

HOUSE BILL NO. 5
 INTRODUCED BY M. MCCANN
 BY REQUEST OF THE GOVERNOR

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2003; 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 11], unless otherwise stated, the following definitions apply:

- (1) "Capital project" means the acquisition of land or improvements or the planning, capital construction, renovation, furnishing, or major repair projects authorized in [sections 1 through 11].
- (2) "LRBP" means the long-range building program account in the capital projects fund type.
- (3) "Other funding sources" means money other than LRBP money, including special revenue fund money, that accrues to an agency under the provisions of law.

NEW SECTION. Section 2. Capital projects appropriations. (1) The following money is appropriated for the indicated capital projects from the indicated sources to the department of administration, which is authorized to transfer the appropriated money among the necessary fund types for these projects:

Agency/Project	LRBP	Other Funding Sources
DEPARTMENT OF ADMINISTRATION		
Life Safety Projects, Statewide	\$400,000	\$
Hazardous Material Mitigation Fund	350,000	
Roof Replacements or Repairs, Statewide	499,000	
Project Litigation Fund	475,000	
Museum Study/Design		1,000,000 State Special Revenue
Capitol Complex Land Acquisition		400,000 Capitol Land Grant Revenue
DEPARTMENT OF CORRECTIONS		
New Female Dormitory Wing at	85,000	

Boot Camp, TSCTC

DEPARTMENT OF FISH, WILDLIFE, AND PARKS

Administrative Facility Repair and Maintenance 764,000 State Special Revenue

DEPARTMENT OF JUSTICE

Upgrade Foundations and Boiler, MLEA 200,000

DEPARTMENT OF MILITARY AFFAIRS

Construct New Dillon Armory 3,800,000 Federal Special Revenue

MONTANA UNIVERSITIES AND COLLEGES

Replace Primary Power Distribution 162,750 59,375 Auxiliary

System, UM-Dillon

Roof Replacements or Repairs, 426,000

University System

Heating Plant Steam Distribution, 438,750 236,250 Auxiliary

Phase II, UM-Tech

Master Plan Campuses, University System 150,000 150,000 Higher Education Funds,
Federal, Donations, Grants,
Auxiliary, Plant Funds

Animal and Range Science Facility, 5,000,000 Higher Education Funds,
MSU-Bozeman Federal, Donations, Grants,
Nonstate Funds, Plant Funds

Fine Arts Museum Remodel/Upgrade, 5,000,000 Federal, Donations,
UM-Missoula Nonstate Funds, Plant Funds

Multi Media Center, Yellow Bay, 1,350,000 Federal, Donations, Grants,
UM-Missoula Nonstate Funds, Plant Funds

International Center, 1,250,000 Federal, Donations, Grants,
UM-Missoula Nonstate Funds, Plant Funds

Law Building Renovation/Expansion, 5,000,000 Federal, Donations, Grants,
UM-Missoula Nonstate Funds, Plant Funds

School of Journalism Building, 12,000,000 Federal, Donations, Grants,
UM-Missoula Nonstate Funds, Plant Funds

Construct Applied Technology Center, 4,125,000 Federal, Donations, Grants,

MSU-Northern		Nonstate Funds, Plant Funds
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION		
Expand Unit Office, Libby	94,000	
DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES		
Licensure Compliance, MMHNCC	524,000	
Paving and Improvements at Eastmont, Glendive	200,000	
Montana Veterans' Home Improvements, Columbia Falls	223,875	State Special Revenue
Eastern Montana Veterans' Home Improvements, Glendive	177,800	State Special Revenue
STATE BOARD OF EDUCATION		
Facility Improvements, Montana School for the Deaf and Blind	315,160	
DEPARTMENT OF TRANSPORTATION		
Construct Equipment Storage Buildings, Statewide	2,700,000	Highways State Special Revenue

(2) Funding for the Museum Study/Design project in subsection (1) is contingent on passage and approval of House Bill No. 16.

(3) For purposes of obtaining cash for the construction litigation appropriation authority in subsection (1), the architecture and engineering division of the department of administration may transfer any excess LRBP money from an agency as long as the transfer does not move funds required to complete any authorized agency project.

(4) Inmate labor will be used for the construction of the new female dormitory wing at the treasure state correctional training center in subsection (1).

(5) If ___Bill No. ___ [LC 479] and [this act] are passed and approved, the following projects are appropriated from the LRBP funding to the department of administration in addition to the projects listed in subsection (1):

Agency/Project	LRBP	Other Funding Sources
DEPARTMENT OF ADMINISTRATION		
Life Safety Projects, Statewide	\$450,000	

Hazardous Material Mitigation, Statewide	1,000,000
Roof Replacements or Repairs, Statewide	150,000
Project Litigation Fund	25,000

MONTANA UNIVERSITIES AND COLLEGES

Code Compliance/Deferred Maintenance, All Campuses	1,100,000
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DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

SWLO, Missoula Unit Improvements	150,000
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DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES

Paving and Improvements at Eastmont, Glendive	103,300
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NEW SECTION. Section 3. 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 agreement:

Agency/Project	LRBP	Other Funding Sources
Fishing Access Site Acquisition, Statewide		\$600,000 State Special Revenue
Habitat Montana		4,800,000 State Special Revenue
Big Horn Sheep Program		25,000 State Special Revenue

NEW SECTION. Section 4. Dam. (1) The following money is appropriated to the department of fish, wildlife, and parks in the indicated amount for the following dam:

Agency/Project	LRBP	Other Funding Sources
Park/Bearpaw Lakes Dam Repair		\$210,000 State Special Revenue

(2) In accordance with 85-1-101, the department of natural resources and conservation shall coordinate and manage the projects.

NEW SECTION. Section 5. 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:

Agency/Project	LRBP	Other Funding Sources
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Fishing Access Site Maintenance, Statewide	\$275,000	State Special Revenue
Fishing Access Site Protection, Statewide	600,000	State Special Revenue
	100,000	Federal Special Revenue
Hatchery Maintenance, Statewide	575,000	State Special Revenue
Future Fisheries	2,010,000	State Special Revenue
Valier Boat Ramp	150,000	Federal Special Revenue
Wildlife Habitat Maintenance	750,000	State Special Revenue
Waterfowl Stamp Program	230,000	State Special Revenue
Upland Game Bird Program	1,200,000	State Special Revenue
CARA-Wildlife	2,120,000	Federal Special Revenue
Cultural and Historic Parks	1,755,000	State Special Revenue
	150,000	Federal Special Revenue
Motorboat Recreation	754,650	State Special Revenue
	505,000	Federal Special Revenue
Federal WB	745,000	Federal Special Revenue
Lewis and Clark Bicentennial	500,000	General Fund
State Park Roads	400,000	State Special Revenue
Capitol Complex Grounds Improvements	150,000	Capitol Land Grant Revenue
LWCF Grants	570,000	Federal Special Revenue
Federal Trails Grants	1,900,000	Federal Special Revenue
OHV Trails Grants	425,000	State Special Revenue
CARA-LWCF	6,546,000	Federal Special Revenue

(2) 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:

Agency/Project	LRBP	Other Funding Sources
Federal Spending Authority		\$1,500,000 Federal Special Revenue

(3) The following money is appropriated to the university of Montana in the indicated amounts for the purpose of making capital improvements to campus facilities:

Agency/Project	LRBP	Other Funding Sources
Grant Projects, All Campuses		\$1,500,000 Federal, Donations, Grants

ADA Code/Deferred Maintenance, 1,000,000 Federal, Donations, Grants
 All Campuses

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

Agency/Project	LRBP	Other Funding Sources
Maintenance, Repair, and Small Projects, Statewide	\$2,800,000	Highways State Special Revenue

NEW SECTION. Section 6. Transfer of funds. The department of fish, wildlife, and parks and the department of military affairs are authorized to transfer money appropriated in [sections 3 through 5] among fund types.

NEW SECTION. Section 7. Capital land grant revenue. The appropriations of \$400,000 in capitol land grant revenue to the department of administration for capitol complex land acquisition and \$150,000 to the department of fish, wildlife, and parks for capitol complex grounds improvements are the last priorities for use of these funds during the 2003 biennium and are dependent upon the availability of revenue. If necessary, the projects may be phased in as capitol land grant revenue becomes available. The department of administration architecture and engineering division will set priorities for revenue available for the two projects.

NEW SECTION. Section 8. 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 interaccount loans in accordance with 17-2-107 to pay planning and design costs incurred before the receipt of other funding sources.

NEW SECTION. Section 9. Capital projects -- contingent funds. If a capital project is financed, in whole or in part, with appropriations contingent upon the receipt of other funding sources, the department of administration may not let the projects 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 [sections 2 through 5] 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 2003 biennium long-range building program presented to the 57th legislature.

NEW SECTION. Section 10. Review by department of environmental quality. The department of environmental quality shall review capital projects authorized in [sections 2 through 5] for potential inclusion in the state energy conservation program. When review shows that a capital project will result in energy improvements, that project must be submitted to the energy conservation program for cofunding consideration. Cofunding 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 cofunding after the review.

NEW SECTION. Section 11. Legislative consent. The appropriations authorized in [sections 1 through 10] constitute legislative consent for the capital projects contained in [sections 1 through 10] within the meaning of 18-2-102.

NEW SECTION. Section 12. 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.

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

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