------------|
|  | Fund | Special | Special | Only       |            |
|  |      | Revenue | Revenue |            |            |
| General Spending Authority, MUS All Campuses |      |         |         |            |            |
|  |      |         |         | 16,000,000 | 16,000,000 |

(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 | State | Federal | Authority | Total |
|----------------|------|-------|---------|-----------|-------|
|----------------|------|-------|---------|-----------|-------|

|                            | Fund | Special<br>Revenue | Special<br>Revenue | Only |           |
|----------------------------|------|--------------------|--------------------|------|-----------|
| Federal Spending Authority |      |                    | 3,000,000          |      | 3,000,000 |

(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<br>Fund | State<br>Special<br>Revenue | Federal<br>Special<br>Revenue | Authority<br>Only | Total     |
|--|--------------|-----------------------------|-------------------------------|-------------------|-----------|
| Maintenance, Repair, and Small Projects, Statewide |              | 2,300,000                   |                               |                   | 2,300,000 |

(5) The following money is appropriated to the department of environmental quality in the indicated amount from state building energy conservation funds for the purpose of making capital improvements as indicated:

| Agency/Project                 | LRBP<br>Fund | State<br>Special<br>Revenue | Federal<br>Special<br>Revenue | Authority<br>Only | Total     |
|--------------------------------|--------------|-----------------------------|-------------------------------|-------------------|-----------|
| Energy Improvements, Statewide |              | 3,600,000                   |                               |                   | 3,600,000 |

State special revenue funds consist of state building energy conservation funds of the capital fund type.

**Section 4. Land acquisition appropriations.** 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. The department of fish, wildlife, and parks is authorized to transfer the appropriations, authority, or both among the necessary fund types for these projects:

| Agency/Project  | LRBP<br>Fund | State<br>Special<br>Revenue | Federal<br>Special<br>Revenue | Authority<br>Only | Total |
|-----------------|--------------|-----------------------------|-------------------------------|-------------------|-------|
| Habitat Montana |              |                             |                               |                   |       |

|  |           |           |
|--|-----------|-----------|
|  | 8,000,000 | 8,000,000 |
| Fishing Access Site Acquisition, Statewide |           |           |
|  | 260,000   | 260,000   |
| Bighorn Sheep Habitat                      |           |           |
|  | 220,000   | 220,000   |

**Section 5. Planning and design.** The department of administration may proceed with the planning and design of capital projects in [section 2] 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 on the receipt of other funding sources, 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 description presented for that project in the 2021 biennium long-range building program presented to the 66th 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. Capital project appropriation and authorization.** The following money is appropriated to



the department of administration after December 31, 2020, for the indicated capital project from the indicated source. The department of administration may not commence planning, design, or construction activities until on or after the effective date of the appropriation in this section.

| Agency/Project                                | LRBP<br>Fund | State<br>Special<br>Revenue | Federal<br>Special<br>Revenue | Authority<br>Only | Total     |
|---|--------------|-----------------------------|-------------------------------|-------------------|-----------|
| Renovate Executive Residence, Capitol Complex |              | 1,900,000                   |                               |                   | 1,900,000 |

State special revenue funds consist of capitol land grant funds.

**Section 9. Fund transfer.** The state treasurer shall transfer the amount of \$2,500,000 in fiscal year 2020 from the state general fund to the long-range building program account in the capital projects fund type for the projects enumerated in [section 2].

**Section 10. Legislative consent.** The appropriations authorized in [sections 1 through 8] constitute legislative consent for the capital projects contained in [sections 1 through 8] within the meaning of 18-2-102.

**Section 11. Approval of lease.** The department of administration is authorized to enter into a lease or leases in 301 South Park Building, Helena, Montana, for an aggregate square footage in excess of 40,000 square feet. The term of the lease or leases may not extend beyond December 31, 2039. This approval constitutes legislative consent contained within the meaning of 2-17-101(5).

**Section 12. Coordination instruction.** If both [this act] and Senate Bill No. 338 are passed and approved, [section 2 of Senate Bill No. 338] must read as follows:

**"NEW SECTION. Section 2. Authorization to construct Montana heritage center.** (1) The department of administration is authorized to construct the Montana heritage center, which may include the remodel of the veterans' and pioneer memorial building.

(2) The department of administration shall, to the fullest extent possible, analyze, negotiate, and pursue purchasing the area bounded by Prospect avenue, 11th avenue, North Sanders street, and North Oakes street

in Helena, Montana, containing approximately 9.4 acre lots, as the location of the Montana Heritage Center.

(3) The department of administration may construct the Montana heritage center in phases.

(4) This section constitutes legislative consent for the construction of the Montana heritage center within the meaning of 18-2-102."

**Section 13. Coordination instruction.** If House Bill No. 652 is not passed and approved, the appropriation to the department of administration for Life Safety and Deferred Maintenance, Statewide, in [section 2 of this act] is increased from \$1,550,000 to \$3,550,000.

**Section 14. Coordination instruction.** (1) If House Bill No. 553 is passed and approved and House Bill No. 652 is not passed and approved, or if House Bill No. 553 is passed and approved and House Bill No. 652 is passed and approved and does not contain at least \$25 million in state funding for Romney Hall, the state treasurer shall transfer \$25 million from the general fund, less any state funding provided in House Bill No. 652 for Romney Hall, to the capital developments long-range building program account established in [section 5 of House Bill No. 553].

(2) For the capital project for Romney Hall for the biennium beginning July 1, 2019, the amount transferred to the capital developments long-range building program account established in [section 5 of House Bill No. 553] pursuant to subsection (1) is appropriated to the department of administration and \$7 million is authorized from donations or university funds.

**Section 15. Coordination instruction.** If both [this act] and House Bill No. 652 are passed and approved, the appropriation in [section 8 of House Bill No. 652] is \$21.5 million.

**Section 16. 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 17. Effective dates.** (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Section 8] is effective January 1, 2021.

- END -

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

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

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Chief Clerk of the House

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2019.

HOUSE BILL NO. 5

INTRODUCED BY J. KEANE

BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2021; 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 APPROVAL OF LEASED SPACE IN ACCORDANCE WITH SECTION 2-17-101(5), MCA; AND PROVIDING EFFECTIVE DATES.